



FOLLOW-UP MECHANISM  
CONVENTION OF BELÉM DO PARÁ (MESECVI)  
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**TRINIDAD AND TOBAGO  
COUNTRY REPORT  
THIRD ROUND**

## **I. Introduction**

1. This report has the objective of evaluating the progress of Trinidad and Tobago in the implementation of the Belém do Pará Convention in the 2014-2016 period, obstacles identified, present observations and recommendations. This report has been elaborated taking into account the responses given by Trinidad and Tobago to the indicator system of MESECVI, in the framework of the third round of multilateral evaluation, in 2016. The second round report and its recommendations, as well as legislation and official government information, were also consulted.
2. Trinidad and Tobago responded to a set of indicators provided by the CEVI, providing a wide and relevant amount of information, even when there was a large amount of indicators left with no response. The CEVI appreciates the availability of the government of Trinidad and Tobago in complying with its commitments to the Belém do Pará Convention and its follow-up mechanism.
3. This report is divided in the following sections: Legislation, National Plans, Access to Justice, Information and Statistics and Diversity. In each section, the reception of the right, financial context and budgetary commitments and state capacities will be analyzed in order to follow-up on the rights contained in the Belém do Pará Convention.

## **II. Analysis of the progress made in the realization of women's right to live a life free of violence**

### **LEGISLATION Articles 1, 2, 3, 7c, e & g**

#### ***RECEPTION OF THE RIGHT:***

##### ***Structural Indicators:***

1. In Trinidad and Tobago the Convention has not been incorporated in one piece of legislation. The response indicates that different aspects of the Convention can be found in different pieces of legislation that have been passed.
2. The concept of gender-based violence as defined in the Convention is incorporated in different pieces of local legislation, namely:
  - a) The Domestic Violence Act 1999;
  - b) The Sexual Offences Act 1986;
  - c) The Children Act, 2012;

- d) The Offences against the Person Act, 1925; and
  - e) The Married Persons Act 1977
3. The incorporation of various forms of violence into antiviolenence legislation can be found in the following statute, more particularly:
- a) The Domestic Violence Act 1999;
  - b) The Sexual Offences Act 1986;
  - c) The Children Act, 2012;
  - d) The Offences against the Person Act, 1925; and
  - e) The Married Persons Act 1977

However, there are no express provisions in their existing legislation as it relates to diversity such as ethnicity and sexual preferences, or migrants etc. Section 12 of the Sexual Offences Act 1986 criminalises sexual intercourse with a ‘mentally subnormal’ person who is not the alleged perpetrator’s spouse. In Trinidad and Tobago, there is specific legislation dealing with the trafficking in girls and adolescents, adult women and elderly women, more particularly sections 16, 17, 18, and 19 of the Trafficking in Persons Act, 2011. Specific legislation dealing with different forms of violence can also be found in the Rome Statute (forced prostitution), section 18 (a) of the Sexual Offences Act 1986, section 10 (2)(g) of the International Criminal Court Act 2006 and sections 12 to 16 of the Children Act.

4. Currently, there is no legislation in Trinidad and Tobago dealing specifically with sexual harassment. Nevertheless, complaints of sexual harassment may be made under section 3(a) of the Equal Opportunity Act, 2000 on the basis of sex. It is reported that the Ministry of Labour and Small Enterprise Development recently held consultations on the development of the Basic Terms and Conditions of work Code/Legislation in an attempt to provide a minimum floor of rights for all workers. Sexual harassment is being considered as part of the minimum of floor rights. It is mentioned that there are a number of collective agreements registered with the Industrial Court of Trinidad and Tobago which contain express provisions in regards to sexual harassment in the workplace.
5. It does not appear that there is a specific offence of femicide in local legislation. It is reported that within the section 9(2)(a) the term ‘femicide’ is discernible. Whilst there is no act speaking specifically to femicide, section 4 of the Offences Against the Person Act punishes murder that may arise out of a domestic relationship or in the community.
6. By virtue of section 4 of the Sexual Offences Act the definition of rape is now all encompassing. It can occur within a marriage or defacto marriage and the components are clearly defined.
7. Rape, sexual abuse, sexual violence within the nuclear family or extended is dealt with in a number of different pieces of legislation. For example in Sections 4, 4(a), 9, 13 and 215 of the Sexual Offences Act. Sections 18, 19, 21, 22, 23 and 24 of the Sexual Offences Act which came into force in 2015 punishes a wide range of sexual conduct against girls and boys under age 18 years both within the nuclear or extended family and outside of these

family norms. The Domestic Violence Act, 1999 includes sexual abuse as a form of domestic violence in the definition of domestic violence. Sexual abuse is further defined in the Act as including, “sexual contact of any kind that is coerced by force or threat of force and the commission of or an attempt to commit any of the offences listed under the Sexual Offences Act in the First Schedule. Further, the Domestic Violence Act also mandates police officers to respond to every complaint or report alleging domestic violence (including sexual violence) and for the responding officer to complete a domestic violence report to form a part of the National Domestic Violence Register to be maintained by the Commissioner of Police.

8. Trinidad and Tobago ratified the Rome Statute of the International Court and the International Criminal Court Act was passed in 2006. Section 10(2)(g) of the International Criminal Court Act deals with sexual violence in armed conflicts, as a form of torture, war crime and /or crime against humanity.
9. In providing a response to the indicator, whether ‘*Sexual Violence in hospitals, places of learning, detention centers, and other state institutions, in particular for indigenous women, considering also those who are ethnically diverse, Afro-descendants, rural, with disabilities, with different sexual preferences, by their sexual identity, migrants, refugees, displaced persons, senior citizens or deprived of their freedom.*’ It was indicated that this is dealt with in section 10(2)(g) of the International Criminal Court Act, 2006. The act, however, is not specific in relation to the place of the act of sexual violence but covers general infringements. Further, the Sexual Offences Act 1986 covers sexual violence in general.
10. The Children Act, 2012 covers sexual violence in general against girls and boys under age 18. Higher penalties are prescribed in some instances for sexual violence committed by persons ‘in positions of trust’. This includes a medical practitioner, nurse, teacher, a person who looks after a child at an educational institution but the person is not receiving education at that institution and a person who looks after a child is resident in a Community Residence. Community Residence includes Rehabilitation Centres which are ‘detention centres’ for child offenders.
11. In dealing with obstetric violence in hospitals and other health institutions in the State, it was indicated that the Sexual Offences Act, 1986 covers violence in general. Sections 56 and 57 of the Offences Against the Person Act were also referred to.
12. In Trinidad and Tobago sections 56 and 57 of the Offences Against the Person Act prohibits abortion. Nevertheless, it was put forward that the common law modifies these provisions by allowing for the termination of a pregnancy if necessary to save the life of the mother, or for health reasons (other than the pregnancy) that threaten the mother’s life.
13. There is no legislation that specifically allows for the legal interruption of pregnancy for rape. Reference was also made to section 10(2)(g) of the International Criminal Court Act, 2006 and the Sexual Offences Act which covers sexual violence in general.
14. In responding to the indicator ‘*Emergency prophylaxis treatments for HIV/AIDS and other sexually transmitted diseases in the public health services, especially in cases of sexual violence. Attention protocols to determine treatment steps and the form of attention the users especially in the cases of sexual violence.*’ it was indicated that Section 6 (a) of the Regional

Health Authorities Act, 1994 covers health care services in general but is not specific to ‘emergency prophylaxis treatments for HIV/AIDS’ or victims of ‘sexual violence’. Although not in the legislation, the Ministry of Health operates an extensive programme for HIV/AIDS which includes the HIV/AIDS Coordinating Unit which is responsible for the monitoring and evaluation of the Health Sector’s HIV/AIDS plan. It also provides an ongoing partnership, strategic framework, policy guidelines and protocols to improve the health status and delivery of health care to HIV/AIDS patients.

15. Psychological violence is included as a form of violence in the Domestic Violence Act 1999. Harassment is criminalized by section 30(a).
16. Sections 25(2) (a), (b) and (c) of the Matrimonial Proceedings and Property Act deals with alimony rights for children in general but is not specific to indigenous rural children. Reference was also made to sections 25 and 26 of the Family Law (Guardianship of Minors, Domicile and Maintenance) Act, 1981 was also referred to.
17. Currently there is no legislation enacted that explicitly bans the use of such methods as conciliation, mediation, probation, suspended sentences, application of the opportunity, commutation of punishment and others intended to resolve cases of violence extra-judicially.
18. Currently there is no legislation enacted for criminal and/or administrative sanctions for public officials who fail to enforce the regulations and/or national plan/action/strategy on violence against women.

