

COMMITTEE ON ECONOMIC, SOCIAL
AND CULTURAL RIGHTS
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Item 6 of the provisional agenda

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES IN ACCORDANCE WITH ARTICLE 16
OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

**REPLIES BY THE GOVERNMENT OF THE THE REPUBLIC OF TRINIDAD AND TOBAGO
TO**

the list of issues(E/C.12/TR&TOB/1) to be taken up in connection with the
consideration of the second periodic report of TRINIDAD AND TOBAGO concerning
the rights
referred to in articles 1-15 of the International Covenant on
Economic, Social and Cultural Rights (E/1990/6/Add.30)

HR/CESCR/NONE/2002/2

I. GENERAL INFORMATION

A: General legal framework within which human rights are protected

1. Please provide information on how the rights under the Covenant are protected and implemented in national legislation other than the Constitution. Please also provide information on case law with regard to the rights set forth in the Covenant resulting in the award of compensation for violations.

National legislation, other than the Constitution, which protects the rights under the Covenant, includes the legislation described in the table below. Please note that newly enacted legislation and draft legislation (bills) are included in this table. Also included are pieces of legislation omitted from mention in the report. The legislation not referred to in the report and newly drafted legislation are referred to and explained in the responses to questions under the specific articles below.

Relevant Article the Covenant	Title of Domestic Legislation	Relevant paragraph of the Report
Article 1	The Tobago House of Assembly Act, No.40 of 1996	Para.21-T&T's 3 rd & 4 th Periodic reports under ICCPR (hereinafter ICCPR Ref: CCPR/C/TT0/99/
Article 2	The Equal Opportunity Act, No.69 of 2000 The Education Act, Chapter 39:01 The Judicial Review Act, No.60 of 2000 The Ombudsman Act, Chapter 2:52 The Maternity Protection Act, No.4 of 1998	Para.74 Para.33 Paras.45-46-ICCPR Para.55-ICCPR
Article 3	The Maternity Protection Act, No.4 of 1998 The Domestic Violence Act, No.27 of 2000 The Legal Aid and Advice (Amendment) Act, No.18 of 1999 The Sexual Offences (Amendment) Act, No. 31 of 2000.	Para.55-ICCPR Para.41 Para.43-ICCPR Not in Report
Article 6	Equal Opportunity Act, No. 69 of 2000 Basic Conditions of Work Bill, 2000	Para.74 Not in Report

Relevant Article of the Covenant	Title of Domestic Legislation	Relevant paragraph of the Report
Article 7	The Minimum Wages Act, Chap. 88:04 The Unemployment Levy Act, Chapter 75:01 The Factories Ordinance, 1948 (CAP.30/2) The Occupational Safety and Health (No.1) Bill,2001 The Basic Conditions of Work Bill, 2000 The Equal Opportunity Act, No.69 of 2000 The Civil Service Act, Chapter 23:01	Paras.82-90 Not in report Paras.95-97 Paras. 100-113 Not in Report Para.74 Not in Report
Article 8	The Trade Unions Act, Chapter 88:02 The Industrial Relations Act, Chapter 88:03	Para 124, 125 Para.s.126, 131-133
Article 9	The Old Age Pensions Act, Chap. 32:02 The Public Assistance Act, Chap. 32:03 The Widows' and Orphans' Pensions Act, Chapter 23:55 The Pensions Act, Chap. 23:52 The Workmen's Compensation Act, Chap. 88:01 The National Insurance Act, Chap. 32:01 The Maternity Protection Act, No.4 of 1999 The Employment Injury and Disability Benefits Bill, 2001 The Criminal Injuries Compensation Act, No.21 of 1999	Para. 136 Para.135 Para.144 Para. 138 Paras. 118-121 Paras. 92, 142-143 Para. 174 Not in Report Not in Report

Article 10	<p>The Maternity Protection Act, No. 4 of 1996</p> <p>The Marriage Act, Chap. 45:01</p> <p>The Muslim Marriage and Divorce Act, Chap. 45:02</p> <p>The Hindu Marriage Act, Chap. 45:03</p> <p>The Orisa Marriage Act, No.22 of 1999</p> <p>The Children Act, Chapter 46:01</p> <p>The Children (Amendment) Act, No. 68 of 2000</p> <p>The Children's Authority Act, 64 of 2000</p> <p>The Adoption of Children Act, 67 of 2000</p> <p>The Children's Community Residences, Foster Homes and Nurseries Act, No. 65 of 2000</p> <p>The Miscellaneous Provisions (Children) Act, No. 66 of 2000</p> <p>The Family Law (Guardianship of Minors, Domicile and Maintenance) Act 1981, Chapter 46:08</p> <p>The Legitimation Act, Chapter 46:01</p> <p>The Family Court Bill, 2001</p>	<p>Para. 174</p> <p>See ICCPR Report at Paras.259-263 for Marriage laws.</p> <p>Para.177</p> <p>Para.164(e)</p> <p>Para.164(a)</p> <p>Para. 164(b)</p> <p>Para. 164(c)</p> <p>Para. 164(d)</p> <p>Para.157</p> <p>Para. 158</p> <p>Not in Report</p>
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Relevant Article of the Covenant	Title of Domestic Legislation	Relevant paragraph of the Report
Article 11	<p>The Housing Act, Chap. 33:01</p> <p>The State Lands (Regularisation of Tenure) Act, No. 25 of 1998</p> <p>The Municipal Corporations Act, No. 21 of 1990</p> <p>The Socially Displaced Persons Act, No. 59 of 2000</p> <p>The Landlord and Tenant Act, No. 19 of 1990</p> <p>Land Tenants(Security of Tenure)Act, Chapter 59:54</p> <p>Rent Restriction Act(Chapter 59:50)</p> <p>The Town and Country Planning Act, Chapter 35:01</p>	<p>Paras.186-189</p> <p>Para.202</p> <p>Para.206(c)(ii)</p> <p>Para.212</p> <p>Para.209</p> <p>Not in Report</p> <p>Not in Report</p>
Article 12	<p>The Regional Health Authorities Act, No. 5 of 1994</p> <p>The Public Health Ordinance, Chap. 12/4 of the Revised Laws, 1950</p> <p>The Mental Health Act, Chap. 28:02</p> <p>Public Health (Nursery Schools and Primary Schools Immunisation) Act, Chap. 28:03</p> <p>The Environmental Management Authority Act, No. 3 of 2000</p>	<p>Para. 225</p> <p>Para.223</p> <p>Paras.226-228</p> <p>Para.238</p> <p>Para.261</p>

Article 13	The Education Act, Chap. 39:01 The Students Revolving Loan Fund Act, Chap. 39:05 The Teachers' Pensions Act, Chapter 39:06 The Equal Opportunity Act, No.69 of 2000 College of Science, Technology and Applied Arts of Trinidad and Tobago Act, No.77 of 2000	Paras.275-281 Para.285 Para.284 Para.74 Not in Report
Article 15	The National Trust of Trinidad and Tobago Act, No.11 of 1991 The Copyright Act, No. 8 of 1997 The National Institute of Higher Education (Research Science and Technology) Act 1984, Chap. 39:58 The Public Holidays and Festivals Act, Chapter 19:05 The National Carnival Commission of Trinidad and Tobago, Act No.9 of 1991 The Orisa Marriage Act, No. 22 of 1999 National Museum and Art Gallery Act, No.5 of 2000 The Miscellaneous Laws Act, No. 85 of 2000	Not in Report Para.312 Para.314 Not in Report Paras.309-310 Not in Report Not in Report

There is no research available at the present time on case law with regard to the rights set forth in the Covenant resulting in the award of compensation of violations. Research is currently being undertaken by the Human Rights Unit in this regard.

2. Please indicate what specific measures the State party has taken to implement the Committee's recommendations concerning its previous reports.

Statistical Data

its Concluding observations, the Committee regretted that the report did not contain sufficient statistical data and did not give an idea of developments in the implementation of the Covenant during the period under consideration. An attempt has been made to address this concern of the Committee in the report under consideration which contains statistical data on the following:

<i>Para.of the Report</i>	<i>Statistical Data Provided</i>
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<i>Para.64</i>	<i>Occupations by ethnic group and gender (1998)</i>
<i>Para. 66</i>	<i>Unemployment rates by administrative area:1994-1998 Unemployment rates by ethnicity: 1994-1998 Unemployment rates by gender: 1994-1998 Youth unemployment rates: 1994-1998 Individuals working less than 33 hours as a result of not being able to find Work:1994-1998</i>
<i>Para.75</i>	<i>No of people who hold more than one full time job 1994-1998</i>
<i>Para.91</i>	<i>Occupations by monthly income distribution (Public and Private Sector)(1998)</i>
<i>Para.92</i>	<i>Table of contribution payments (National Insurance).</i>
<i>Para.117</i>	<i>Industrial Injuries by Industry: 1992, 1994, 1996-1999.</i>
<i>Para.151</i>	<i>Expenditure as a percentage of the gross national product (1990 and 1999)</i>
<i>Para.165</i>	<i>Recognised de facto definitions of a family.</i>
<i>Para.166</i>	<i>Different types of assistance provided to families.</i>
<i>Para. 178</i>	<i>Inflation Rate (1999)</i>
<i>Para.196</i>	<i>Number of Persons Per Household (1990)</i>
<i>Para. 197</i>	<i>Information on Housing and Settlements (Census 1990)</i>

<i>Para.of the Report</i>	<i>Statistical Data Provided</i>
<i>Para. 198</i>	<i>Households by size of household and number of rooms in dwelling unit(1990)</i>
<i>Para.199</i>	<i>Statistics on the water supply system to dwelling units and toilet facilities(1990)</i>
<i>Para.203</i>	<i>Initiatives taken to assist low income persons seeking shelter (1998)</i>
<i>Para. 225</i>	<i>Regional Health Authorities and number of health care facilities</i>
<i>Para. 239</i>	<i>Infants immunized against diphtheria, measles, polio and tuberculosis. (1998)</i>
<i>Para. 244</i>	<i>Death rates for the ten leading causes of death (1996)</i>

<i>Para. 253</i>	<i>Total primary health care expenditure as a percentage of the total health expenditure (1987, 1992, 1997)</i>
<i>Para. 257</i>	<i>Immunisation coverage of vaccine preventable disease (1978, 1997)</i>
<i>Para. 263</i>	<i>Recurrent and capital expenditures in respect of health care as a percentage of the gross national product</i>
<i>Para.289</i>	<i>Literacy rate in Trinidad and Tobago (1994)</i>
<i>Para.291</i>	<i>Actual recurrent and capital expenditures with respect to education (1990, 95, 99)</i>
<i>Para. 296</i>	<i>Number of graduates of the University of the West Indies in Trinidad for the 1998/1989 academic year to the 1996/1997 academic year.</i>
<i>Para.297</i>	<i>No of schools for children with disabilities</i>

s stated in para. 21 of the Report under consideration, a Human Rights Unit was formed in July 1999 and this Unit was responsible for the preparation of the report under consideration. In the preparation of this report, the Unit obtained data from different Ministries of Government. Since the preparation of this report, a permanent standing inter ministerial Committee comprising representatives of some 13 Ministries of Government, including a representative of the Tobago House of Assembly, has been established. There is a representative of the Central Statistical Office on this Committee. This role of the Committee is to channel information to the Human Rights Unit, including statistical data, for preparation of periodic reports. It is anticipated that when future periodic reports are prepared, the Committee will greatly assist the Human Rights Unit in providing all the statistical data required by the United Nations guidelines for preparing the reports.

ack of Balance in the Report

he comment on the general lack of balance in the reports was considered.

1 December 1999, two members of staff of the Human Rights Unit participated in a course on “Human Rights Reporting: National Capacity Strengthening” conducted by the International Training Centre of the ILO in collaboration with the Ministry of the Attorney General in Port of Spain, Trinidad. Having received this training, the Unit was better able to understand the reporting process in general and the need for reports to comply with the United Nations Guidelines for reporting under the different international human rights instruments. The report under consideration demonstrates the Government’s desire to present a frank, detailed and honest report.

lthough the report under consideration was prepared in accordance with the relevant guidelines, because the reports were long overdue, regrettably there was little time for consultation with nongovernmental organisations. In addition, when the Human Rights Unit prepared the report under consideration, there were several other periodic reports overdue under different United Nations human rights treaties to which Trinidad and Tobago is a party. The Human Rights Unit in a very short space of time has prepared and submitted all but one of the overdue periodic reports. It expects to complete its last outstanding report, due under the Convention on the Rights of the Child within the next two months. When this report is completed, Trinidad and Tobago will be fully up to date in respect of its reporting obligations under the different United Nations human rights instruments.

he Government appreciates the need to consult with nongovernmental organizations in the reporting process. As far as future periodic reports are concerned, the Unit will make every effort to ensure that consultations with non governmental organisations do take place and that the concerns of these NGOs are reflected in the reports. Since the preparation of the report under consideration, the Human Rights Unit has held brief consultations with representatives of non governmental organisations in respect of women, children's rights and civil and political rights.

overty Threshold and Disadvantaged groups

As to the comment that national criteria be established to determine the poverty threshold and permit better identification of disadvantaged groups, information on this is contained in para.180 of the report under consideration.

