

COUNTRY BASELINE UNDER THE ILO DECLARATION ANNUAL REVIEW

Trinidad and Tobago - 2021

*THE ELIMINATION OF ALL FORMS OF FORCED OR COMPULSORY
LABOUR Protocol of 2014 P029 to the Forced Labour Convention*

REPORTING

Fulfillment of Government's reporting obligations

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Yes

Involvement of Employers' and Workers' organizations in the reporting process

91. When preparing its report, did the Government consult? [10.1]

a) The most representative employers organizations, b) The most representative workers organizations

92. To which employers organizations was the report sent? [12] Please provide the list

Employers Consultative Association (ECA)

93. To which workers organizations was the report sent? [13] Please provide the list

National Trade Union Centre (NATUC)

94. Please describe the consultation process(es). [10.2]

Report sent to the ECA and to the NATUC for their review and comment. It should also be noted that the Report will be submitted to the ILO 144 Tripartite Consultative Committee for their comments.

OBSERVATIONS BY THE SOCIAL PARTNERS

Employers' organizations

83. Have employers and or workers organizations been consulted in the development and implementation of adopted measures? [6.1]

Yes

95. Did employers organizations comment on the report? [11a]

No

Workers' organizations

83. Have employers and or workers organizations been consulted in the development and implementation of adopted measures? [6.1]

Yes

96. Did workers organizations comment on the report? [11b]

No

EFFORTS AND PROGRESS MADE IN REALIZING MEASURES TARGETED BY THE PROTOCOL

Ratification

Ratification intention

61. If you have ratified Convention No. 29 but not the 2014 Protocol to Convention No. 29, what are the prospects for ratification of the Protocol?

Likely

Existence of a policy and or plan of action for the suppression of forced or compulsory labour

63. Is there a national policy and plan of action aimed at realizing the principle of effective and sustained suppression of all forms of forced

No

<p>or compulsory labour through prevention, victim protection and access to remedies? [1.1]</p>	
<p>66. Does the Government envisage adopting a national policy and/or plan of action in this regard? [1.4]?</p>	<p>No</p>
<p>68. Is there a national policy and plan of action setting out measures and specific action for combatting trafficking in persons for the purposes of forced or compulsory labour? [1.5]</p>	<p>Yes</p>
<p>69. Please describe these measures. [1.5]</p>	<p>A National Plan of Action Against Trafficking in Persons (NPA) for the period 2021-2023 was completed in March 2021 following months of consultations with a number of external stakeholders. Cabinet approval of the NPA is pending. This is required to commence implementation of the NPA. The NPA sets out specific actions to combat trafficking in persons including for the purposes of forced or compulsory labour. The National Plan of Action is divided into four main sections: (1) Identification of Victims and Witnesses; (2) Protection of Victims and Witnesses; (3) Prevention; and (4) Prosecution. Measures to combat trafficking in persons for the purposes of forced or compulsory labour include: increased public awareness; and training of frontline officers, including the officers of the Labour Inspectorate Unit. Such training will enable these officers to be more equipped to identify the indicators of human trafficking and to refer suspected cases of human trafficking to the Counter Trafficking Unit. Proposed amendments to the Trafficking in Persons Act, Chapter 12:10 will accelerate the process to investigate human trafficking cases, which is anticipated to deter human trafficking.</p>
<p>70. Does the Government collect and analyse statistical data and</p>	<p>Yes</p>

<p>other information on the nature and extent of forced or compulsory labour? [1.6]</p>	
<p>71. Please describe these data. [1.6.1]</p>	<p>To date, the Counter Trafficking Unit (CTU) has not encountered a large number of forced/compulsory labour cases. However, all forced/compulsory labour cases are recorded in a database. A temporary trainee of the CTU was also able to benefit from data collection and analytical training. It should be noted that child labour data is collected for reports received and investigated by the CTU. The information collected includes: bio data on victims; the means by which the individuals became a victim of forced/compulsory labour; the type of forced/compulsory labour enforced; the bio data of the possible traffickers (if available); and the progress of investigations and court cases.</p>

