

## 2RP: Responses to Recommendations & Voluntary Pledges

# TRINIDAD AND TOBAGO

## Second Review Session 25

Review in the Working Group: 10 May 2016  
Adoption in the Plenary: 22 September 2016

Trinidad and Tobago's responses to recommendations (as of 22.09.2016):

| In the Report of the Working Group:                    | In the Addendum:   | During the plenary:  | Summary:                                |
|--|--|--|---|
| Accepted: 71<br>Noted: 19<br>Pending: 67<br>Total: 157 | Of the 67 pending, 8 are accepted, 58 are noted and 1 received "no response", which we will consider noted | "At the HRC, the VP stated out of 157 recommendations 79 enjoy the support of the State under Review and 78 are noted" | Accepted: 79<br>Noted: 78<br>Total: 157 |

*Paragraph headers are as in the Report of the Working Group, but the nature of responses to recommendations may have subsequently been changed.*

### List of recommendations contained in Section II of the Report of the Working Group A/HRC/25/12:

**106. The recommendations listed below enjoy the support of Trinidad and Tobago:**

A - 106.1 Maintain the tempo to reform the constitution and conclude this important reform as it will consolidate and enhance the legal framework for protection and promotion of human rights (Kenya);

A - 106.2 Continue efforts to harmonize national legislation with international human rights norms (Morocco);

A - 106.3 Develop and implement a National Action Plan for Human Rights to further ensure systematic and comprehensive approach for the promotion and protection of human rights, with the full engagement of civil society (Indonesia);



- A - 106.4 Foster a better understanding of the needs of young people and establish guidelines for their development (Cuba);
- A - 106.5 Develop and implement a national awareness raising campaign on human rights (Maldives);
- A - 106.6. Continue to develop training programmes in the field of human rights for law enforcement officials (Egypt);
- A - 106.7 Submit overdue reports to the relevant treaty bodies (Sierra Leone);
- A - 106.8 Take steps to submit overdue reports to treaty bodies (Ghana);
- A - 106.9 Avail itself of technical assistance from OHCHR towards implementation of its obligations under international laws and treaties (Maldives);
- A - 106.10 Continue legislative review and reform to address any instances of discrimination against women in national law (Bahamas);
- A - 106.11 Continue to promote the rights of vulnerable groups, especially women, children and persons with disabilities (Senegal);
- A - 106.12 Continue its significant efforts to promote gender equality, in particular the implementation of the Draft National Gender Policy as well as the proper enforcement of the existing legal frameworks (Norway);
- A - 106.13 Continue to promote women empowerment (Pakistan);
- A - 106.14 Develop more equitable strategies to achieve gender equality on the basis of the assessment or examination of the different needs, constraints, opportunities and priorities of men and women (Cuba);
- A - 106.15 Implement gender equality by establishing same wages for same jobs for men and women (Algeria);
- A - 106.16 Continue efforts to eliminate discrimination against women to allow for equal access to the labour market (Morocco);
- A - 106.17 Increase its collaboration with regional and hemispheric partners to address high levels of violence and organised crime (Jamaica);
- A - 106.18 Establish an authority that will investigate and recommend action against abuses by law enforcers as a way to curb corruption, violations and protect the integrity of the security forces (Botswana);
- A - 106.19 Enact comprehensive prison and related judicial reform to ensure that conditions of detention are in conformity with United Nations Standard Minimum Rules for the Treatment of Prisoners, including but not limited to: addressing overcrowding and sanitary issues in prisons; providing sufficient resources for rehabilitation and reintegration of prisoners; and relieving the judicial backlog that has contributed to the detention of over 2,000 people in remand awaiting a trial, many who have been in custody for several years (Canada);

A - 106.20 Take all necessary measures to solve the problem of prison overcrowding and to improve detention conditions, including by providing sufficient resources to the body responsible for investigating allegations of torture and ill-treatment and ensuring its independence (France);

A - 106.21 Strengthen plans and policies to eradicate violence against women (Paraguay);

A - 106.22 Prioritise measures to significantly reduce gender-based violence including violence against women and girls (Jamaica);

A - 106.23 Establish appropriate coordination mechanisms that can ensure an effective multisectoral response to cases of sexual and domestic violence (Guatemala);

