



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

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Excellency,

I have been following the third cycle of the Universal Periodic Review (UPR) of the Republic of Trinidad and Tobago and welcome the constructive engagement of the Government of Trinidad and Tobago during the 39<sup>th</sup> session of the UPR Working Group in November 2021.

As the final outcome report on the review of Trinidad and Tobago was recently adopted by the Human Rights Council at its 49<sup>th</sup> session, I would like to take this opportunity to follow up on a number of areas raised in the two reports that my Office had prepared for the review of Trinidad and Tobago – the Compilation of United Nations information and the Summary of Stakeholders' submissions – which I consider in need of particular attention over the next four and a half years, until the next cycle of the UPR. In identifying those areas, I have considered the statements and recommendations made by 58 delegations and the presentation made and responses provided by the delegation of Trinidad and Tobago. I have also considered the actions taken by the Government of Trinidad and Tobago to implement the 79 recommendations fully supported as well as those that were partially supported during the second cycle of the UPR. The aforementioned areas cover a range of issues, which appear in the annex to this letter.

I acknowledge the continued emphasis placed on crime reduction and combatting corruption. I am aware of the increasing high rates of violent crime, which negatively affect all aspects of the society, and of efforts and resources deployed by Trinidad and Tobago to ensure the rights of people to safety and security. I commend the significant improvements made to various pieces of legislation enacted to ensure an equal access to justice for all and I encourage Trinidad and Tobago to continue its work to address the problem of prison overcrowding and improve detention conditions, in line with the UN Minimum Standards, including by improving the Inmate Management System.

I encourage Trinidad and Tobago to continue strengthening the health-care system to ensure effective access to basic health services for the most vulnerable. While acknowledging efforts made to ensure justice for victims of trafficking in persons, I look forward to learning about additional measures taken, including the adoption of the bill for legislative amendments.

I commend the historic abolition of child marriage, as well as the significant efforts that have been made to eliminate all forms of discrimination against women and protect the rights of persons with disabilities. I encourage you to continue this work and to adopt further measures to address the issue of domestic and sexual violence facing women and children, with the aim of achieving full equality between women and men and their equal participation in political, economic, social, cultural and family life.

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H.E. Mr. Amery BROWNE  
Minister for Foreign and CARICOM Affairs  
Republic of Trinidad and Tobago



I encourage Trinidad and Tobago to develop a comprehensive national human rights action plan in order to achieve concrete results in the areas highlighted in the annex to this letter and to facilitate preparations for the fourth cycle of the UPR. My advice to all Member States is to develop and implement national action plans in close consultation and cooperation with all stakeholders, in particular the Ombudsman and all civil society organizations and, where necessary, with the support of international organizations, including my Office and other United Nations entities, under the leadership of the United Nations Resident Coordinator.

I also encourage Trinidad and Tobago to establish a national mechanism for comprehensive reporting and follow-up to recommendations received from all international and regional human rights mechanisms and to treaty obligations, linking them to the Sustainable Development Goals. To this end, I strongly recommend the use of the OHCHR practical guide on this topic, which is available at:

[http://www.ohchr.org/Documents/Publications/HR\\_PUB\\_16\\_1\\_NMRF\\_PracticalGuide.pdf](http://www.ohchr.org/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf)

Please note that I am sharing my advice with all Member States as they go through the third cycle of the UPR with a view to assisting States with the implementation of the recommendations, following the review. One important measure that can positively contribute to follow-up action is voluntary mid-term reporting. Therefore, I strongly encourage all Member States to submit a voluntary mid-term report two years after the adoption of the UPR outcome report. In this regard, I encourage the Government of Trinidad and Tobago to consider submitting a mid-term report on follow-up to the third cycle of the review by 2024.