***Process Indicators:***

19. Trinidad and Tobago ratified the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against women “Convention of Belem do Para” on 5<sup>th</sup> August, 1996.
20. Some examples of the pieces of legislation in the Trinidad and Tobago that deal with violence are:
  - a) Children Act 2012 which came into force in 2015;
  - b) Offences Against the Person Act 1925;
  - c) Sexual Offences Act 1986;
  - d) Domestic Violence Act 1999;
  - e) Trafficking in Persons Act 2011;
  - f) Anti-Gang Act 2011;
  - g) Anti-Terrorism Act 2005;
  - h) Kidnapping Act 2003;
21. The country has submitted numerous reports in relation to the right to life without violence to international oversight agencies such as the United Nations under the following treaties and conventions:
  - a) The International Covenant on Economic, Social and Cultural Rights- 1989,

2002;

- b) The International Covenant on Civil and Political Rights-1984, 1987,2000;
- c) The Convention on the Rights of the Child-1997, 2006;
- d)The International Convention on the Elimination of all forms of Racial Discrimination- 1975,1978, 1980, 1981, 1984, 1987,1995, 2001;
- e) The Convention on the Elimination of all forms of Discrimination Against Women- 2002, 2016; and
- f) The Universal Periodic Review-2011, 2016.

In relation to parallel reports two alternative reports were submitted under the Convention on the Elimination of all forms of Discrimination Against Women and two alternative reports and two alternative reports were submitted under the Convention on the Rights of the Child.

23. The state offices, secretariats, or mechanisms specializing in violence against women are:

- a)Trinidad and Tobago Police Service – victim support units
- b) The National Domestic Violence Unit Rape Crisis Centre
- c)Nine (9) shelters for female victims of domestic violence (supported by the government and run by NGOs)

The government is in the process of preparing for the commissioning of three domestic violence shelters for victims of domestic violence and one Serve and Training Activity Centre to support the shelters.

24. No information is available on the number of public officials prosecuted or punished under criminal and or administrative provisions for failing to enforce the regulations and or national plan/action/strategy on violence against women.
25. In June 2016 Gender Affairs Division conducted gender sensitization training for directors and managers of various Ministries. It is expected that similar training will soon be held for Permanent Secretaries. Heads of Division from five (5) ministries were provided with gender sensitization training. A total of 26 persons were trained.
26. Monitoring and evaluation work is currently being established. As such, information as to exchange mechanisms, monitoring and evaluation of training processes is currently not available but should be available in the next reporting cycle.
27. There is no information available on the existence of systematic education school curricula in secondary education, university and the general public on the promotion and protection of women’s rights, and the penalties for violation of the right to life free of violence.

28. The Office of the Prime Minister (Gender and Child Affairs) has regular commemorative activities for the UN International Day for the Elimination of Violence against Women (25<sup>th</sup> November – 10<sup>th</sup> December), International Women’s Day (8<sup>th</sup> March), World Aids Day (1<sup>st</sup> December), and Human Rights Day (10<sup>th</sup> December) which invites the participation of primary and secondary school children.
29. The National Children’s Forum is an annual event where children are educated about their rights and their views are solicited via speeches and creative representations on issues affecting them. A Statement of Commitment is then developed featuring an action plan as promised by key stakeholders. Activities include:
  - a) Art/poetry/spoken word/essay competitions on the importance of ending violence against women.
  - b) Workshops, seminars, and panel discussions.
  - c) 5K Walk/Run on International Women’s Day (which has become the signature event held by the Office of the Prime Minister (Gender and Child Affairs) in commemoration of this day. These take place annually.
30. There is no information available on mechanisms and tools for implementation.

***Results:***

31. In Trinidad and Tobago the statistics gathered by the Trinidad and Tobago Police Service are not disaggregated based on gender or age. However, reports are made based on type of offence.
32. There were 3527 reports between September 2012 and August 2015, a period of 48 months. 97% of these reports (i.e. 3416) were related to female victims. The population of females in Trinidad and Tobago as at 2011 stands at 661,714.
33. No further information was available in relation to this section.

***QUALITATIVE SIGNS OF PROGRESS:***

***Structural:***

34. In Trinidad and Tobago there is a large number of active civil society organisations dealing with various issues. On the protection of the right to live the number of groups may range over 50. The major ones include:
  - a) Amnesty International Trinidad and Tobago;
  - b) Network of NGOs for the advancement of women;
  - c) Caribbean Centre for Human Rights;
  - d) Doh do Death;
  - e) The voice of one;
  - f) Catholic Commission for Social Justice;
  - g) Men Against Violence Against Women;

- h) Rape Crisis Society;
  - i) T & T Humanist Association;
  - j) Living Water Community (deals particularly migrants/refugees);
  - k) CAISO (deals particularly with the issue of sexual orientation);
  - l) Family Planning Association (deals with issues of sex education and identity);
  - m) Caribbean Association for Feminist Research and Action (Trinidad and Tobago)
  - n) Hindu Women's Organisation;
  - o) Women Working for Social Progress
35. Reference was made to the aforementioned groups when asked about the *'number of women's organisations particularly working with girls and adolescent, adult women and elderly women who are ethnically diverse, Afro-descendants, rural, with disabilities, with different sexual preferences, by their sexual identity, migrants, refugees, displaced persons or deprived of their freedom, involved in monitoring women's rights to live free from violence.*
36. The Ministry of the Attorney General and the Office of the Prime Minister (Gender and Child Affairs) manages the follow up of the Belém do Para Convention.
37. The Office of the Prime Minister (Gender and Child Affairs) collaborates with several local, regional and multilateral agencies to promote gender equity. Collaborative efforts include:
- a) The Strengthening State Accountability and Community Action for Ending Gender-based Violence project, done in collaboration with UN Women and the Government of Trinidad and Tobago, focuses on reducing violence against women. The main objective is to establish a National Action Plan for ending Gender Based Violence (GBV) (ongoing);
  - b) The Office of the Prime Minister (Gender and Child Affairs) collaborates with the Commonwealth Secretariat to strengthen implementation of the Commonwealth Plan of Action on Gender Equality.
  - c) The Central Registry on Domestic Violence was launched in April, 2016. Agencies are inputting data. Currently in the process of including government agencies and other NGOs. This will assist in obtaining the profiles of victims and perpetrators; allow for a deeper understanding of the incidence of Domestic Violence; identify groups at risk; and monitor the effectiveness of violence prevention and intervention activities.
  - d) The National Domestic Violence Hotline (800-SAVE) is a toll-free service operated 24/7 (through the Domestic Violence Unit at the Gender Affairs Division), provides counselling, listening and referral services for victims and perpetrators of Domestic Violence.
  - e) The Women's City Centre project is a collaborative initiative with the Inter-American Development Bank that aims to provide integrated services for women in

terms of: violence against women, sexual and reproductive health, economic autonomy, community education, and child care. However, while this initiative will not be fully pursued at this time, several modules of the project will be executed at the Activity Centre.

- f) There are partnerships with civil society organisations to deliver services aimed at promoting gender equity and dealing with situations that arise as a result of inequity. Office of the Prime Minister (Gender and Child Affairs) in collaboration with Ministry of Planning and Development, IDB and UN agencies is conducting a National Prevalence Survey as part of the strategy to eradicate gender based violence in Trinidad and Tobago. This project falls under the United Nations Development Assistance Framework (UNDAF) Facility.

**Process:**

- 38. The Freedom of Information Act, The Office of the Ombudsman and the Judicial Review Act allows for individuals to monitor and bring effective action against public agencies. The Police Complaints Authority receives and independently investigates reports of criminal and corrupt practices or misconduct by police officers. Civil Society is also very active in monitoring the implementation of women’s rights.

**Results:**

- 39. In Trinidad and Tobago the pregnancy rate amongst girls ages 10-19 years old for the period 2012 to 2014 is as follows:

**YEAR**

- a) 2012 – 17.27;
- b) 2013 – 25.11;
- c) 2014 – 21.23.

The total number of pregnancies for the period for 2011-2015 is 15,231. This figure is disaggregated by age as detailed below:

- a) under 12 -35 years of age,
- b) and between 13 and 16 years of age, 2,645.

- 40. In responding to the indicator, ‘*indicate rate of pregnancies, pregnant women attending antenatal care, deliveries that are attended by skilled health personnel versus midwife, term deliveries, abortions and maternal mortality in children and adolescents*’. the following information was provided:

**Number of women attending Antenatal Care:**

- 41.