A - 106.24 Take steps to strengthen policies aimed at addressing gender-based violence, domestic violence, sexual harassment, rape and child sexual abuse (Ghana);

A - 106.25 Pursue efforts to strengthen legislation and public policies aimed at eradicating violence against women (Ecuador);

A - 106.26 Establish an adequate mechanism to ensure an effective response to sexual and domestic violence (Turkey);

A - 106.27 Develop a coordinated, inter-agency approach for responding to gender-based violence, with support from international partners, as required (Bahamas);

A - 106.28 Approve the national gender policy and put it into practice in order to guarantee, inter alia, the effective implementation of the Domestic Violence Act, the establishment of appropriate and effective coordination mechanisms to ensure effective multisectoral response to sexual and domestic violence and sexual harassment in the workplace and in public life, as well as the explicit prohibition of discrimination against women (Honduras);

A - 106.29 Ensure adequate follow up to the review of the Domestic Violence Act conducted in 2014-2015 in order to strengthen measures to prevent and combat against all forms of discrimination and violence against women, and consider adopting a national action plan to this end (Italy);

A - 106.30 Strengthen the response to various forms of violence against woman and take appropriate measures in order to ensure gender equality in the labor market (Egypt);

A - 106.31 Continue its efforts in the fight against violence and discrimination against women, and ensure the effective implementation of existing legislation, particularly legislation on the minimum legal age of marriage (France);

A - 106.32 Strengthen efforts to prevent and eradicate forced marriage of children and adolescents (Chile);

A - 106.33 Partner with existing independent human rights organizations to monitor and evaluate government interventions that combat domestic violence (United States of America);

A - 106.34 Fully implement the Domestic Violence Act and develop a comprehensive policy to raise awareness of and prevent domestic violence (Germany);

A - 106.35 Develop statistics and indicators on gender-based violence in order to design and implement public policies in an effective manner (Mexico);

A - 106.36 Ensure that rape is diligently prosecuted as a grievous sexual assault (Slovenia);

A - 106.37 Enact laws and policies to combat the problem of sexual harassment in the workplace and in public life (Guatemala);

A - 106.38 Put in place a system to support victims of sexual and gender-based violence (Spain);

A - 106.39 Strengthen and expand policies, protections and programs addressing gender-based violence and sexual exploitation of children, provide targeted training to law enforcement, and ensure survivors are protected and have access to medical and legal services (Canada);

A - 106.40 Take immediate and long term actions to eliminate discrimination and violence against women, narrow the gender gap in economic and social settings, and undertake public campaigns against gender-based violence (Malaysia);

A - 106.41 Ensure proper investigation of child abuse (Germany);

A - 106.42 Introduce more rigorous anti-trafficking laws to better protect women and girls (Sierra Leone);

A - 106.43 Provide adequate funding and human resources for its anti-human trafficking programs (Philippines);

A - 106.44 Strengthen existing policies to combat human trafficking (Spain);

A - 106.45 Improve efforts to address human trafficking by strengthening procedures for identifying victims of trafficking (Turkey);

A - 106.46 Continue to take steps to strengthen the protection for and assistance to victims, and to prosecute perpetrators, by ensuring the full implementation of the Trafficking in Persons Act (Singapore);

A - 106.47 Ensure that victims of trafficking are provided with the opportunity to seek asylum and enjoy the corresponding rights and services, to strengthen the effort to protect and assist victims of trafficking (Uganda);

A - 106.48 Continue efforts to strengthen the system for combating trafficking in persons and establish a response mechanism to provide assistance to victims of this crime (Mexico);

A - 106.49 Continue to strengthen national efforts to address the phenomenon of trafficking in human beings (Egypt);

A - 106.50 Provide increased support to the family as the dominant and only natural environment suitable for raising children, to ensure adequate protection (Uganda);

A - 106.51 Step up efforts to facilitate the participation of women in political and public affairs and to combat stereotypes regarding the role of women (Argentina);

A - 106.52 Continue the efforts to reduce the unemployment rate, eradicate poverty, and give priority to the protection and promotion of economic, social and cultural rights of people (China);

A - 106.53 Adopt a human rights based approach in the engagement with youth, and increase the resources for youth development in urban and rural areas, including by improving the access to and quality of education (Malaysia);