As stated by the Secretary-General in his 2017 report on the work of the Organization (A/72/1, paragraph 98): *“The Human Rights Council’s universal periodic review process is now entering a new cycle, with every Member State scheduled for a third round of scrutiny. We will work to strengthen the relevance, precision and impact of the Council’s recommendations, including by providing better support to Member States in implementation, stronger collaboration with United Nations country teams and the establishment of national mechanisms for human rights reporting and follow-up to link the universal periodic review to the implementation of the Sustainable Development Goals.”*

I look forward to discussing with you ways in which my Office may assist Trinidad and Tobago in relation to the areas identified in this letter and its annex.

Please accept, Excellency, the assurances of my highest consideration.

Michelle Bachelet  
High Commissioner for Human Rights

cc: Mr. Dennis ZULU  
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Aruba, and Curacao  
Republic of Trinidad and Tobago

Ms. Reba GRANADO-JOHN  
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Mr. Alberto BRUNORI  
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Nations High Commissioner for Human Rights  
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## Annex

### **Scope of international obligations and cooperation with international human rights mechanisms and bodies**

- Ratifying the International Convention for the Protection of All Persons from Enforced Disappearance, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, the Domestic Workers Convention (No. 189) of the International Labour Organization, and the Convention against Discrimination in Education.
- Extending a standing invitation to all thematic special procedures mandate holders.
- Submitting outstanding reports to the Human Rights Committee, the Committee on the Elimination of Discrimination against Women, the Committee on the Elimination of Racial Discrimination, the Committee on Economic, Social and Cultural Rights, and the Committee on the Rights of the Child.

### **National human rights framework**

- Continuing efforts to harmonize national legislation with international human rights norms and with international human rights instruments which Trinidad and Tobago has ratified or to which it has acceded, including a constitutional reform.
- Establishing a national human rights institution in accordance with the Paris Principles.
- Enacting the bill on the Special Reserve Police and Police Complaints Authority.
- Developing sustainable and human rights-centred training programmes for government officials and for law enforcement officers and the judiciary, including through international cooperation with partners, particularly regarding issues such as gender-based violence, human trafficking, migrant smuggling, sexual exploitation and all forms of child abuse.
- Increasing the training of personnel working with persons with disabilities and setting up the necessary infrastructure to properly include students with disabilities and children with special needs.
- Taking concrete actions to curb corruption, by creating transparent public procurement processes at all levels of government and investigating police officers who take or solicit bribes.



## **Implementation of international human rights obligations, taking into account applicable international humanitarian law**

### **A. Cross-cutting issues**

#### *Development, the environment, and business and human rights*

- Implementing policies to mitigate the effects of climate change and strengthen the resilience of communities from a human rights approach and maintaining its commitment to advocating for climate action that is consistent with existing human rights agreements, obligations, standards and principles.
- Ensuring a meaningful participation of women, children, persons with disabilities and local communities in the development and implementation of climate change and disaster risk reduction frameworks.
- Adopting and implementing measures to adequately protect the population against the risks of natural disasters, inevitable due to climate change.

### **B. Civil and political rights**

#### *Right to life, liberty and security of person*

- Introducing a de jure moratorium on capital executions with a view to fully abolishing the death penalty.
- Combating violent crimes to ensure the safety of the people.

#### *Administration of justice, including impunity, and the rule of law*

- Investigating reports of arbitrary or unlawful killings and human trafficking by the police and of excessive use of force by prison guards, and holding accountable any officers found to be responsible.
- Thoroughly investigating, prosecuting and punishing those who commit the crime of trafficking.
- Strengthening the criminal justice system and improving the situation in prisons in accordance with the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules).

#### *Prohibition of all forms of slavery*

- Intensifying efforts to combat trafficking in persons and forced labour, including by strengthening and implementing the anti-trafficking legislation as well as resources to address human trafficking, specifically for women and girls, and increasing regional cooperation in this area, primarily through greater exchange of information; boosting laws and regulations to combat trafficking in women and girls; and intensifying efforts to address the causes of trafficking in women and girls.
- Intensifying capacity-building programmes for public officials, law enforcement officials and the population in combating trafficking in persons, especially women and children; ensuring the provision of adequate assistance to victims; and strengthening measures against trafficking



in persons, by creating awareness programmes to encourage the reporting of cases of trafficking.