In short, a *Survey of Living Conditions* was conducted by the Ministry of Planning and Development in 1992. That survey data was used by the Ministry of Social Development to undertake a study on poverty in 1996. As part of that study, entitled *Determination and Measurement of Poverty*, a poverty line was established. This poverty line was adjusted by the then Ministry of Social and Community Development when determining the basis for increases in Old Age Pension Grants. This threshold, together with other socio-economic indicators, such as access to clean water, education and health facilities etc. are used to identify the disadvantaged. The 1997 *Survey of Living Conditions* is currently being analysed by the Ministry of Planning and Development and plans are in train to conduct another survey in 2003. Information from these and other exercises planned or on the way will assist with establishing national criteria for determining/updating the poverty threshold.

Insufficient data on the right to strike

Some members of the Committee regretted that they had not been given sufficient information concerning the right to strike, and the immunity which persons exercising that right should have. In this regard, the report at para. 133 does make reference to this right, albeit not in great detail.

3. Please describe the position of the State party with regard to the preparation of an optional protocol to the International Covenant on Economic, Social and Cultural Rights.

Since the rights contained in the Covenant are for the benefit of individuals, in principle affected individuals should be able to directly invoke the assistance of the relevant committee, which is charged with the protection of those rights. For that reason, Trinidad and Tobago will not oppose the preparation of an optional protocol to the International Covenant on Economic, Social and Cultural Rights.

It is recognised however that there may be mechanisms and instruments at the municipal, regional or hemispheric levels for the protection of the same rights. It is recognised, also, that there are significant bureaucratic costs associated with the administration of all human rights instruments, including the Covenant, and additional costs associated with the administration of any related optional protocol.

A determination as to whether Trinidad and Tobago will become a party to the an optional protocol to the Covenant would depend, on the one hand, on a careful weighing of the administrative costs involved and, on the other, the extent to which there already exist at the municipal, regional and hemispheric levels, avenues for redress for the violation of the rights contained in the Covenant.

B. Information and publicity

4. What specific measures has the State party taken to publicize the rights set forth in the Covenant? Specifically, what types of educational programmes are there for disseminating the scope of those rights?

The Government mandates the Government Information Service to produce and highlight *inter alia* programmes designed to promote respect, tolerance, an understanding of the cultural diversity of Trinidad and Tobago; equity among socially diverse groups and the opportunities available to all sectors of the population. During the period 1997-2000, the following programmes/initiatives were undertaken by the Government Information Service:

Re: Economic Rights:

- Small business development aired on radio and television - A total of thirty (30) programmes.
- Opportunities for women in business- radio and television: fifteen (15) programmes.
- Funding access for youth agricultural programmes- radio and television: ten (10) programmes.
- Fund Aid - focusing on development of small and micro enterprises- radio and television fifteen (15) programmes.
- Housing opportunities through the *Squatter Regularisation Programme*- radio and television: twenty (20) programmes.
- Financial Aid for persons with disabilities.
- Annual presentation of the national budget in sign language for hearing impaired persons- Started in 1996.
- Booklet focusing on financial opportunities in the National Budget for the elderly, youth, women and small business development.
- Television and Radio programmes focusing on the introduction of minimum wage legislation- Twenty (20) programmes prepared for radio and television.
- Discussion type programme between employers and employees and other experts-Twenty (20) programmes for radio and television.
- A focus on the services of the Ministry of Labour as a place to seek redress- Fifteen (15) programmes prepared for radio and television.
- Agricultural opportunities for aqua fish farming- Fifteen (15) programmes prepared for radio and television.

Re Cultural Rights:

- Steel band programmes- Twenty (20) programmes prepared for radio and television.
- *Divali* (Hindu religious *Festival of Lights*) - Fifteen (15) programmes prepared for radio and television.
- *Eid ul Fitr* (Muslim religious festival) - Ten (10) programmes prepared for radio and television explaining what the festival is about and how it is celebrated.
- A list of national public holidays is published on the Government's Internet Website explaining the significance of each festival or holiday. Many of our holidays are in recognition of auspicious days on the religious calendars of our different ethnic groups.
- The speeches of public figures, such as the Prime Minister and the

President, acting in the capacity of chief guest at cultural events are aired on radio and television and published on the Government's Website.

- Emancipation and Tobago Heritage programmes focusing on the cultural development and contribution of Africans in the society- Ten (10) programmes produced annually.
- Indian Arrival Day-Fifteen (15) programmes produced for radio and television.
- The Media provides comprehensive coverage of preparations for national cultural events such as *Divali*, *Eid ul Fitr*, *Phagwa* and Steel band.
- Emancipation and the *Prime Minister's Best Village Programmes* are covered and distributed to the media for airing.
- Programmes outlining how cultural groups can access state funding in the celebrations of social programmes- Five (5) programmes for radio and television.
- The Government Information Service (GIS) provides assistance to national committees committed to publicized events related to Health such as HIV/AIDS, access to health care, domestic violence, gender sensitisation issues and handling of national emergencies.

Re Social Rights:

The Government Information Service gives coverage to events such as the signing of wage agreements; regional and national conferences on issues related to Housing, Labour, Legal matters, The Environment, Agriculture, and Foreign Affairs- These events are covered via Television and Radio and by Photographs. The information is then sent by the Government Information Service to members of the Media. An estimated ninety percent (90%) of the information covered and sent to the media is relayed to the public via radio, television or newspapers. Some of the other social programmes produced and aired by the Division include the following:

- "Let's Rap"- Focus on Youth- Seventeen (17) programmes: radio and television.
- Access to cheaper medicine-Five (5) programmes: radio and television
- Dealing with stress- Ten (10) radio programmes
- Places where persons with disabilities can seek assistance- Booklet distributed and Five (5) radio and television programmes.
- Youth and Sporting events- Ten (10) radio and television programmes.
- Domestic Violence: Places where persons can seek assistance such as shelters; Information about the toll free National Domestic Violence Hot Line and the work of community police- Fifteen (15) radio and television programmes.

- The Environment- Twenty five (25) programmes: Radio and Television.
- *Together Forever* (educates on the virtues of stable family life)- Twenty (20) programmes for radio and television.
- *Parliamentary Proceedings* (Programmes explaining legislation and proposed legislation) - One (1) weekly television programme.
- *Health: Focus on healthy lifestyles.*
- Major chronic diseases in Trinidad and Tobago: Hypertension, Diabetes and Heart Disease- Seventeen (17) programmes: Radio and Television.
- The Media frequently airs call in programmes in which members of the public can ask questions or voice their opinions on a variety of issues. Such programmes frequently host lawyers, doctors and social psychologists who answer questions and provide free advice.
- The Government Website was officially launched in 1999. It provides a list of Government services and information on how to access them. Internet access is available to the public via all national libraries.

Tobago

The Tobago House of Assembly's Social Services Population and Prevention Programme comprises:

- *An Alcohol and Drug Abuse Prevention Programme;*
- *A Family Life Surveillance Programme (including Child Rights);*
- *A Social Development Programme;*
- *A Gender and Population Programme; and*
- *An Information and Research Programme.*

Leaflets, brochures, booklets and posters relevant to the above programmes have been produced and disseminated in Tobago.

Over the period 1999 – 2000, the Department of Social Services and Gender Affairs of the Division of Health and Social Services, Tobago House of Assembly, produced over six (6) programmes intended to educate the public on their rights. This included a series on Realizing Economic Achievements (Project REACH).

The Tobago House of Assembly has its own Information Department, which manages the Assembly's communications policy. The Department is responsible inter alia for communicating with the public, providing access to Tobago House of Assembly's information and providing an enhanced public education programme. The Department works closely with the Community Radio Programme, Radio Tambrin – 92.1 FM and Community Television, TRICO Industries, Channel 5, to disseminate information to the public on human rights and other issues as well as on new and existing legislation of public importance.

very year, Tobago's Information Department produces numerous radio and television programmes, features and documentaries on religious and cultural festivals. These include the Tobago Heritage Festival including the crab and goat races in Buccoo; the Tobago Wedding; Carnival; Emancipation Day; World Food Day; Spiritual Baptist Shouter Liberation Day; Indian Arrival Day; Divali and Eid. These programmes promote an understanding of cultural diversity as well as respect and tolerance.

II. ISSUES RELATING TO THE GENERAL PROVISIONS OF THE COVENANT (arts.1-5)

Article 1. Self-determination

5. Please provide information on the measures taken by the State party to protect its natural resources.

Energy Resources

The Ministry of Energy and Energy Industries is proactive in its measures to protect the natural resources of the country, given the impact of the energy sector on the environment. In this regard that Ministry compiled a *Status Report on Environmental Initiatives in the Energy Sector*, in September 1997.

According to the Report, the Government of Trinidad and Tobago, through the Ministry of Energy and Energy Industries (MOE&EI) continues to promote as its basic policy the sustainable development of the energy sector, which includes activities such as the exploration, production, refining and marketing of petroleum and its by-products.

The MOE&EI achieves its objectives by regulations, aimed at ensuring that operations are conducted safely, with concerns for human health and minimal impact on the environment. Some of these regulations are as follows:-

- The Petroleum Act, Chapter 62:01
- The Oil Pollution of Territorial Water Act, Chapter 37:03
- The Territorial Sea Act, Chapter 1:51
- The Archipelagic Waters and Exclusive Economic Zone Act, No. 24 of 1986
- The Defence Act, Chapter 14:01
- The Harbours Act, Chapter 50:06
- The Litter Act, Chapter 30:52
- The Merchant Shipping Act, No. 24 of 1987
- The Continental Shelf Act, Chapter 1:52

- The Environmental Management Act, No. 3 of 2000

The MOE&EI is the responsible Government authority in Trinidad and Tobago for the prevention, abatement and combating of oil pollution in all areas. As a consequence the MOE&EI has assumed the role of initiator and co-ordinator of spill prevention and emergency response planning in Trinidad and Tobago.

The National Oil Spill Contingency Plan (NOSCP) which was first drafted in 1974, and is presently being redrafted, is intended to delineate responsibility for the operational response to oil spill incidents and thus minimize or prevent damage to the land or marine environments.

In addition to the NOSCP, Trinidad and Tobago has entered into oil spill agreements with other neighbouring countries, including a *Bilateral Oil Spill Contingency Plan* with Venezuela and *The Caribbean Islands Oil Pollution Preparedness Response and Cooperation Plan*. Participation in these agreements ensures that Trinidad and Tobago would have co-operation and assistance from neighbouring states and the wider Caribbean area in the combating of major spills from any source.

The Government of Trinidad and Tobago has also agreed to accede to a number of international conventions which provided the basis for international cooperation between developed and developing countries in the areas of response capability, oil spill expertise and resources. These include the following:

- The International Convention for the Prevention of Pollution from Ships, 1973, as modified by its Protocol of 1978;
- The International Convention Relating to Intervention on the High Seas in Cases of Oil Pollution Casualties, 1969
- The International Convention on Civil Liability for Oil Pollution Damage, 1969
- The International Convention for the establishment of an International Fund for Compensation for Oil Pollution Damage, 1991
- The International Convention on Oil Pollution, Preparedness Response and Co-operation, 1990
- The Convention on Limitation of Liability for Maritime Claims (LLMC) 1976.

An approved Environmental Impact Assessment (EIA) has now become a prerequisite for the granting of approval to petroleum and energy sector companies wishing to operate in Trinidad and Tobago. Consideration is given to the terms of reference of the EIA and approval is granted only when conditions conducive to health and safety of workers, that of the wider population, and the protection of the environment are satisfied.

The MOE&EI, empowered by the Petroleum Act, has developed a formal policy to monitor and respond to the levels of pollutants present in the effluents emanating from the petroleum and petrochemical operations within the energy sector. In keeping with this policy, an effluent monitoring programme was initiated during 1985 to establish a baseline regarding the impact of petroleum operations on the environment. The programme has evolved to include a variety of tests relevant to the

processes being monitored.