<b>YEAR</b>	<b>10-19 years</b>	<b>10-45+ years</b>
a) 2012	2094	13565
b) 2013	1768	12230
c) 2014	1763	13488

d) 2015                      1666                      13482

Number of **Legal Abortions:**

	<b>YEAR</b>	<b>Under 15</b>	<b>15-19</b>	<b>10-45+</b>
a)	2012	0	37	254
b)	2013	0	31	233
c)	2014	1	21	305
d)	2015	0	22	319

Number of **terms of deliveries:**

	<b>YEAR</b>	<b>15-19 years</b>	<b>10-45+ years</b>
a)	2012	N/A	14899
b)	2013	N/A	15892
c)	2014	N/A	15555
d)	2015	N/A	15047

**Maternal Mortality:**

	<b>YEAR</b>	<b>15-19 years</b>	<b>10-45+ years</b>	<b>%</b>
a)	2012	N/A	3	20.14
b)	2013	N/A	4	25.17
c)	2014	N/A	8	51.11
d)	2015	N/A	7	46.50

41. In Trinidad and Tobago, the Ministry of Health does not collect data by age group. The central Statistical Office (CSO) is responsible for collecting age disaggregated data, but due to challenges, this data is not available at this time.

42. While the information on percentage of abortions in children and adolescents is unavailable, the total number of teenage abortions from the period 2011-2015 is 743. This figure is disaggregated by the following age groups: under 13, 0; between 13 and 16, 67; between 17 and 19, 676. This information is derived from hospital records and indicates abortions that occurred under circumstances dictated by law.

43. In responding to the indicator *‘Maternal mortality rate in children and adolescent.’* the response was ‘the Ministry of Health does not collect data by age group total’.

44. In responding to the indicator ‘*Number and percentage of children and adolescents whose births are attended by skilled health personnel versus midwife.*’ the information provided was as follows:

**Most recent data: 2008**

<b>Persons in attendance</b>	<b>Total live births</b>
a) Doctor	5292
b) Midwife	14503
c) Other person	93
<b>TOTAL</b>	<b>19888</b>

Number and percentage of girls and young pregnant women attending antenatal:

45.

<b>YEAR</b>	<b>10-19 years</b>	<b>%</b>	<b>10-45+ years</b>
a) 2012	2094	15.44	13565
b) 2013	1768	14.46	12230
c)			
d) 2015	1666	12.36	13482

46. No information is available on the ratio between the increased number of Violent Deaths of Women and the increased number of Violent Deaths of Men in the past twelve months. Also there is no information available as to the rate of decline of Violent Deaths of Women in relation to the rate of Violent Deaths of Men.

**BASIC FINANCIAL CONTEXT AND BUDGETARY COMMITMENTS**

***Structural:***

47. Currently, there is no legislation in Trinidad and Tobago that deals with violence and budgetary allocations in relation to same. The Gender Affairs Division of the Office of the Prime Minister (Gender and Child Affairs), which deals with women affairs, obtains a budgetary allocation.
48. In its 2013-2014 national budget, the Minister of Finance introduced the government’s initiative to develop gender-responsive budgeting guidelines for institutionalizing gender-equality and gender mainstreaming practices in government ministries. The guidelines will make the case for the need to allocate sufficient financial resources to achieve gender equality, equity and women’s empowerment in all economic and social sectors of Trinidad and Tobago.
49. While there is currently no specific budgetary law that identifies funds for women’s mechanisms, etc. the Office of the Prime Minister (Gender and Child Affairs) – as the

national focal point for gender and development – in partnership with the Commonwealth Secretariat, has introduced Gender Responsive Budgeting in Trinidad and Tobago. The Gender Responsive Budgeting tool has been finalized, and the Office of the Prime Minister (Gender and Child Affairs) is currently collaborating with the Ministry of Finance to implement Gender Budgeting Statements and revisions to the call circulars.

***Progress:***

50. The Ministry of Finance publishes the budgetary allocations made to the ministries annually. Presently, there are no reporting mechanisms in regard to budgeting for initiatives specific to eliminating violence against women. Planned Gender Responsive Budgeting measures are awaiting approval.

***Results:***

51. The Budget allocation does not indicate the percentage of budget spending allocated to programs, plans, and agencies related to different forms of violence against women.

***QUALITATIVE SIGNS OF PROGRESS:***

***Structural:***

52. There are no civil society organisations involved in budget oversight initiatives and budget execution.

***Process:***

53. Information on the execution of the budget is not published. The execution of the budget is reviewed internally.

***Results:***

54. The response to the indicator ‘Publication of final reports on the budget and its execution’ was the Ministry of Finance is responsible for the publication of the final report on the annual budget.

***STATE CAPACITIES***

***Structural:***

55. Trinidad and Tobago has indicated that in relation to ‘attention protocols for ensuring the enforcement of provisions enacted in connection with different forms of violence’- in 2005, the government approved a ‘Domestic Violence Investigative and Procedural Manual for Police Officers in Trinidad and Tobago.’

56. Trinidad and Tobago’s response to “*Action protocols for justice operators, health (service provider), teachers, and public officials in connection with different forms of violence.*” was as follows:

- a) The Trinidad and Tobago Police Service (TTPS) has introduced victim support units staffed by professionals in psychology and sociology within the

Police Service to provide support to victims of domestic violence, sexual offences and crime of a highly sensitive and personal nature.

- b) At the level of prosecution, cases involving sexual crimes are heard in camera (not in open court). This is governed by section 29 of the Sexual Offences Act, 1986.
- c) The Ministry of Education has established standards for mandating reporting of child sexual abuse through Circular Memorandum No. 76 of 2008. The procedure for school personnel with respect to reporting child sexual abuse is also published under the National School Code of Conduct 2009.
- d) The Ministry of Health also has specific protocols when dealing with victims of criminal offences and reporting gender-based violence as well as crimes against minors.
- e) The protocols for reporting are guided by S31 of the Sexual Offences Act, 1986 which provides for mandatory reporting of suspected abuse of minors.
- f) The Children Act 2012 makes provision for a range of offences against children including sexual offences and other violent offences. Under this Act, a police constable has powers of arrest without a warrant in certain circumstances. The Court also has the power to make orders with respect to the welfare of the child victim. The Court may also make orders in relation to taking the child to a place of safety, maintenance and control of the child.

57. There has been an increase in the numbers of Health Centres providing primary health care, to rural communities. Apart from Hospitals and Clinics, 102 Health Centres in communities provide rural women and men with access to health services. Ten mobile Health Clinics were commissioned in 2007, which allows for increased services to rural communities.

***Process:***

- 58. Both the State and civil society and, for particular issues, the private sector engage in consultations when drafting legislation or protocols. Consultations are also undertaken with members of the public, as they are most affected by measures taken.
- 59. In Trinidad and Tobago, the Gender Affairs Division is in charge of dissemination of information on these issues. At present, there is no strategy to disseminate information on the protocols. The Division produces promotional and educational literature aimed at sensitizing the public on women's rights and gender-based violence. However, the provisions of the Convention are not specifically identified in public awareness campaigns.
- 60. In 2015, PAHO was engaged to assist in developing a Communication Strategy to end Gender Based and Sexual Violence against women and children. The Gender Affairs Division is currently continuing collaboration with PAHO to create a National Communications Strategy for the prevention of violence against women and children.
- 61. There is no information available in relation to records of action taken to disseminate and enforce the protocols designed.

**Results:**

62. In response to the indicator ‘monitoring reports of knowledge, understanding and application of specific protocols and regulations on the rights of women, as part of regular assessments to access incentives, credits, ranks (the justice, health, education)’ it was indicated that the Gender Affairs Division is responsible for monitoring enforcement.

**QUALITATIVE SIGNS OF PROGRESS:**

**Structural:**

63. There are several active civil society organisations (over 50) that deal with issues regarding women, girls, gender-based violence etc., and are heavily involved in monitoring the progress of enforcement. Government regularly consults with civil society on matters relating to changes in legislation or preparing protocols on these issues.

**Process:**

64. There is no information available on the existence and operation of a program using traditional knowledge, disseminating it and promoting articulation with the general health system.

**Results:**

65. Information is not available on the number of indigenous, rural women satisfied with the health care received.
66. There is no information available on Acknowledgment and respect for traditional knowledge and practices by the general health system.

**NATIONAL PLANS Article 1, 2, 8(c), 8 (d) & 8 (f)**

**RECEPTION OF THE RIGHT:**

**Structural:**

67. The Draft National Policy on Gender and Development of the Republic of Trinidad and Tobago specifically address the issues of violence in relation to gender equity and equality, HIV/AIDS and public security/ crime prevention. The Draft National Policy on Gender and Development does not make provisions for women based on sexual preferences and sexual identity. It also does not deal with migrants, refugees, displaced persons or women deprived of their freedom. The Draft National Policy on Gender and Development is awaiting government approval.
68. The strategies and other frameworks include:
- a) The re-establishment of a Domestic Violence Unit.

