

# Barbados - United States Department of State

## BARBADOS: Tier 2 Watch List

The Government of Barbados does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts included completing an anti-trafficking manual on assisting and interviewing victims, formally reinstating the anti-trafficking task force, and increasing training for law enforcement and child care officials. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. The government did not identify any victims in the past three reporting periods, reported no new prosecutions since the enactment of the 2016 anti-trafficking law, and has never secured a trafficking conviction. The government did not complete the national action plan begun in 2016. The government's anti-trafficking law did not provide penalties that were commensurate with other serious crimes. Therefore Barbados remained on Tier 2 Watch List for the second consecutive year.

## PRIORITIZED RECOMMENDATIONS:

Institutionalize victim identification and referral training for law enforcement officials, prosecutors, and judges to recognize trafficking indicators and implement the anti-trafficking law. • Proactively screen vulnerable groups, including children and migrants, for trafficking indicators and identify victims among these populations. • Vigorously investigate, prosecute, and convict traffickers with adequate sentences, including substantial imprisonment. • Amend the anti-trafficking law to remove sentencing provisions that allow fines in lieu of imprisonment for sex trafficking offenses. • Allocate adequate funding to support government agencies' anti-trafficking activities. • Implement the anti-trafficking manual and train law enforcement on identifying, referring, and protecting potential trafficking victims. • Develop, fund, and implement a national action plan for 2020 onwards to combat trafficking. • Increase the transparency of government efforts to combat trafficking, including by sharing relevant data with international partners. • Ensure that the anti-trafficking task force resumes active meetings and that recommendations are disseminated to governmental and civil society leadership. • Provide trafficking victims, including potential victims, with adequate accommodations and access to trauma-informed service providers. • Increase awareness of human trafficking among the public. • Approve and implement the Mandatory Reporting Protocol on Child Abuse. • Amend the Recruiting of Workers Act to specify the government agency responsible for enforcement functions. • Systematically monitor and assess national anti-trafficking efforts, making public the results.

## PROSECUTION

The government decreased prosecution efforts. The Trafficking in Persons Prevention Act (TIPPA) criminalized sex

trafficking and labor trafficking. The penalties prescribed for adult trafficking were up to 25 years' imprisonment, a fine of up to one million Barbados dollars (BDS) (\$495,050), or both. The penalties prescribed for child trafficking were up to life imprisonment, a fine of up to two million BDS (\$990,100), or both. These penalties were sufficiently stringent. However, by allowing for a fine in lieu of imprisonment, the prescribed punishment for sex trafficking was not commensurate with those for other serious crimes, such as rape. Immigration and police officials jointly investigated two individuals, one from Sri Lanka and one from Canada, at the international airport, compared with two investigations in 2018, five in 2017, and three in 2016. The government did not report initiating prosecutions under the TIPPA during the reporting period; the government has not reported initiating any prosecutions since a case begun in 2013, which is still pending. The government has never convicted a trafficker. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses. The government previously acknowledged limited instances of men purchasing children for commercial sex, which is a form of sex trafficking; however, it did not report investigating any such cases as trafficking crimes. The police Sex Crimes and Trafficking Unit trained 100 front-line officers and 30 police recruits at the police training center with the assistance of an international organization during the reporting period. In March, 40 officials from immigration, police, customs and excise, prison, the Barbados Defense Force, Coast Guard, the Director of Public Prosecutions, and the Office of the Attorney General participated in a five-day training on trafficking in persons hosted by an international organization.

## PROTECTION

The government maintained minimal efforts to protect victims. The government did not identify a single trafficking victim, compared with no victims identified in 2017 and 2018, eight victims identified in 2016, and 12 in 2015. Officials reported screening 30 vulnerable individuals for trafficking during the reporting year; this was a decrease from 60 individuals screened in 2018. The government did not report wider attempts to screen vulnerable individuals, including children, for trafficking indicators. An expert from the UN Committee on the Rights of the Child noted in 2017 that Barbados was a transit country for trafficked exploited children, and the government was doing little to address the problem; there was no indication this situation had changed. The government did not report any activities of the National Committee for Monitoring the Rights of the Child, which was responsible for outreach on protections for children, including against sex trafficking.

