



Human Rights Council
Working Group on the Universal Periodic Review
Thirty-ninth session
1–12 November 2021

Summary of Stakeholders' submissions on Trinidad and Tobago*

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a summary of 11 stakeholders' submissions¹ to the universal periodic review, presented in a summarized manner owing to word-limit constraints.

II. Information provided by stakeholders

A. Scope of international obligations and cooperation with international human rights mechanisms and bodies²

2. Joint Submission (JS) 1 recommended that Trinidad and Tobago take concrete steps towards developing the domestic framework necessary to enable ratification and implementation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.³ JS1 recommended ratifying, without reservations, the Second Optional Protocol to the International Covenant on Civil and Political Rights.⁴

3. Global Shapers Port of Spain Hub (GSPS) recommended that the authorities sign and ratify the Escazú Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean.⁵

4. JS1 recommended that Trinidad and Tobago withdraw the reservation to the first Optional Protocol to the International Covenant on Civil and Political Rights concerning communications submitted on the death penalty.⁶

B. National human rights framework⁷

5. JS3 recommended that Trinidad and Tobago take steps to establish a national human rights mechanism in line with Principles Relating to the Status of National Institutions (the

* The present document is being issued without formal editing.



Paris Principles), which includes within its mandate discrimination and violence based on sexual orientation, gender identity or expression, with appropriate resources dedicated to its functioning.⁸

C. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Cross-cutting issues

Equality and non-discrimination⁹

6. The Alliance of Pride and Trans of Trinidad and Tobago (APTTT/JS2) noted the systemic and systematic discrimination towards LGBTQI+ persons and reported on incidences of abuse and violence perpetrated against them.¹⁰ JS3 noted that there was no legal protection against discrimination or hate crimes based on sexual orientation, gender identity or expression in Trinidad and Tobago. The Equal Opportunity Act, prohibiting specific forms of discrimination, did not include discrimination against LGBTI persons.¹¹ Moreover, JS3 stated that several laws perpetuated discrimination against LGBTI persons. For example, family and relationship laws provided recognition and protection for non-marital, co-habitational relationships, but defined those relationships as between persons of the opposite sex.¹²

7. JS3 recommended that Trinidad and Tobago amend the Equal Opportunity Act to end the discrimination on the basis of sexual orientation and to add LGBTI status as a protected status under the Act.¹³

8. JS3 noted that no legal recognition of gender identity was possible.¹⁴ APTTT/JS2 stated that an amendment of gender markers was not allowed. Transgender persons could change their name in public registries and on some key documents. However, the failure to officially recognize the gender identity through the amendment of the gender marker exposed transgender persons to abuse and humiliation. Without proper and accurate identity documents trans-persons could not access essential services, including social benefits or social and medical support.¹⁵

9. APTTT/JS2 recommended that the authorities create a legislative framework for the recognition of trans-persons affirmed gender identities and remove all Constitutional and legislative barriers preventing the recognition of trans and non-binary identities by the next review.¹⁶

10. JS3 stated that sections 13 and 16 of the Sexual Offences Act (1986) criminalized consensual sexual behaviour between adults with prison sentences of between 5 years to 25 years.¹⁷ In 2018, Inter-American Commission on Human Rights-Organization of American States (IACHR-OAS) welcomed the decision of the High Court of Justice of Trinidad and Tobago declaring unconstitutional the criminalization of consensual sexual relations between adults of the same sex.¹⁸ APTTT/JS2 recommended that the authorities accept the decision of the High Court of 2018 (*Jones vs The Attorney General*) and decriminalize same sex consensual relations by removing section 13 and 16 of the Sexual Offences Act, Chapter 11:28.¹⁹

Development, the environment, and business and human rights

11. GSPS recommended that Trinidad and Tobago build upon the National Environmental Policy of 2018 by ensuring that economic development cannot take priority over environmental protection, but rather there should exist a symbiotic relationship between the two.²⁰

12. GSPS recommended that the Government effectively consult stakeholders in the environmental decision-making process and continually generate multi-stakeholder consultation and collaboration to renew and revise roadmaps for sustainable development in the rapidly changing context of globalization and post-pandemic recovery.²¹

13. GSPS recommended that Trinidad and Tobago enforce greater transparency in the conduct of Environmental Impact Assessments on large scale infrastructure projects and conduct regular environmental vulnerability assessments to mitigate the loss of life, property and livelihood due to natural disasters.²²

2. Civil and political rights

*Right to life, liberty and security of person*²³

14. JS1 noted that the Trinidad and Tobago retained the mandatory death penalty for murder. It also imposed the death penalty for treason.²⁴ While there had been no reported executions since 1999, Trinidad and Tobago continued to impose new death sentences.²⁵ JS1 reported that Trinidad and Tobago sentenced to death several persons determined to have psycho-social disabilities.²⁶

