

Trinidad and Tobago - United States Department of State

TRINIDAD AND TOBAGO: Tier 2

The Government of Trinidad and Tobago does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Trinidad and Tobago remained on Tier 2. These efforts included screening and identifying more victims, investigating traffickers, including three potentially complicit officials, prosecuting eight suspected traffickers, and increasing anti-trafficking training for its officials. However, the government did not meet the minimum standards in several key areas. The government had yet to secure a conviction under its 2011 anti-trafficking law, funding for victim assistance was reduced, and the laws did not provide immigration relief for victims or allow educational opportunities for vulnerable refugee children.

PRIORITIZED RECOMMENDATIONS:

Increase efforts to investigate, prosecute, and convict traffickers, including complicit officials and staff. • Provide adequate funding for robust trafficking investigations and victim services, including accommodations. • Train law enforcement and prosecutors in proactively identifying, obtaining, preserving, and corroborating evidence of trafficking. • 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. • Reduce court delays and pretrial detention and ensure that private video testimony facilities are offered to victims. • Improve cooperation between the Counter Trafficking Unit (CTU), prosecutors, judiciary, and NGOs to increase the number of cases that proceed to trial. • Strengthen oversight, regulation, and inspections of private labor recruitment agencies and domestic work locations. • Increase trauma-informed training on trafficking for NGO, shelter, social services, and law enforcement staff to improve their ability to identify and care for potential trafficking victims. • Increase civil society representation on the anti-trafficking task force. • Draft a national action plan for the period beginning 2021.

PROSECUTION

The government maintained law enforcement efforts. The Trafficking in Persons (TIP) Act of 2011 criminalized sex trafficking and labor trafficking and prescribed penalties of no less than 15 years' imprisonment and a fine of no less than 500,000 Trinidad and Tobago dollars (TTD) (\$74,660) for offenses involving an adult victim and no less than 20 years' imprisonment and a fine of no less than one million TTD (\$149,320) for those involving a child victim. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. The government's anti-trafficking unit investigated 36 possible cases of sex

trafficking and labor trafficking, compared with 39 in 2018 and 38 in 2017. The government initiated two prosecutions and charged eight suspected traffickers in 2019, compared with four in 2018 and two in 2017. The government reported no convictions for trafficking during the reporting period and had not yet convicted a trafficker under its 2011 anti-trafficking law, due in part to a dramatic court backlog, causing cases to take several years to make their way through the system. The government passed several laws to reform the justice system's lengthy delays in criminal trials, evidence collection issues, and insufficient judiciary personnel.

The Counter Trafficking Unit (CTU), under the Ministry of National Security, had the sole mandate for investigating human trafficking cases. The CTU collaborated with the national police Special Operations Response Team (SORT) and the intelligence-led task force to identify and monitor suspicious establishments. This team conducted six high-profile operations during the reporting period, resulting in the June 2019 release of two Chinese national forced to work in a factory and the detention of 15 perpetrators, eight of whom were charged under the TIP Act. Officials in law enforcement and observers reported that government officials have facilitated trafficking by accepting bribes from brothel owners to transport victims to various locations. During the reporting period, the government arrested three police officers on suspicion of trafficking and detained a police officer among other suspected traffickers in an anti-trafficking raid in November at a sports bar. In February, authorities arrested two other police officers in connection with trafficking, one of whom they charged with child trafficking. The case of a 2017 government employee charged with trafficking was still pending.

The government did not provide its budget allocations to the CTU for the reporting period for 2019 or 2018, compared to a seven million TTD (\$1.05 million) budget reported in 2017. Officials confirmed the CTU is not adequately funded or staffed to handle trafficking for the entire country. The government collaborated with India to extradite a forced labor suspect and signed the CARICOM Arrest Warrant Treaty to facilitate regional law enforcement cooperation. In November, newspapers reported that the SORT team arrested a male Chinese national and a female Venezuelan national suspected of sex trafficking. The police academy with an international partner delivered a two-day combined live and video conference training for 116 officers from Trinidad and Tobago on the components of human trafficking in government facilities. The CTU provided anti-trafficking training to 130 defense force members, 582 local police, prison officers, and 142 front-line officers. The CTU also provided trafficking sensitization training to 15 judges and magistrates and presented a weekly bilingual radio program directed at the community of migrants and Venezuelan refugees.

PROTECTION

The government increased some protection efforts. The government identified 34 trafficking victims, an increase from 14 victims identified in 2018, 14 in 2017, and 13 in 2016. There were 33 adult and minor Venezuelan females identified as victims of sex trafficking and one male from India identified as a labor trafficking victim out of 180 vulnerable individuals law enforcement officials screened. A separate group of 46 female potential trafficking victims released from a group of suspected traffickers reported by media were also screened for trafficking. Authorities reported all identified victims received care and 22 victims from prior years continued to receive assistance during the reporting

period, compared with 29 victims in 2018 and 14 in 2017. The CTU reported spending 120,000 TTD (\$17,920) on victim protection and assistance in 2019, a decrease from 203,100 TTD (\$30,330) in 2018 and 198,900 TTD (\$29,700) in 2017. The government provided additional funding to children's homes and adult victim accommodation through the Ministry of Social Development and Family Services. NGOs reported identifying and referring many additional victims to the CTU, but as the NGOs did not receive assistance or case follow-ups, NGOs reported they stopped referring them to the CTU. Outside experts noted there was insufficient government funding and personnel for comprehensive victim care. Some observers indicated that following police actions or immigration raids, authorities detained some foreign victims for violating immigration laws without screening for trafficking indicators or victim care—even though those unlawful acts occurred as part of the trafficking crime and traffickers may have compelled victims to commit them. The CTU reported intervening on behalf of some foreign victims to have them removed from detention centers to alternate sites.

