Trinidad and Tobago

Country Reports on Human Rights Practices - 2002
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Trinidad and Tobago, a member of the Commonwealth of Nations, is a parliamentary democracy in which there have been generally free and fair elections since independence from the United Kingdom in 1962. Parliament elects a president, whose office is largely ceremonial but does have some appointive power.

When the December 2001 elections produced an 18-18 balance in Parliament between the United National Congress (UNC) and People’s National Movement (PNM), both parties agreed to allow President A.N.R. Robinson to designate the new Prime Minister. However, when the President selected the PNM’s Patrick Manning, the UNC refused to abide by the decision, and the deadlocked Parliament was unable to pass legislation or elect a speaker for 9 months, until new elections on October 7 yielded a 20 to 16 working majority for Manning and the PNM. A 12-member elected House of Assembly handled local matters on the island of Tobago. The judiciary was generally independent.

The Ministry of National Security oversaw the police service and the defense force, rendering them responsive to civilian authority. An independent body, the Police Service Commission, made all personnel decisions in the Police Service, and the Ministry had little direct influence over changes in senior positions. There were credible reports that police and prison guards committed some human rights abuses.

Oil and natural gas production and related downstream petrochemical industries, including ammonia and methanol production, provided the base for the market-based economy. The country’s population was approximately 1.3 million. The service sector was the largest employer, although industrialization and associated plant construction created many jobs in the construction industry. Agriculture, while contributing only 4 percent to gross domestic product, remained an important employer, both at the subsistence and commercial level. Unemployment, at a reported 11 percent, contributed to a skewed income distribution. The economic growth rate was approximately 2.7 percent during the year.

The Government generally respected the human rights of its citizens, and the law and judiciary provided effective means of dealing with individual instances of abuse. Nonetheless, there were reports of police and guard abuse of prisoners. Poor prison conditions and significant violence against women remained problems. Trinidad and Tobago was invited by the Community of Democracies’ (CD) Convening Group to attend the November 2002 second CD Ministerial Meeting in Seoul, Republic of Korea, as a participant.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary and Unlawful Deprivation of Life

There were no reports of the arbitrary or unlawful deprivation of life committed by the Government or its agents.

At year’s end, a pretrial hearing began in the case of former cabinet minister Danrajh Singh, charged for the 1999 murder of politician Hanraj Sumairsingh, and the trial was set for 2003. Despite public speculation about possible political motives for the murder, there were indications that corruption may have been the root of the incident.

On August 27, police arrested three prison guards in connection with the June 2001 death of prisoner Anton
Cooper. The circumstances surrounding the death, and the slow pace of the investigation, provoked widespread criticism. At year's end, the three guards were charged with murder, and a preliminary inquiry was underway in Magistrate's Court.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits such practices; however, there were credible reports of police and prison personnel abusing prisoners in incidents that involved beating, pushing, and verbal insults. An Amnesty International report stated that use of excessive force and ill treatment of prisoners and suspects by police and guards continued. The Commissioner of Police admitted that there were frequent citizen allegations of police brutality, but he asserted that such claims often were "counter-claims" by citizens who had been arrested for crimes.

In June Sudesh Samaroo claimed that police officers beat him, abducted him from his home, taunted him, and threw him from a cliff before he managed to escape. The Police Complaints Authority opened an investigation into the charges, and the investigation continued at year's end.

In September prison authorities opened an investigation into claims by death row inmate Damian Ramiah that he had been severely beaten by prison officers on July 30.

In November Keyon Anthony charged that police officers severely beat him during a search for an illegal firearm; he never was charged with a crime. Anthony brought his allegations to the Police Complaints Authority.

Police corruption continued to be a problem. An independent body, the Police Complaints Authority, received complaints about the conduct of any police officer, monitored the investigation of complaints, and determined disciplinary measures where appropriate, including dismissal. However, Public Service Commission restrictions limited oversight authority to impose final discipline through dismissals. Several citizens' complaints alleging police corruption were lodged during the year. For example, in June residents of the town of Los Bajos appealed to the Commissioner of Police to protect them from three "rogue" police officers who allegedly made a practice of planting drugs on young men in order to arrest them. In December Allan Saran confessed to involvement in the kidnaping for ransom of a Port of Spain resident (subsequently freed) and identified two police officers as accomplices.