15. JS1 recommended that the country abolish the mandatory death sentence for murder and replace it with an alternative sentencing framework and impose a formal moratorium on the death penalty. Furthermore, JS1 recommended that the authorities collaborate with abolitionist civil society organizations in the region to conduct a comprehensive public awareness-raising campaign to educate the public about international human rights standards concerning the death penalty and about alternatives to the death penalty.²⁷

16. Amnesty International (AI) stated that Trinidad and Tobago accepted recommendations²⁸ to increase accountability for human rights violations committed by law enforcement officials. However, in 2020 there were reports of significant rises in killings by the police.²⁹ Caribbean Centre for Human Rights (CCHR) also reported on an increase in extrajudicial killings and stated that there had been a disturbing trend of police brutality in the police service.³⁰ JS1 noted reports of police officers and prison guards using excessive force.³¹

17. CCHR explained that the Government had taken several steps to increase oversight of police conduct by the Police Complaints Authority, through legislation. However, there were delays in timely investigations. The Police Complaints Authority had the legislative authority to conduct investigations, however there remained reportedly challenges in expanding the scope of its work due to limited resources and limited evidence to proceed with investigations. The Criminal Law Act, governing police use of force was limited and vaguely defined. Departmental Order No. 170/63 provided for the guidelines for the use of firearms, which broadly adhered to international standards. The Police Service Act, the Police Service Regulations or the Special Reserve Police Act did not provide guidelines for the use of force conforming to international minimum standards.³²

18. CCHR recommended that Trinidad and Tobago enact legislation to govern police use of force and amend the Criminal Law Act to specify use of force in accordance with minimum international standards, particularly firearms, that complies with international law.³³

*Administration of justice, including impunity, and the rule of law*³⁴

19. CCHR reported on inefficient and arguably ineffective criminal justice system, which led to a backlog of cases at the magistrates' and high courts. There were delays before those cases arrived at the Director of Public Prosecution's office for trial. The office of the Director of Public Prosecution was under-resourced, which was another contributor to the delays in the criminal justice system.³⁵

20. CCHR stated the Miscellaneous Provisions (Trial By Judge Alone) Act (2017) would allow for more expedient trials, as trials with jury were identified as a source of delay. The Attorney General announced plans to expand the judiciary, hire more judges and magistrates to speed up system and clear backlogs.³⁶

21. CCHR recommended that the country address the backlog of cases before courts that had contributed to the detention of over 2,000 people in remand awaiting a trial and many of whom had been in custody for several years. CCHR recommended directing more

resources to the office of the Director of Public Prosecution and greater scrutiny of the judiciary.³⁷

22. CCHR noted that legal aid was under-resourced.³⁸

23. CCHR noted that the situation in the prisons remained largely the same since the second universal periodic review and failed to meet the minimum international human rights standards. The remand population remained at about sixty percent of the prison population. The average stay in remand for males was about four years and for females it was two years. Lengthy stay in remand could be directly linked to the inefficient and slow criminal justice system.³⁹

24. Furthermore, CCHR stated that the lengthy stay in remand contributed to the severe overcrowding of prisons where there were five to ten persons per cell and the prison conditions were unsanitary and inhumane. The numbers of prisoners in some prisons exceeded the prison capacity. There were several protests by persons on remand and convicted persons because of a lengthy stay in remand, food quality and risks associated with Covid-19 pandemic due to overcrowding and unsanitary conditions.⁴⁰

25. CCHR stated that the Attorney General announced plans in April 2020 to reduce the prison population by almost 1,000 persons to mitigate the risk of Covid-19 in the prisons but the number of released persons was limited. Rehabilitation programmes were limited and reintegration programmes were almost non-existent. CCHR noted a lack of educational programmes in the prisons, limiting employment opportunities of prisoners which was already a challenge due to the stigma of being incarcerated. Persons on remand were allowed one hour outdoor time as opposed to eight hours for convicted inmates.⁴¹

26. CCHR recommended that Trinidad and Tobago implement other non-custodial measures to reduce prison population. CCHR recommended a comprehensive reform to ensure that conditions of detention are in conformity with the United Nations Standard Minimum Rules for the Treatment of Prisoners, so as to address overcrowding and prison conditions. CCHR recommended that Trinidad and Tobago provide sufficient resources for rehabilitation and reintegration of prisoners.⁴²

27. Furthermore, JS1 recommended that the authorities provide guidance and resources to all detention facilities to ensure the protection of the health and safety of all detained persons, staff, and visitors during the COVID-19 pandemic.⁴³