The government jointly provided victim care services in conjunction with NGOs, which included accommodation, counseling, legal aid, consular services, medical and psychological services, assistance in their native language, reintegration for domestic victims and relocation for foreign victims, and in some cases skill and English language training. Observers reported a lack of appropriate shelters with adequate staff and security personnel. In February 2020, the cabinet established the Working Committee for the Delivery of Care to Trafficking Victims to improve quality of victim care. The government housed adult victims in a variety of locations; this varied from NGO-run shelters, government-funded accommodation, to international organization-funded accommodation based on the level of security risks and threats to the victim. Most female victims were housed in domestic violence shelters with strict rules restricting unchaperoned freedom of movement or communication outside. Observers noted that these restrictions caused some victims to run away from shelters or ask to be repatriated before investigations were completed. The government placed adult male victims at safe houses run by the security services. The Children's Authority placed child victims in government-funded children's homes in the community, although observers reported a lack of specialized care. While the government indicated victims were allowed to work and stay in country, in practice a majority were not allowed to work because of safety concerns. The government did not provide immigration relief to victims. Although the government agreed that an international body could conduct refugee status determinations, there was no impact on a trafficking victim's legal status in country and refugee children could not access public education, rendering them more vulnerable to trafficking. Language interpretation services were not always available for counseling sessions and police interviews; experts reported shelters did not have bilingual staff or volunteers. In addition, some government officials noted a shortage of interpreters available to assist with foreign victim care and testimony. The CTU provided 24/7 security for victims who participated in court proceedings. Experts noted working-level staff at NGOs and shelters needed more training on trafficking indicators to better identify potential trafficking victims.

PREVENTION

The government increased efforts to prevent trafficking. The National Task Force Against Trafficking in Persons (task force) collaborated with the CTU on anti-trafficking efforts. The task force included the ministries of labor,

immigration, national security, social development, foreign affairs, finance, the national police, the children's authority, airports authority, and the director of public prosecutions. Experts continued to note a need for the government to add more NGO representation to the task force to strengthen government-NGO partnerships and receive more NGO input into government decision-making. The government continued implementation of the 2016-2020 national action plan, including delivering anti-trafficking training to 150 members of women's NGOs. Quarterly reports of some of the activities are submitted to the task force and annual reports are prepared on the government's anti-trafficking efforts and made available via open hearings and press releases.

The government conducted a series of awareness campaigns on sex and labor trafficking targeting children and the general public. The government used social media, airport advertisements, billboard advertisements, and publicized the hotline with flyers on trafficking distributed in movie houses and promoted the hotline during a weekly bilingual radio program. Authorities screened movies about trafficking at law and immigration trainings and on five local television stations as part of the World Day Against Trafficking. The labor ministry (MOLSED) produced three videos and a radio advertisement on labor trafficking and conducted outreach in schools, summer camps, and community councils to explain about child labor trafficking and distributed bookmarks to students on sex and labor trafficking. Forced labor cases are referred to the labor inspectorate for investigation, and the inspectorate meets with employers about paying employees for unpaid wages. Observers noted the oversight and regulation of domestic workers remained weak although domestic workers must be registered by their employers within 14 days or face a 5,000 TTD (\$750) fine. The government did not report on the implementation of a new migration policy begun in 2018. MOLSED and the CTU drafted a memorandum of understanding to increase collaboration on sex trafficking and labor trafficking, including training for labor inspectors to enable them to refer potential trafficking victims to the police or immigration. The government operated a national trafficking hotline, which reported 30 calls resulting in the screening of six individuals and two identified foreign victims. Observers noted the need for more Spanish language services in the hotlines. The government made efforts to reduce the demand for commercial sex acts by targeting men and boys at schools, barbershops, and in communities with an awareness-raising program directed by the Office of the Prime Minister.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Trinidad and Tobago, and traffickers exploit victims from Trinidad and Tobago abroad. The ongoing humanitarian crisis in neighboring Venezuela has contributed to an influx of refugees and migrants who are at high risk for trafficking. Traffickers lure women and girls from Colombia, the Dominican Republic, and Venezuela with offers of employment, many via social media, and subject them to sex trafficking in brothels and clubs. Traffickers are increasingly targeting and accompanying vulnerable foreign young women and girls between the ages of 15 and 21. Other vulnerable economic migrants arrive from countries in Africa, China, and other Caribbean countries. LGBTI persons are at risk for sex trafficking. Many victims enter the country legally via Trinidad's international airport, while others enter illegally via small boats from Venezuela, which is only seven miles offshore. Migrants from the Caribbean region and from Asia, in particular those lacking legal status, are at risk for forced labor in domestic service and the retail sector. Corruption in

police and immigration has been associated with facilitating commercial and sex trafficking.