The use of chemicals in the petroleum and energy sectors is regulated by the MOE&EI. This is in keeping with a policy of ensuring that only environmentally friendly chemicals are being used by companies operating within the sectors. Hence, prior approval must be had from the Ministry before any chemical can be utilised in a company's operations.

The MOE&EI ensures that companies operating within the energy sector perform with minimal impact to the environment as stipulated in the Petroleum Act. In order to accomplish this objective, operating companies have embarked on a number of strategies.

The Trinidad and Tobago Bureau of Standards (TTBS) is involved in the formulation of Environmental Management Standards at national and international levels. After the formulation of a Code of Practice for Environmental Management Systems within the local Energy Sector, a Committee was established under the chair of TTBS to formulate liquid effluent standards.

In summary, the MOE&EI plays a pivotal role in environmental management in the energy sector. The Ministry ensures that, while it encourages increased levels of exploration and production activities, operations are carried out in an environmentally responsible manner.

Mineral Resources

In addition to the above, the MOE&EI amended the Minerals Act (No. 61 of 2000), thereby revising the provisions for the protection of the environment, conditions for the granting of licences and stipulations of standards and procedures for the licensee to pursue any mining operation. Section 43(1) of the Minerals Act provides that every application for a licence shall be accompanied with an Environment Impact Assessment and a Certificate of Environmental Clearance issued by the Environmental Management Authority established under the Environmental Management Act. Section 45 provides that a person who explores for, or mines, processes, imports or exports, any mineral without a licence commits an offence and shall on summary conviction, be liable to a fine of two hundred thousand dollars and imprisonment for a term of two years.

The MOE&EI also undertook:

- The restructuring/expansion of its Minerals Division to enforce the newly enacted legislation;
- The adoption of a minerals policy to guide decision making and ensure efficient and effective management of the nation's mineral resources; and
- The establishment of a multi-disciplinary committee (The Minerals Advisory Committee) to assist the Minerals Division in the discharge of its duties under the new legislation.

The Fisheries

Trinidad and Tobago with the assistance of UNDP/FAO formulated a document to guide the development of policies to promote the sustainable management and development of our fisheries resources. A number of management regulations have been put into effect on the basis of these policy guidelines, including increase in mesh sizes for gillnets in the inshore/artisanal sector, and area, season and time closures for demersal shrimp trawling. A Government/Stakeholder Committee has been established to promote stakeholder involvement in policy and management plans formulation, and to promote greater compliance by the industry with these regulations. A draft Management Act has been prepared that seeks to introduce a limited entry regime or licensing system into commercial fisheries. The Act is being finalised.

Trinidad and Tobago participated in a CIDA/CARICOM regional fisheries project from 1994 to 1998 and under this project the catch and effort data collection system for the artisanal sector was greatly improved. This enabled a number of stock assessments to be conducted e.g. flying fish to inform bilateral fishing negotiations and to ensure that our resources were not subject to unsustainable fishing pressures. This catch and effort data collection system has been expanded to include a greater number of landing sites as well as the collection of socio-economic and biological data.

Trinidad and Tobago is participating in a global project under the sponsorship of GEF/UNEP/FAO to reduce the impact of tropical shrimp trawling on the marine fisheries by the introduction of the use of environmentally friendly technologies or by catch reduction devices. The high incidence of capture of juvenile commercial species as discards, or by catch in demersal shrimp trawling, is a global concern as it impacts on biomass and sustainability of living marine resources.

Trinidad and Tobago has incorporated elements of the FAO *Code of Conduct for Responsible Fisheries* into its work programme and seeks to disseminate information on the Code to the fishing communities for voluntary compliance.

Trinidad and Tobago as a member of the FAO Western Central Atlantic Fishery Commission (WECAFC) participates in a number of *ad hoc* Working Groups on species which involves joint stock assessments with neighbouring Venezuela of shared fish stocks i.e. shrimp and ground fish. The results of these analyses have informed management regulations on these species.

Trinidad and Tobago became a contracting party to the International Commission for the Conservation of Atlantic Tunas (ICCAT) in March 1999. This country has therefore put mechanisms in place to ensure conformity with the international regulatory requirements of ICCAT including an improved monitoring system for the collection and submission of data on large pelagic resources to ICCAT. Data from Trinidad and Tobago are therefore incorporated in stock assessments to guide the formulation of management regulations for these species e.g. minimum size restriction

on harvests of swordfish. Trinidad and Tobago is also in the process of implementing a Memorandum of Agreement with transshipment operations for fish and fishery products to ensure that the entities that use our ports are in conformity with ICCAT conservation and management measures. On the implementation of this MOA, this country would be poised to meet the requirements and therefore become signatory to the United Nations Fish Stock Agreement.

Article 2.1. General measures for implementation

6. *Does the State party ensure that its obligations under the Covenant are taken fully into account when it enters into negotiations with international financial institutions?*

The Government of Trinidad and Tobago has relations with the three major multi-lateral financial institutions namely, the International Monetary Fund, the International Bank for Reconstruction and Development and the International Development Bank.

Following the sharp decline in the international petroleum prices in 1986, the Trinidad and Tobago authorities implemented an intensified adjustment programme in July/August 1988, continuing on efforts that had begun in the mid 1980s.

This programme was structured under the International Bank for Reconstruction and Development and was supported by a Stand-by arrangement with the International Monetary Fund. This Stand-by arrangement covering the period ending March 31, 1991, involved specific economic and financial commitments on the part of the Government of Trinidad and Tobago.

The World Bank Structural Adjustment Programme sought to achieve economic stabilisation given the existing scenario of falling revenues from petroleum, deteriorating terms of trade, reduced availability of external financing, a falling GDP growth rate and climbing levels of inflation. Measures implemented under the programme included a fifteen percent (15%) devaluation of the exchange rate, sizeable reductions in government expenditure, increases in the Central Bank lending rate and structural reforms such as further exchange and trade liberalisation measures, implementation of the second phase of the tax reform programme, further reforms in the public enterprise sector and employment reduction programmes in the public sector.

The Stand-by arrangements with the International Monetary Fund provided external contingency financing (balance of payments support) under the IMF's Compensatory and Contingency Financing Facility. This short-term arrangement was structured to reduce domestic and external imbalances and to establish conditions for the resumption of economic growth.

Throughout the adjustment process, Government remained cognisant of the rights of its citizens for food, shelter and a basic standard of living including education and health care. During this period too, special focus was placed on the unemployed and those affected by the employment reduction programmes. Government therefore strengthened existing programmes geared toward providing immediate unemployment relief to persons so affected. New programmes were also instituted during this period. In order to address the problem on a long term basis, Government increased its investment in the rehabilitation of the productive capacity, infrastructure and social services including:-

- Focus on small business development;
- Youth training programmes geared towards encouraging self employment;
- Self help programmes;
- Stimulation of savings efforts through the Credit Union and Cooperative Movement, and
- Infrastructure Development in the areas of agriculture, tourism and transport.

Government also has a long relationship with the International Development Bank. On a cumulative basis, the Bank made thirty-two loans (32) totalling \$1,017 million dollars with disbursements totalling \$636 million within various sectors of the economy, including the areas of health, education, infrastructure development, agriculture, tourism, community development, telecommunications, youth development and financial sector supervision.

Generally each loan includes specific conditionalities geared towards the improvement of the sector in which the loan is disbursed.

7. What have been the results of the implementation of structural adjustment programmes and other assistance programmes of international organizations? What is the State party's evaluation of these programmes?

With the rapid decline of crude oil prices, an accelerated loss of reserves and a significant bunching of external debt service in 1985 to 1988, the Government adopted a more comprehensive adjustment programme in July/August, 1988.

The programme included further devaluation of the Trinidad and Tobago dollar, reduction in government expenditure and increases in the Central Bank lending rate. This meant that overall Central Government Expenditure was reduced. Specifically, capital expenditures were roughly halved, while subsidy and transfer payments were reduced. In addition, Government temporarily suspended Cost of Living Allowance (COLA) for public servants, increased the gasoline excise duty by fifty percent, introduced a five percent tax duty on sales and further increased the airport ticket tax. The public enterprise and utilities sector was also rationalised during this period, with improved revenue and expenditure structures, including containment of growth in wages and salaries.

These measures were conditionalities for the Government to become eligible for external financing from the IMF/World Bank. Among the results of these measures were:

- A depreciation of the real effective exchange rate terms;
- A sizeable reduction in government expenditure;
- A reduction in the overall public sector deficit; and
- A reduction in the current account deficit.

In a Letter of Intent written to the International Monetary Fund, the Government of Trinidad and Tobago stated that its economic program was designed in the context of a medium term economic strategy, which aimed at restoring the economy to a positive growth path. The medium-term programme also provided for a further strengthening in the balance of payments as a result of major investment efforts in the export oriented energy-based sector. The external current account position was projected to shift from a deficit to balance and later to surpluses and the level of gross official reserves to be restored to three months' imports.

However, as the Government accelerated its structural adjustment programme, it was not without due care or concern for the poorer and more vulnerable groups that were not equipped to deal with the adjustments. The Government therefore initiated the following social programmes to assist these groups with the impact of the adjustment:

- Broadening of the coverage of the school feeding programme;
- Enhancing programmes to assist the elderly;
- Maintaining a small package of subsidies on basic foods;
- Introduction of a programme to feed the needy and unemployed;
- The strengthening of training programs for the young, self-employed and public sector employees who opted for early retirement;
- Initiated a training programme for widest possible participation in business enterprise. This in connection with an advisory-extension support for small businesses provided by the Small Business Development Company established in 1989.

The period of structural adjustment has augured well for Trinidad and Tobago, with an average growth rate for the period 1991 to 2001 of three point five percent (3.5%). Past and present Governments have all committed to the sustainable, high-quality development of the country. Some of the policies still enforced at present are trade and exchange rate liberalization, continued development of the non-oil and manufacturing sectors, tight monetary control and bank supervision for the banking and non-banking financial institutions, development of capital/financial markets and enhanced social programmes with a focus on health, education and the social safety net. Further statistical Data is provided below.

Year	Retail Prices	Inflation	Minimum Wage Rate	Change	C.A.B.	Unemployment Rate
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	(1975=100)	%	1976=100	%	\$mnTT	%
1972	60.1	9.3	302.7	13.0	-283.2	14.0
1973	69.0	14.8	334.2	10.4	-50.7	15.4
1974	84.2	22.0	374.1	11.9	576.0	15.3
1975	98.5	17.0	485.4	29.8	715.9	15.0
1976	108.7	10.4	581.8	19.9	618.5	14.2
1977	121.5	11.8	660.3	13.5	414.5	13.4
1978	133.9	10.2	818.6	24.0	97.1	12.1
1979	153.6	14.7	1,012.3	23.7	-87.0	11.0
1980	180.5	17.5	1,211.3	19.7	1,132.	9.9
1981	206.4	14.3	1,510.3	24.7	3	10.5
1982	230.0	11.4	1,895.5	25.5	956.4	9.9
1983	268.5	16.7	2,251.0	18.8	-	11.1
1984	304.2	13.3	2,484.9	10.4	1,865.	13.3
1985	327.5	7.7	2,618.7	5.4	1	15.7
1986	352.7	7.7	2,717.0	3.8	-	17.2
1987	390.7	10.8	2,659.4	-2.1	2,461.	22.3
1988	421.0	7.8	2,670.5	0.4	9	22.0
1989	469.0	11.4	2,598.3	-2.7	-	22.0
1990	520.7	11.0	2,616.9	0.7	1,344.	20.0
1991	540.8	3.8	2,677.4	2.3	5	18.5
1992	575.8	6.5	2,836.2	5.9	-258.0	19.6
1993	637.8	10.8	2,917.7	2.9	-	19.8
1994	693.7	8.8	2,932.8	0.5	2,274.	18.4
1995	730.4	5.3	2,989.9	1.9	8	17.2
1996	754.8	3.3	3,076.0	2.9	-890.6	16.2
1997	782.3	3.6	3,135.3	1.9	-450.0	15.0
1998	826.3	5.6	3,211.5	2.4	-283.9	14.2
1999	854.6	3.4	3,265.1	1.7	1827.5	13.1
2000	884.5	3.5	3344.2	2.4	-88.0	12.8
2001					138.1	11.1
					-574.6	
					1,299.	
					6	
					1,589.	
					7	
					408.5	
					-	
					3,618.	
					1	
					-	
					4,052.	
					4	
					192.5	

G.D.P. PER CAPITA 1994 – 2000 IN \$T.T. AND \$U.S.