28. JS1 recommended that Trinidad and Tobago establish an independent, impartial body to monitor and evaluate the conditions of detention at existing facilities, including the Immigration Detention Centre and the detention centre at Trinidad and Tobago's Coast Guard's Heliport in Chaguaramas. JS1 recommended that Trinidad and Tobago extend an invitation to, and permit visits by, outside observers, such as the United Nations, Amnesty International, the International Committee of the Red Cross, and other nongovernmental organizations so that they can monitor detention conditions and treatment of people in detention.⁴⁴

29. JS1 recommended that the Government create an independent authority to conduct impartial investigations of allegations of torture, and other cruel, inhuman, and degrading treatment.⁴⁵

Prohibition of all forms of slavery⁴⁶

30. AI was concerned about the trafficking of women to Trinidad and Tobago from neighbouring a country.⁴⁷ CCHR stated that in spite of existing legislation to deal with the issue of human trafficking and the establishment of a counter-trafficking unit, human trafficking networks exploded in light of the humanitarian crisis in the neighbouring country, which had seen increased flows of vulnerable persons who were lured by traffickers under false promises of jobs.⁴⁸

31. AI noted that during the previous universal periodic review, Trinidad and Tobago accepted eight recommendations⁴⁹ related to human trafficking, and agreed, among other things, to ensure that victims of trafficking were provided with the opportunity to seek asylum⁵⁰ and to provide adequate funding and human resources for its anti-human

trafficking programs.⁵¹ AI reported that women who were identified as potential survivors of trafficking were not always given an opportunity to seek asylum. There were reportedly insufficient resources for anti-trafficking programs. Multiple women survivors of trafficking who were interviewed, indicated that while the authorities had provided them with safe shelter, they had received no healthcare or counselling, and were unable, in practice, to work, leaving them without sufficient food.⁵²

32. AI observed that human trafficking was a criminal activity, which made it hard to accurately estimate the number of survivors of trafficking, and the locations where victims were hidden.⁵³ AI stated that real and/or perceived police involvement in human trafficking, coupled with criminalization of sex work and irregular entry, created a climate of fear which resulted in almost none of the women interviewed by the Amnesty International reporting their traffickers, even after they had escaped.⁵⁴

33. European Centre for Law and Justice (ECLJ) stated that it was critical that Trinidad and Tobago work to create more robust procedures for combatting human trafficking, including increased training and resources for police to investigate cases of human trafficking. Furthermore, resources must be allocated to investigate and punish police officers who were complicit in or directly involved in human trafficking.⁵⁵

34. Living Water Community (LWC) recommended that Trinidad and Tobago focus its efforts on prevention of human trafficking and the identification and prosecution of complicit law enforcement and immigration officers.⁵⁶ CCHR recommended that Trinidad and Tobago increase its efforts to investigate, prosecute, and convict traffickers, including complicit officials and staff and providing adequate funding for robust trafficking investigations and victim services, including accommodations.⁵⁷ AI recommended ensuring that mechanisms are in place to protect people who report instances of alleged trafficking from retaliation from traffickers, and from state officials who might be complicit in the trafficking.⁵⁸

35. CCHR recommended improving cooperation between the Counter Trafficking Unit, prosecutors, judiciary, and NGOs to increase the number of cases that proceed to trial.⁵⁹

36. LWC recommended that Trinidad and Tobago increase the support in the provision of victim care services in conjunction with non-governmental organisations, including accommodation, counselling, legal aid, consular services, medical and psychological services, assistance in their native language, and reintegration for domestic victims and relocation for foreign victims.⁶⁰

37. AI recommended that the country 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 universal periodic review, including by regularizing their migration status and ensuring they have access to work, counselling, and healthcare, including sexual reproductive health services.⁶¹

38. AI recommended that the authorities work with the UNHCR to ensure that migrants, especially women and girls, are screened as asylum seekers, and as potential survivors of trafficking.⁶² Similarly, CCHR recommended that Trinidad and Tobago increase proactive victim identification, screening, and protection among migrants, asylum-seekers, and refugees so that they are not penalized for crimes traffickers compelled them to commit.⁶³

39. LWC recommended that Trinidad and Tobago develop and implement a national action plan concerning human trafficking, migrant smuggling and sexual exploitation.⁶⁴ CCHR made a similar recommendation.⁶⁵ CCHR and LWC recommended ensuring the civil society representation in the anti-trafficking task force.⁶⁶