Prison conditions at two of the three largest men's prisons generally met international standards. However, conditions were worse at the Frederick Street Prison in Port of Spain, which dates from the 1830s. It was designed for 250 inmates but housed approximately 800 prisoners in December. Diseases such as chicken pox, tuberculosis, HIV/AIDS, and viruses spread easily, and prisoners had to purchase their own medication. The Commissioner of Prisons reported that the prison system held 4,090 inmates at year's end. Overcrowding was a problem in 4 of 8 facilities, where 2,290 inmates were housed in prisons built for 980. A new maximum security prison, opened in late 1998, has a capacity of 2,450. However, at year's end, it was not fully operational, held approximately 800 inmates, and had done little to relieve the overcrowding in the detention system.

On November 11, overcrowding caused a riot in the detention facility at the Port of Spain Magistrate's Court when officers attempted to house 80 detainees in cells built for 40 persons.

Pretrial detainees were held separately from convicted prisoners, although they could be in the remand section of the same facilities as convicted prisoners.

Conditions at the women's prison generally met international standards. Children between the ages of 15 and 19 were held at the Youth Training Center. Younger children were sent to the Boy's Industrial School.

The Government permitted prison visits by independent human rights observers, but the Ministry of National Security must approve each visit.

d. Arbitrary Arrest, Detention, or Exile

The Constitution prohibits arbitrary arrest or detention, and the Government generally observed this prohibition.
A police officer may arrest a person either based on a warrant issued or authorized by a magistrate or without a warrant when the officer witnesses commission of the alleged offense. For less serious offenses, the authorities typically brought the accused before a magistrate by way of a summons, requiring the accused to appear within 48 hours, at which time the accused could enter a plea. For more serious offenses, when the accused was brought before the court, the magistrate proceeded with a preliminary inquiry or, alternatively, committed the accused to prison on remand or allowed the accused to post bail until the inquiry. In practice, serious offenders also were charged within 48 hours following arrest.

The court could and did customarily grant bail to any person charged with any offense other than murder, treason, piracy, hijacking, or for any other offense for which death was the penalty fixed by law. In cases in which bail was refused, magistrates advised the accused of their right to an attorney and, with few exceptions, allowed them access to an attorney once they were in custody and prior to any interrogation. Police had the authority, under the Summary Courts Act, to grant bail to individuals charged with summary offenses. In July a Princes Town magistrate criticized police for applying this bail policy inconsistently, granting bail in some cases and refusing it in others.

In February the Government launched Operation Anaconda, a police action which promised to address the problem of crime through a new zero-tolerance policy. Press reports indicated the program had led to the arrests of more than 500 people by June. That month laborer Andy Anderson Ashby brought suit against the Attorney General alleging that he had been arrested in connection with an Operation Anaconda exercise and detained for almost 36 hours without being charged. At year's end, the Police Complaints Authority was still investigating Ashby's claim.

The Minister of National Security may authorize preventive detention in order to prevent actions prejudicial to public safety, public order, or national defense, and the Minister must state the grounds for the detention. There were no reports that the authorities abused this procedure.

The Constitution prohibits forced exile, and it was not used.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary, and the Government generally respected this provision in practice. The judiciary provided citizens with a fair judicial process.

The Judiciary was divided into a Supreme Court of Judicature and the Magistracy. The Supreme Court was composed of the Court of Appeal and the High Court; the Magistracy included the summary courts and the petty civil courts.

All criminal proceedings commenced with the filing of a complaint in the summary court. Minor offenses were tried before the magistrate. For more serious offenses, the magistrate must conduct a preliminary inquiry. If there was sufficient evidence to support the charge, the accused was committed to stand trial before a judge and jury of the High Court. All civil matters were heard by the High Court. Both civil and criminal appeals may be filed with the local court of appeal and ultimately to the Privy Council in London.

The Constitution provides for the right to a fair trial, and an independent judiciary vigorously enforced this right. All criminal defendants had the right to an attorney. In practice the courts sometimes appointed attorneys for those persons charged with indictable offenses (serious crimes) if they could not retain one on their own behalf. The law requires that a person accused of murder have an attorney. An indigent person may refuse to accept an assigned attorney for cause and may obtain a replacement.