- b) The existence of the Crime and Problem Analysis Unit (CAPA) of the Trinidad and Tobago Police Service, which collects disaggregated data on Sexual Violence and Domestic Violence.
  - c) Training of police in domestic violence responses, to include the development of a comprehensive manual to guide officers in the management of domestic violence reports.
  - d) Training of support services workers, and community leaders.
  - e) Making data collection on domestic violence standardized; and instituting a Central Registry on Domestic Violence (CRDV).
  - f) Institutional strengthening of Non-Governmental Organisations.
  - g) The Child Protection Task Force has fulfilled its mandate, producing three reports, inclusive of recommendations, to address child protection. Several of these recommendations, many of which relate to the rights of girls, have been implemented.
  - h) In Trinidad and Tobago there is a Strengthening State Accountability and Community Action to End Gender based Violence in Trinidad and Tobago project. This project has produced a National Strategic Plan on Gender based Violence, which is awaiting Cabinet approval.
69. In addressing incorporation of actions etc. in the National plans of other sectors it was indicated that the Gender Affairs Division conducts and has conducted programmes that empower low-income and rural women. The Women in Harmony Programme provides skills training in elderly care and landscaping, and has recently incorporated human rights education into its curriculum. The Non Traditional Skills Training Programme has been discontinued pending the completion of Monitoring and Evaluation. This programme aimed to enable women to pursue career paths not commonly considered appropriate for women because of harmful stereotypes.
70. The Gender Affairs Division has been able to pursue some of its long-term objectives without the approval of the Draft National Policy on Gender and Development. It is expected that the Division should be better equipped to tackle and coordinate issues of violence against women and girls once full approval is received.
71. In Trinidad and Tobago while there is no direct incorporation of the concept of violence against women according to the Convention into official documents, the Domestic Violence Act, 1999 includes a wide definition for 'domestic violence' which incorporates principles and concepts present in the Belem do Para convention
72. The Gender Affairs Division, as a part of the Office of the Prime Minister (Gender and Child Affairs) is charged with gender mainstreaming, inclusive of the establishment of Gender Focal Points. This will enable the Division to realise a full

coordinating function, equipping Government Ministries and Agencies to incorporate gender analysis into their activities.

73. In response to the indicator re *'preparation and implementation of permanent training plans on the rights of girls and adolescents, adult women and elderly women, violence against women and the Convention of Belem do Para for the pertinent decision-makers and authorities'* it was indicated that the Gender Affairs Division is responsible for education on issues that fall within its mandate. The Division conducts the Defining Masculine Excellence programme which aims to resocialise its male participants, paying special attention to how they treat women. The Child Development Unit of the Office of the Prime Minister (Gender and Child Affairs) facilitates school tours which involve teaching children about their rights. Girls and boys are informed of their rights as children, as well as those afforded to them based on their gender.
74. Targeted national education is currently not underway. However, the Office of the Prime Minister (Gender and Child Affairs), is actively considering avenues for expansion into these types of educational initiatives.
75. All programmes are conducted in English, the official language of Trinidad and Tobago.

***Process:***

76. The Gender Affairs Division engages with other government agencies, NGOs, and corporate entities in Trinidad and Tobago in activities and events aimed at creating awareness of gender issues, advocacy and capacity building initiatives. The Draft National Policy on Gender and Development, for example, was completed after extensive stakeholder consultations. The Office of the Prime Minister (Gender and Child Affairs) is currently improving its Monitoring and Evaluation framework with a view to maximise the impact of its efforts and its use of limited resources.
77. Along with Gender Mainstreaming training for high-level members of the public service, there are sensitisation efforts underway throughout the protective services. Focus is typically placed on violence against women, not specifically referencing the Convention, but utilising its content where applicable.
78. A positive note is that victims/survivors of violence may access counselling and psychological care through the National Family Services, the Family Court, the Probation Department, the National Domestic Violence Hotline which is operated toll-free, 24 hours per day.
79. The Trinidad and Tobago Police Service provides counselling and support to victims of crimes prior and during trial through its Victim Support Unit.
80. Victims of abuse may access:
  - a) The National Domestic Violence Hotline – operated 24 hours a day, 7 days a week
  - b) Shelters – operated by NGOs; new shelters are currently being outfitted by the Government

81. No other information was available in relation to process.

**Results:**

82. The Gender Affairs Division is responsible for conducting the monitoring and impact assessment of policies, national plans, actions, strategies, in terms of their different components, at the national, provincial, state and local levels.

83. There are two main public institutions that have specific dependencies on women. These are the Office of the Prime Minister (Gender and Child Affairs), and the Ministry of Health.

84. Information is not available in relation to the percentage of girls and adolescents, adult women who are aware of their rights as no research has been on this area

85. In response to the indicator, '*Number and type of programs from the government (college level or above) for the systematic training of specialists in different disciplines on the problem of violence against women (legal medical, forensic psychologists, criminologists, etc.)*' it was indicated that Universities (funded by the government) offer college level training in the areas listed above more particularly:

- a) The University of the West Indies;
- b) The University of the South Caribbean;
- c) The University of Trinidad and Tobago; and
- d) College of Science, Technology and Applied Arts of Trinidad and Tobago.

86. No information was available on the annual percentage of people graduated from these special programs and the percentage of specialists working in public sector institutions linked to the issue of violence against women.

87. Information on the number of scholarships awarded is not available, however, the government offers undergraduate and post graduate scholarships to students pursuing studies related to the problem of violence against women. Some of these areas include; Human Rights, Gender Studies, Medicine, Forensics, Psychology and Criminology.

88. No information is available on the annual percentage of people graduated from these special programs and placed on public sector bodies linked to the issue of violence against women.

89. In response to the indicator '*number of comprehensive care services for women survivors of violence created and operating nationwide, with budget and running.*' Functioning care services that exist for women survivors of violence include: at the Office of the Prime Minister (Gender and Child Affairs) – the National Domestic Violence Hotline and National Family Services; Mediation and Social Services offered by the Family Court under the Judiciary; free health services offered by the Ministry of Health to protect victims of sexual violence /rape from HIV transmission and pregnancies; free legal advice through Legal Aid and the Ombudsman for victims of violence; housing assistance and comprehensive models of care to prevent and address

Gender Based Violence/Sexual Violence; the Victim and Witness support unit of the police service; comprehensive models of care to prevent and address Gender Based Violence/ Sexual Violence at the Institute of Gender and Development Studies at the University of The West Indies, St. Augustine; Families in Action NGO; the Coalition against Domestic Violence; ChildLine; and the Rape Crisis Society. As of May 2015, the Children's Authority has been providing comprehensive services for girls and boys under age 18 who are survivors of violence.

### ***QUALITATIVE SIGNS OF PROGRESS:***

#### ***Structural:***

90. Trinidad and Tobago has a large number of active civil society organisations dealing with various issues. On the protection of the right to life, the number may range over 50. Major ones include:
- a) Amnesty International Trinidad and Tobago;
  - b) Network for NGOs for the advancement of Women;
  - c) Caribbean Centre for Human Rights;
  - d) Doh Do Death;
  - e) The voice of one;
  - f) Catholic Commission for social justice;
  - g) Men Against Violence Against Women;
  - h) Rape Crisis Society;
  - i) T&T Coalition on the Rights of the Child;
  - j) T&T Humanist Association;
  - k) Living Water Community (deals particularly with migrants/refugees);
  - l) CAISO deals particularly with the issue of sexual orientation;
  - m) Families in Action;
  - n) Caribbean Association for Feminist Research and Action (Trinidad and Tobago);
  - o) Hindu Women's Organisation;
  - p) Women Working for Social Progress ;
  - q) Family Planning Association (deals with issues of sex education and identity)

#### ***Process:***

91. In Trinidad and Tobago the National Domestic Violence Hotline which is state run is operated 24 hours a day, 7 days a week.
92. Shelters are operated by NGOs. There are 9 Shelters for female victims of domestic violence (supported by the government and run by NGOs)

93. Trinidad and Tobago Police Service operates the Victim Support Unit to assist victims prior and during trial.
94. Legal aid assistance is available by virtue of the Legal Aid and Advice Act, 1976, this service is State-run.
95. The Children's Authority, under the Children's Authority Act, 2000 (as amended in 2008), removes girls and boys under age 18 from their homes if there may be in imminent danger (including violence) and provides emergency assistance with Court oversight.
96. The domestic violence report which must be completed by a police officer responding to a complaint or report alleging domestic violence and which is required to form part of a National Domestic Violence Register is a legal mechanism which allows for an emergency police response and for police monitoring of this form of violence against women. Section 21 of the Domestic Violence Act 1999 referred to.
97. In Trinidad and Tobago, the Gender Affairs Division has the responsibility for monitoring compliance with legislation regarding violence against women, including girls and adolescents, adult women, elderly women who are ethnically diverse, Afro-descendants, rural, with disabilities, with different sexual preferences, by their sexual identity, migrants, refugees, displaced persons or deprived of their freedom.
98. The Gender Affairs Division and the Child Development Unit, both under the office of the Prime Minister (Gender and Child Affairs) are the public institutions involved in monitoring compliance with legislation regarding indigenous, rural, children's and indigenous, rural, women's rights.

