

## STATEMENT ON THE UNIVERSAL PERIODIC REVIEW OF TRINIDAD AND TOBAGO

UPR Info's Pre-Sessions, October 2021

*Amnesty International's complete submission for the UN Universal Periodic Review of Trinidad and Tobago is available (English only) at: <https://www.amnesty.org/en/documents/amr49/4554/2021/en/>*

Your Excellencies,  
Distinguished delegates,

On the occasion of Trinidad and Tobago's review under the Universal Periodic Review of 2021-2022, Amnesty International welcomes this opportunity to share some of our human rights concerns regarding the situation of Venezuelans in need of international protection in the state under review. Specifically, we focus on two key issues that have emerged from our most recent research: **a) pushbacks of people in need of international protection** and **b) insufficient protection for women in need of international protection**.

### I. Trinidad and Tobago and pushbacks of people in need of international protection

Amnesty International is particularly concerned about pushbacks of Venezuelans in need of international protection from Trinidad and Tobago. As the human rights and humanitarian crisis in Venezuela has intensified, thousands of Venezuelans have fled to Trinidad and Tobago.

We welcome the government's efforts to grant more than 16,500 Venezuelans temporary visas and the right to work in the registration process in 2019, but we remain concerned about the *refoulement* of people fleeing from Venezuela, in violation of international human rights law. For example, in July 2020, authorities reportedly deported at least 165 Venezuelans, and 93 more in September. In November, an estimated 16 children - including a small baby - and approximately 12 adults were deported from Trinidad to Venezuela. They were later returned only following public outcry.

These pushbacks continue despite Trinidad and Tobago being party to the Convention relating to the Status of Refugees (1951 Refugee Convention) and its Protocol (1967), and disregarding strong evidence from a UN Independent Fact-Finding Mission that crimes against humanity are likely being carried out in Venezuela.

### II. Trinidad and Tobago and insufficient protection for women in need of international protection

Amnesty International is also concerned about the insufficient protection provided by Trinidad and Tobago for women in need of international protection from a range of human rights violations. We welcome the government's establishment of a Gender-based Violence Unit and amendments in 2019 to the Domestic Violence Act. However, based on our research, Venezuelan refugee women remain at heightened risk for gender-based violence due to discrimination on multiple grounds.

Amnesty International has documented stories of Venezuelan women in Trinidad who experienced a range of crimes associated with trafficking into the sex sector, including deprivation of their liberty by traffickers, rape and other forms of sexual violence, labour exploitation, and debt bondage. We also found that there are insufficient resources to provide survivors of trafficking with adequate healthcare or counselling services, and many are unable in practice to work, sometimes leaving them without sufficient food.

Additionally, other women who had consented to sell sex as a way to support their livelihoods reported having to work long hours in often exploitative work conditions, and often had debts to pay off related to their passage to the country.

Venezuelan women are afraid of reporting these human rights violations because irregular entry and sex work are both criminalized in Trinidad and Tobago. Additionally, there is a real and perceived threat that their perpetrators will report them to the police or the immigration authorities and put them at risk of detention, deportation, or facing criminal charges.

*Your Excellencies,*

The UPR is a unique opportunity to work cooperatively with the States under review to identify measures to overcome human rights challenges. In this spirit, Amnesty International encourages Reviewing States to make the following specific recommendations to Trinidad and Tobago, including:

1. Stop pushing people in need of international protection back to countries where they would be at real risk of persecution and could be at danger of human rights violations.
2. Begin the process of developing national refugee legislation which enshrines Trinidad and Tobago's international obligations into domestic law, and in the interim implement the existing National Policy on asylum and refugees, as the state accepted to in the previous UPR.
3. Engage with civil society and other regional actors, including the UN and IACHR, to find solutions of shared responsibility to providing international protection to asylum seekers.
4. Work with international partners to scale-up and strengthen protection and reparation available for survivors of trafficking, as accepted by the state in the previous UPR, including by regularizing their migration status and ensuring they have access to work, counselling, and healthcare, including sexual reproductive health services.
5. Ensure the range of gender-based violence services available are made accessible for migrant women and put in place a firewall between these services and immigration authorities.

Thank you for your attention.