



Trinidad and Tobago

OFFICE TO MONITOR AND COMBAT TRAFFICKING IN PERSONS

2014 Trafficking in Persons Report

Tier 2

Trinidad and Tobago is a destination, transit, and possible source country for adults and children subjected to sex trafficking and adults subjected to forced labor. Women and girls from the Dominican Republic, Guyana, Venezuela, and Colombia are subjected to sex trafficking in Trinbagonian brothels and clubs. Economic migrants from the Caribbean region and from Asia, including India and China, are vulnerable to forced labor. Cases of forced labor have occurred in domestic service and in the retail sector. Law enforcement officials report Trinbagonian children were vulnerable to sex trafficking and forced labor, including the coerced selling of drugs. A 2013 study indicates individuals in establishments, such as brothels or nightclubs, throughout Trinidad recruit women and girls for the commercial sex trade and keep their passports; withholding a passport is a common indicator of human trafficking. This report also indicates that economic migrants who lack legal status may be exposed to various forms of exploitation and abuse, which are indicative of human trafficking. As an island-nation outside the hurricane belt, Trinidad and Tobago experiences a steady flow of vessels transiting its territorial waters, some of which may be engaged in illicit and illegal activities, including forced labor in the global fishing industry.

The Government of Trinidad and Tobago does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government vigorously investigated trafficking offenses and, for the first time, formally charged suspected trafficking offenders under its 2011 anti-trafficking law. Officials in the anti-trafficking unit identified an increased number of trafficking victims and referred them for care. The government proactively investigated government officials for trafficking-related complicity; however, it has yet to convict any individuals under its anti-trafficking law. A lack of formalized stand-alone identification procedures for front-line responders hindered the government's ability to identify additional trafficking victims and increased the risk of their inadvertent arrest, deportation, or punishment.

Recommendations for Trinidad and Tobago:

Prosecute cases investigated under the 2011 Trafficking in Persons Act and convict and sentence trafficking offenders, including government officials complicit in human trafficking; devote adequate resources to the anti-trafficking unit to carry out its mandate in the investigation of trafficking crimes and the identification and protection of victims; develop a national action plan to address law enforcement efforts, victim care, and interagency coordination related to human trafficking crimes; formalize and widely disseminate procedures to guide all front-line officials in the identification and referral of potential victims, especially among foreign women in prostitution, migrant workers, and children; increase and provide adequate funding to NGOs to care for trafficking victims; continue training and outreach to educate officials about the manifestations of trafficking in the country and the 2011 Trafficking in Persons Act; improve coordination between investigators and prosecutors to build effective cases against suspected human trafficking offenders; and implement a national public awareness campaign that addresses all forms of trafficking, including the prostitution of Trinbagonian children and forced labor.

Prosecution

The Government of Trinidad and Tobago significantly improved its anti-trafficking law enforcement efforts over the reporting period. Trinidad and Tobago's 2011 Trafficking in Persons Act prohibits both sex trafficking and forced labor and contains extensive victim protections. The Act prescribes penalties of 15 years' to life imprisonment, with fines, for trafficking crimes. The Children Act (2012)—which has yet to enter into force—prescribes penalties of 10 years' to life imprisonment for subjecting a child to prostitution. These penalties are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. During the reporting period, the government's anti-trafficking unit investigated 22 cases of trafficking and charged 12 defendants under its 2011 anti-trafficking law, including three current or former government officials. All cases involved foreign victims; three involved suspected forced labor trafficking, including two for domestic servitude. The remainder of the cases involved suspected sex trafficking. The government designated four prosecutors to specialize in the prosecution of trafficking cases and work directly with investigators. The counter-trafficking unit, established in January 2013, led efforts to investigate sex trafficking and forced labor in the country during the reporting period. The unit cooperated with authorities in the Dominican Republic on cases involving suspected trafficking offenders recruiting Dominican women for forced prostitution in Trinidad. Law enforcement and civil society reported that some police and immigration officers facilitated human trafficking in the country, with some government officials directly exploiting victims. The government has yet to convict a trafficking offender, including any officials for trafficking-related complicity. Country sources reported that some off-duty police officers provided security for sex trade establishments, which could inhibit law enforcement's willingness to investigate allegations of human trafficking in the sex trade.

Protection

The government made progress in the identification and protection of trafficking victims. During the reporting period, it proactively identified and referred for care nine foreign forced labor and sex trafficking victims; this is a notable increase from the previous reporting period when only three victims were identified. The government provided one foreign trafficking victim with a work and residency permit to remain in the country and assist law enforcement in a trafficking investigation, a best practice in victim protection and reintegration. The government granted temporary immigration relief to victims and partnered with IOM to ensure safe and responsible repatriation for the majority of the other identified victims. It provided various levels of funding to NGOs that provided direct care and assistance during the

year; however, experts reported NGOs lacked sufficient funding. After an initial security assessment by the government, victims were allowed freedom of movement while staying in NGO-run shelters.

During the reporting period, the anti-trafficking unit, as mandated by the government's anti-trafficking law, was staffed by 10 members, including a director, police officers, and a legal officer to facilitate and improve cooperation with prosecutors. The unit led the government's anti-trafficking efforts in 2013 and pursued creative solutions for trafficking victim assistance, including partnering with NGOs throughout the country to map out the various types of services they can provide. During the reporting period, the counter-trafficking unit drafted an operations manual to outline identification and referral procedures for potential trafficking victims; the manual has yet to be formally approved and disseminated for use outside of the unit. The government did not punish any identified trafficking victims for crimes committed as a direct result of a trafficking situation; however, a lack of formalized identification procedures rendered trafficking victims vulnerable to being inadvertently punished or charged with immigration or prostitution violations. The government's trafficking law provides temporary legal alternatives to removal for foreign trafficking victims. The counter-trafficking unit encouraged victims to cooperate in the investigation and prosecution of their traffickers in 2013; most foreign victims provided a statement prior to repatriation. International organizations reported that the counter-trafficking unit employed victim-sensitive techniques when interviewing victims and when discussing their options regarding assisting law enforcement.

Prevention

The government made some progress in efforts to prevent human trafficking, such as raising awareness, in 2013. The government's counter-trafficking unit, in partnership with international organizations, conducted multiple specialized anti-trafficking trainings throughout the year. The unit also drafted a plan for a national awareness campaign and developed a pamphlet with information for suspected cases and partnered with NGOs to disseminate it throughout the country. Despite the anti-trafficking law's mandate that the government establish an inter-ministerial national taskforce on trafficking, the government did not convene a meeting for this group during the reporting period. In addition, it did not develop a draft national plan of action, as mandated under its anti-trafficking law. Anti-trafficking experts noted these failures hampered the government's ability to provide care and assistance for trafficking victims. The 2011 law mandates that one of the functions of the inter-ministerial taskforce is to monitor and evaluate the government's anti-trafficking efforts; the government did not release a public report on its anti-trafficking efforts in 2013, but the counter-trafficking unit drafted a report about cases and activities during the year. The government did not launch a country-wide official awareness campaign to educate the public and officials about sex trafficking and forced labor. The government did not undertake measures to reduce the demand for commercial sex acts or forced labor. Authorities did not consider child sex tourism to be a problem in Trinidad and Tobago, and no such cases were identified, investigated, or prosecuted during the reporting period.