Measures taken or envisaged for systematic and coordinated action

<p>64. Please describe the measures envisaged, the established objectives and the authorities responsible for the implementation, coordination and assessment of these measures. Please provide any relevant URL(s) [1.2]</p>	<p>A Memorandum of Understanding was established in March 2021 between the Labour Inspectorate Unit of the Ministry of Labour and the Counter Trafficking Unit of the Ministry of National Security for collaboration on cases of forced labour involving labour exploitation. The Counter Trafficking Unit is the lead agency with responsibility for forced labour. The Labour Inspectorate Unit provides support.</p>
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Measures taken or envisaged to prevent forms of forced labour

<p>74. Have measures been taken or are measures envisaged for the prevention of all forms of forced or compulsory labour? [2.1]</p>	<p>No</p>
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Measures taken or envisaged to protect victims of forced labour

<p>76. Have measures been taken or are measures envisaged for the</p>	<p>Yes</p>
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<p>identification, release, protection, recovery and rehabilitation of victims of all forms of forced or compulsory labour? [3.1]</p>	
<p>77. If so, please indicate the type of measures [3.2]</p>	<p>a) Training of relevant actors for identification of forced labour practices,b) Legal protection of victims,c) Material assistance for victims,d) Medical and psychological assistance for victims,e) Measures for the rehabilitation and social and professional reintegration of victims,g) Appropriate accommodation</p>
<p>Measures taken or envisaged to facilitate access to remedies</p>	
<p>78. Have measures been taken or are measures envisaged to provide victims of all forms of forced or compulsory labour with access to remedies? [4.1]</p>	<p>Yes</p>
<p>79. If so, please indicate the type of measures, [4.2]</p>	<p>a) Information and counselling for victims regarding their rights,c) Cost-free proceedings,d) Development of forced labour indicators,e) Access to remedies and compensation,f) Capacity building and enhanced resources for the competent authorities, such as labour inspection, law enforcement, prosecution services and judges,g) Provision for authorities not to prosecute victims for acts which they have been compelled to commit,h) Provision of penalties such as the confiscation of assets and criminal liability of legal persons</p>
<p>80. Please indicate whether the measures aimed at providing access to justice and remedies apply to all victims of forced or compulsory labour, irrespective of their presence or legal status in the national territory. [4.3]</p>	<p>Yes</p>

Cooperation with other Member States, international / regional organizations or NGOs

81. Does the Government cooperate with other member States, international and regional organizations, or non-governmental organizations to achieve the effective and sustained suppression of forced or compulsory labour? [5.1]

Yes

82. Please briefly describe the modalities of this cooperation. [5.2]

The Government cooperates with INTERPOL, ILO, International Organisation for Migration (IOM), NGOs and with faith-based Organisations. The Government has a standing agreement with the IOM which assists with the support and care of victims of forced/compulsory labour. The ILO provides training to Government agencies on forced labour. INTERPOL assists with police investigations and location of suspects in other countries. NGOs and faith based Organisations are involved in protection and prevention activities.

Promotional activities

90. Please provide URL(s) to any new information on efforts made to respect, to promote and to realize the principle of effective and sustained suppression of forced or compulsory labour through prevention, victim protection and access to remedies. [14]

In March, 2021, a Memorandum of Understanding was entered into between the Ministry of National Security (Counter Trafficking Unit) and the Ministry of Labour (Labour Inspectorate Unit) to treat with forced labour:
<https://www.labour.gov.tt/mediaroom/latest-news-events/9-uncategorised/494-media-release-ministry-of-labour-and-the-ministry-of-national-security-join-forces-to-combat-human-trafficking-child-labour-and-labour-exploitation-in-t-t>

