

Counter TIP Laws in T&T

The Trinidad and Tobago Parliament passed 2 pieces of legislation recently to address Trafficking In Persons.

1. The Trafficking In Persons Act, No. 14 of 2011 was passed and assented to in June 2011. It was proclaimed on 27th December, 2012 and took effect from 2nd January 2013.

This Act gives effect to the Palermo Protocol, creates the offence of human trafficking and child trafficking and related offences, outlines the sentences for the offences and establishes a National Task Force and a Counter Trafficking Unit.

The following categories of persons can face charges under the Trafficking In Persons Act, 2011:-

1. A person who threatens, assaults or obstructs a police officer acting in the execution of his duty under this Act, or who threatens, assaults or obstructs a social worker, shelter worker, case management worker or any worker who is involved in the provision of assistance and protection to a victim.
2. A person who, for the purpose of exploitation, recruits, transports, transfers, harbours or receives persons (including children) into or within Trinidad and Tobago; recruits, transports or transfers persons from Trinidad and Tobago to another jurisdiction; receives persons from Trinidad and Tobago into another jurisdiction; or harbours persons from Trinidad and Tobago in another jurisdiction, by means threats or the use of force or other forms of coercion; abduction; fraud or deception; the abuse of power or the abuse of a position of vulnerability; or the giving or receiving of payment or benefits to achieve the consent of a person having control over another person.
3. A person who incites, organises or directs another person to traffic in persons or children.
4. A person who unlawfully procures, destroys, conceals, removes, confiscates or possesses any travel document or identification document belonging to another person.
5. A person who transports or conspires to transport another person into or within Trinidad and Tobago or across an international border for the purpose of exploiting that person's prostitution.
6. A person who receives or obtains a financial or other benefit, knowing that it results from the offence of trafficking in persons or children.

Custodial and financial sentences are very high under the Trafficking In Persons Act to discourage human trafficking as well as appropriately punish persons who engage in such human rights abuses. They range from half a million dollars and not less than 15 years imprisonment to a million dollars and not less than 20 years imprisonment for trafficking in adults and children respectively.

A PDF copy of the Act is [available online](#).

2. The Children Act, No. 12 of 2012 was passed in June 2012 and assented to in August 2012. It is awaiting proclamation.

This Act addresses various offences which victimise children and includes some provisions which are akin to child trafficking. It also amends the Trafficking In Persons Act 2011 by expanding the definition of "exploitation" to include child pornography.

A PDF copy of the Act is [available online](#).