<i>Items</i>	<i>1</i> 994	<i>1</i> 995	<i>1</i> 996	<i>1</i> 997	<i>1</i> 998	<i>1</i> 999	<i>2</i> 000
	(((((((
G.D.P. (\$Mn T.T)	5) 29,311	6) 31,697	7) 34,586	8) 36,626	9) 39,796	10) 43,254	11) 50,871
G.N.P. (\$Mn T.T.)	.7	.0	.6	.6	.1	.5	.5
Population (000)	26,716	28,773	31,450	34,119	37,628	40,737	46,893
G.D.P. per capita (\$T.T.)	.6	.8	.9	.3	.9	.1	.7
G.N.P. per capita (\$T.T.)	1,249.7	1,260.0	1,263.6	1,274.8	1,277.7	1,285.7	1,293.8
Exchange rate	23,455	25,156	27,371	28,731	31,147	33,643	39,319
G.D.P. per capita (\$U.S.)	21,378	22,836	24,890	26,764	29,450	31,685	36,245
G.N.P. per capita (\$U.S.)	5.87	5.89	5.99	6.25	6.28	6.27	6.28
	3,996	4,271	4,569	4,597	4,960	5,366	6,261
	3,642	3,877	4,155	4,282	4,689	5,053	5,771

Article 2.2. Non- discrimination

8. Since there is no specific anti-discrimination provision in the Constitution of the State party (para.32), please indicate whether the State party intends to adopt a comprehensive law on non-discrimination. Please also indicate whether the Equal Opportunity Bill has been adopted (para.74) and whether this legislation constitutes such a comprehensive non-discrimination law.

The Constitution of the Republic of Trinidad and Tobago, while it does not have a specific anti-discrimination clause, does expressly recognise that the fundamental rights and freedoms enshrined in Part I of the Constitution, exist without discrimination. Section 4 provides, inter alia:

It is hereby recognized and declared that in Trinidad and Tobago there have existed and shall continue to exist, without discrimination by reason of race, origin, colour, religion or sex, the following fundamental human rights and freedoms...

Inherent in two of the rights expressed in Section 4 of the Constitution is the principle of non-discrimination, namely;

- (b) the right of the individual to equality before the law and the protection of the law*
- (d) the right of the individual to equality of treatment from any public authority in the exercise of any functions.*

Based on judicial interpretation, a breach of S.4(d) above occurs when there is *mala fides* on the part of a public authority, mal-administration of equal laws or a lack of even handedness vis-à-vis other persons in the treatment meted out by the authority to the aggrieved person. Thus, in L.J. Williams v. Smith (1980) 32 West Indian Law Reports 395, the Court declared that the then Chief Immigration Officer acted in bad faith contrary to section 4(d) of the Constitution, in refusing to consider applications made by the plaintiff company for work permits for foreign nationals.

A person, whose rights under the Constitution are infringed, is entitled to file a constitutional motion in the High Court and if the Court finds that there has been a breach, monetary compensation for the distress and inconvenience as well as actual damages, are routinely awarded to the person aggrieved.

Recognising that there was a lacuna in the law as regards discrimination in the private sector, the Government took steps to enact equal opportunity legislation in the form of the Equal Opportunity Act, No. 69 of 2000.

This Act prohibits discrimination and promotes equality of opportunity irrespective of sex, colour, race, ethnicity, origin, religion, marital status or disability in the fields of employment, education, the provision of goods and services, and accommodation. This legislation applies to discrimination in both the public and private sector.

A person who alleges that he or she has been discriminated against may lodge a written complaint with the five-member Equal Opportunity Commission. The membership of the Commission is required by the Act to reflect a balance of race and gender. The Commission is required to investigate each complaint lodged with it. It shall if necessary try to resolve the matter by conciliation. If it cannot be resolved, the Commission is required to prepare a report relating to the investigation with its recommendations. This report is required to be published and made available for public inspection. If the matter remains unresolved, the Commission will initiate proceedings before an Equal Opportunity Tribunal to be established under the Act. The Tribunal shall be a superior court of record consisting of a judge of the status of a high court judge and two lay assessors. The Tribunal will have jurisdiction to hear and determine complaints referred to it by the Commission and to make such declarations, orders and awards of compensation as it thinks fit. The complainant and the respondent may appear before the Tribunal with or without legal counsel.

Although this legislation has been approved and enacted by Parliament, the Government is still in the process of working administrative issues with regard to the establishment of the Equal Opportunity Commission and the Tribunal.

While this is a comprehensive law on discrimination, there are some fields of discrimination not included in the Act. Prior to the enactment of the legislation, a Joint Select Committee of Parliament was appointed to consider the Law Commission's Working Paper on Equal Opportunity Legislation and to submit recommendations to Parliament thereon. After holding consultations with the relevant stakeholders, this parliamentary committee formed the view that "it would be impossible to deal with all aspects of discrimination and the best approach would be to formulate legislation which would constitute a good starting point from which the law can be developed to suit our needs". Thus while the Equal Opportunity Act, 2000 represents a bold and pioneering move in our region, it was not possible at the time to include discrimination in every shape and form.

Some of the fields of discrimination not included in the Act include discrimination on the ground of age; discrimination on the ground of sexual orientation and discrimination as a result of being HIV positive or having AIDS.

In the case of sexual orientation, the Joint Select Committee despite its diverse membership and its consultation with experts and interest groups declared that it was unable to arrive at a definitive position on this issue. Homosexuality and lesbianism are sensitive topics in Trinidad and Tobago. The multi religious population have largely orthodox moral beliefs and are not ready to accept homosexuality and lesbianism. In as much as homosexuality has not been decriminalised in Trinidad and Tobago, it was not recommended that the equal opportunity legislation include sexual orientation as a field of discrimination

at this time.

In the case of age, it was felt that the implications of including such a provision in the Act required a closer examination of the effect it would have on existing laws relating to retirement and recruitment.

It should be mentioned that there are other provisions in the domestic law that address specific forms of discrimination including the following:

- *The Maternity Protection Act, No. 4 of 1998 was implemented to prevent discrimination against women by employers on the ground of pregnancy. Under this Act, women are guaranteed protection against dismissal on the grounds of pregnancy, and the right to return to work on the same terms and conditions, or substantially similar terms and conditions, after the conclusion of the prescribed period of maternity leave.*
- *The Education Act, Chapter 39:01 in S.7 provides that "No person shall be refused admission to any public school on account of the religious persuasion, race, social status or language of such person or of his parent".*

9. Please provide detailed information on measures the State party has adopted (with reference to specific provisions) to ensure the exercise of the rights provided for in the Covenant for persons with disabilities, older persons, persons living with HIV/AIDS, minority ethnic groups and foreigners living within its territory.

Persons with Disabilities

A National Policy on Persons with Disabilities was developed in 1997, and approved in principle by Cabinet in 1998 (See Para. 149 of the Report).

The objectives of the policy are as follows:

- The creation of a social and physical environment favouring the integration and full participation in the society of children, youth and adults with disabilities;
- The encouragement of self reliance and promotion of involvement and participation of persons with disabilities in the country's socio-economic development;
- The elimination of marginalisation and discrimination of persons with disabilities;
- The promotion of opportunities for a better quality of life for persons with disabilities; and

- The encouragement and support for research projects in related areas.

In order to achieve the policy objectives, Government is committed to the following broad strategies:

- Instituting a legislative framework to protect the rights and create equal opportunities to enhance the quality of life of persons with disabilities;
- Fostering cooperation among stakeholders in decision making on matters related to persons with disabilities;
- Providing financial and other support to NGOs which service persons with disabilities;
- Ensuring the creation of an accessible physical and built environment;
- Integration of persons with disabilities into the mainstream of the educational system;
- Equity in employment opportunities.

Programmes and Projects implemented based on Policy Position.

- In 1999, the National Coordinating Committee on Disability, which acts as an advisory body to Government on matters pertaining to persons with disabilities, was appointed. A Disability Affairs Unit was also established to serve as a Secretariat to the Committee. The Unit also develops and implements initiatives on issues including national awareness on disability issues, physical access, mobility for persons with disabilities and access to information.
- In recognition of the importance of educating and increasing the awareness of the population on issues relevant to persons with disabilities, the Ministry also produced a booklet entitled “*Open Doors-A Guide for Persons with Disabilities, their Families and Interested Persons*”. This booklet provides information on the identification and description of the different types of disabilities and the corresponding support agencies and organizations. The booklet was also produced in Braille and has been widely distributed.
- In 1999, in an effort to make health care equipment and accessories more affordable for persons with disabilities, the Government exempted from Customs Duty and Value Added Tax, items such as artificial joints and limbs,

pacemakers, hearing aids, crutches, surgical belts and trusses.

- The Equal Opportunity Act, 2000 expressly prohibits discrimination *inter alia* on the basis of disability. This Act is consistent with the United Nations Standards for Equal Opportunities for Persons with Disabilities.
- A significant initiative in the area of equal opportunities for persons with disabilities, particularly in the area of vocational rehabilitation and employment, is the ratification of ILO Convention No.159 on Vocational Rehabilitation and Employment. This Convention was ratified by Trinidad and Tobago in 1999. Convention 159 views disability as a condition of occupational disadvantage which can and should be overcome through a variety of policy measures, regulations, programmes and services.
- Earlier this year, Cabinet approved the provision of five specially designed buses to facilitate easier access and a relatively cheaper form of transport for the physically challenged.
- With effect from the fiscal year 2001/2002, the Government will provide free hearing aids to all hearing impaired persons. This provision was made in the 2001/2002 national budget.
- Government provides on an ongoing basis, financial assistance to non-governmental organizations established to provide services for persons with disabilities. Some of these organizations are provided with financial assistance on an ongoing basis through the provision of an annual subvention. Government provides approximately six million dollars (\$6,000,000 T.T.) to organizations through subventions.
- In the area of sport, a number of initiatives have also been undertaken to ensure the inclusion of persons with disabilities. The then Ministry of Community Empowerment Sport and Consumer Affairs was instrumental in providing funding to assist in the hosting of the Regional Wheelchair Basketball Tournament which was held in Trinidad and Tobago in August, 2001.
- Recently constructed and upgraded national sporting facilities such as football stadia and swimming pools have been constructed to allow access to persons with disabilities.
- In the area of international networking, in 2001, the Ministry enlisted as a member of the Global Applied Disability Research and Information Network

on Employment (GLADNET). GLADNET includes organizations representing persons with disabilities, trade unions, state agencies, NGOs, research organizations and universities concerned with the advancement of integrated vocational training and employment opportunities for persons with disabilities. Membership would provide easier access to disability-related research, which would be very useful in informing policy decisions.

There is also a National Centre for Persons with Disabilities funded by the Ministry of Social Development (20 percent) and by revenue which the Centre raises on its own (80 percent). The Centre trains persons with disabilities over the age of 15 years, in the vocational skills that will result in permanent employment. Predominantly the Centre trains persons who have physical disabilities; hearing disabilities; speech disabilities; a mild mental disability or who are slow learners. The Centre has an average of 150 to 200 students at any time. (See paragraph 148 of the Report for more details).

The Government has drafted an Employment Injury and Disability Benefits Bill, 2001. The proposed legislation seeks to provide for the payment of benefits to employees who suffer disability or death by, or as a result of, injury or diseases arising out of, or due to the nature of their employment. The Government will require the support of three-fifths of the members of Parliament to enact this Bill into law. The Act, once approved, would apply to all employers and employees in Trinidad and Tobago, with the exception of persons who are in receipt of disability assistance under the Public Assistance Act, Chapter 32:03. Part II of the Bill would provide for the establishment of an Employment Injury and Disability Benefits Board to administer the Act and determine claims for benefits. An Employment Injury and Disability Fund would be established under the Act. Clause 16 would provide for the payment of benefits to an employee and his dependants where the employee suffers disablement from or because of a disease due to the nature of his

employment.

Please refer to the response to question 21 for information on disability pensions. For further information on measures taken by the State party to accommodate the needs of children with physical and mental disabilities see response to question 25 below.

Tobago

The Department of Social Services and Gender Affairs, Division of Health and Social Services, Tobago House of Assembly has also developed programmes with the Tobago Coordinating Committee for Persons with Disabilities, and has a representative on the Cabinet appointed Committee for Persons with Disabilities.