Despite serious efforts to improve the administration of justice, problems remained in some areas. Trial delays, while not as extensive as in past years, remained a problem: adults prosecuted for serious offenses were committed for trial or discharged in 2 to 3 years in capital cases or within 5 years in noncapital cases; minors were tried or discharged within 1 year. The High Court showed improvement in reducing trial backlogs, but they remained significant at the magistrate court level. To help improve efficiency, the courts introduced computer-aided transcription to more speedily and efficiently create a record.

The death penalty was mandatory in all murder convictions for persons 18 years of age or older; convicted minors were jailed pending a presidential pardon. In July Caribbean Justice, a nongovernmental organization (NGO), issued a statement that the law did not allow for consideration of mitigating factors in murder cases that might warrant a lesser sentence.
In 2000 Parliament passed the Integrity in Public Life Act, which established an Integrity Commission with jurisdiction and control over the financial activities and ethical conduct of persons in public life and persons exercising public functions. The act was used as the basis for investigations of the activities of several public officials, including former Prime Minister Panday, in the months prior to the October 7 elections. At year's end, Panday had been arraigned in Magistrate's Court, and a trial date set for early 2003. The Panday case was the first filed under the new act.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The law prohibits such practices, and the Government generally respected these prohibitions in practice; however, citizens periodically complained of abuse of power by the state. In August Margaret Rowley of the town of Moruga claimed that local police forcibly entered her home to execute a search warrant and broke doors, a window, and furniture in the home.

On July 31, a court struck down as unconstitutional a section of the Proceeds of Crime Act of 2000, which gave police the power to inspect bank records of any individual upon the authority of a judge.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press, and the Government generally respected these rights in practice. An independent press and a functioning democratic political system combined to ensure freedom of speech and of the press.

The four major daily newspapers freely and often criticized the Government in editorials. Widely read weekly tabloids tended to be extremely critical of the Government. All newspapers were privately owned. The two local television newscasts, one of which appears on a state-owned station, were sometimes critical of the Government but generally did not editorialize.

Over the past several years, the Media Association of Trinidad and Tobago and the Publishers' Association expressed concern about the media's treatment by, and access to, the Government. For its part, the Government sometimes charged unfair treatment by the media, which the press viewed as unwarranted criticism.

A Board of Film Censors was authorized to ban films that it considered to be against public order and decency or contrary to the public interest. This included films that it believed may be controversial in matters of religion or race, or that contain seditious propaganda. In practice films rarely were banned.

The Government did not restrict access to the Internet.

The Government did not restrict academic freedom.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of assembly, and the Government generally respected this right in practice. The police routinely granted the required advance permits for street marches, demonstrations, or other outdoor public meetings. Amendments to the Summary Offences Act require that permits for public meetings and rallies be applied for 48 hours in advance instead of 24 hours, and make it an offense to hold a public meeting without a permit under the guise of conducting an exempted religious, educational, recreational, or sports function.

The Constitution provides for freedom of association, and the Government generally respected this right in practice. Registration or other governmental permission to form private associations was not required.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government generally respected this right in practice.
The Government limited the number of foreign missionaries allowed to enter the country to 30 per denomination. Missionaries had to meet standard requirements for an entry visa, must represent a registered religious group, and could not remain in the country for more than 3 years.

The Government was known to monitor closely only one religiously affiliated group, a radical Muslim organization called the Jamaat al Muslimeen, some members of which attempted a coup in 1990. The Government's surveillance focused on the group's repeated attempts to seize control of state-owned property adjoining its central mosque and on any actions intended to incite civil unrest.

Citizens occasionally complained about the efforts of some groups to proselytize in neighborhoods where another religion was dominant. The most frequent public complaints came from Hindu religious leaders against evangelical and Pentecostal Christians. Such complaints mirrored the racial tensions that at times arose between the Afro-Trinidadian and Indo-Trinidadian communities.

For a more detailed discussion see the 2002 International Religious Freedom Report.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for these rights, and the Government generally respected them in practice.

In 2000 the Government acceded to the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. Because of legislative delays caused by the parliamentary deadlock during the year, the Government had not yet passed legislation to implement obligations accepted under the Convention, although the authorities generally cooperated with the office of the U.N. High Commissioner for Refugees (UNHCR). Until Parliament approves the legislation, the Ministry of National Security's Immigration Division handled any requests for asylum on a case-by-case basis; reportedly fewer than 10 had been received in the past 40 years. In practice, the authorities placed asylum seekers in the care of a local NGO pending resolution of their cases, which were reviewed by the office of the UNHCR.