A - 106.54 Continue progressing towards the eradication of poverty, through implementing its successful social policies (Bolivarian Republic of Venezuela);

A - 106.55 Strengthen measures on rural development (South Africa);

A - 106.56 Continue national efforts to address the prevalence of HIV and AIDS (South Africa);

A - 106.57 Ensure the right to health of persons living with HIV/AIDS, through the strengthening of inter-institutional coordination, the establishment of programs to make available essential medicines, as well as strategies to address the increased rate of infection by HIV and new infections among adolescents and young women (Colombia);

A - 106.58 Build state capacity to develop policy and programmatic responses to address the needs of people living with HIV (Norway);

A - 106.59 Implement the updated National Policy on Persons with Disabilities (Maldives);

A - 106.60 Review and revise domestic legislation and policies to reflect the provisions and principles of the Convention on the Rights of Persons with Disabilities (Australia);

A - 106.61 Accelerate efforts to incorporate the Convention on the Rights of Persons with Disabilities into national law (Bahamas);

A - 106.62 Develop policy and legislation to promote, protect and fulfil the rights of persons with disabilities (South Africa);

A - 106.63 Develop policy and legislation in the area of protection of the rights of persons with disabilities (Georgia);

A - 106.64 Continue to implement the Convention on the Rights of Persons with Disabilities (Pakistan);

A - 106.65 Take all necessary legislative and policy measures to ensure that persons with disabilities have appropriate employment opportunities and children with disabilities have access to quality education (Singapore);

A - 106.66 Take steps to review domestic legislation and policies to reflect the provision and principles of the Convention on the Rights of Persons with Disabilities and fully implement the updated National Policy of Persons with Disabilities (Ghana);

A - 106.67 Implement the legislation and policies to address all forms of discrimination and disability (Kenya);

A - 106.68 Elevate the socioeconomic situation for persons with disabilities (Malaysia);

A - 106.69 Develop public policies aimed at guaranteeing the rights of persons with disabilities, mainly in education, professional development and participation in social life on an equal footing (Mexico);

A - 106.70 Effect the National Policy on refugee and Asylum Seekers matters the Cabinet approved in 2014 (Kenya);

**107. Trinidad and Tobago considers that the following recommendation is already implemented:**

A - 107.1 Ratify and apply the Arms Trade Treaty (Costa Rica).

**108. The following recommendations will be examined by Trinidad and Tobago which will provide responses in due time, but no later than the thirty-third session of the Human Rights Council in September 2016:**

N - 108.1 Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Italy);

N - 108.2 Accede to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol, and the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (Honduras);

N - 108.3 Consider its accession to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Indonesia);

N - 108.4 Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Turkey) (Denmark) (France) (Ghana);

N - 108.5 Continue expanding the legal framework for the promotion and protection of human rights through the ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Convention for the Protection of All Persons from Enforced Disappearance as well as to consider taking steps towards the abolishment of death penalty (Mongolia);

N - 108.6 Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol (Italy) (Paraguay) (Uruguay);

N - 108.7 Ratify and accede to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the International Convention for the Protection of All Persons from Enforced Disappearance (Sierra Leone);

N - 108.8 Progress towards the ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Chile);

N - 108.9 Ratify the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol; the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict; the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography; as well as the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (Guatemala);

N - 108.10 Ratify the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment for the establishment of a National Preventive Mechanism (Panama);

N - 108.11 Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol, as well as the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Portugal);

N - 108.12 Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (United Kingdom of Great Britain and Northern Ireland) (Costa Rica);

N - 108.13 Sign the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment its Optional Protocol, the International Convention for the Protection of All Persons from Enforced Disappearance, as well as the Optional Protocols to the Convention on the Rights of the Child (Spain);

N - 108.14 Consider, to the extent possible, acceding to the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (Nicaragua);

N - 108.15 Ratify the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (Switzerland);

N - 108.16 Ratify the Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography (Uruguay);

N - 108.17 Take all necessary measures to combat violence against children and ratify the Optional Protocols to the Convention on the Rights of the Child (France);

N - 108.18 Consider acceding to the International Convention on the Protection of the Rights of All Migrant Workers and their Families (Ecuador);

N - 108.19 Consider its accession to the Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (Indonesia);