Older Persons

Many older persons in Trinidad and Tobago find it difficult for various reasons to continue in active employment following their retirement. In 2001 the disposable income of older persons has, beyond doubt, increased, thereby increasing their standard of living and their spending power. In particular the following measures were implemented:

- The increase in Personal Tax Allowance from \$30,000 to \$36,000 for taxpayers, sixty (60) years and over;
- An increase of \$80 in the Old Age Pension grant to \$800 for individuals sixty-five (65) years and over with no income or income less than \$100 per month and \$700 for individuals sixty-five (65) years and over with income between \$100 and \$720 per month (*Figures have since been updated*).
- The removal of the 6% insurance premium tax for any individual sixty (60) years and over; and
- Free Bus passes for all citizens sixty (60) years and over on any PTSC (Public Transport) bus.

To consolidate the Pension System, a pension reform exercise is currently being undertaken, wherein a Pension Reform Task Force has been mandated to review pensions and formulate a suitable model for Trinidad and Tobago.

The Government of Trinidad and Tobago also renders financial assistance to nine (9) community Homes for Older Persons in the form of annual subventions. In 1994, subventions to these Homes amounted to \$85,344. Because of the overall increase in the cost of

living and the introduction of minimum wage legislation, there was an increase in the quantum to \$183,313, an overall annual increase of \$96,969 or 115%.

In 1996, the Senior Citizens Bureau was officially launched. It represented a collaborative effort with the Government, the Trinidad and Tobago Association of Retired Persons (TTARP) and the Banyan Fund Association.

The Bureau is a register of information or "Skills Bank" on senior citizens who wish to contribute to the national community in their areas of expertise. Persons who are sixty (60) years and over, qualify to register as members, once they possess a skill, trade, craft or experience in any professional or quasi-professional area.

Through the Geriatric Adolescent Partnership Programme Division (GAPP) of the Ministry of Community Empowerment, Sport and Consumer Affairs, training was conducted in June 2001 for older persons to train peer groups. The programme incorporated training sessions on areas such as:-

- Ageing and Self;
- Healthy Ageing;
- Relationships;
- Preparation for Retirement; and
- Information Technology.

Most of the trainees have already started working with groups within their communities to help these persons gain a better understanding of the social, physical, economic and psychological factors associated with ageing. Because of this programme, many of these persons can and will continue to lead more active and fulfilling lives by the chain reaction created to diffuse the knowledge gained.

The GAPP also conducts training for young persons between the ages of 18 and 25 years, in the care of the elderly. The training covers a wide range of topics, pertinent to the elderly, and has led to noteworthy improvements in the care delivered to elderly persons. Over the past five years, a total of 1,990 persons were trained in Basic Care. In 2000, an Advanced level programme was conducted in Laventille where fifty-three (53) persons were trained. Training was also conducted in 2000 for caregivers in the institutions.

Because of the urgent need for care to the elderly, in 1999 the Neighbourhood Home Care Community Service was introduced. Government, through the CARP, provides funding to enable home care to the elderly who cannot afford it. Selection of clients is done through networking with community based organisations (cbos), village councils and religious bodies. The Division also serves as a placement agency for successful candidates of the caregiver programme. Once placed, these caregivers, as well as the clients,

are closely monitored.

In order to assess the developmental potential and dependency needs of older persons and to facilitate the development of policy, a survey on the living conditions of older persons was conducted. The survey focused specifically on the following: -

- Collection of data on the economic/psycho social conditions of the elderly and the physical conditions under which they live;
- Evaluation of the needs of the elderly based on the survey data;
- Analysis of the impact of the projected growth in this population sub-group on health care, human resource development, housing and the provision of social services.

Resulting from this survey, an Inter Ministerial Committee was mandated in 2000 to develop a policy on ageing. This Policy, which is currently at the draft stage, will outline strategies to: -

- Create a social and physical environment, which will facilitate the participation and involvement of the elderly in civil society and ensure the provision of adequate services to preserve the dignity and independence of the elderly.
- Improve existing facilities, which will sustain a better quality of life.
- Facilitate, encourage and support research in areas beneficial to the elderly.

In particular, the Policy addresses the following: -

- Social Welfare;
- Income, security and employment;
- Participation, involvement and social inclusion;
- Dignity of the elderly;
- Respect for the elderly;
- Equality and Justice;
- Standards for hospital and care facilities for the elderly;
- Access to, and cost of health care;
- Housing needs;
- Adult education and training; and
- Recreation.

For information on the revised quantum of Old Age Pension payable by the State please refer to the response to question 21 below. For

information on the Homes for Older Persons Act, see response to question 31 below.

Tobago

he Department of Social Services and Gender Affairs, Division of Health and Social Services, Tobago House of Assembly has established a Senior Citizens Bureau and The Geriatric Adolescent Partnership Programme is on-going in Tobago.

Persons living with HIV/AIDS

Hiv Cases By Year And Sex (1983-2000)

YEAR	MALE	FEMALE	UNKNOWN	TOTAL
1983	8	0	0	8
1984	27	0	0	27
1985	94	17	2	113
1986	104	31	1	136
1987	136	40	4	180
1988	172	57	12	241
1989	142	79	13	234
1990	181	92	5	278
1991	269	146	7	422
1992	396	193	18	607
1993	439	177	8	624
1994	381	219	23	623
1995	424	229	31	684
1996	508	311	51	870
1997	573	392	36	1001
1998	552	385	28	965
1999	630	476	35	1141
2000	524	334	40	916
TOTAL	5578	3178	314	9070

in the 2001 National Budget the Government allocated \$10 million TT towards addressing this epidemic.

Some of the measures taken to provide appropriate prevention against HIV/AIDS are already mentioned in paragraphs 268 and 269 of the Report.

The Government's thrust has been spearheaded by the Ministry of Health. The Ministry of Health has a comprehensive strategic plan for addressing HIV/AIDS. Considerable support is received from UNAIDS. The Ministry provides support to the Persons With AIDS Organisations, and recently successfully hosted the 10th International Conference for Persons with AIDS in the October 2001.

The following activities are currently being undertaken by the Ministry of Health to prevent the transmission of HIV/AIDS:

- i. *Information and Education-Targeting High Risk Groups such as:*
- *Youths in School*
 - *Youths out of School*
 - *Commercial Sex Workers (CSW)*
 - *Men who have sex with men (MSM)*

- ii. *Mass Media, Radio and Television Programmes*

Information is widely disseminated through a variety of mechanisms such as workshops, public consultations, electronic and print media, press conferences, posters, leaflets and bulletins. The Ministry has set up a National AIDS Programme which is an information, education and research facility. The National AIDS Programme and the Health Education Unit of the Ministry work in close collaboration with non governmental organisations and community based organisations to reach target groups in the population.

- iii. *National AIDS Hotline*

A telephone “call-in” information and education service. (See para.267 of the Report)

- iv. *“RAPPORT Youth Information and Counselling Centre”*

This is located in Port of Spain, with plans for extension to San Fernando and Arima, Trinidad. The aim of RAPPORT is to create a supportive environment in which persons in the 13 to 25 age group can be informed, educated and counselled and can also avail themselves of referral services. RAPPORT’S programme does not focus solely on the prevention of HIV/AIDS but also on sexually transmitted diseases, peer pressure, self esteem and other issues faced by young people.

- v. *Reduction of Mother to Child Transmission Programme(MTCT)*

- *Voluntary Counselling and Testing.*
- *Anti-retroviral therapy for HIV positive mothers, pre-natal and intra-natal. The Ministry of Health has formed a collaboration with PAHO to obtain drugs used in the treatment of HIV/AIDS at a reduced cost.*
- *Anti-retroviral treatment for newborn infants of HIV positive mothers.*

- vi. *Blood Safety-Screening and Testing of all blood donors.*

The Ministry of Health is responsible for the Queen’s Park Counselling Centre

and Clinic, where confidential HIV/STD testing and counselling are available to members of the public. Counselling centres also operate in Sangre Grande and in San Fernando and Tobago.

- vii. *Occupational Health and Safety*
 - *Prevention of accidental exposures to high risk workers e.g. Doctors, nurses, dentists, laboratory technicians.*
 - *Post Exposure Prophylaxis.*
- viii. *HIV/AIDS Surveillance*
- ix. *Condom Distribution*
- x. *Sexually Transmitted Infections-Counselling and Treatment*
- xi. *Treatment, care and support*
 - *Prophylaxis Treatment*
 - *Opportunistic Infection Treatment*
 - *Anti-Retroviral Treatment (ARVs)-These drugs are now available to the Government of Trinidad and Tobago at minimal cost.*
 - *Training Programmes for Health Workers are being conducted.*
 - *Psycho- Social Support for People living with HIV/AIDS*

Draft Legislation for HIV/AIDS Workers

The National AIDS Programme described above, was responsible for the formulation of a policy document, HIV/AIDS in the Workplace: A National Policy, which is defined as "...a general guide to all parties with an interest in managing HIV/AIDS in the workplace". The Government has since drafted a Basic Conditions of Work Bill for the consideration and approval of Parliament. Part IX of the Bill deals specifically with the issue of discrimination against persons with HIV/AIDS who are workers. The Draft Bill in Clause 43 contains inter alia the following subsections:

- *An employer shall not require an employee to be screened or tested as evidence that that employee is not infected with human immune deficiency virus (HIV) and the acquired immune deficiency syndrome (AIDS).*
- *An employer shall not discriminate in hiring, firing and other terms and conditions against an employee on the grounds that that employee is*

infected with HIV/AIDS.

- An employer shall not disclose the medical information including HIV/AIDS status of an employee.
- An employer may as far as is practicable provide for the protection of or protect employees in the workplace affected by or perceived to be affected by HIV/AIDS from stigmatisation and discrimination by co-workers, unions, employers or clients.
- An employer may as far as practicably reasonable provide employees with information and educational programmes on HIV/AIDS, as well as relevant counselling or appropriate referrals.
- If fitness to work is impaired by HIV/AIDS related illness, an employer may make reasonable alternative working arrangement for the performance of the employee.
- An employer shall not terminate the employment of an employee affected by or perceived to be affected by HIV/AIDS as long as the employee is medically fit for or available for appropriate work.
- An employer who contravenes this section commits an offence and shall be liable upon determination by the Industrial Court to a fine of thirty thousand dollars.

GO initiatives

One non-governmental organisation which has undertaken the care of HIV-positive infants and children is the Society of St. Vincent de Paul, which runs the Cyril Ross Nursery in eastern Trinidad. As of December 1997, the Nursery housed 19 children between the ages of 6 months and 10 years. More information is provided in response to question 25 below.

The St. Vincent de Paul Society also runs a Centre for Socially Displaced Persons in east Port of Spain which accommodates the homeless, including persons afflicted with HIV/AIDS; the Centre reportedly housed ninety seven (97) HIV infected persons in 1997.

The Family Planning Association (FPA) conducts a Family Life Education Programme,

which includes a STD/AIDS module. The FPA provides in-house and off-site counselling and presents its Programme to individuals, organisations, schools, religious groups etc.

he Ministry's Health Education Division, National AIDS Programme and Primary Health Care staff work with non governmental organisations, community based organisations and religious groups to prepare persons to care for persons with AIDS.

obago

obago is continuing its programme in the Health Services to prevent pregnant mothers to transmit the infection of HIV/AIDS to their baby at child's birth and has recently launched its HIV/AIDS Testing and Counselling programme.

Minority ethnic groups and Foreigners

All individuals within the jurisdiction, including foreigners are entitled to the rights and freedoms enshrined in the Constitution and the right not to be discriminated against in the enjoyment of these rights.

In terms of minority ethnic groups, all sections of the population including persons belonging to minority groups, are treated equally by the Government and are not subject to any form of discrimination by the State or private sector in the enjoyment of their economic, social and cultural rights or any other human rights.

Article 3. Equality between men and women

- 10. Please specify the measures taken by the State party to incorporate the gender perspective in national legislation, public policies and education programmes. Please provide comparative statistical data on the number of women in political positions, in the judicial system and in the private business sector.**

Legislation which incorporates the Gender Perspective

The Law Commission of the Ministry of the Attorney General has long been in the practice of consulting with the Gender Affairs Division in the formulation of legislation which requires a gender perspective. Draft legislation dealing with women's issues, when prepared by the Chief Parliamentary Counsel's Department of the Ministry of the Attorney General, is also forwarded to the Gender Affairs Division for comment prior to introduction in Parliament. The Law Commission frequently consults with stakeholders including relevant non governmental organisations and members of the public. The following are examples of recently enacted domestic legislation which incorporate a gender perspective:

- The Domestic Violence Act, No. 27 of 1999. Based on the high incidence of domestic violence in Trinidad and Tobago, new domestic violence legislation has been drafted to replace the 1991 Domestic Violence Act and to introduce comprehensive domestic violence legislation on par with international standards. Domestic Violence is defined in the Act to include physical, sexual, emotional or psychological or financial abuse committed by a person against a spouse, child or any other person who is a member of the household or dependant. (See para. 41 of the report for more details).
- The Cohabital Relationships Act, No. 30 of 1998. In Trinidad and Tobago

it is estimated that 40,724 people live in common law or *de facto* unions (1990 Census data). This legislation was implemented to give common law spouses who have been living in cohabitational relationships for not less than five years, or who have children arising out of such a relationship, the right to make an application to the High Court for an adjustment of property order or for the grant of a maintenance order. Previously women in unmarried unions were left unprotected and had no legal rights in the event of that such unions were dissolved, resulting in severe hardship.