During the year, there were two cases of first asylum. The authorities detained Sierra Leonean Alie Marah in prison for 15 months as an illegal immigrant. When Marah requested asylum, the Government released him to the NGO. The Government denied asylum to the second claimant, a Cuban national.

There were no reports of the forced return of persons to a country where they feared persecution.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens with the right to change their government peacefully, and citizens exercised this right in practice through periodic elections, held on the basis of universal suffrage. The Constitution extends the right to vote to citizens as well as to legal residents at least 18 years of age who are citizens of other Commonwealth countries. Parliamentary elections were held at intervals not to exceed 5 years, and elections for the Tobago House of Assembly occurred every 4 years. The most recent general election was held on October 7, and observers found it to be generally free and fair.

The two major political parties were the People's National Movement and the United National Congress. The PNM was primarily but not exclusively Afro-Trinidadian; the UNC was primarily but not exclusively Indo-Trinidadian. General elections held on December 10, 2001, resulted in an evenly divided Parliament, with both major parties winning 18 seats in the 36-member House of Representatives. Both parties agreed to allow President A.N.R. Robinson to break the deadlock by appointing the Prime Minister. When the President appointed PNM leader Patrick Manning, the UNC called the decision unconstitutional and refused to participate in an agreement on the appointment of a Parliamentary Speaker, among other things. With the Parliament unable to form a majority, Manning called new elections for October 7. In spite of inflammatory campaigning by both parties, those elections proceeded peacefully and resulted in an uncontested 20 to 16 majority for the PNM. Following the elections, the authorities charged the campaign manager for one newly elected PNM parliamentarian with interfering with a ballot box. There were other, unsubstantiated, complaints of interference at some polling stations.

There were no specific laws that restrict the participation of women or minorities in government or the political parties. Women comprised slightly more than half of all registered voters in the country, and the voters elected 7 women to the 36-seat House of Representatives on October 7, up from 6 women in the previous Parliament. There were 9 women in the 31-member Senate and 8 women in the 25-member Cabinet.
Both major political parties reached out to ethnic minority voters, and ethnic minorities occupied significant positions in government. Senator Howard Chin Lee, PNM member and Minister of National Security, and Gerald Yetming, Member of Parliament from the UNC, were both ethnic Chinese. Chinese were the third largest distinct ethnic group, representing approximately 1 percent of the population.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of human rights groups operated without government restriction, investigating and publishing their findings on human rights cases. While government officials generally were cooperative, the Government responded strongly to Amnesty International's criticism of prison conditions and due process. An independent Ombudsman received complaints relating to governmental administrative issues and investigated complaints of human rights abuse. The Ombudsman could make recommendations but did not have authority to force government offices to take action.

In 1998 the Government sought to curtail appeals by death row inmates to the Inter-American Commission on Human Rights (IACHR) and the U.N. Human Rights Committee. The Government's moves were prompted by a Privy Council ruling that failure to execute a condemned prisoner within 5 years of sentence constituted cruel and unusual punishment in violation of the Constitution. To meet this 5-year deadline, the Government sought to impose time limits on the IACHR and the U.N. Committee to ensure that applications before these bodies were completed within 8 months. In 1999 the Government withdrew from the American Convention on Human Rights following a required 1-year notice.

However, the Privy Council subsequently ruled that by ratifying a treaty that provides for individual access to an international body, the Government made that process part of the domestic criminal justice system, thereby extending the scope of the due process clause of the Constitution, and that executing a prisoner with such an appeal pending would constitute a violation of due process.

In June the Inter-American Court of Human Rights cited the Government for violating the American Convention on Human Rights by executing inmates who had unresolved appeals pending before the IACHR and ordered the Government to pay more than $2.9 million to the families and attorneys of several death row inmates. The Government contested the Court's findings, saying that the executions in question had been carried out in accordance with applicable law.

Section 5 Discrimination Based on Race, Sex, Disability, Language, or Social Status

The Government generally respected in practice the constitutional provisions for fundamental human rights and freedoms for all without discrimination based on race, origin, color, religion, or sex.

