

TRINIDAD AND TOBAGO (Tier 2 Watch List)

Trinidad and Tobago is a destination and transit country for adults and children subjected to sex trafficking and adults subjected to forced labor. In previous years, Trinbagonian victims have been subjected to sex trafficking in the United States and the United Kingdom. Women and girls from South America and the Dominican Republic are subjected to sex trafficking in Trinbagonian brothels and clubs. Economic migrants from the Caribbean region and from Asia, including India and China, are vulnerable to forced labor. Some companies operating in Trinidad and Tobago reportedly hold the passports of foreign employees, a common indicator of human trafficking, until departure. There also have been anecdotal reports of migrants in forced domestic service. Country experts reported an increasing number of Nigerians working in security, who may be trafficking victims. Experts also report Trinbagonian children were vulnerable to forced labor, including forced scavenging of trash. As a hub for regional travel, Trinidad and Tobago is a potential transit point for trafficking victims traveling to Caribbean and South American destinations. An island-nation outside the hurricane belt, Trinidad and Tobago experiences a steady flow of vessels transiting its territorial waters, some of which may be engaged in illicit activities, including forced labor in the global fishing industry.

The Government of Trinidad and Tobago does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these significant efforts, the government did not demonstrate evidence of overall increasing efforts to address human trafficking over the previous reporting period; therefore Trinidad and Tobago is placed on Tier 2 Watch List. During the reporting period, the government made progress by proclaiming its anti-trafficking law and establishing a counter-trafficking unit. These efforts, however, were overshadowed by the government's failure to properly screen and protect hundreds of potential trafficking victims, including the almost 200 victims in a significant forced labor case involving five fishing vessels stranded off the country's coast for the majority of the reporting period. In addition, after the proclamation of the anti-trafficking law and the establishment of the counter-trafficking unit, authorities conducted a March 2013 raid that resulted in the arrest of approximately 75 foreign women. Despite having the infrastructure in place to screen the women, law enforcement charged the women with solicitation and did not screen them for trafficking indicators or refer them for care and assistance. Furthermore, experts reported that trafficking-related complicity of public officials significantly hampered the government's ability to effectively address the trafficking problem in Trinidad and Tobago.

Recommendations for Trinidad and Tobago: Fully implement the 2011 Trafficking in Persons Act to vigorously investigate and prosecute trafficking offenses, and convict and sentence trafficking offenders, including any officials who are complicit in human trafficking; empower the anti-trafficking unit to be a central actor in both the investigation of trafficking crimes and the identification of victims; develop stand-alone procedures to guide all front-line officials in the identification and referral of potential victims of forced labor and sex trafficking; ensure implementation of these procedures to proactively identify trafficking victims among vulnerable groups, such as foreign women in prostitution, migrant workers, and homeless children in the

country; ensure that suspected victims are taken to a safe location while conducting trafficking investigations and victim identification interviews, as victims of human trafficking often feel threatened and are reluctant to disclose details of their exploitation in a detention setting or post-raid environment; implement a national public awareness campaign in multiple languages that addresses all forms of trafficking, including the prostitution of Trinbagonian children and forced labor as well as the demand for commercial sex and forced labor.