- The Sexual Offences (Amendment) Act No 31 of 2000 introduced a new definition for the offence of “grievous sexual assault” and “rape” in gender neutral terms and provides that the offence of rape also applies “to a husband in relation to the offence of rape of his wife”. New offences have been included in the amending Act to cover all forms of sexual violations and stiffer penalties for offences have been imposed. This legislation was implemented in the face of an alarming increase in sexual crimes against women and in recognition of the need for women to be adequately protected under the law.
- The Legal Aid and Advice (Amendment) Act, No 18 of 1999 has introduced a number of reforms to the existing legal aid scheme regulated by the Legal Aid and Advice Act, Chapter 7:07. As far as women are concerned, the amendment Act now makes it possible for victims of domestic violence to apply for an Emergency Certificate of Legal Aid in situations of domestic violence. The Amendment Act has also made it possible for women to access legal aid for proceedings under the Cohabital Relationships Act.

- The Draft Basic Conditions of Work Bill, 2000 deals with the issue of sexual harassment in Part X thereof. This Bill has to be reintroduced for debate in Parliament when it is convened. Clause 44 of the draft Bill would address the right of workers both male and female, not to be sexually harassed and clause 45 sets out the procedure for settling sexual harassment complaints.

Public Policies and the Gender Perspective

The Government's Medium Term Policy Framework 2002-2004 outlines the Government's policies and programmes over a three year period. The Framework *inter alia* outlines the programmes and projects to be undertaken towards gender mainstreaming. The Government's budgetary allocation for the Gender Affairs Division was \$2,314,653 in the financial year 2000/2001. This allocation increased to \$4,975,100 in the financial year 2001/2002.

The Gender Affairs Division is the Government's national focal point for gender planning. The Division is mandated to promote principles of gender mainstreaming in all government policies, plans and programmes. There are approximately thirty members of staff in the Division at present. This figure includes administrative staff. The work of the Gender Affairs Division is informed by both governmental and non governmental stakeholders. These stakeholders include non governmental organisations, community based organisations, UN

agencies, and other international partners in development.

An inter-ministerial Committee (IMC) was established in 1987 with the approval of Cabinet. Each member of this Committee serves as a gender focal point within the Ministry that he or she represents on the Committee. The members of the IMC provide technical input in the work of the Gender Affairs Division. The members of this Committee have been taught how to undertake gender-training initiatives as part of an Institutional Strengthening Programme being undertaken by the Government of Trinidad and Tobago with the Inter American Development Bank. At the last meeting of this Committee, members presented plans for the mainstreaming of gender into the work of their respective Ministries. The Ministry of Education has presented a plan to engage its senior staff in intensive gender training activity.

Integral to informing Government Policy is the National Council for Women. This Council is composed of representatives of 16 non governmental and community based organisations. Representation on the Council is for a period of two years. The Council informs the Government's policy formulation process providing relevant information from outside of the public sector.

The Government recognises that central to the achievement of gender equity and equality, is the development of a culturally specific, national gender policy. The Government is committed to this and preliminary

discussions are being pursued by the Gender Affairs Division with the Canadian International Development Agency (CIDA), the United Nations Economic Commission for Latin America and the Caribbean (UNECLAC) and the UNDP to provide technical assistance for the successful completion of a Gender Policy Statement and Plan of Action.

The Government, through the Gender Affairs Division, is also implementing projects and programmes dealing with critical gender issues including gender based violence.

The Government being cognisant of the need to establish an integrated structure for the incorporation of the gender perspective into the national development programme, has requested technical assistance from the Commonwealth Secretariat, in the setting up of a Gender Management System in Trinidad and Tobago in the following priority areas:

- Development of Gender Sensitive Statistical Indicators;
- Gender Mainstreaming in Finance;
- Gender Mainstreaming in Education;
- Gender Mainstreaming in Public Service;

- Gender Mainstreaming in Trade and Industry;
- Gender Mainstreaming in Agriculture and Rural Development;
- Gender Mainstreaming in Employment.

Incorporating the Gender Perspective in Education Programmes

Gender training and sensitisation is a broad based activity. The Gender Affairs Division of the Ministry of Community Development and Gender Affairs has conducted training of the trainers workshops to assist representatives from both the governmental and non governmental sectors in undertaking this activity.

Members of the police service are presently undergoing gender sensitisation sessions. This training began on January 07, 2002 with three week sessions involving approximately one hundred and eighty police officers. The trainers are police officers who have been trained in gender issues by the Non Governmental Organisation, CAFRA. It is expected that by mid-March, approximately five hundred police officers will have received this gender sensitisation training. The programme is expected to continue until all members of the police service have been trained.

In 1998, at the Annual Retreat for High Court Judges, one of the judicial education topics conducted by an expert lecturer was gender sensitivity for judges.

In the Health Sector, training programmes conducted for all health professionals include modules on gender-sensitive issues. Gender sensitivity is also considered in the preparation of architectural designs and programme planning for new services.

In the year 2000 there were 1229 reported cases of domestic violence in Trinidad and Tobago including 24 cases of domestic violence related murders. In the year 2001 there were some 490 reports of rape and incest. The Government of Trinidad and Tobago recognises that any programme which looks at the reduction of gender-based violence, must have a component, which addresses behavioural change such as re-socialisation. The re-socialisation programme targets men, communities, children and women in an investigation of established cultural norms; an assessment of the impact of such norms on violence in the country and the establishment of structures to rethink the perpetuation of such norms.

The priority groups in the resocialisation exercise undertaken by the Gender Affairs Division are men, communities and the youth of the nation.

School aged children are engaged in a number of re-socialisation programmes conducted by the Gender Affairs Division. A National Youth Outreach Caravan was embarked upon in seven primary schools in the year 2000 by the Gender Affairs Division and is an ongoing project. In the year 2001, the programme was carried out in twelve primary schools. The programme seeks to investigate gender relations among young students about to enter secondary schools, and using theatre and drama techniques, enlightens students about non-violent conflict resolution and alternative means of communication.

The Ministry of Education has also undertaken a review of the curriculum in primary schools with a view to eliminating gender stereotyping and gender insensitivity.

Communities are exposed to capacity building in dealing with domestic violence. This is an ongoing programme of the Division of Gender Affairs which makes abuse a concern of the community, not just a private phenomenon. Persons within communities are educated on how to deal with victims and perpetrators of this type of gender based violence; how to identify victims of violence as well as the legal and institutional arrangements for assisting both victims and perpetrators of domestic violence.

The Cabinet of Trinidad and Tobago in April 2000 established a Male Support Programme in the Gender Affairs Division. The Programme has embarked upon work in three priority areas:

- The training of religious leaders in the counselling of persons, especially males in domestic violence situations;
- The conduct of a Male Issues Forum in communities throughout Trinidad;
- The conduct of gender sensitisation and training modules for males in secondary schools.

The Male Support Programme has also embarked on an initiative called *Man-Talk*. The objective of this programme is to engage men in dialogue looking at their perception of maleness, gender and gender relations. Trained counsellors and mediators, who are committed to the ideal of changing behaviour incrementally through ongoing dialogue, undertake this programme.

Tobago

The Division of Health, Social Services and Gender Affairs has taken measures to incorporate the gender perspective in public policies and education programmes.

The following is a report of the activities and performance of a CARICOM/Canada Gender Equity Fund (CCGEF) project carried out in Tobago over the period 1999 to 2001. The project was a collaborative effort between the Tobago House of Assembly (THA) and the Canadian International Development Agency and was entitled "Gender Mainstreaming in Tobago: Institutional Strengthening of the

Gender Affairs Unit". The Division for Health and Social Services executed this project, with the implementers of the project being the Department of Social Services. The project was designed to achieve the following initiatives:

- Improve the quality and application of gender-based analysis and gender sensitive policy formulation across all secretariats of the Tobago House of Assembly and activity sectors in Tobago.
- Increase the effectiveness of the Division of Health and Social Services in meeting the needs of its clients and beneficiaries.
- Increase the public's sensitivity to the impact of gender on social and economic issues.
- Improve the capacity for advocacy on the equitable participation of women and men in local development and on the rights of women.
- Improve the data gathering capacity on specific gender related issues, programmes and projects of the Assembly, the private sector, and the wider civil society.
- Enhance collaboration between the Gender Affairs Unit and the wider society.
- Regularise reporting on the situation of women in Tobago to the THA policy makers, and the wider Tobago and National Public.
- Improve the monitoring of gender policy within secretariats.
- Increase the tracking of gender related project information by the Gender Affairs Unit.
- Establish a system of indicators with accompanying improved reporting by the THA to the national population in relation to the status of these indicators.
- Train personnel in the public, civil society and private sectors in gender issues.

See tables below for information on the public education programmes and the number of participants. There is also information on the objectives achieved by the Tobago House of Assembly.

Table 1: Attendance at Workshops

ACTIVITIES	MALE		FEMALE		TOTAL
	No. of Participants	% of participants	No. of Participants	% of Participants	No. of Participants
<i>Train the Trainers Workshop</i>	9	26	26	74	35
	7	25	21	75	28
	7	27	19	73	26
	4	25	12	75	16
Sub-Total	27	26	78	74	105
Gender Socialization for Teachers Workshop	4	29	10	71	14
	3	20	12	80	15
	3	20	12	80	15
	6	24	19	76	25
Sub-Total	16	23	53	77	69
Training in Gender Based Analysis for Officers of the Tobago House of Assembly	5	28	13	72	18
	6	30	14	70	20
	17	29	41	71	58
Sub-Total	28	29	68	71	96
Preparation of Funding Proposals/ Strategic Planning	5	24	16	76	21
	5	26	14	74	19
	4	17	20	83	24
	17	22	59	78	76
Sub-Total	31	22	109	78	140

ACTIVITIES	MALE		FEMALE		TOTAL
	No. of Participan ts	% of participan ts	No. of Particip ants	% of Particip ants	No. of Participa nts
<i>al Youth Research Project</i>	9	26	26	74	35
	5	56	4	44	9
	26	59	18	41	44
	9	47	10	53	19
	9	43	12	57	21
Quantitative Research	90	43	120	57	210
Sub- Total	72	46	86	54	158
<i>Domestic Violence Intervention And Shelter Management</i>	6	24	19	76	25
	6	25	18	75	24
	4	20	16	80	20
	4	18	18	82	22
	4	20	16	80	20
	13	76	4	24	17
Sub-Total	37	29	91	71	128
Gender Consensus Workshop	13	32	28	68	41
Sub-Total	13	32	28	68	41
TOTAL	314	30	633	70	947

The rural areas of Tobago, namely the North Eastern and Windward areas, accounted for 52% of the representation at the activities. This was as a result of a deliberate strategy to ensure more intensive education efforts in these areas, where information dissemination mechanisms are underdeveloped.

Matrix 1: Objectives versus Achieved Activities

Objectives	Achieved Activities
<p>Strengthen the institutional capacity of the Gender Affairs Machinery and related government agencies and agencies of civil society to promote and assist in the gender sensitive design, implementation, monitoring and evaluation of policies, programs, projects and activities of the Division of Health and Social Services and other agencies of the THA</p>	<p>Development of the skills of NGO and the Government Officers in strategic planning and preparing funding proposals</p>
	<p>The effective establishment of management capacity and skills in intervention strategies in the treatment of domestic violence survivors</p>
	<p>Creation of a programme for facilitating the entrance of women into small and micro enterprising</p>
	<p>Development of the Strategic plan for Gender Affairs Management System</p>
	<p>Gender sensitisation at the level of officers within the government and the leaders within the community</p>
<p>Improve the communication among organisations of civil society, the Gender Affairs Machinery, the Division of Health and Social Services, the Policy Research and Development Institute, and the Executive Council to ensure that areas of gender inequity are</p>	<p>Establishment of a Management Information System for the Department of Social Services</p>
	<p>The development of a Public Awareness Programme on issues related to Gender Relations</p> <p>Developing the interrelationship between youth and gender issues in the Youth Policy and Gender Policy in Tobago</p>

	Institutional Strengthening of the Tobago House of Assembly with respect to the management of the Gender Affairs Machinery
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The number of Women in political positions

There are no overt barriers to the full participation of women in the political process or in respect of decision-making roles. However the level of representation of women in the Trinidad and Tobago Parliament remains relatively low.