Women

Physical abuse of women continued to be a significant problem. There was increased media coverage of domestic abuse cases and signs of a shift in public opinion, which previously had held that such cases were a private matter, and the Government improved aid for victims. Murder, rape, and other crimes against women were reported frequently, but it was believed that many sexual crimes were unreported. The establishment of a community police division improved police responsiveness to reports of domestic abuse, but some police officers were reportedly unsympathetic or reluctant to pursue such cases, resulting in underreporting of crimes of violence against women. The Police Service reported 565 complaints of spousal abuse through October, but the actual incidence of such abuse was considered to be much higher. Two government ministries, operating independently, directed the NGOs that ran most of the country's social programs addressing domestic violence, including five shelters for battered women.

Rape, spousal abuse, and spousal rape were criminal offenses. A rape crisis center offered counseling for rape victims and perpetrators on a voluntary basis. Since 1996 the Government operated a 24-hour domestic violence hot line, which received calls and referred victims to shelters, counseling, or other assistance. The hot line was for victims of rape, domestic violence, or other violence against women and received approximately 1,650 calls during the year.

Prostitution is illegal, and the authorities brought charges of soliciting for the purpose of prostitution against 19 persons during the year. Of those, 18 were female and 1 male.
The law does not prohibit sexual harassment, and it was a problem.

Many women held positions in business, the professions, and government. Nevertheless, men still tended to hold most senior positions. There was no law or regulation requiring equal pay for equal work.

Women's participation in education has been virtually equal to that of men, according to a UNESCO report, which showed that women's literacy rates and primary school enrollment in the country during 1990-98 were almost the same as the corresponding rates for males, with women exceeding men in years spent in school and in secondary school enrollment ratios.

The Division of Gender Affairs in the Ministry of Community Development and Gender Affairs was charged with protecting women's rights in all aspects of government and legislation. Several active women's rights groups also existed.

Children

The Government's ability to protect children's welfare was challenged by a lack of funds and expanding social needs. Education was free and compulsory through primary school, usually ending at 11 or 12 years of age. Some parts of the public school system seriously failed to meet the needs of the school age population due to overcrowding, substandard physical facilities, and occasional classroom violence by gangs. The Government committed resources to building new facilities and expanded access to free secondary education.

There was no societal pattern of abuse directed at children. The Domestic Violence Act provides protection for children abused at home. If they were removed from the home, abused children usually were placed with relatives. If there was no relative who could take them, there were several government institutions and NGOs that accepted children for placement.

The Miscellaneous Provisions (Children) Act of 2000 increased the upper age in the definition of a child from 14 to 18 years of age, abolished corporal punishment as a penal sanction for children under 18, and prohibited sentencing a person between 14 and 18 years of age to prison. A companion law established a new Children's Authority to license and monitor community residences, foster homes, and nurseries, and to investigate complaints about the care of children in such locations. At year's end, the act had not yet been proclaimed, as the Government was taking steps to appoint a board to manage the new authority.

The law prohibits child prostitution, and the police reported no cases of it during the year. However, there were anecdotal but unconfirmed reports of child prostitution in the recent past (see Section 6.f.).

Persons with Disabilities

There is no legislation that specifically enumerates or protects the rights of persons with disabilities or mandates the provision of access to buildings or services. The lack of access to transportation, buildings, and sidewalks was a major obstacle for persons with disabilities. The Government provided some public assistance and partial funding to a variety of NGOs, which in turn provide direct services to members or clients with disabilities.

Indigenous People

Members of a very small group in the population identify themselves as descendants of the original Amerindian population of the country. They maintain social ties with each other and other aboriginal groups and were not subject to discrimination.

National/Racial/Ethnic Minorities

Various ethnic and religious groups live together peacefully, generally respecting one another's beliefs and practices. However, at times racial tensions appeared between Afro-Trinidadians and Indo-Trinidadians, which each make up about 40 percent of the population. The private sector was dominated by Indo-Trinidadians and persons of European, Middle Eastern, or Asian descent. Indo-Trinidadians predominated in agriculture. Afro-Trinidadians were employed in disproportionate numbers in the civil service, police, and military. Some Indo-Trinidadians asserted that they were excluded from equal representation in the civil service due to racial discrimination.
Section 6 Worker Rights

a. The Right of Association

The 1972 Industrial Relations Act (IRA) provides that all workers, including those in state-owned enterprises, may form or join unions of their own choosing without prior authorization. The IRA provides for the mandatory recognition of trade unions when a union satisfies the Registration Recognition and Certification Board that it represents 51 percent or more of the workers in a specified bargaining unit. Union membership has declined, with an estimated 15 to 25 percent of the work force organized in approximately 19 active unions. Most unions were independent of government or political party control, although the Sugar Workers’ Union historically was allied with the UNC.