Both the police and immigration use standard operating procedures (SOPs) to interview potential victims. The government reported that the SOPs were updated during the reporting period to take into account changing trafficking modes; the revised SOPs were pending government approval at the end of the reporting period. Officials reported ongoing monitoring of the international airport for vulnerable individuals displaying trafficking indicators during the reporting period. A formal referral process for government authorities and NGOs existed for victim care, as required by law, and the Gender Affairs Bureau was the designated government coordinator for local NGO assistance to victims. There was no specialized shelter for trafficking victims on Barbados. Female trafficking victims and their dependents could reside at an NGO-operated women's domestic shelter; however, this shelter did not have the resources for, and previously struggled to assist, trafficking victims. The government had a separate agreement with an NGO to provide

accommodations to male victims. The children's care board could provide care for any identified child victims.

The government maintained an informal policy allowing foreign victims to receive temporary legal status as an alternative to their removal to countries where they face hardship or retribution by traffickers. The Minister of National Security could authorize victims, on a case-by-case basis, to remain and work in the country; however, the government did not report granting this status during the reporting period, as it identified no victims. The TIPPA authorized the government to provide safeguards for victims' identities and those of their families, issue work permits, and provide transportation and security during legal proceedings. Government policy permitted victims to leave the country and return for hearings; it was not clear when these policies were last used to encourage victim testimony. The TIPPA allowed courts to order restitution from a trafficker after a conviction; however, no victims received restitution during the reporting period. The government completed an anti-trafficking manual outlining procedures for law enforcement or immigration to use when interviewing and assisting suspected trafficking victims. The Sex Crimes and Trafficking Unit led human trafficking sensitization training for 15 child care officers.

## **PREVENTION**

The government maintained minimal prevention efforts. The government formally reinstated the National Task Force On Human Trafficking (task force) in January. The attorney general led the restored task force, composed of heads of 10 government ministries and civil society representatives. According to government reports, the task force did not hold regular meetings during the reporting period, although it coordinated trainings and lectures with the public. The task force reported that it was drafting the 2016-2020 national action plan—a process that began in 2016. The government conducted human trafficking sensitization lectures to 40 staff members of a major hotel group and 50 female members of a local NGO from two towns during the reporting period. Officials conducted a sensitization session for 30 children in aspects of child trafficking in an educational holiday camp. The labor department regulated recruitment agencies under the Recruiting of Workers Act; however, the law did not identify the responsible agency for the associated enforcement functions.

Officials coordinated public awareness sessions, although budget constraints may have hampered efforts. The government did not report whether it had approved the Mandatory Reporting Protocol on Child Abuse, which addresses child labor conditions, employers' legal responsibilities, and employee rights. The government did not report whether the labor department monitored vulnerable workers, including migrants frequently hired in the construction and agriculture sectors, for trafficking indicators. Government agencies conducted trafficking awareness seminars for 110 members of the public during the reporting period. The government did not report continuing its anti-trafficking training for its diplomats, first instituted in 2018. The government did not make efforts to reduce the demand for commercial sex acts.

## **TRAFFICKING PROFILE**

As reported over the past five years, human traffickers exploit domestic and foreign victims in Barbados. Observers report traffickers exploit foreign women in sex trafficking in Barbados. Documented and undocumented migrants from Guyana, Haiti, Jamaica, and Venezuela are at high risk for trafficking, although individuals from Colombia, the Dominican Republic, and St. Vincent and the Grenadines are increasingly vulnerable. There are anecdotal reports of parents and caregivers exploiting children in sex trafficking. Previously, traffickers operated as part of an organization; more recently, they appear to operate individually. Authorities have noted an increase in use of social media as a means of recruiting victims.