- Addressing trafficking in persons, including of women and children, by providing shelter, legal assistance and care to the victims.

### **C. Economic, social and cultural rights**

#### *Right to work and to just and favourable conditions of work*

- Intensifying efforts to gradually transform and reduce the informal sector of employment, eliminate structural inequalities and occupational segregation and reduce the gender wage gap, by guaranteeing and enforcing the principle of equal pay for work of equal value in all sectors.
- Amending the Industrial Relations Act to include domestic workers in the definition of a worker.

#### *Right to social security*

- Strengthening the social protection network, by taking steps to ensure robust measures for vulnerable groups and giving priority to social programmes for the well-being of the population, with an emphasis on rural communities.
- Continuing strengthening the institutions responsible for the promotion and protection of human rights, particularly in the areas of social protection, and eradicating poverty through social welfare policies.

#### *Right to an adequate standard of living*

- Strengthening actions to promote sustainable economic and social development and improve the standard of living of its population, particularly women, children and the elderly, as part of the implementation of the national development strategy (Vision 2030).
- Reinforcing measures to fulfil the rights to housing and to health.

#### *Right to health*

- Strengthening the national health system and ensuring effective access to basic health services for all segments of the population, especially the most vulnerable.
- Addressing the root causes of the prevalence of HIV/AIDS through, among other things, the implementation of preventive strategies to combat HIV, and guaranteeing the right to health for people living with HIV/AIDS, by strengthening inter-institutional coordination and establishing programmes and strategies to reduce the HIV infection rate, especially among adolescents and young women.
- Applying human rights principles to implement the COVID-19 response.
- Providing effective access for women and girls to comprehensive information on sexual and reproductive health and rights, including on the use of modern forms of contraception, in order to reduce the high rate of teenage pregnancy, and undertaking a comprehensive evaluation of the adolescent mothers programme in order to assess its effectiveness.



- Amending the Offences against the Person Act to legalize abortion in cases of rape, incest and severe foetal impairment and to decriminalize abortion in all other cases.

#### *Right to education*

- Addressing barriers to access to education with a view to enhancing school enrolment, attendance and retention rates, especially among girls.
- Allocating additional resources to ensure quality education for children, in particular for girls and children with disabilities.

### **D. Rights of specific persons or groups**

#### *Women*

- Enforcing legislation related to the implementation of national legislation and policies to reduce gender-based violence and taking stronger measures to prevent, mitigate and respond to sexual and gender-based violence; protecting victims and survivors, including by improving staff training for the Police Service's gender-based violence unit, creating specialized police units to investigate these crimes and mitigate impunity, providing adequate financial, staffing and technical support for the full implementation of the gender-based violence unit; and prioritizing access to shelters, medical services, legal aid and counselling services for women exiting domestic violence situations.
- Ensuring the systematic prosecution of all cases of violence against women and girls and adopting prevention programmes.
- Eliminating patriarchal attitudes and discriminatory stereotypes and enhancing women's participation in the political, economic and social spheres, as well as ensuring equal and meaningful participation of women in decision-making process and promoting gender parity.
- Strengthening measures to facilitate the economic empowerment of women, especially in rural areas.

#### *Children*

- Harmonizing and adopting a national child policy and legislation towards full compliance with obligations under the Convention on the Rights of the Child.
- Preventing and eliminating child labour and preventing the involvement of children in hazardous work.
- Developing and implementing legislation that prohibits child marriage.
- Providing care, protection and rehabilitation for child victims of violence.

#### *Persons with disabilities*

- Adopting and amending legislation to protect the rights of persons with disabilities and prevent discrimination against them in order to achieve the implementation of the Convention on the Rights of Persons with Disabilities.
- Improving the protection of persons with disabilities, both in its legal framework and in social assistance, and the provision of resources to improve accessibility in all areas.



- Enabling persons with disabilities to secure jobs in the public and private sectors.
- Allocating additional resources for ensuring quality education children with disabilities.

*Refugees and asylum seekers*

- Developing and implementing appropriate legislation to protect the rights of refugees and asylum-seekers.