N - 108.20 Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Philippines);

N - 108.21 Ratify the International Convention on the Rights of All Migrant Workers and Members of Their Families (Algeria) (Ghana);

N - 108.22 Ratify the International Convention for the Protection of All Persons from Enforced Disappearance without making reservations and recognize the competence of the Committee on Enforced Disappearances to receive and consider communications (Panama);

N - 108.23 Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (France) (Ghana);

N - 108.24 Consider re-acceding to the American Convention on Human Rights and accepting the contentions jurisdiction of the Inter-American Court of Human Rights (Brazil);

N - 108.25 Enact the bill on the International Covenant on Civil and Political, which lapsed in Parliament (Nigeria);

A - 108.26 Consider establishing a National Human Rights Institution (NHRI) in accordance with the Paris Principles (Republic of Korea)

A - 108.27 Establish promptly a NHRI in full compliance with the Paris Principles (A Status) (Portugal);

A - 108.28 Establish NHRI in accordance with the Paris Principles (Senegal);

A - 108.29 Establish an independent human rights institution that conforms with the Paris Principles (Australia)

A - 108.30 Set up a NHRI in accordance with the Paris Principles (Sierra Leone)

108.31 Establish a NHRI under Paris Principles to undertake and oversee the further advancement of the human rights agenda (Barbados)

108.32 Take appropriate measures in the legislative sphere, including allocations of financial resources with a view to strengthening the office of the Ombudsman and bring it in line with the Paris Principles (Honduras)

N - 108.33 Extend a standing invitation to the Council's Special Procedures (Portugal) (Republic of Korea) (Georgia);

N - 108.34 Take steps to issue standing invitations to all special procedures (Ghana);

N - 108.35 Strengthen the cooperation with human rights mechanisms and extend a standing invitation to the special procedures (Turkey);

N - 108.36 Take into account the recommendations of the National Commission for Equal Opportunities concerning the need to amend the Equal Opportunities legislation so that it covers the elderly, persons living with HIV and discrimination on the grounds of sexual orientation (Colombia);

N - 108.37 Put into effect first cycle recommendations 87.23 and 88.50, and develop policy and programmatic responses to the needs of lesbian, gay, bisexual, transgender and intersex (LGBTI) persons (United States of America);

N - 108.38 Amend the Equal Opportunity Act to include sexual orientation and gender identity as prohibited grounds for discrimination, as part of a proactive strategy to promote respect for the dignity and rights of all individuals (Canada);

N - 108.39 Adopt legislation prohibiting discrimination on the grounds of sexual orientation and gender identity, introducing also awareness-raising programs that promote respect for sexual diversity (Chile);

N - 108.40 Enact legislation prohibiting discrimination against LGBTI persons, including removing laws criminalising same sex activity (Australia);

N - 108.41 Repeal articles 13 and 16 of the Law on Sexual Offences of 1986, penalizing sexual relations between consenting individuals of the same sex. Despite the fact that laws criminalizing same sex activity are not enforced, a formal withdrawal of the law is highly recommended (Netherlands);

N - 108.42 Take steps to combat discrimination of LGBTI people in legislation and practice, including decriminalisation of sexual activities between consenting adults of the same sex (Norway);

N - 108.43 Decriminalize sexual relations between consenting adults of the same sex (Slovenia) (Spain);

N - 108.44 Take additional measures as necessary to ensure the full enjoyment of human rights by vulnerable groups that are suffering from discrimination, such as LGBTI persons, including investigation and punishment of cases of discrimination and repealing of laws that criminalize and stigmatize them (Argentina);

N - 108.45 Put an end to discrimination (particularly legal discrimination) against LGBT persons and to criminalization of homosexuality (France);

N - 108.46. Repeal all provisions that criminalize consensual same-sex relationships or that discriminate against LGBTI persons (Germany);

N - 108.47 Decriminalize homosexuality and combat all forms of discrimination and abuse against LGBTI persons (Italy);

N - 108.48 Decriminalize same sex relations including in the Sexual Offences Act. (Montenegro);

N - 108.49 Take concrete measures with a view to decriminalizing consensual same-sex relations and abolishing any discriminatory legislation against LGBTI people, even if it is not applied in practice (Brazil);

