

St. Vincent and the Grenadines - United States Department of State

ST. VINCENT AND THE GRENADINES: Tier 2

The Government of St. Vincent and the Grenadines does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore St. Vincent and the Grenadines remained on Tier 2. These efforts included increasing training of law enforcement officials, increasing international collaboration to plan an operation against child sex trafficking, convicting perpetrators for crimes related to trafficking, and improving its public awareness campaigns. However, the government did not meet the minimum standards in several key areas. Authorities have not prosecuted a trafficking case since 2015 and have never convicted a trafficker. The government's anti-trafficking law, which allowed for fines in lieu of imprisonment, was not commensurate with penalties for other serious crimes. Government agencies cited a lack of resources for anti-trafficking efforts.

PRIORITIZED RECOMMENDATIONS:

Increase investigations of suspected sex and labor trafficking cases, particularly among children. • Vigorously prosecute and convict traffickers, and sentence convicted traffickers to significant prison terms. • Improve the quality and specialization of victim services. • Amend the trafficking law to remove sentencing provisions allowing fines in lieu of imprisonment for sex trafficking offenses. • Increase government funding and resources across all relevant agencies to combat trafficking. • Raise awareness about labor trafficking and sex trafficking and the need for public cooperation in law enforcement investigations in traditional and social media. • Target police, prosecutor, and judicial training on improved trafficking case evidence collection acceptable in court. • Create new bilateral agreements with relevant source countries to better coordinate and combat trafficking.

PROSECUTION

The government maintained law enforcement efforts. The Prevention of Trafficking in Persons Act of 2011 criminalized sex trafficking and labor trafficking and prescribed punishments of up to 15 years' imprisonment, a fine of 250,000 Eastern Caribbean dollars (\$92,590), or both. These penalties were sufficiently stringent. However, by allowing for a fine in lieu of imprisonment, the penalties for sex trafficking offenses were not commensurate with those for other serious crimes, such as rape. The government investigated five suspected cases of trafficking, compared with four cases in 2018. Of these cases, three were potential sexual exploitation; one was potential labor exploitation;

and the other was a potential forced adoption referred to the Anti Trafficking in Persons Unit (ATIPU) by the Family Courts. None of these cases, after investigation, were determined to be trafficking in persons due to insufficient evidence. The government did not update the status of the investigation of the suspected labor traffickers from last year. The government reported receiving information and assistance from the Bahamian government on a pending trafficking case. The ATIPU increased surveillance at the airport and seaports of entry, marinas, bars, and nightclubs and added surveillance at entertainment spots, restaurants, and social events to identify possible signs of recruitment of potential trafficking victims or smuggling of migrants. Authorities did not prosecute any alleged traffickers under the Trafficking Act during the reporting period (the last prosecution was in 2015), and the government has never convicted a trafficker. The lack of prosecutions and convictions and dismissal of past trafficking cases over several years indicated shortcomings in the government's ability to acquire sufficient evidence to bring cases to trial. Authorities indicated the police needed additional personnel and resources to investigate and collect evidence effectively for cases of trafficking. The government reported convictions for sexual assault of minors under the criminal code for investigations initiated in 2017; observers reported that traffickers had purchased sex from minors in these cases. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses. The government reported that four members of the police force participated in an October 2019 regional cybercrime capacity building and operational training to counter child sex trafficking. The ATIPU conducted training on the elements of trafficking, identification of victims, causes and consequences of trafficking, victim assistance and care, the Prevention of Trafficking in Persons Act, and the Palermo Protocol to 25 Passport and Immigration officials and a total of 79 police officers. In March 2019, the ATIPU presented on the role of police in counter trafficking at a regional meeting on trafficking and smuggling in Guyana.

PROTECTION

The government maintained minimal victim protection efforts. Authorities screened five adult female potential trafficking victims from St. Vincent and the Grenadines in 2019, compared with screening four potential labor trafficking victims in 2018. The government reported that the four potential labor trafficking victims screened last year received counseling from the Department of Gender Affairs; training in trafficking causes, consequences, indicators, and traffickers' modes of recruitment; and assistance to reintegrate back into society. The government reported that it had screened victims in pending child abuse court cases for trafficking indicators. Outside experts continued to indicate adults may have exploited their children in sex trafficking to generate income while others purchased commercial sex from children. Procedures existed to guide the ATIPU, immigration department, and labor department in identifying and referring potential victims; some observers have noted that the government's victim referral process does not include referrals from civil society and keeps potential victims in law enforcement custody instead of social services. The government operated a crisis center that provided medical, psychological, housing, and financial services jointly with NGOs for victims of domestic violence and trafficking, and the government reported that adult victims could leave the shelter at will. The government does not provide shelter facilities for male victims, and outside observers noted the quality of care for victims was not sufficient. Provisions in the Trafficking Act offered protections to victims before, during, and after a trial, such as keeping the names of victims and their families confidential; however, authorities did not use these provisions to protect victims. While the law provided for witness

protection programs and facilities for the victims to testify via video, the government did not report any use by victims during the reporting period. The anti-trafficking law provided foreign victims with the possibility of temporary and permanent residence permits and protected victims from immediate deportation; victim benefits were not linked to cooperation in investigations or trials; however, authorities did not grant temporary or permanent residency to any victims during the reporting period. Foreign victims who remained in country were allowed to work, but the government did not report whether the Jamaican potential trafficking victim was doing so. The government did not report any cases where the court ordered restitution paid to victims of trafficking during the reporting period.

PREVENTION

The government maintained efforts to prevent trafficking. The national task force, led by the prime minister, coordinated the anti-trafficking efforts of various government agencies. The government extended its 2016-2018 national action plan to 2020, added strategic inputs, and produced an annual report on trafficking in persons. Government agencies cited a lack of financial resources for anti-trafficking efforts. The government routinely conducted labor inspections of hotels, farms, stores, bars, industries, security workplaces, and domestic work locations, although their stated lack of personnel and funding may have prevented coverage of work sites with the most vulnerable workers. The ATIPU launched a large-scale summer 2019 awareness campaign targeting school children on summer vacation at vacation schools and summer camps, reaching approximately 1,019 persons. They held crime prevention showcases twice during the year, handing out hundreds of awareness materials to the general public. The unit also initiated an awareness campaign in new locations by placing stickers with a number for victims to call at fast food outlet and restaurant high visibility areas, such as cash registers and bathrooms. For the UN World Day against Trafficking in Persons in July 2019, the ATIPU with the Royal St. Vincent and the Grenadines Police Force and under the auspices of the National Task Force against Trafficking in Persons held an airport-based project and placed standing banners in the arrival and departure lounges, stickers at counters, and a promotional 30-second video. The government did not report whether labor laws regulate labor recruiters or ban employee-paid recruitment fees. The government has not trained labor inspectors on child labor, although police receive training to investigate child labor crimes, and the government took steps to address child poverty, a major cause of child labor trafficking. The government operated three 24-hour hotlines in English, but the government reported that no calls were received. 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 St. Vincent and the Grenadines, and traffickers exploit victims from St. Vincent and the Grenadines abroad. Foreign women in commercial sex in the country may have been exploited in sex trafficking, and foreign workers from South America, the Caribbean, and Asia may have been exploited in forced labor both in the country and while in transit. Foreign workers employed by small, foreign-owned companies may be vulnerable to labor trafficking. Men, women, and children have been victims of forced labor, primarily in agriculture; government officials and civil society suspect drug

traffickers exploit workers in forced labor in the production of marijuana. Traffickers exploit Vincentians in both forced labor and sex trafficking in foreign countries. Observers report some parents and caregivers exploit their children in sex trafficking in order to generate income.