*Right to education*⁶⁷

40. LWC stated that persons wishing to access formal education in Trinidad and Tobago must have a student permit and that most asylum seekers and refugees did not qualify under the Immigration Act to have a student's permit. Although according to the Constitution of Trinidad and Tobago all children regardless of nationality had the right to education, the provisions of the Immigration Act prevented persons from having an access to education. As a result, thousands of migrant children remained without access to formal education.⁶⁸

41. Similarly, CCHR and GSPS stated that asylum seeking and refugee children were not able to access education.⁶⁹ CCHR reported that some refugee children were able to access education through the Catholic Board and via the Equal Place project which was a collaboration with UNHCR, UNICEF and Living Water Community.⁷⁰

42. LWC stated that lockdown measures related to COVID-19 pandemic made the learning environment in Trinidad and Tobago difficult. Learning establishments were closed as of mid-March 2020. The Ministry of Education struggled to implement adequate and coherent policies, procedures and tools to meet the learning needs of students in this period. According to the estimation of the Ministry 60,000 students might not have access to information technology (IT) devices. Migrant children registered under the humanitarian alternative - Equal Place - faced virtual attendance constraints due to the digital divide, similar to local children.⁷¹

43. LWC recommended that Trinidad and Tobago amend all education and/or immigration policies and legislation restricting access to education to foreign nationals in order to permit children of asylum seekers and refugees to have uninhibited access to formal education.⁷² LWC recommended that the country utilise already existing humanitarian permits under the Immigration Act such as the Minister's Permit to grant children the right to study in the absence of legislative amendments.⁷³

44. LWC recommended that Trinidad and Tobago develop, fund and include information and communication technology (ICT) solutions to education that can be used by refugee children where spaces might be unavailable in public schools, particularly in secondary schools, to circumvent issues such as spaces in schools and/or resources.⁷⁴

45. JS3 recommended that the country revise the existing Health, Family and Life Education program to bring it in line with international guidelines on sexuality education and dedicate funding for on-going training of facilitators and implementation of the curriculum for all primary and secondary students.⁷⁵

3. Rights of specific persons or groups

*Women*⁷⁶

46. AI noted that Trinidad and Tobago accepted 26 recommendations⁷⁷ to address gender-based discrimination and violence during its second universal periodic review.⁷⁸ AI stated that while gender-based discrimination and violence continued to be a serious and on-going problem in Trinidad and Tobago, the authorities had made some progress since the previous universal periodic review. In January 2020, the Police Service established a Gender-based Violence Unit to respond to cases of domestic violence. In June 2020, the Government passed amendments to the Domestic Violence Act.⁷⁹ LWC made similar observations.⁸⁰

47. GSPS stated that the 2020 Domestic Violence Amendment Act strengthened support for victims of domestic violence, including wider scope of protection orders and stronger protection for children who were exposed to gender-based violence at home. The Gender Based Violence Unit at Police Service focused on domestic violence cases and breaches of restraining orders.⁸¹

48. AI reported that women in need of international protection were at particular risk of violence, often driven by intersecting forms of discrimination, based on nationality, gender, ethnicity, language, and migratory status.⁸² LWC noted that since the lockdown related to the COVID-19 pandemic there had been an increase in reports of gender based violence cases from the migrant community. Migrant and refugee women faced language barrier when reporting on an incident, fear of detention for being illegal and insensitive treatment when making reports and xenophobia.⁸³ AI made similar observations.⁸⁴

49. GSPS recommended that the Government provide more adequate spaces and services for women leaving violent domestic situations and ensure protection and access to medical, legal and psychological services to the victims.⁸⁵

50. AI recommended ensuring that the gender-based violence services available are made accessible for migrant women and putting in place a firewall between these services and immigration authorities.⁸⁶

51. In criminalizing sex work and irregular entry, AI found that sex workers, migrants and refugees, and organizations working with them were pushed underground, making it hard for them to support in the identification of victims of trafficking, or to identify human rights violations, such as police ill-treatment, in the context of sex work.⁸⁷ AI recommended that the authorities review laws which criminalise sex work, with the aim of decriminalizing it.⁸⁸

*Children*⁸⁹

52. Global Initiative to End All Corporal Punishment of Children (GIEACPC) hoped that during the third universal periodic review of Trinidad and Tobago, the United Nations Member States would put forward a recommendation to the authorities of Trinidad and Tobago to enact a legislation in order to prohibit explicitly all corporal punishment of children, in all settings of their lives.⁹⁰

53. JS3 reported that the Parliament passed, in 2017, legislation to outlaw child marriage through the amendment of various marriage and divorce related laws, changing the legal age for marriage to 18 years (it was previously allowed for girls as young as 12 years old and 16 for boys, depending on their religion).⁹¹ GSPS made similar observations.⁹²