Special initiatives or Progress

<p>85. Please describe any significant changes which have taken place since your last report (for example, changes in the legislative and institutional framework, launching of major programmes, new data, changes in the number of persons in forced labour who have been identified, released and protected, penalties imposed on perpetrators). [7]</p>	<p>It is to be noted that the Trafficking in Persons Act is under review. The offences which cover forced/compulsory labour are to be deemed hybrid offences which will mean that perpetrators are brought to justice much faster. This in turn will act as a deterrent for potential traffickers. It should also be noted that a National Committee for the Prevention and Elimination of Child Labour was established by Cabinet in 2019 under the purview of the Ministry of Labour. The Committee is tasked with the development of a National Child Labour Policy and a Plan of Action. Additionally and as mentioned before, a Memorandum of Understanding was established in March 2021 between the Labour Inspectorate Unit of the Ministry of Labour and the Counter Trafficking Unit of the Ministry of National Security for collaboration on cases of forced labour involving labour exploitation.</p>
<p>90. Please provide URL(s) to any new information on efforts made to respect, to promote and to realize the principle of effective and sustained suppression of forced or compulsory labour through prevention, victim protection and access to remedies. [14]</p>	<p>In March, 2021, a Memorandum of Understanding was entered into between the Ministry of National Security (Counter Trafficking Unit) and the Ministry of Labour (Labour Inspectorate Unit) to treat with forced labour: https://www.labour.gov.tt/mediaroom/latest-news-events/9-uncategorised/494-media-release-ministry-of-labour-and-the-ministry-of-national-security-join-forces-to-combat-human-trafficking-child-labour-and-labour-exploitation-in-t-t</p>
<p>TECHNICAL COOPERATION NEEDS</p>	
<p>Request</p>	
<p>87. Does your Government think that it should establish technical cooperation activities with the ILO or pursue those that already exist for the prevention and effective suppression of forced or</p>	<p>Yes</p>

<p>compulsory labour, victim protection and access to remedies? [9.1]</p>	
<p>88. If so, please indicate the needs in this area by level of importance (not important, less important, important, most important) [9.2]</p>	<p>b) Awareness-raising and mobilization activities => Important</p> <p>c) Collection and analysis of data and information => Most Important</p> <p>d) Guidance on the development of the national policy and plan of action => Most Important</p> <p>e) Strengthening the legal framework => Important</p> <p>f) Capacity building for the competent authorities => Important</p> <p>g) Inter-institutional coordination => Important</p> <p>h) Promotion of fair recruitment and placement practices => Most Important</p> <p>i) Promotion of fair migration policies => Most Important</p> <p>j) Vocational training, job-creation and income-generation programmes for at-risk populations => Most Important</p> <p>k) Basic social security guarantees => Important</p> <p>l) Guidance on supporting due diligence => Important</p> <p>m) Capacity building for employers' and workers' organizations => Important</p> <p>n) Promotion of freedom of association and collective bargaining to enable at-risk workers to join workers' organizations => Important</p>

	<p>o) Exchange of experiences between countries or regions; international cooperation => Important</p> <p>p) Other => Important</p>
<p>89. Please provide additional information on the top three needs that you have identified in the elimination of forced labour or compulsory labour. Please provide URL(s) to any other information you may deem necessary.</p>	<p>The top three areas that need to be addressed in order for forced/compulsory labour to be eliminated are as follows: (1) Inconsistent public awareness and outreach campaigns - There is more awareness of sexual exploitation as a component of forced/compulsory labour, rather than of the many manifestations of forced/compulsory labour as a whole. As such, the Counter Trafficking Unit must engage in more sensitisation sessions on other forms of forced/compulsory labour. The CTU must also increase its social media presence in order to improve information sharing as much as possible. In order to achieve this, the CTU requires dedicated personnel for the management of social media activities and sensitisation sessions. (2) Slow judicial processes and delays - There is a critical need for human trafficking cases to be given priority or at least to be treated with a sense of urgency. This would deter potential traffickers from committing offences. (3) Lack of legislation or guidelines for supply chains - Guidelines should require that businesses ensure that human rights violations do not occur at any stage of production of their goods or services.</p>