#### ***BASIC FINANCIAL CONTEXT AND BUDGETARY COMMITMENTS:***

##### ***Structural:***

99. There is no information available on the percentage of public spending allocated to the different plans, strategies, and programs on violence against women in the last fiscal period.
100. There is also no information available on budgets assigned in the last fiscal period towards:
  - a) Police stations for women or other agencies where complaints can be lodged
  - b) Specialized offices attached to the judiciary or prosecution service (attorneys' offices, defence offices)
  - c) Training for officials from different branches of government
  - d) Programs attending to women affected by violence
  - e) Prevention campaigns
  - f) Studies to monitor and assess the different components of strategies, plans, programs, actions

##### ***Process:***

101. There was no information available in response to any of the indicators under this section.

**Results:**

102. The Gender Affairs Division was allocated the sum of \$10,000,000 Trinidad and Tobago Dollars for the 2015-2016 fiscal period.

**QUALITATIVE SIGNS OF PROGRESS:**

**Structural:**

103. No information was available on the ratio between national economic growth and coverage of the guarantee of a life without violence.
104. Currently there are no civil society organisations, which work particularly with girls and adolescent, adult women and elderly women who are ethnically diverse, Afro-descendants, rural, with disabilities, with different sexual preferences, etc., involved in budget oversight initiatives and budget execution.

**Process:**

105. There is no information on *'regular reports (semi-annual or annual) public access to management accountability in the budget for the implementation of plans and programs for the treatment and eradication of violence against women.'*
106. Currently there are no social audit reports to account for the management of the budget for the implementation of plans and programs for the treatment and eradication of Violence Against Women.

**STATE CAPACITIES:**

**Structural:**

107. There are several shelters and homes available to women and children who are victims of violence. These are primarily operated by civil society. Total number of these is not known. The government has constructed three shelters for women.
108. In response to the indicator *'Number of public or state-supported legal services specializing in women affected by violence.'* it was indicated that the Legal Aid and Advisory Authority provides legal aid in respect of applications made under the Domestic Violence Act, 1999. Where a person desires legal aid as a matter of urgency in respect of proceedings relating to domestic violence, the Director of the Legal Aid Authority now has the power to issue an Emergency Certificate to enable that person to acquire prompt representation.
109. The Legal Aid Clinic at the Hugh Wooding Law School, St Augustine, Trinidad and Tobago, operates for the benefit of financially challenged members of the public.

110. The Victims Support Unit of the Trinidad and Tobago Police service provides this service. NGOs also provide care and psychological support. Exact numbers are unknown.
111. In response to the indicator ‘Number of toll-free telephone lines, with national, state, and /or local coverage for women’ it was reported that there exists the National Domestic Violence Hotline – operated 24 hours a day, 7 days a week. There is also a ChildLine which is specific to victims of abuse who are children. The Children’s Authority also operates a hotline that operates on a 24/7 basis.
112. Sexual and reproductive health services, including rapid testing for HIV/AIDS, are available throughout the country at public health centres and hospitals; and at the Queen’s Park Counselling Centre and Clinic. The exact number is not known, but the number and scope is widely distributed. Additionally, mobile sexual and reproductive health services (such as pap smears and pregnancy tests) are provided by two major NGOs, namely, the Family Planning Association of Trinidad and Tobago and the Trinidad and Tobago Cancer Society.
113. Psychological counselling services are available through government and civil society institutions. Many private facilities are also available. The number of services is not known.

**Process:**

114. There is a wide availability of different services that exist in several sectors and Ministries throughout the country. The ministries include: the Office of the Prime Minister (Gender and Child Affairs), the Ministry of Health, the Legal Aid Department and Ombudsman’s Office, the Ministry of Housing and Urban Development, and the Ministry of National Security. Other agencies include the Trinidad and Tobago Police Service/Victim and Witness Support Services, Families in Action, the Trinidad and Tobago Coalition against Domestic Violence, ChildLine, and other NGOs. Services are provided throughout the country, such as counselling and psychological care of victims and perpetrators, sexual and reproductive health services, safe homes and shelters, prevention of Sexual Violence, and other support services.
115. Information was not available on the accessibility of these services.
116. In response to the indicator ‘Existence of care protocols for the implementation of various public care and support to girls and adolescents, adult women and elderly women victims of violence, the State reported the existence of shelters, legal advice, psychological support, health care, among others.

**Results:**

117. There is no information available on ‘*Rate of demand for attention (number of women served over the past twelve months, divided by the total female population, multiplied by 1000): R33 □ For physical / psychological / sexual / patrimonial or economic violence at the hands of the partner, former partner or acquaintance of the woman.*’
118. Service usage rates by victims of different forms of violence is unknown.

119. As it relates to ‘telephone assistance’, for the fiscal period from October, 2014 to September, 2015, a total of 8,059 calls were received at a Domestic Violence Hotline-an increase of 13% from the previous year’s figure of 7159.
120. The service usage rate in relation to Legal assistance and Health Care Services is unknown.
121. In relation to the supply of antibiotics, anti-retrovirals and emergency contraception in cases of rape, actual supply numbers are not known, but the government of Trinidad and Tobago provides for the administering of HIV prophylaxis and emergency contraception in instances of Sexual Violence.
122. In response to the indicator ‘*Coverage, scope, jurisdiction, and funding of attention programs for victims of violence*’ it was stated that the Victims and Witness Support Unit of the Trinidad and Tobago Police Service provides support services to all victims of Sexual Violence and Domestic Violence. The office of the Prime Minister (gender and Child Affairs) is responsible for maintaining the Break the Silence campaign which focuses on eradicating child sexual abuse and incest. The Children’s Authority also works to recover and rehabilitate child victims of violence. Several NGOs offer services for victims of violence including counselling, assessment and referrals: Families in Action, ChildLine, the Trinidad and Tobago Coalition against Domestic Violence and the Rape Crisis Society.
123. As it relates to assistance programmes for elderly women, under the Chronic Disease Assistance Programme, all citizens, regardless of age, are provided with free prescription drugs to combat chronic diseases.
124. As it relates to assistance programmes for girls and adolescents, the “Choices – Adolescent Mothers Programme” caters for young mothers, pregnant teenagers at risk by providing day-care services, individual and group counselling, skills training, health information, parenting courses and personal development training. The Family Planning Association of Trinidad and Tobago and the Trinidad and Tobago Cancer Society provide mobile reproductive and sexual health clinics for young girls in rural areas.
125. There is no information available on health insurance plans, by sex, age, and geographical region, as subscribers or beneficiaries.

### ***QUALITATIVE SIGNS OF PROGRESS:***

#### ***Structural:***

126. Even though the specific number is unknown, there are more than twenty (20) civil society organizations involved in monitoring and evaluation.
127. There is a wide range of outreach campaigns utilizing all kinds of media such as radio, television, newspapers, educational institutions, social media etc. These campaigns are conducted at both the national and community levels.
128. Currently there is no schedule of outreach campaigns against sexual harassment.

***Process:***

129. No information is available on user satisfaction studies on the accessibility, availability, and quality of the different attention services for victims of violence.
130. Currently there are no perception studies on the identification of violence against women.
131. Outreach and awareness campaigns are conducted nationally through a variety of means, including print (newspapers, brochures,) television, online (social media, Ministry website, etc.), educational institutions and NGOs. Measurement of the reach of these programmes has not been completed.
132. There is no information available on the existence of permanent mechanisms for participation in offering recommendations on the design and implementation of violence prevention and attention policies

**ACCESS TO JUSTICE Article 7 (d), (f), 8 (c) & (d)**

***RECEPTION OF THE RIGHT:***

***Structural:***

133. There are provisions in different pieces of legislation for Trinidad and Tobago which provides protective measures, at the request of the victim or third parties or on an ex officio basis, before and during administrative and/or judicial proceedings. These exist in the Trafficking in Persons Act, 2011; the Domestic Violence Act, 1999; and the Children Act, 2012.
134. It was reported that the Trafficking in Persons Act 2011 provides for relocation of victims, changes of identity, witness protection, safe-conducts to return to home country, and safe reference networks. The Domestic Violence Act, 1999 provides for the removal of the offender through a protection order. The Children Act 2012 provides for the safety of children.
135. Currently there is no information available on the competence of ministries or supervisory offices to receive complaints from health system users.
136. Currently there is no information available on the specific mechanism to receive complaints from users regarding the justice system.
137. It was reported that in Trinidad and Tobago the Constitution does not expressly provide relief specifically for actions of violence. However sections 4 and 5 provide for the protection of fundamental rights and freedoms.
138. It was also reported that in areas such as independence and impartiality of the court, fair hearing, and opportunity to appeal to higher courts, equality before the law, sections 4 and 5 of the Constitution provide for procedural guarantees. The common law provides for res judicata. However, the Constitution does not provide for a reasonable timeline in accessing these guarantees.

