

**OPENING STATEMENT BY H.E. THERESE BAPTISTE CORNELIS
PERMANENT REPRESENTATIVE OF TRINIDAD AND TOBAGO
CONSIDERATION OF THE UPR OUTCOME OF TRINIDAD AND TOBAGO**

Madam Vice President

Distinguished Members of Council
Colleague Observers of the Council
Ladies and Gentlemen

It is a great honour for me to address the Human Rights Council on the occasion of the consideration and final adoption of the outcome of Trinidad and Tobago's Universal Periodic Review. This UPR process thus far has been a beneficial one to the Government of Trinidad and Tobago (GORTT). On that note, I would like to express my appreciation to the members of the Troika: USA, Peru and Philippines, the delegations that made recommendations, civil society representatives who made valuable contributions as well as the technical support received from the Office of the High Commissioner for Human Rights and the Commonwealth Secretariat.

Madam Vice President

Trinidad and Tobago is fully committed to enhancing the human rights protection of its people as we view it as the cornerstone in our plans for development.

Madam Vice President

At the 12th session of the Universal Periodic Review Working Group, Trinidad and Tobago received 118 recommendations. Of that number, 15 recommendations were accepted outright, while 33 recommendations were advised the Council that they were at various stages of implementation. Eighteen (18) recommendations were however not in conformity with the views/policies of the Government and of the remaining 52 recommendations, Trinidad and Tobago has provided a detailed written response to each issue indicating the Government's position in relation to the recommendations that were agreed would be further examined.

The recommendations which we decided to examine with a view to accepting or implementing partially, if not completely, are thematic in nature and centered around specific human rights issues which most developing states are in the process of dealing with in one way or another. The first and most prominent theme identified is that of signing, ratifying or implementing international human rights treaties which do not currently enjoy the support of Trinidad and Tobago.

This of course is a serious issue which continues to engage the Government's attention. The position of the Government of Trinidad and Tobago on the retention of capital punishment has been clearly stated and as such it would be inherently counter-productive to sign or ratify any instruments which conflict with this position. This in no way implies that the Government takes lightly, issues such as torture or other cruel or degrading treatment of anyone.

During Trinidad and Tobago's Universal Periodic Review last October, the State's view on capital punishment was expressed. I therefore wish to reiterate that my Government, while recognizing the international movement towards abolition, must take into consideration the outcome of widespread public consultation and debate and moreover, must have the full support of the Parliament, in relation to any reform on the death penalty laws.

In the circumstances Madam Vice President, the Government is continuously engaging the public on this issue with an intention to review its laws as it relates to capital punishment. The Government's approach would be to preserve the death penalty in the most humane way possible and to ensure that all safeguards are in place, be it in a domestic or international

context. Such a process would also involve the amendment of existing national legislation. However, at the end of the day, any definitive outcome on the issue of capital punishment will be guided by the result of public consultations and as I previous stated, the consensus of our Parliament.

On the issue of corporal punishment, this is currently maintained as part of our penal code, but is strictly forbidden in our schools by a National Code of Conduct formulated by the Ministry of Education. While it is acknowledged that it has been a long accepted practice used to discipline children, like many other aspects of our societal development this too, is subject to change. Attitudes toward child development and parenting in general are drastically changing in Trinidad and Tobago and in an effort to foster this new thinking, the current administration which came into power in May 2010 has created the Ministry of Gender, Youth and Child Development, which is headed by a female Senator who is a former social rights activist.

The Government of Trinidad and Tobago has identified education as the key link in the necessary paradigm shift of its nationals in relation to the use of corporal punishment as a disciplinary mechanism for children. As highlighted in our UPR report the present administration within its 21

months in office, has committed a great deal of resources toward improving the accessibility of educational opportunities to the population. This is clearly demonstrated in the number of Early Childhood Education Centers being built, the vibrant school feeding initiative, the transportation facilities offered to students and the provision of school uniforms, as well as text books through a book rental programme. The Government of Trinidad and Tobago further demonstrates its commitment to the development of children through its laptop initiative, whereby each form one student is given a laptop computer.

There has also been a legislative move to increase the mandatory age of school attendance from 12 years to 16 years in the *Children's Bill 2012*, which is currently being debated in our Parliament. In fact, last Friday 9th March 2012, the Minister of Gender, Youth and Child Development moved the 2nd reading of that Bill. Debate in the house on that day adjourned at 11.35pm. This underscores the Government's commitment in relation to the Rights of Children.

We do recognize however, that the fundamental thinking behind issues such as capital punishment and the use of corporal punishment is not one that can

simply change overnight with the passing of a new law. As such, we ask that our international partners also recognize that dialogue on these issues is ongoing and that this is the most powerful mechanism which can be employed to change the thought process of our nationals.

Trinidad and Tobago also received various recommendations relating to the strengthening of national organizations designed to monitor the use of force by our protective services and these we readily agreed to examine. As stated in our National Report, the Police Complaints Authority (PCA) is an independent body, operating free of political interference and is headed by a former High Court judge. It's the main agency in Trinidad and Tobago, mandated to investigate and prosecute any possible instances of excessive use of force or corruption in relation to the protective services.

Apart from the operations of the Police Complaints Authority, the Government of Trinidad and Tobago has implemented other national security initiatives which are designed specifically to address the issues surrounding any possible infractions of the law by the protective services. The "Policing for the People" programme was introduced to offer further

training to police officers with a view to improving the very manner in which modern day policing takes place in Trinidad and Tobago.

In November 2011, Trinidad and Tobago also hosted the Third Regional Meeting of Ministers Responsible for Public Security in the Americas. One of the key outcomes of this meeting was technical capacity building with regard to human rights and policing.

The Government of Trinidad and Tobago has high regard for the work of the Special Procedures of the Human Rights Council and invitations to Human Rights Special Procedures in order to benefit from technical expertise under the relevant mechanism. This matter has engaged active consideration of the current administration.

Trinidad and Tobago also undertook to examine very crucial issues surrounding discrimination of persons based on sexual orientation and / or HIV / AIDS status. Discrimination itself is not taken lightly in Trinidad and Tobago and as it specifically relates to sexual orientation this is a current and developing issue facing our country. As with many other prominent human

rights matters the very thinking of the population needs to be changed in order to address these issues adequately.

Our domestic legislation which deals with discrimination is in the process of being amended to include a person's HIV/AIDS status, as one of the recognized categories under which a person is protected from discrimination. This legislative recognition of a specific vulnerable group in society is not only necessary but pioneering in the region. It is this maverick attitude of the Government of Trinidad and Tobago toward the protection of human rights of all which will propel national debate and eventual change in Trinidad and Tobago, in relation to issues such as sexual orientation.

Madam Vice President,

Trinidad and Tobago is extremely proud of the progress it has made in relation to the protection and promotion of human rights for all with an emphasis on vulnerable groups. We do recognize like many other developing states, that there are many challenges ahead and we are ready and willing to face these with the necessary enthusiasm. The UPR process has served as a vital tool in the development of the jurisprudence of Human

Rights Protection that we remain grateful for the kind support and encouragement received thus far from the international community.

Madam Vice President

On behalf of the people of Trinidad and Tobago, I thank you.