The law prohibits antiunion activities before a union is registered legally, and the Ministry of Labor enforced this provision when it received a complaint. A union also may bring a request for enforcement to the Industrial Court, which may order employers who are found guilty of antiunion activities to reinstate workers and pay compensation or impose other penalties including imprisonment. When necessary the Ministry of Labor’s conciliation service determines which unions should have senior status.

Unions freely joined federations and affiliated with international bodies. There were no restrictions on international travel or contacts.

b. The Right to Organize and Bargain Collectively

The IRA establishes the right of workers to collective bargaining. The conciliation service maintained statistical information regarding the number of workers covered by collective bargaining agreements and the number of antiunion complaints filed.

All employees except those in "essential services," which include the police and many other government employees, had the right to strike. The International Labor Organization (ILO) has criticized the Government’s definition of essential services as being overly broad and has requested that the legislation be amended. There were significant strikes during the year, including a 9-day work stoppage by physicians employed by the Ministry of Health. The Industrial Court found that the action violated the prohibition against denying essential services. The doctors denied that their work stoppage constituted a strike but returned to work after a court injunction. In October and November, approximately 2,000 construction workers went on strike at a methanol plant at Point Lisas.

The Labor Relations Act prohibits retribution against strikers and provides for grievance procedures if needed. A special section of the Industrial Court handles mandatory arbitration cases. Arbitration agreements are enforceable and can be appealed only to the Industrial Court. Most observers considered this court to be impartial; it consisted of government, business, and labor representatives.

There were several export processing zones (EPZs). The same labor laws applied in the EPZs as in the rest of the country.

c. Prohibition of Forced or Bonded Labor

The law does not prohibit specifically forced or bonded labor, but there were no reports that it was practiced. There were also no reports of forced or bonded labor by children.

d. Status of Child Labor Practices and Minimum Age for Employment

The minimum legal age for workers is 12 years. Children from 12 to 14 years of age may work only in family businesses. Children under the age of 18 legally may work only during daylight hours, with the exception of 16- to 18-year-olds, who may work at night in sugar factories. The Ministry of Labor and Small and Micro-Enterprises was responsible for enforcing child labor provisions, but enforcement was lax because there were no established mechanisms for receiving, investigating, and addressing child labor complaints.

There was no organized exploitation of child labor, but a UNICEF study estimated that 1.2 percent of children from 5 to 14 years of age were engaged in paid work, and that 0.3 percent were engaged in unpaid work for someone other than a family member. An ILO study reported that children engaged in several types of work, including scavenging, agriculture, domestic work, street vending, and commercial sexual activity.
The Government has not ratified ILO Convention 182 on elimination of the worst forms of child labor.

e. Acceptable Conditions of Work

The 1998 Minimum Wages Act established a minimum wage of about $1.10 (TT$7.00) per hour. Actual wages varied considerably among industries, and while the minimum wage did not provide a decent standard of living for a worker and family, most workers earned more than the minimum. The Ministry of Labor enforced the minimum wage regulations.

The Minimum Wages Act also established a 40-hour workweek, time-and-one-half pay for the first 4 hours of overtime on a workday, double pay for the next 4 hours, and triple pay thereafter. For Sundays, holidays, and off days, the act also provides for double pay for the first 8 hours and triple pay thereafter. Daily rest periods and paid annual leave formed part of most employment agreements.

The Factories and Ordinance Bill of 1948 sets requirements for health and safety standards in certain industries and provides for inspections to monitor and enforce compliance. The IRA protects workers who file complaints with the Ministry of Labor regarding illegal or hazardous working conditions. If it is determined upon inspection that hazardous conditions exist in the workplace, the worker is absolved for refusing to comply with an order that would have placed him or her in danger.

f. Trafficking in Persons

While there were no laws that specifically address trafficking in persons, the illegality of such acts was covered broadly in a variety of laws that addressed kidnaping, labor conditions, pimping and prostitution, slavery, and indentured servitude.

Although child prostitution was illegal and the police reported no cases of it during the year, the ILO and some local officials provided anecdotal but unconfirmed reports of child prostitution in the recent past.