139. No information is available on the existence of criminal investigation protocols on crimes of violence against women, femicide and violent deaths of women, with a gender perspective.
140. In response to the indicator, 'Legislation and rapidly available mechanisms for protection of indigenous, rural, girls and adolescents, adult women and elderly women victims of violence, with particular attention of intercultural backgrounds' it was reported that there is no protective legislation or mechanisms specific to the mentioned categories. However all legislation and mechanisms are available and accessible to all persons

***Process:***

141. There is no information available on the percentage of protective orders issued in cases of violence against women, in proportion to the number of protective orders requested, broken down by the type of crime and/or type of violence reported.
142. It was reported that in Trinidad and Tobago judgments and rulings make reference to the domestic legislation that incorporates the rights and principles of Belem do Para and other similar instruments, rather than referring to the Convention specifically.
143. Further it was reported that there was no information available a wide number of indicators:
- a. Number of judicial sentences or rulings on domestic violence or any other form of violence (physical, sexual, psychological, patrimonial, economic, institutional, political , workplace violence, sexual harassment, political harassment, obstetric violence, etc.) broken down by sex, age, race, ethnic origin, and socio-economic status.
  - b. Number of judgments or resolutions related to reparation of victims, type of reparation.
  - c. Existence of an office, rapporteurship, or other kinds of specific agency within the trials and appeals courts and at the Supreme Court.
  - d. Policies to train judges, prosecutors, defence attorneys, lawyers and justice operators, as well as in the law schools programmes, on the topic of violence. Thematic coverage and scope.
  - e. Database records with relevant precedents from higher federal and state courts on violence against women, including documentation of emblematic cases.

***Results:***

144. There was no information available in relation to any of the indicators under this section. The indicators were as follows:
- a. Unreported violence rate: number of girls and adolescents, adult women and elderly women who were victims of different forms of violence

over the past twelve months and who did not report those acts of violence, divided by the total number of women in their age groups.

- b. Number and percentage of girls and adolescents, adult women and elderly women who access the emergency kit in institutions.
- c. Number and percentage of cases reported to the investigating agency, for violence against women in its various manifestations and violent deaths of women, according to the process status: Research; Accusation; Judicial decisions; Dismissed; and Archived
- d. Number and percentage of cases heard by the Criminal Courts (routine and specialized) for different crimes: violence against women, femicide, attempted femicide, in relation to the number and percentage of judgments (convictions and / or acquittals) issued by the courts (ordinary and specialized).
- e. Average time between the initial phase of a criminal trial for violence against women in its various manifestations and/or femicide and judgment (conviction or acquittal).
- f. Number and percentage of cases known by the jurisdictional entities of the justice system for reparation of women affected by violence or collateral victims in case of violent death of women.

### ***QUALITATIVE SIGNS OF PROGRESS:***

#### ***Structural:***

145. It was reported that there are no civil society organizations that are involved as advisors or as complainants in criminal proceedings for violence against women and femicide.
146. Also there is no information available on funding of assistance services, free legal representation, and other services intended for girls and adolescents, adult women and elderly women who have suffered different forms of violence, either publicly managed or with state subsidies.

#### ***Process:***

147. In relation to the response to the indicator ‘Publication of and access to information on judgments and rulings’, it was reported that judgments of the High Court and Court of Appeal are available online and through the High Court Library.
148. There was no information available in relation to a large amount of indicators in this section with regards to:
  - a. Periodic reports of accountability for the financial management of resources for access to justice for women victims of violence.
  - b. Financial resources destined to fund free legal representation and judicial services, intended for indigenous girls and adolescents, adult

women and elderly women, afro- descendants, rural, with disabilities, with different sexual preferences, by their sexual identity, migrants, refugees, displaced persons or deprived of their freedom.

149. It was reported that the Ministry of Finance publishes annual information on budget allocations for public access

**Results:**

150. There is no information available on the average investment funds involving each of the stages of criminal proceedings according to the institution involved.

**STATE CAPACITIES:**

**Structural:**

151. The following is a list of the agencies which exist in Trinidad and Tobago for receiving complaints, more particularly:
- a. National Domestic Violence Hotline (868) 800-SAVE (7283);
  - b. ChildLine – Tel no. 131 or 800-4321;
  - c. Trinidad and Tobago Police Service, Emergency Tel no. 999;
  - e. The Children’s Authority of Trinidad and Tobago. 800-2014 or 996

There are various NGOs in T&T that provide shelter for victims of domestic violence.

152. Trinidad and Tobago reported that the administrative agencies which provides for the filing of complaints regarding failing to abide by obligations related to the right to life without violence are the Trinidad and Tobago Police Service and the Police Complaints Authority.
153. As it relates to the existence of free and comprehensive legal services intended for indigenous, rural, girls and adolescents, adult women and elderly women, taking care of inter-culturality, according to legislation in force, it was reported that the Legal Aid and Advisory Authority provides legal representation including cases of domestic violence in that regard.
154. It was reported that the Legal Aid and Advisory Authority provides legal representation including in cases of domestic violence.
155. In Trinidad and Tobago the nationwide toll-free telephone lines for women victims of violence are the:-
- a. National Domestic Violence Hotline (868) 800-SAVE (7283)
  - b. ChildLine – Tel no. 131 or 800-4321
  - c. Trinidad and Tobago Police Service Emergency Tel no. 999
156. As it relates to the existence of free and comprehensive legal services to protect the right to a life without violence it was reported that the Legal Aid and

Advisory Authority provides legal representation including in cases of domestic violence.

157. As it relates to the existence of free and comprehensive legal services intended for indigenous, rural, girls and adolescents, adult women and elderly women, taking care of inter-culturality, according to legislation in force, it was reported that the Legal Aid and Advisory Authority provides legal representation including cases of domestic violence in that regard.

***Process:***

158. Save that it was reported that Trinidad and Tobago does not have a competent National Human Rights Institution (in accordance with the Paris principles), however, there exists the office of an Ombudsman, and there was no information available under any of the other indicators in this section more particularly:
- a. Number of women lodging complaints for violence with the police.
  - b. Number of women victims of sex crimes, by age, racial or ethnic origin, and socioeconomic status.
  - c. Number of users served by the telephone lines.
  - d. Number of users of free legal representation services, be they public or private, with or without state subsidies.
  - e. Training programs for justice operators from a gender perspective and inter-culturality.

***Results:***

159. In responding to the number of women in positions of decision on prosecution, courts and other administrative bodies of justice it was reported that in relation to (a) Judges and Masters: 22 out of a total of 45 and (b) Magistrates: 34 out of 47. Figures on numbers of prosecutors and police officers for the reporting period are unavailable.
160. No other information was available for the indicators provided under this segment.

***QUALITATIVE SIGNS OF PROGRESS:***

***Process:***

161. Trinidad and Tobago reported that information on services for women and girls who are victims of violence is published and widely distributed. However, the material is published only in the main language spoken in the country, that is, English.

**INFORMATION AND STATISTICS Article 8(h)**

***RECEPTION OF THE RIGHT:***

***Structural:***

162. It was reported that the right to information is protected under the Freedom of Information Act, 1999. This Act also provides for procedures to access information from public sector institutions.
163. No other information was available in relation to the other indicators under this segment.

***Process:***

164. It was indicated that nineteen (19) reports were presented by Trinidad and Tobago to international oversight agencies in connection with the right to a life without violence, using official information, studies and statistics, more particularly:
- a. ICESCR:- II (2002) I (1989) ;
  - b. ICCPR:- III-IV(2000) II (1987) I (1984);
  - c. CRC:- II (2006) I (1997) ;
  - d. CERD:- XI – XIV (2001) VII – X (1995) VI (1987) V (1984) IV (1981) III (1980) II (1978) I (1975);
  - e. CEDAW IV-VII (2016) I – III (2002);
  - f. UPR II (2016) I (2011)
165. In response to the indicator ‘number of reports presented by the country to international oversight agencies in connection with the access to justice for all women, especially on organs and procedures available, the advantages and obstacles that present and the both national and customary standards used to administer justice.’, it was reported that there were 2 combined periodic reports under the Convention on the Elimination of All forms of Discrimination against Women. The first to third combined periodic report was reviewed in 2002. The fourth to seventh combined periodic report was reviewed in 2016.