*Migrants, refugees and asylum seekers*⁹³

54. AI stated that while Trinidad and Tobago approved a national policy on refugee and asylum seekers in 2014, and accepted a recommendation⁹⁴ to implement the policy in the second universal periodic review, many aspects of the policy were not put into practice.⁹⁵

55. AI stated that the country had no national legislation on refugees.⁹⁶ Similarly, CCHR explained that Trinidad and Tobago had not integrated the 1951 Convention relating to the Status of Refugees and its 1967 Protocol into local legislation. Migrants and refugees were treated under the 1976 Immigration Act, which lacked provisions to deal with asylum seekers and refugees and to address their particular vulnerabilities and needs.⁹⁷ GSPS noted that in the absence of such legislation, refugees and asylum-seekers did not have a legal status as persons in need of international protection and specific rights under the 1951 Convention relating to the Status of Refugees, including the non-refoulement and non-penalisation for irregular entry and presence.⁹⁸ LWS and JS4 made similar observations.⁹⁹

56. AI explained that in practice, this meant that people who applied for asylum or who were granted refugee status by the UNHCR - which had been permitted to process asylum claims - had no access to many of the rights granted under the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, to which Trinidad and Tobago was party.¹⁰⁰ AI stated that the Immigration Act criminalized irregular entry, in contradiction of international human rights law and standards, which left many asylum seekers at risk of detention and/or refoulement.¹⁰¹

57. LWC concluded that in the absence of legislative provisions, asylum - seekers and refugees, were subject to penalisation and refoulement as pursuant to the Immigration Act, persons entering the country through irregular channels faced up to three years imprisonment and a fine up to fifty thousand dollars for a first time offence. As asylum seekers and refugees were also classed as irregular migrants they were also subject to deportation proceedings.¹⁰²

58. AI stated that the lack of national refugee legislation meant people identified as potential survivors of trafficking were not in practice offered access to asylum processes.¹⁰³

59. CCHR stated that the Government established a National Registration Process in June 2019. More than 15, 000 Venezuelans were registered over a two week-period. The national registration allowed Venezuelans to legally live and work in Trinidad and Tobago and was renewed on a six month basis. However, there were thousands Venezuelans that were not able to register under this program.¹⁰⁴ AI noted that in March 2021, the authorities

allowed those previously registered to re-register, but did not open a new regularization process.¹⁰⁵ GSPS made similar observations.¹⁰⁶

60. CCHR stated that there were over twenty nationalities, apart from Venezuelans, that sought asylum in Trinidad and Tobago. They had not been able to participate in the national registration process.¹⁰⁷ GSPS encouraged the Government to conduct a second registration exercise for persons of other nationalities and Venezuelans who did not have the opportunity to register and further extend their access to basic rights.¹⁰⁸

61. AI reported that the COVID-19 pandemic had exacerbated the precarious situation for Venezuelans seeking refuge in Trinidad and Tobago. In March 2020, the authorities closed its borders to all arrivals, including to nationals, migrants and refugees, in practice closing legal avenues for asylum seekers to enter.¹⁰⁹ CCHR stated that COVID-19 restrictions made seeking international protection more challenging for asylum seekers and refugees in Trinidad and Tobago. Border closures due to COVID-19 meant that all persons entering the country were branded as illegal and the asylum process was further criminalized.¹¹⁰

62. CCHR stated that Trinidad and Tobago continued to return asylum seekers, which might constitute refoulement. CCHR received reports of persons registered with the UNHCR also being returned. Anyone found entering the country irregularly was charged with illegal entry, detained and either released after a bond was paid and issued an Order of Supervision or they were deported to their country of origin.¹¹¹ LWC stated that due to border control mechanisms implemented especially during the COVID - 19 pandemic, there were instances of returns in the past months.¹¹²

63. AI was particularly concerned about pushbacks of Venezuelans in need of international protection from Trinidad and Tobago. In June 2019, the authorities began to require a visa for Venezuelans to enter the country, forcing people in search of international protection to arrive by boat, and to rely more on clandestine routes often run by people smugglers.¹¹³ AI reported that throughout 2020, the authorities forced people in need of international protection back to their country, often via sea.¹¹⁴ LWS made similar observations.¹¹⁵

64. CCHR stated that persons that were deported from Trinidad and Tobago were often not allowed the opportunity to challenge the deportation orders. The current practice of detaining persons and charging for irregular entry meant that persons were not allowed access to asylum procedures and when they were deported, they were sent back to the risky situation from which they fled and they were also forced to take the risky journey back to their country.¹¹⁶