Prosecution

The Government of Trinidad and Tobago demonstrated few tangible results in its law enforcement response to human trafficking in the country during the majority of the reporting period. Enacted in 2011, but officially “proclaimed” in January 2013, Trinidad and Tobago’s Trafficking in Persons Act gives law enforcement the authority to hold offenders accountable for trafficking offenses, but authorities did not use the act to its full effect during the reporting period, nor did they use other trafficking-related laws to prosecute trafficking offenders. The government conducted some investigations into potential trafficking cases, but more rigorous investigations did not initiate until the end of the reporting period. The Act prohibits both sex trafficking and forced labor and contains extensive victim protections. The Act prescribes penalties of 15 years to life imprisonment with fines. These penalties are sufficiently stringent and commensurate with penalties prescribed for other grave crimes, such as rape. In August, the government passed the Children Act (2012), which prescribes penalties of 10 years’ to life imprisonment for subjecting a child to prostitution. Pursuant to its anti-trafficking law, the government established an anti-trafficking unit within the Ministry of National Security to handle trafficking cases. The government reported ongoing sex trafficking investigations, but did not initiate prosecution until after the reporting period. During the year, several country sources alleged that police officers facilitated trafficking in the country. In one specific case, involving five Colombian women in prostitution, local sources alleged that police officers directly interfered in the case by not turning over the women to immigration authorities once they were in police custody. In addition, the government did not make full use of its anti-trafficking law during its March 2013 raid that resulted in the arrest of approximately 75 women, mostly from the Dominican Republic, on charges of soliciting. Instead of proactively referring them for assistance and screening the women for trafficking indicators, and involving the anti-trafficking unit, country sources report that police detained the women until they appeared in court. Subsequently, officials released most of the women on bail and did not provide them with assistance and screen them for trafficking indicators. Country sources also report that many off-duty police officers provide security for sex trade establishments, which experts note could inhibit law enforcement’s willingness to investigate allegations of human trafficking in the sex trade.

Protection

The government took inadequate steps to proactively identify and protect trafficking victims during the majority of the reporting period. As a result, few victims were able to benefit from the

extensive victim provisions codified in the country's anti-trafficking law. The government's trafficking law explicitly protects victims from punishment for crimes committed as a direct result of a trafficking situation, but police failed to proactively screen women detained in association with raids on brothels or clubs, instead charging the women with prostitution and other related offenses even in the face of trafficking indicators. For instance, authorities did not conduct victim identification interviews for any of the 75 women arrested during the March 2013 raid, but instead detained the women and charged them with solicitation. The government's lack of proactive identification efforts likely resulted in the deportation, criminalization, and re-trafficking of victims throughout the year.

In another significant case, the government provided only limited screening and protection to approximately 200 mostly Indonesian forced labor victims on five fishing vessels, who were discovered by authorities off the coast of Trinidad. Although the government conducted some limited screening of these fishermen in November 2012, officials did not identify any of these men as potential trafficking victims, despite claims from the men that they were beaten by their supervisors. The government reported that it initially transferred the men to a hotel for several days, but then returned the men to the boats.

In February and March 2012, the government identified three sex trafficking victims; it referred one of these victims for care and assistance to a local NGO. In March 2013, the government identified three additional sex trafficking victims and referred all three victims to a local NGO for care and assistance. Country experts reported that the officials lacked adequate stand-alone formalized procedures to guide them in the identification of suspected trafficking victims. The government did not identify any Trinbagonian children as trafficking victims during the reporting period. The government's trafficking law provides temporary legal alternatives to removal for foreign trafficking victims. While the government reported that it did not deport any of the six trafficking victims it identified during the reporting period, it did not formally issue any temporary residency permits during the year.

Prevention

The government made limited progress in prevention in 2012. The government provided in-kind contributions for a number of anti-trafficking trainings conducted by international organizations throughout the year. During the year, the government's ministerial-level national task force made progress in establishing a counter-trafficking unit and carried out bureaucratic processes required in order to proclaim the anti-trafficking law, but did not carry out the mandate of the law to develop a national plan of action on trafficking. The Ministry of National Security and a partner NGO maintained a social media webpage on their joint counter-trafficking initiative. Operators trained in trafficking awareness ran NGO hotlines for child abuse and domestic violence. The 2011 law mandates that one of the functions of the ministerial task force is to monitor and evaluate the government's anti-trafficking efforts, although no such reporting was evident as of April 2013. The government did not undertake measures to reduce the demand for commercial sex acts, such as an awareness campaign targeted at clients of the sex trade. Authorities did not

consider child sex tourism to be a problem in Trinidad and Tobago and no such cases were identified, investigated, or prosecuted during the reporting period.