***Results:***

166. It was reported that in Trinidad and Tobago the Freedom of Information Act, 1999 covers public access to the information gathered (through surveys and administrative records).
167. In Trinidad and Tobago, the Central Statistical Office publishes human development statistics, and the Crime and Problem Analysis Unit (CAPA) of the Trinidad and Tobago Police Service publishes disaggregated data on Domestic Violence and Sexual Violence.
168. There is no information available on the number of surveys on violence against women.

***QUALITATIVE SIGNS OF PROGRESS:***

***Structural:***

169. It was reported that in Trinidad and Tobago, the public sector institutions which produce or generate statistical information on violence against women include the

Trinidad and Tobago Police Service - Crime and Problem Analysis Unit, the Domestic Violence Unit - Domestic Violence Hotline (800-SAVE), the Ministry of Planning and Development & Central Statistical Office, the Office of the Prime Minister (Gender and Child Affairs) - Gender Affairs Division, Ministry of Health - Regional Health Authorities, the Judiciary - Family Court and the Children's Authority.

170. As it concerns the number and characteristics of civil society organisations requesting access to public information considering organizations particularly working with girls and adolescents, adult women and elderly women of diverse ethnic origin, Afro-descendants, rural, with disabilities, with different sexual preferences, by their sexual identity, migrants, refugees, displaced persons or deprived of their freedom it was reported that these vary at any one time, but many civil society organisations and the general public do request access to public information and statistics collected by ministries and other agencies that illustrate Gender Based Violence, Sexual Violence and Domestic Violence.

***Process:***

171. There was no information on periodical statistical reports on violence against women nor qualitative reports that interpret and contextualize the statistics of violence against women.
172. It was reported that there were two (2) shadow reports submitted to the Committee on the Elimination of all forms of Discrimination against Women.

***BASIC FINANCIAL CONTEXT AND BUDGETARY COMMITMENTS:***

***Structural:***

173. There was no information available for the indicators provided under this segment.

***Process:***

174. It was reported that the Ministry of Finance and the Economy is responsible for publishing reports on budget allocations and execution.
175. Information as to the amount of public spending on other databases on different forms of violence was unavailable.

***Results:***

176. There was no information available as to the percentage of the execution of the budget allocated for programmes, plans, and institutions related to different forms of violence against women.

***QUALITATIVE SIGNS OF PROGRESS:***

***Structural:***

177. It was reported that there are no civil society organisations involved in budget oversight initiatives and budget execution.

***Process:***

178. It was reported that there is no transparency and public information on the budget and its execution.

***Results:***

179. It was reported that publication of final reports on the budget and its execution are done by the Ministry of Finance.

***STATE CAPACITIES:***

***Structural:***

180. It was reported that the Central Statistical Office – Ministry of Planning and Development, and the Crime and Problem Analysis Unit (CAPA) of the Trinidad and Tobago Police Service produce information, studies, and statistics.
181. Currently no studies on sentences and opinions that contain stereotypes, prejudices, myths and customs in the cases of women victims of violence, and the use of the personal history of the victim and / or her sexual experience to deny justice to her exist.

***Process:***

182. There is no information available on processes for negotiating agreements and/or cooperative technical ties between the national women's mechanism/the competent authorities for violence (at different public agencies).

***Results:***

183. It was reported that regular databases or other sources of information on different forms of violence exist and are available through the Crime and Problem Analysis Unit (CAPA) of the Trinidad and Tobago Police Service.
184. Trinidad and Tobago reported that in terms of the number of the public sector institutions that have specific units on generation of statistical information, the total number is not known, but many government ministries have a research/policy department that collects statistical data. The major public institutions comprise: Central Statistical Office/the Ministry of Planning and Sustainable Development, the Crime and Problem Analysis Unit/Trinidad and Tobago Police Service, Domestic Violence Unit/DV Hotline (800-SAVE), the Office of the Prime Minister (Gender and Child Affairs)/Gender Affairs Unit, regional Health Authorities/Ministry of Health, and the Family Court/Judiciary.

***QUALITATIVE SIGNS OF PROGRESS:***

***Structural:***

185. It was reported that presently there are no production reports, specialized studies from various disciplines on violence against women and femicide with statistical bases.
186. Further, it was reported that presently there are no periodic reports about studies on sentences and opinions that contains stereotypes, prejudices, myths and customs in the

cases of women victims of violence, and the use of the personal history of the victim and / or her sexual experience to deny justice to her.

***Process:***

187. It was reported that in Trinidad and Tobago, no mechanisms for access to updated statistical information (accessible and timely) nor mechanisms for mass dissemination of national statistics on violence against women exist.

***Results:***

188. There is no information available on periodic reports of social perception on the issue of violence against women.

**DIVERSITY Article 9**

***RECEPTION OF THE RIGHT:-***

***Structural Indicator:***

189. It was reported that section 4 of the Constitution is the law on the guarantee of a life without violence that addresses ethnic diversity (indigenous, aboriginal peoples, campesinos) rural and Afro-descendants.
190. In relation to the indicator 'law or national policy on mental health that specifically addresses the right to a life without violence it was reported that there is a Mental Health Act, 1975 which focuses on the following components: • Access to mental health care including access to the least restrictive care; • Organization of services: developing community mental health services; • Organization of services: downsizing the large mental hospital; • Organization of services: reforming mental hospitals to provide more comprehensive care; • Human resources; • Involvement of users and families; • Advocacy and promotion; • Human rights protection of users; • Equity of access to mental health services across different groups; • Financing; • Quality improvement; and • Monitoring system.
191. In relation to the protection of human rights under the Act, it provides for the protection of property of patients. It also makes it an offence to ill-treat or neglect a patient or for a member of staff/employee at a medical/mental health facility to have sexual intercourse with a patient or person suffering from a mental health disorder.
192. The Equal Opportunity Act, 2000 which provides a form of protection against discrimination includes disability as a ground under which a person may lodge a complaint of discrimination under the Equal Opportunity Commission. "Disability" as defined under the Act includes: "malfunction of a part of the body including a mental or psychological disease or disorder".
193. Although there is no National Policy on mental Health the Government has set up a framework in order to allow persons to have access to treatment and health care facilities. There is one major mental health hospital. It provides for a total of 743 beds, that is 57 beds per 100,000 persons. There are also various outpatient facilities throughout T&T.

194. It was reported that currently there is no law to address issues of vulnerable migrants. However in 2014, a National Policy relating to refugees and asylum seekers was approved by Cabinet. It is reported that this policy will allow for Trinidad and Tobago to process asylum seeker and refugee applications more efficiently with a view to implementing legislation in the near future, and thus meeting its international obligations under the 1951 Convention and the 1957 Protocol.
195. In Trinidad and Tobago, the Trafficking in Persons Act, 2011 gives protection for victims of trafficking, including those most vulnerable such as children, women, and elderly women.
196. In response to the indicator ‘regulatory recognition and incorporation of principles and processes of indigenous justice, in ways that respect human rights and are compatible with the Convention of Belém do Pará.’, it was indicated that the Government regularly reviews its policies and legislation to ensure that the principles of Belem do Para as well as other international conventions such as CEDAW are compatible with domestic law and policy. The Office of the Prime Minister (Gender and Child Affairs) has oversight on these issues.
197. In Trinidad and Tobago there is no legislation relating specifically to indigenous and/or rights of rural communities
198. As it relates to the existence of legislation/regulations imposing sanctions for public officials and educators in cases of sexual violence against indigenous, rural, female students, it was reported that the Sexual Offences Act, 1986 and Children Act, 2012 speak specifically to sexual offences but do not speak specifically to indigenous, rural and female students.

### ***Process***

199. It was reported that in Trinidad and Tobago when drafting policy and legislation on issues affecting the human rights of others, one of the most important steps in the process is that of consultation with all the relevant stakeholders including NGOs, the general public, human rights activists, private sector and government agencies. In so doing, the Government ensures that persons affected by the new policy or legislation have an opportunity to contribute to the process and have their views considered. Currently there are no legislative bills or national plans in relation to the preparation of laws and national policies.
200. As it relates to reports presented by the country to international agencies on the right to a life without violence under this segment, Trinidad and Tobago has submitted two reports under CEDAW, four reports under ICCPR and 2 reports under Belem do Para. The country has also submitted two parallel reports under CEDAW
201. There is no information available on the number of legal instruments, programs and projects guaranteeing intercultural citizenship of indigenous, rural, women.