65. AI stated that some 50 children were reportedly deported between January and November 2020, despite the fact that Trinidad and Tobago was a signatory to the Convention on the Rights of the Child, which required countries to act in the best interest of children, refrained from detaining them according to international law, and prohibited deporting them to situations where they could face ill-treatment or danger.¹¹⁷

66. On 9 December, 2020 the IACHR-OAS issued a decision granting precautionary measures in favour of six migrant minors in Trinidad and Tobago. According to this request for precautionary measures, the proposed beneficiaries risked imminent deportation to their country of origin (where they would allegedly be at risk of suffering violations of their right to life and personal integrity) without taking into consideration their particular circumstances. The IACHR-OAS concluded that deporting those minors without taking into account their particular circumstances would, in principle, put them at serious risk.¹¹⁸

67. CCHR stated that foreign nationals found entering irregularly or having exceeded their stay in Trinidad and Tobago were placed in immigration detention facilities at Aripo or Chaguaramas. Persons were held for indefinite periods without legal basis. Of particular concern was that children have also been held at the Chaguaramas facility for extended periods even after calls were made by civil society to engage in measures that seek the best interest of the child.¹¹⁹ AI reported that Venezuelans who hold UNHCR registration cards were not exempt from being detained and held at the Immigration Detention Centre.¹²⁰

68. JS1 stated that the Immigration Detention Centre - known as the Aripo Detention Centre- was initially intended for short-term detentions but in recent years it was used as a long-term immigration facility to detain unauthorized migrants prior to their removal.¹²¹ CCHR stated that the facility at Aripo had been described by detainees as unsanitary and inhumane. There were a number of protests by detainees because of detention conditions.¹²² JS1 also noted reports of detainees protesting the detention conditions. JS1 observed that the Government had not reportedly permitted outside observers, such as the United Nations, Amnesty International, the International Committee of the Red Cross, or other non-governmental organizations to monitor the Immigration Detention Centre.¹²³

69. AI recommended that Trinidad and Tobago 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.¹²⁴

70. GSPS recommended that Trinidad and Tobago accelerate the adoption of the legislation to incorporate the 1951 Convention relating to the Status of Refugees into domestic law and create a fair and flexible national refugee status determination procedure and grant access to secondary health care, education and social protection.¹²⁵ LWC¹²⁶ and AI¹²⁷ made similar recommendations.

71. In the interim, AI recommended that Trinidad and Tobago implement the existing National Policy on asylum and refugees, as the state accepted to in its second universal periodic review.¹²⁸ Likewise, CCHR recommended implementing the national refugee policy so that persons that were legitimately seeking asylum can be screened and identified and guided to safe asylum procedures.¹²⁹ LWC recommended implementing a review of the 2014 Refugee Policy and/or the 2017 SOPs to bring those documents in line with quality protection standards for screening and referral mechanisms to the appropriate agency/agencies.¹³⁰

72. AI recommended that Trinidad and Tobago refrain from using the COVID-19 pandemic as an excuse to deny access to international protection to those who needed it most.¹³¹

73. LWC recommended formulating a properly constituted Refugee Status Determination Panel/Committee comprising members of the Immigration Division, Civil Society, UNHCR, the International Organisation for Migration (IOM), the Ministry of Attorney General and Legal Affairs and other appropriate agencies.¹³²

74. GSPS recommended ensuring that the detention of asylum-seekers and refugees is only used as a measure of last resort, for as short a period of time as possible, and only after conducting an individual assessment of its reasonableness, necessity and proportionality, as well as assessing all available alternatives to detention.¹³³ CCHR recommended that the authorities increase the use of alternatives to detention.¹³⁴ AI recommended that Trinidad and Tobago review the Immigration Act with the view to de-criminalizing irregular entry, in line with international human rights law and standards.¹³⁵

75. GSPS recommended ending the detention of all children by amending legislation and establishing alternative care arrangements for families.¹³⁶ Likewise, AI recommended that Trinidad and Tobago stop detaining child migrants and refugees, as detention is never in the best interest of the child; and stop deporting children to situations where they could face ill-treatment or other violations of their human rights.¹³⁷

76. LWC recommended ensuring that these groups are considered in economic recovery plans and labour market needs, and granting access to public health services and medication, and ensure equitable and non - punitive access to COVID - 19 testing and vaccines.¹³⁸

Notes

¹ The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org.

*Civil society**Individual submissions:*

AI	Amnesty International, London, United Kingdom;
ECLJ	European Centre for Law and Justice, Strasbourg, France;
CCHR	Caribbean Centre for Human Rights, Belmont, Trinidad and Tobago;
GIEACPC	Global Initiative to End All Corporal Punishment of Children, London, United Kingdom;
GSPS	Global Shapers Port of Spain Hub, Westmoorings, Trinidad and Tobago;
LCW	Living Water Community, Port of Spain, Trinidad and Tobago.