Data based on General Elections -December 2000

Members of Parliament-36

No. of men-32

No. of women-4

Nominated members of the Senate-31

No. of men-21

No. of women-10

At the local government level, there has been an increase in the number of

females holding office. The number of female councillors increased from 24 (of a total of 128 positions) to 42 (of a total of 124 positions). Of these 41 female councillors, 28 were elected while 13 were nominated and are serving as Aldermen. Out of the 14 regional corporations only 1 woman presides as Chairman, while 2 occupy the position of Vice-Chairman. Female Deputy Mayors preside in 2 of the 5 boroughs.

On December 11, 2001, General Elections were again held. This resulted in a change of Government. Four women won their seats as members of the House of Representatives in Parliament for the Government in power, the People's National Movement. Two women from the Opposition party also won their seats in House of Representatives. The total number of women in the Lower House of Parliament based on recent general elections is therefore six out of a total of thirty six members (or 16%).

On a positive note, a number of women have been appointed to Ministerial posts in the present Government including a female Attorney General; a female Minister of Legal Affairs; a female Minister of Education and a female Minister of Community Development and Gender Affairs among others.

Women in the Judicial System

As at September 2001, there were four (4) female High Court Judges; two (2) female Court of Appeal Judges and (31) thirty one female Magistrates. The Deputy Chief Magistrate is a female.

On the 1st March, 2002 another female was sworn in to act as a judge of the High Court.

Responsibility for the filling of vacancies in the Judicial and Legal Service lies with an independent Judicial and Legal Service Commission, appointed by the President in consultation with the Prime Minister and the Leader of the Opposition.

Women in the Private Business Sector

In the private sector, there is female under-representation in leadership and decision-making levels.

In 1997, women occupied 9.1% of the membership of the Board of Directors of

one of the major banks in Trinidad and Tobago. The pattern is evident in respect of other banks and major private enterprises in the country.

11. Please provide information on recent measures taken by the Government to ensure equality between men and women in the exercise of the economic, social and cultural rights. Furthermore, please provide information on the legal means of recourse and redress at the disposal of women in case of discrimination.

The Government has put in place several policies that would serve to ensure equality between men and women in the exercise of their rights under the Covenant. In this regard, over the Medium Term, the Government is advancing its programme of ensuring equal opportunity and social cohesion by:

- Improving regulations governing conditions of workers and industrial relations.
- Fostering gender equity and facilitating community empowerment.
- Improving the level of support for sport, culture and the arts.
- Enhancing the available opportunities for the development of our youth

and

- Strengthening local government bodies.

It should be noted that Trinidad and Tobago has ratified the ILO Convention 100 on Equal Remuneration for Men and Women Workers for Work of Equal Value. This principle has been incorporated in the Draft *Basic Conditions of Work Bill*, 2000. Clause 9(4) of the Bill would provide that every employee is entitled to equal pay for work of equal value at his place of employment notwithstanding religion, gender, race or ethnicity and disability including HIV/AIDS. This Bill will have to be reintroduced for debate in Parliament, when Parliament reconvenes.

The principle of equal pay for work of equal value has been recognised and adhered to by the Government. The remuneration for persons holding offices in the Government sector is based on the classification of these offices.

The Women's Leadership and Enhancement Institute was established by the Government to address the low levels of women in positions of power and decision making. The aims of the Institute are as follows:

- To train women in personal development techniques in order to enhance their development;

- To promote leadership among women, empowering them to articulate their concerns and create solutions in pursuit of their own development;
- To tool women with personal and life skills to assist in their exodus from poverty into productive, sustainable lifestyles;
- To expose women to micro-enterprise training, which will assist them to utilise the skills already acquired and convert them into income generating opportunities.

The work of this Institute is ongoing.

Legal Means of Recourse in cases of Discrimination

The rights expressed in the fundamental rights and freedoms section of the Constitution of the Republic of Trinidad and Tobago, are stated in S.4 to exist without discrimination “by reason of race, origin, colour, religion or sex”. If a woman’s constitutional rights as expressed in the Constitution, have been violated, are being violated or are about to be violated, on account of that woman’s sex, she is entitled under the Constitution to file a constitutional motion against the State to challenge the validity of the discriminatory act or action.

The Constitution does not provide a remedy for acts of discrimination by non-state or private bodies. The Government attempted to fill this lacuna in the law by enacting the Equal Opportunity Act No. 69 of 2000.

This Act promotes equality of opportunity for persons irrespective of gender, colour, race, ethnicity or origin. The Equal Opportunity Commission and Tribunal are in the process of being established. More details about this legislation are provided in response to question 8 above.

The Government recently codified the substantive law relating to applications for judicial review in the Judicial Review Act, No. 60 of 2000. This Act allows any person, male or female, to apply to the High Court for judicial review of a decision of an inferior court, tribunal, public body, public authority or a person acting in the exercise of a public duty or function. On an application for judicial review, the grounds upon which the Court may grant relief include but are not limited to the fifteen grounds expressed in the Act, which include unreasonable, irregular or improper exercise of discretion; abuse of power; fraud, bad faith, improper purpose or irrelevant considerations; and breach of or omission to perform a duty. The Judicial Review Act was proclaimed on 6th November 2000 and is in force. This Act has introduced public interest litigation. Section 5(6) of the Act provides that where a person is unable to file an application for judicial review on account of poverty, disability or socially or economically disadvantaged position, any other person or group of persons acting *bona fide* can move the Court for relief under the Act.

The Maternity Protection Act No. 4 of 1998 prohibits employers from discriminating against women on the ground of pregnancy. The Act provides in section 7 that an employee is entitled to leave of absence for the purpose of maternity leave; to pay while on maternity leave and the right to resume work after such leave on terms no less favourable than were enjoyed by her prior to her leave. See para. 174 of the Report for further details.

The Ombudsman

There is an Office of the Ombudsman where women can also lodge complaints if they are discriminated against. The function of the Ombudsman, as set out in S.93 of the Constitution is to “investigate any decision or recommendation made, including any advice given or recommendation made to a Minister, or any act done or omitted by any department of Government or other authority, or by officers or members of such a department or authority; being action taken in exercise of the administrative functions of that department or authority”. The Ombudsman may investigate any such matter where a complaint is duly made to the Ombudsman by any person alleging that he or she has sustained an injustice as a result of a fault in administration or in the other circumstances set out in the Constitution.

The Ombudsman has the powers of the High Court to summon witnesses to appear before him and to compel them to give evidence on oath and to produce documents relevant to the proceedings. He also is empowered to enter and inspect the premises of any department of government.

Referrals have been made by the Ombudsman in the past to the police, where there was evidence of the commission of a crime; to the Public Service Commission where the evidence disclosed misconduct by public officers; to Prison Authorities, where complaints of abuses were brought by prisoners against prison officers and to the education authorities, where complaints were made against teachers and education personnel by parents and students.

Steps are being taken by the Government to give more powers to the Ombudsman including the power to enforce his recommendations in the High Court. Amending legislation to this effect has been drafted.

The records of the Office of the Ombudsman show that on average twenty nine percent (29%) of the complaints received by the Ombudsman are from women.

Police Complaints Authority

Women who are discriminated against by a member of the police service may also file a complaint with the Police Complaints Authority. That Authority is an independent Authority currently chaired by a retired Court of Appeal Judge. The Authority, established in October 1995 (Police Complaints Authority Act, No. 17 of 1993) receives complaints against police officers and refers them for investigation by a Police Complaints Division within the Police Service. The Complaints Division investigates the matter and reports on its findings to the Authority. The Complaints Authority resolves the matter in a number of ways including by counselling; criminal court action or disciplinary action under the relevant Police Service Commission (Amendment) Regulations. For details on the operations of the Authority see Trinidad and Tobago's Third and Fourth Periodic Reports under the International Covenant on Civil and Political Rights referenced above, at paragraphs 110-114.

III. ISSUES RELATING TO SPECIFIC PROVISIONS OF THE COVENANT (arts. 6-15)

Article 6. Right to work

12. Please provide information on the measures taken by the State party aimed at creating jobs and reducing unemployment (para.54).

The measures adopted to create jobs and reduce unemployment span all areas of operation of the Government. However, the interventions of the Ministry of Labour and Small and Micro Enterprise Development (formerly Ministry of Labour and Cooperatives) in this area are more direct. These include programmes such as the National Employment Service which allows both job seekers and employers to register, thereby assisting the unemployed in locating jobs (See Report at paragraphs 68 and 80 for details).

The Ministry of Labour and Small and Micro Enterprise Development is also responsible for the Employment and Training Programme which aims at providing temporary relief to the unemployed in the form of short term employment while equipping them, through training, with the skills to enhance their potential for finding sustainable employment.

This Ministry is in addition, responsible for the National Human Resource Management Information System, which is a database, aimed at providing planners with the information necessary for effective labour market policy planning (See Report at paragraph 57).

Approximately 11,000 additional jobs were created during the first half of the current fiscal year, representing a two point three (2.3) percent growth in the number of persons employed from 480,000 to 491,000.

The wholesale/retail, restaurants and hotels, and transport, storage and communication sectors saw the greatest growth in the number of jobs with 7,000 and 5,700 additional jobs being created in the respective sectors. Community, Social and Personal Services (3,400) and Construction (2,400) also contributed notably to the rise in the number of jobs. However, these gains were somewhat offset by a reduction in the number employed in five sectors, with Other Manufacturing (5,800) and Sugar (2,200) witnessing the largest decreases.

Of the total number of persons employed in the first half of the fiscal year, 62.4 percent or 306,600 were male and 37.6 percent or 185,000 were female.

The number of unemployed person continued to decline during the 1999/2000 fiscal year. This resulted in a fall in the unemployment rate for males, which shifted slightly downwards from 11.6 percent to 11.2 percent, while that for females fell more noticeably from 19.5 percent to 15.5 percent. The 15-19 age group continues to experience the highest unemployment rates. The unemployment rate for the last quarter of 2001 was estimated by the Central Statistical Office at 11.3%.

13. Please provide additional information on the Farm Programme and the export of labour from Trinidad and Tobago, referred to in paragraphs 56 and 68.

The Farm Programme is the responsibility of the Ministry of Labour and Small and Micro Enterprise Development. It involves providing employment opportunities for nationals on farms in Mississauga, Canada. The farms, through the Ministry, pay the workers. The programme began in 1966 with an arrangement between the Government of Canada and Jamaica. Trinidad and Tobago's participation in this programme has continued uninterrupted since its inception in 1967 when 217 workers travelled to Ontario, Canada.

This overseas programme comprises agricultural work including land preparation and the operation of heavy equipment and can range from six (6) weeks to six (6) months. Nationals are invited through media advertisement to apply for employment on this programme. The following requirements must be met for entry into the programme.

- Age: 21-45 years.
- Produce
 - Original birth certificate and identification card
 - and
 - driver's permit and/or passport.
 - Two testimonials
- A certificate of good character
- Attend an interview
- Pass a medical fitness test.

The number of farm workers who participated in this programme from 1995 to 2001 is as follows:

Year	No of Workers Employed
1995	873
1996	888
1997	1102
1998	1293
1999	1475
2000	1569
2001	1597

14. Please indicate the measures adopted by the State party to eradicate child labour.

There are provisions contained in various pieces of legislation that prohibit employment of persons below certain ages. The employment of young persons is also regulated in certain industries.

The Children's Act, Chapter 46:01, in Part V, places restrictions on the employment of children. Children below the age of eighteen years cannot be employed at night in any public or private undertaking other than in a family business. Children under the age of fourteen cannot be employed in any public or private undertaking other than a family business. Section 94 makes it an offence to employ a child under the age of 12 years in any circumstances. Technically therefore children between the ages of 14 and 18 can be employed but only during the day, with exceptions for night work in family run businesses.

The Factories Ordinance, Chap. 30 No. 3 prohibits the employment of persons under the age of fourteen years. However, it permits the employment of persons who have attained the age of 14 and have not attained the age of 18 years in factories once the work is not hazardous to the health of the persons.