### ***Results:***

202. There is no information available under any of the indicators under this segment.

### ***QUALITATIVE SIGNS OF PROGRESS:***

#### ***Structural:***

203. It was reported that even though the number is not specifically known, there are upwards of 20 civil society organisations involved in monitoring and evaluation.

#### ***Process***

204. There is no information available on the Characteristics and frequency of perception studies among the general population in connection with different forms of violence.
205. There are no public policies, plans and programs to eradicate violence, proposed by indigenous, rural, women's movement, considering organizations particularly working with girls and adolescents, adult women and elderly women of diverse ethnic origin, Afrodescendants, rural, with disabilities, with different sexual preferences, by their sexual identity, migrants, refugees, displaced persons or deprived of their freedom.

### ***BASIC FINANCIAL CONTEXT AND BUDGETARY COMMITMENTS:***

#### ***Structural:***

206. In Trinidad and Tobago there is no national budget law with earmarked allocations for meeting the obligations of ensuring the adoption of the measures enshrined in the Convention of Belém do Pará and national law, free of discrimination.

#### ***Process:***

207. There is no information available on the number of reports prepared and published with information on effective budget execution.

### ***QUALITATIVE SIGNS OF PROGRESS:***

#### ***Structural:***

208. There are no civil society organizations with specific knowledge of each of the areas involved in the allocation, monitoring, and oversight of budget execution.

### ***STATE CAPACITIES:***

#### ***Structural:***

209. There are no protocols for the comprehensive attention of cases of violence against women (in its different forms), prepared in languages and in a format accessible for people with visual disabilities, that set specific criteria for data collection and for sensitive, quality attention for victims of violence, to be used by the police, the justice system, the healthcare system, and other state agencies.
210. In response to the indicator on design and implementation of mechanisms for incorporating principles of indigenous justice, it was reported that Trinidad and Tobago

has a very small indigenous population which is recognized by the Government. However, there is currently no formal mechanism in place as described.

211. There are no specific laws that include budgetary allocations for meeting the obligation of ensuring the adoption of the measures enshrined in the Convention of Belém do Pará and national law, free of discrimination.
212. In Trinidad and Tobago there is no national budget law with earmarked allocations for meeting the obligations of ensuring the adoption of the measures enshrined in the Convention of Belém do Pará and national law, free of discrimination.

***Process:***

213. Save that the exact number is not known, interpreters are sourced from a local Non-Governmental Organisation on a case by case basis.
214. It was reported that there was no information available for any of the other indicators under this segment more particularly:
  - a. Number of interpreters for indigenous, rural, girls and adolescents, adult women and elderly women or those who do not speak the official language.
  - b. Number of interpreters for migrant and refugee girls and adolescents, adult women and elderly women or for those who not speak the official language.
  - c. Number of officials in different agencies trained to provide / facilitate the necessary support mechanisms for girls and adolescents, adult women and elderly women with disabilities.
  - d. Percentage of the population that uses indigenous or alternative systems for health care and/or access to justice.
  - e. Percentage of older women who regularly receive medical attention / monitoring and measures to attend to or prevent violence. Percentage of girls and adolescents, adult women and elderly women with different sexual preferences, by their sexual identity, who regularly receive medical attention / monitoring and measures to attend to or prevent violence.
  - f. Training actions and plans for pertinent decision-makers and authorities (including technical staff at ministries, lawmakers, justice operators, health practitioners, security and police forces, and personnel at centers providing specialized attention for violence against women, among others) with particular emphasis on girls and adolescents, adult women and elderly women who are ethnically diverse, Afro-descendants, rural, with disabilities, with different sexual preferences, by their sexual identity, migrants, refugees, displaced persons or deprived of their freedom.

***QUALITATIVE SIGNS OF PROGRESS:***

***Structural:***

215. There are no protocols for the comprehensive attention of cases of violence against women (in its different forms), prepared in languages and in a format accessible for people with visual disabilities, that set specific criteria for data collection and for

sensitive, quality attention for victims of violence, to be used by the police, the justice system, the healthcare system, and other state agencies.

216. In response to the indicator: ‘Design and implementation of mechanisms for the incorporation of principles and processes of indigenous justice, in ways that respect human rights and are compatible with the Convention of Belém do Pará.’
217. It was reported that Trinidad and Tobago has a very small indigenous population which is recognised by the Government. However, there is currently no formal mechanism in place as described.
218. There are no civil society organisations with specific knowledge on each of the areas involved in the design, enforcement, and monitoring agencies.

## **II. Recommendations**

219. The CEVI is grateful for the answers provided by Trinidad and Tobago in its report. Additionally, it congratulates the State for the progress made during the period of the Third Follow-up Round, particularly for increasing the number of shelters for women and girls, training of police in domestic violence response and establishing a Central Registry on Domestic Violence (CRDV).
220. In accordance with the information presented and the recommendations already contained in this report, the CEVI recommends the State to:
221. Harmonize current legislation to the Convention and the international and regional human rights law. This should include incorporating into the national legal framework all forms of violence against women, and the diverse circumstances they might be in; legislate femicide as a criminal offence; include obstetric violence in domestic legal framework; and, elaborate specific legislation regarding sexual harassment.
222. Legalize the interruption of pregnancies produced by rape and sexual violence, as well as guarantee access to this service for all women and girls that require it.
223. Enact legislation that explicitly bans the use of methods such as conciliation, mediation, probation, suspended sentences, application of the opportunity, commutation of punishment and others intended to resolve cases of violence extra-judicially.
224. Guarantee access to justice for all women, without discrimination for their sexual orientation, gender identity, ethnic origins, race, disabilities, migration status, through effective mechanisms that allow them to have quality services in the entirety of the institutional route of attention, investigation and prosecution.
225. Guarantee that authorities have been trained and sensitized in the different forms of violence against women, legislation and international obligations in this regard. Ensure that training is consistent, regular and sustained.
226. Guarantee that all women and girls who have been victims of violence have access to specialized services, particularly legal assistance for all forms of violence against women.
227. Adopt all the necessary measures to avoid pregnancies in girls and ensure that the pregnancies of girls under 14 years of age are considered as pregnancies of high risk and legal interruption of pregnancy is allowed. Additionally, strengthen the mechanisms of

interaction between the health and judicial sectors in cases of sexual violence against girls.

228. Ensure that public institutions and policies have enough resources to fulfil their objectives.
229. In general, compile and present information regarding the different forms of violence against women, including case law.

## ANNEX

### **Observations of the State of Trinidad and Tobago to the National Report**

1. Given that the State presented its observations on the National Report referring to specific pages and points of the same Report, they are included using this format below.
2. Structural Indicators (page 2) point #2: include f) The Cohabital Relationships Act 1998; g) Miscellaneous Provisions (Child Marriage) Act 2017; h) The Children's Authority Act 2015
3. Structural Indicators (page 3) point #3: include f) Cohabital Relationships Act 1998; g) Miscellaneous Provisions (Child Marriage) Act 2017; h) The Children's Authority Act 2015
4. Progress Indicators (Page 6) point #23b
  - a. Trinidad and Tobago Police Service- (i) Victim and Witness Support Unit; (ii) Crime and Problem Analysis Unit (CAPA); (iii) Child Protection Unit
  - b. The National Domestic Violence Unit- (i) Central Registry on Domestic Violence (CRDV); (ii) National Domestic Violence Hotline 800-SAVE (7283)
  - c. National Family Services (Ministry of Social Development and Family Services)
  - d. Nine (9) shelters for female victims of domestic violence supported by the Government and run by NGOs
5. Structural Indicator (Page 8) point #37(a). Add to 37(a) This Project has produced a National Strategic Action Plan on Gender Based Violence which is awaiting Cabinet Approval.
6. Process: (page 20) point #106: add 'However, since 2013, efforts have been made to introduce and institutionalise gender-responsive budgeting practices in Trinidad and Tobago. Thus far, GRB workshops have been held for planning and budget officials in key ministries. The Ministry of Finance has indicated that GRB will be a significant factor in national budgets in the next few years, as well as gender analysis and gender audits.'

7. Structural (page 27) point #151: Include the National Family Services (Ministry of Social Development and Family Services)
8. Structural (page 27) point #155: Include the Children's Authority 800-2014 or 996
9. Structural (page 29) point #169: Include the 'Central Registry on Domestic Violence (CRDV) under the Domestic Violence Unit
10. Structural (page 30) point #183: Include the 'Central Registry on Domestic Violence (CRDV) under the Domestic Violence Unit
11. Structural (page 31) point #184: Include the 'Central Registry on Domestic Violence (CRDV) under the Domestic Violence Unit