Joint submissions:

JS1	Joint submission 1 submitted by: The Advocates for Human Rights (United States of America), the World Coalition Against the Death Penalty - an alliance of more than 160 NGOs (France) and the Greater Caribbean for Life (Puerto Rico);
APPTT/JS2	Joint submission 2 submitted by: PrideTT and Trinidad and Tobago Transgender Coalition (Trinidad and Tobago);
JS3	Joint submission 3 submitted by: Family Planning Association of Trinidad and Tobago, Coalition Advocating for the Inclusion of Sexual Orientation: Sec and Gender Justice and the CEDAW Committee of Trinidad and Tobago (Trinidad and Tobago);
JS4	Joint submission 4 submitted by: The Quantum Foundation and Criston J. Williams & Co law firm (Trinidad and Tobago).

Regional intergovernmental organization(s):

IACHR-OAS	Inter-American Commission on Human Rights-Organization of American States, Washington D.C. (United States of America).
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² For relevant recommendations see A/HRC/33/15, paras. 108.2–108.13, 108.20, 108.108.25 and 109.1–109.8, 109.2, 109.9–109.19.

³ JS1, para. 33.

⁴ JS1, para. 33.

⁵ GSPS, p. 5.

⁶ JS1, para. 33.

⁷ For relevant recommendations see A/HRC/33/15, paras. 108.26–108.31.

⁸ JS3, para. 25.1.

⁹ For relevant recommendations see, A/HRC/33/15, paras. 108.36–108.50.

¹⁰ APTTT, paras. 18–23. See also JS3, paras. 9 and 11–14.

¹¹ JS3, para. 7.

¹² JS3, para. 8.

¹³ JS3, para. 25.3.

¹⁴ JS3, para. 7.

¹⁵ APTTT/JS2, paras. 10 and 11.

¹⁶ APTTT/JS2, paras. 24–25.

¹⁷ JS3, para. 6. See also APTTT/JS2, paras. 29.

¹⁸ IACHR-OAS, p.1. See also APTTT/JS2, para. 25 and JS3, para. 6.

¹⁹ APTTT, para. 28.

²⁰ GSPS, p. 5.

²¹ GSPS, p. 5.

²² GSPS, p. 5.

²³ For relevant recommendations see A/HRC/33/15, paras. 106.18, 108.51, 108.52, 109.2–109.19.

²⁴ JS1, paras. 8 and 12.

²⁵ JS1, para. 17.

²⁶ JS1, para. 32.

²⁷ JS1, para. 33.

²⁸ For the full text of the recommendations, see A/HRC/33/15, paras. 106.18 (Botswana) and 108.52 (USA).

²⁹ AI, para. 3.

³⁰ CCHR, p. 5.

³¹ JS1, para. 24.

³² CCHR, p. 5. See also JS1, para. 24.