N - 108.50 Review the Children Act of 2012 in order to decriminalize consensual sexual relations between minors of the same sex (Chile);

N - 108.51 Adopt a three-tiered classification of murder that will provide sentencing judges with the discretion to impose a sentence other than death and thereby preclude its mandatory imposition (United Kingdom of Great Britain and Northern Ireland);

**A - 108.52 Partner with appropriate international agencies to strengthen national capacities to collect, process, and analyse relevant human rights statistical information concerning police misconduct and prison conditions (United States of America);**

N - 108.53 Set the universal minimum age for marriage to 18 years, in line with the Civil Marriage Law (Norway);

N - 108.54 Harmonize the minimum age for marriage, in accordance with the provisions of the Convention on the Rights of the Child (Paraguay);

N - 108.55 Harmonize all its relevant legislation relating to the age of marriage and raise the age of marriage to 18 (Sierra Leone);

N - 108.56 Raise the age of marriage to 18 for both boys and girls (Slovenia);

N - 108.57 Raise the minimum age of marriage in the national legislation to align it with the definition of a child in the Convention on the Rights of the Child (Algeria);

N - 108.58 Abolish child marriage by having a minimum age of marriage at 18 (Botswana);

N - 108.59 Repeal the legislation that exempts spouses of minors from prosecution for sexual offences against their spouse (Norway);

N - 108.60 Repeal the right of parents to use corporal punishment (Slovenia);

N - 108.61 Prohibit corporal punishment of children at home and in schools (Honduras);

N - 108.62 Take steps to decriminalise defamation (Ghana);

N - 108.63 Design and implement the National Plan on Business and Human Rights in line with the United Nations Guiding Principles on the matter (Colombia);

N - 108.64 Ensure comprehensive sexuality education, with a view to preventing teen pregnancies and the spread of sexually transmitted infections, in particular HIV (Slovenia);

N - 108.65 Speed up the review of the draft Immigration policy (Nigeria);

N - 108.66 Take measures to enact relevant regulatory legislation to provide adequate attention to the migrant population and their human rights (Mexico);

N - 108.67 Adopt national legislation that grants legal effect to the protection of refugees and the respect for the principle of non-refoulement in accordance with the relevant international instruments (Uruguay).

**109. The recommendations below did not enjoy the support of Trinidad and Tobago:**

N - 109.1 Withdraw the reservation to the first Optional Protocol to the International Covenant on Civil and Political Rights and ratify, without reservations, the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Panama);

N - 109.2 Accede to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Chile);

N - 109.3 Abolish the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Uruguay);

N - 109.4 Establish an official moratorium on executions and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, so as to bring the legislation into conformity with the de facto situation (Netherlands);

N - 109.5 Establish a formal moratorium on the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, with a view to abolishing death penalty both in practice and in law (Portugal);

N - 109.6 Establish a formal moratorium on the death penalty with a view to ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Australia);

N - 109.7 Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Montenegro);

N - 109.8 Abolish by law the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (France);

- N - 109.9 Take measures aimed at abolishing the death penalty (Paraguay);
- N - 109.10 Repeal the death penalty, as previously recommended (Canada);
- N - 109.11 Abolish the death penalty (Norway) (Honduras);
- N - 109.12 Consider taking steps towards the abolishment of death penalty (Mongolia);
- N - 109.13 Consider taking all necessary steps to introduce a de jure moratorium of capital executions with a view to fully abolish the death penalty (Italy);
- N - 109.14 Encourage an informed debate among the population on the topic of the death penalty and promote its de jure abolition (Switzerland);
- N - 109.15 Initiate a national discourse about the death penalty and establish an official moratorium on executions with a view to abolishing the death penalty as called for by the General Assembly resolution 69/186 (Germany);
- N - 109.16 Establish an official moratorium on the death penalty, with a view to its full abolition (Slovenia);
- N - 109.17 Establish a de jure moratorium on the death penalty that could ultimately lead to its suppression from legislation (Spain);
- N - 109.18 Continue with the steps already taken on the right to life, liberty and security of the person and in particular to continue the moratorium on the death penalty and work towards eliminating it (Kenya);
- N - 109.19 Abolish the death penalty and declare an official moratorium on all executions as a well as repealing all provisions of national legislation that may provide for the death penalty (Costa Rica).

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