- 33 CCHR, p. 6.
- 34 For relevant recommendations see A/HRC/33/15, paras. 106.18–106.20.
- 35 CCHR, p. 7. See also JS1, para. 30.
- 36 CCHR, p. 7.
- 37 CCHR, p. 7.
- 38 CCHR, p. 6.
- 39 CCHR, p. 6.
- 40 CCHR, p. 6.
- 41 CCHR, p. 6.
- 42 CCHR, p. 7.
- 43 JS1, para. 33.
- 44 JS1, para. 33. See also AI, p. 5.
- 45 JS1, para. 33.
- 46 For relevant recommendations see A/HRC/33/15, paras. 106.42–106.47.
- 47 AI, para. 6. See also ECLJ, paras. 8–9.
- 48 CCHR, p. 4.
- 49 For the full text of the recommendations, see A/HRC/33/15, paras. 106.42 (Sierra Leone), 106.43 (Philippines), 106.44 (Spain), 106.45 (Turkey), 106.46 (Singapore), 106.47 (Uganda), 106.48 (Mexico) and 106.49 (Egypt).
- 50 For the full text of the recommendations, see A/HRC/33/15, para. 106.47 (Uganda).
- 51 For the full text of the recommendations, see A/HRC/33/15, para. 106.43 (Philippines).
- 52 AI, paras. 28–29.
- 53 AI, para. 34.
- 54 AI, para. 31.
- 55 ECLJ, para. 13.
- 56 LWC, para. 23.
- 57 CCHR, p. 5.
- 58 AI, p. 5.
- 59 CCHR, p. 5 and LCW, para. 23.
- 60 LWC, para. 23.
- 61 AI, p. 5.
- 62 AI, p. 5.
- 63 CCHR, p. 5. See also LWC, para. 23.
- 64 LWC, para. 23.
- 65 CCHR, p. 5.
- 66 CCHR, p. 5 and LCW, para. 23.
- 67 For relevant recommendations see A/HRC/33/15, para. 108.64.
- 68 LWC, para. 24.
- 69 GSPP, p. 3 and CCHR, p. 3.
- 70 CCHR, p. 3.
- 71 LWC, para. 25.
- 72 LWC, para. 27. See also CCHR, p. 3.
- 73 LWC, para. 27.
- 74 LWC, para. 27.
- 75 JS3, para. 25.2.
- 76 For relevant recommendations see A/HRC/33/15 paras. 106.10–106.16, 106.21–106.31, 106.33–106.36, 106.38–106.40 and 106.51.
- 77 For the full text of the recommendations, see A/HRC/33/15 paras. 106.10 (Bahamas), 106.11 (Senegal), 106.12 (Norway), 106.13 (Pakistan), 106.14 (Cuba), 106.15 (Algeria), 106.16 (Morocco), 106.21 (Paraguay), 106.22 (Jamaica), 106.23 (Guatemala), 106.24 (Ghana), 106.25 (Ecuador), 106.25 (Turkey), 106.27 (Bahamas), 106.28 (Honduras), 106.29 (Italy), 106.30 (Egypt), 106.31 (France), 106.33 (USA), 106.34 (Germany), 106.35 (Mexico), 106.36 (Slovenia), 106.38 (Spain), 106.39 (Canada), 106.40 (Malaysia), and 106.51 (Argentina).
- 78 AI, para. 24.
- 79 AI, para. 2.
- 80 LWC, para. 13.
- 81 GSPS, p. 1.
- 82 AI, para. 25.
- 83 LWC, para. 13.
- 84 AI, para. 26.
- 85 GSPS, p. 1.
- 86 AI, p. 5.

- ⁸⁷ AI, para. 37.
⁸⁸ AI, p. 6.
⁸⁹ For relevant recommendations see A/HRC/33/15, paras. 106.32, 106.41, 108.53–108.58, 108.60 and 108.61.
⁹⁰ GIEACPC, para. 1.3.
⁹¹ JS3, p. 18.
⁹² GSPS, p. 1.
⁹³ For relevant recommendations see A/HRC/33/15, paras. 106.70, 108.65–108.67.
⁹⁴ For the full text of the recommendations, see A/HRC/33/15, para. 106.70 (Kenya).
⁹⁵ AI, paras. 6, 8 and 9. See also CCHR, p. 2 and LWC, para. 5.
⁹⁶ AI, para. 8.
⁹⁷ CCHR, p. 2.
⁹⁸ GSPS, p. 3.
⁹⁹ LWC, paras. 3–6 and JS4, pp. 4–5.
¹⁰⁰ AI, para. 8.
¹⁰¹ AI, para. 8. See also CCHR, p. 3.
¹⁰² LWC, para. 8.
¹⁰³ AI, para. 10.
¹⁰⁴ CCHR, p. 2.
¹⁰⁵ AI, para. 16.
¹⁰⁶ GSPS, pp.1–2.
¹⁰⁷ CCHR, p. 2.
¹⁰⁸ GSPS, p. 2.
¹⁰⁹ AI, para. 21.
¹¹⁰ CCHR, p. 3.
¹¹¹ CCHR, p. 2.
¹¹² LWC, para. 11.
¹¹³ AI, para. 15.
¹¹⁴ AI, para. 18.
¹¹⁵ LWC, paras. 10–11.
¹¹⁶ CCHR, p. 3.
¹¹⁷ AI, para. 23.
¹¹⁸ IACHR-OAS, p. 2.
¹¹⁹ CCHR, p. 4. See also JS1, para. 28.
¹²⁰ AI, para. 17.
¹²¹ JS1, para. 27.
¹²² CCHR, p. 4.
¹²³ JS1, para. 28. See also AI, para. 17.
¹²⁴ AI, p. 5.
¹²⁵ GSPS, p. 4.
¹²⁶ LWC, para. 12.
¹²⁷ AI, p. 5.
¹²⁸ AI, p. 5.
¹²⁹ CCHR, p. 4.
¹³⁰ LWC, para. 12.
¹³¹ AI, p. 5.
¹³² LWC, para. 12.
¹³³ GSPS, p. 4.
¹³⁴ CCHR, p. 4.
¹³⁵ AI, p. 6.
¹³⁶ GSPS, p. 4.
¹³⁷ AI, p. 5.
¹³⁸ LWC, para. 12.
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