The Shipping Act, No. 24 of 1987, specifies a minimum age of (16) sixteen years for admission to employment and eighteen (18) years in respect of certain functions on board ships.

The Defence Act, Chap. 14:01, as amended by the Miscellaneous Provisions (Children) Act, No. 66 of 2000 provides that a recruiting officer shall not enlist a person between the ages of sixteen and eighteen years unless consent to the enlistment has been given in writing.

The proposed Occupational Safety and Health Bill (No.2 of 2001) provides for the revision and extension of the present law regarding the safety, health and welfare of persons at work. It embraces all persons at work and not only those employed in factories. Once enacted this legislation will repeal the Factories Ordinance. Part IX of the Bill would regulate the employment of young persons. Clause 53 of the draft Bill provides that no young person shall be employed to work in an industrial establishment for a period of three months or more unless a medical practitioner has examined him and ascertained his fitness for work. Clause 54 of the draft Bill provides that no young person shall be employed between the hours of 10 pm and 7 am; for more than eight hours a day or for more than forty-eight hours in any week. An employer would be required under clause 55 of the Bill to maintain a register of the names of young persons in his employ.

The proposed *Basic Conditions of Work Bill, 2000* in Part VII is entitled "Prohibition of Employment of Children and Forced Labour".

Clause 36 of that section provides as follows:

36. (1) No person or employer shall employ a child-
- (a) who is under 16 years of age or
 - (b) who is under the minimum school-leaving age in terms of any law, if this is 16 or older.

(2) No person or employer shall employ a child in employment-

- (a) that is inappropriate for a person of that age;
- (b) that places at risk the child's well-being, education, physical or mental health or spiritual, moral or social development.

(3) A person who employs a child in contravention of this section commits an offence and shall be liable upon determination by the Industrial Court to a fine of twenty-five thousand dollars.

This Bill is currently being examined by a Standing Tripartite Committee on Labour matters.

The ILO 144 Tripartite Committee, the body responsible for the examination of International Labour Organisation (ILO) Conventions and Recommendations, has been giving urgent attention to the principal conventions not yet acceded to by Trinidad and Tobago. The two outstanding conventions are No.138 and No. 182, both pertaining to child labour. The Committee in November 2001 has made a formal recommendation to the Minister of Labour for the ratification by Trinidad and Tobago of Convention No. 182 on the *Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour*.

The ILO Convention No. 138 concerning the *Minimum Age for Admission to Employment* was submitted to the ILO for ratification in 1999 but was not accepted as Trinidad and Tobago did not declare a minimum age as required in the Convention. The ILO 144 Tripartite Committee has examined the issue and has suggested that a minimum age of sixteen years, in keeping with Article 3 of the Convention which specifies that the minimum age "shall not be less than the age of compulsory schooling and, in any case, shall not be less than 15 years". However before attempting to complete the ratification of Convention No. 138, the Tripartite Committee has requested a legal opinion on the implications in the domestic law of declaring such a minimum age. This Legal Opinion is currently being prepared for the consideration of the 144, Tripartite Committee.

The Government has approached the ILO for assistance in assessing the child labour situation. Funding has been obtained from the Canadian Government for a child labour survey which is expected to commence shortly. This is viewed as a necessary step to determine the most effective measures that should be implemented. Without

this assessment any initiatives taken would serve only to diminish the instances of child labour in the short term and not effectively address the prevention and eradication of child labour. The results of this survey will be used to guide future strategies aimed at the eradication of child labour.

As regards non legislative steps to reduce child labour, the Government in collaboration with the non governmental organisation, the *Credo Foundation for Justice*, established the Credo Centre for Socially Displaced Persons in June 1997. The primary objective of the programme is to reduce the number of children who live and/or work on the streets and targets street children and at risk youth up to 17 years of age. Since its inception, two hundred (200) boys have been removed from the street and reintegrated with their families and/or the school system or referred to apprenticeship training and adolescent development programmes.

The Government's programme of providing universal secondary school education free of charge since the academic year 2000, it is hoped will also result in less children being on the streets with a corresponding reduction in the incidence of child labour.

Article 7. The right to just and favourable conditions of work

- 15. Please state whether the current minimum wage covers the cost of the basic food basket and whether it is regularly reviewed in the light of the changing costs of living (paras. 89-90).**

he minimum wage was initially calculated based on the cost of a basic food basket. Since the initial wage was set at seven dollars and hour, it has been reviewed and increased to eight dollars an hour based on the increase in the cost of a basic food basket.

- 16. Please provide information on the measures being taken by the State party to reduce the disparity in the working conditions and**

remuneration of men and women, especially in the private sector.

he terms and conditions of employment are governed by legislation and collective agreements. Labour legislation contains provisions that prohibit disparities in terms and conditions of employment.

dditionally Trinidad and Tobago has ratified Convention No. 100 on Equal Remuneration for Men and Women Workers for Work of Equal Value.

The draft Basic Conditions of Work Bill, 2000, which when enacted is expected to apply to all employers and employees in Trinidad and Tobago, provides in Clause 9 (4) as follows:

Every employee is entitled to equal pay for work of equal value at his place of employment

Notwithstanding religion, gender, race or ethnicity and disability including HIV/AIDS.

While there is no disparity in the terms and conditions offered to men and women in the public sector, the Government recognises that the protection against discrimination on the ground *inter alia* of sex, cannot be enforced against the private sector. In this regard, the Government has recently enacted an Equal Opportunity Act, which prohibits discrimination *inter alia* on the grounds of a person's sex in relation to employment and other fields. Section 8 of the Act

specifically provides:

“An employer or a prospective employer shall not discriminate against a person-

(b) in the terms and conditions on which employment is offered...”

This Act will be operational when the Equal Opportunity Commission and Tribunal are established.

17. Please provide information on the State party’s current position regarding the ratification of ILO Conventions, which are being considered by the Standing Tripartite Committee on Labour Matters (para.79), and in particular ILO Convention No. 81.

he Committee which has the responsibility for recommending action on ILO Conventions is the 144 Tripartite Consultation Committee and not the Standing Tripartite Committee on Labour Matters. This Committee has not made any recommendations with regard to Convention No. 81 as their focus has been on the fundamental principles, specifically Convention No. 182 on The Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

18. Please indicate which provisions regulate basic working conditions

(sickness, holidays) for workers not covered by collective agreements and labour contracts (paras. 120-122).

For officers in the civil service, the Civil Service Regulations, made under Section 28 of the Civil Service Act, Chapter 23:01 contains provisions relating to working conditions. Chapter IX of the Regulations relate to annual leave; casual absences from work and sick leave among other things. Chapter VII of the Regulations deal with hours of work.

The Draft Basic Conditions of Work Bill, which is intended to apply to all employers and employees in Trinidad and Tobago (with exceptions provided in a Schedule) would provide in Clause 18 as follows:

“18(1) An employee is entitled to at least ten working days’ annual leave on full remuneration in respect of each annual leave cycle”.

18(1) Annual leave shall be taken

- (a) in accordance with an agreement between the employer and the employee; or
- (b) if there is no agreement in terms of paragraph(a) at a time determined by the employer in accordance with this section.

Clause 20 of the Draft Bill would provide for the grant of paid sick leave to workers.

“20(1) An employee is entitled to fourteen working days paid sick leave during the annual sick leave cycle”.

Once this Bill is enacted it will provide protection for workers who are not protected by collective agreements. Additionally, workers have recourse to the Labour Inspectorate Division of the Ministry of Labour which would, if possible, intervene on behalf of the workers.

Article 8. Trade Union Rights

19. Please explain why many categories of employees-especially civil servants, teachers, central bank employees, domestic employees and apprentices-are not regarded as workers (para.131) and are consequently deprived of their trade union rights and the right to strike.

There are several categories of workers who have been excluded from the definition of a worker under the Industrial Relations Act, Chapter 88:01. A full list of these workers is contained in paragraph 132 of the Report.

The exclusion of these workers is a restrictive measure meant to prevent strike action on the part of certain employees.

In the case of domestic employees, if a householder is the employer, the inclusion of domestic employees in the definition of a worker could mean that every household would be the subject of recognition for collective bargaining and other procedures for negotiation under the Industrial Relations Act. For the moment, the pay and conditions of work of domestic workers are protected by the Minimum Wages Act.

The other rights enjoyed by workers under the Industrial Relations Act, have been incorporated in the Draft Basic Conditions of Work Bill.

The rights of all workers excluded from the definition of worker under the Act, are protected in various other pieces of legislation such as the Minimum Wage Act and the Maternity Protection Act.

The Catering Industry Order, 1991, the Shop Assistants Order 1991, the Household Assistants Order, 1991, and the Security Employees Order 1994 and 1995, are all Orders that have prescribed minimum wages for these respective industries.

The Minimum Wages Order, Legal Notice No. 125 of 1998 provides a national

minimum of \$7 per hour applicable to all workers. The Minimum Wages (Amendment) Order, Legal Notice No. 130 of 1998 provides that where “a collective agreement in force at the commencement of this Order, already provides for a normal weekly and daily hours of work for a worker, such provision continues in force until the expiration of the agreement”. In the case where “a worker is not subject to a collective agreement,” the definition for the normal weekly and daily hours of work remains.

The Minimum Wages (No. 2) Order, Legal Notice No. 170 of 1998 defines entitlements such as meal break and rest periods, to workers. It defines cases in which a worker is entitled to overtime. This order redefines all entitlements, payments and overtime in the Minimum Wages Order, 1998. However, the order excludes trainees in training schools approved by appropriate government agencies, apprentices, persons who volunteer services to Ministry registered charitable organizations and social service agencies.

The Minimum Wages Order, Legal Notice No. 40 of 1999. This order revokes the Minimum Wages Order, 1998, the Minimum Wages Amendment Order, 1998 and the Minimum Wage (No. 2) Order 1998. It consolidates all the provisions made in these orders. The national minimum wage and provisions relating to overtime becomes applicable to household assistants, petrol filling station employees, catering industry employees, shop assistants and

security industry employees. The other terms and conditions established in the Catering Industry Order, 1991, Shop Assistants Order, 1991, Household Assistant Order, 1991 and the Security Industry Employees Order, 1994 and 1995 remains in force.

The Minimum Wages (Amendment) Act, Act No. 11 of 2000. This act transfers the jurisdiction, in respect of matters arising under the Minimum Wages Act, Chapter 88:04 from the magistrates' courts to the Industrial Court. Consequently, offences under the Act would become industrial relations offences subject to the Trade Dispute procedure contained in Part IV of the Industrial Act, Chap. 88:01.

20. Please indicate the number of strikes that have occurred in the past five years and provide more information on the circumstances in which the right to strike can be invoked. (para. 133).

For the period January 1996 to June 2001 there has only been one strike (in 1998) and no lockouts. However, there have been several legal work stoppages (a total of 248) over the period.

Section 60 of the Industrial Relations Act, Chapter 88:01 provides:

“60(1) Subject to this section and section 59, where there is an unresolved dispute between the employer and the recognised majority union,

the employer or recognised majority union may take action by way of lockout or strike.

- (2) *Where, at any time after a dispute has been reported to the Minister...an employer or the recognised majority union intends to take any action referred to in subsection(1), notice of the intention (hereinafter called “lockout notice” or “strike notice” respectively) shall be given to the other party and to the Minister...*
- (3) *No action in pursuance of a lockout notice or strike notice may be taken at any time before the Minister is required to certify under section 59 that the dispute is an unresolved dispute...”*

Article 9. Right to social security

- 21. Please furnish information on the social security system, old-age and disability pensions, women’s pensions, and the contributory and non-contributory and social security systems (paras. 136, 138 and 139)?**

Information on the contributory social security system, compulsory national insurance is contained in Paragraphs 92, 142 and 143 of the Report.

The Ministry with responsibility for the non-contributory social security system is now the Ministry of Social Development, formerly the Ministry of Community Empowerment, Sport and Consumer Affairs.

Old Age Pension

In its commitment towards improving and sustaining a better quality of life for our older persons, the Government of Trinidad and Tobago (GOTT) has sought to progressively improve on its welfare grants. In 1997, Old Age Pension increased from \$356.15 TT monthly to \$420 TT. In 1998, this sum increased to \$520 TT. There was a further increase in 1999 under a two-tier system from \$520 TT to \$620 TT for persons with incomes of \$100 TT or less, while persons whose incomes exceeded \$100 TT but were less than \$620 TT received \$520 TT. Utilizing the same two-tier system, in 2000/2001, the figure increased to \$720 TT and \$620 TT respectively. Under the 2001/2002 National Budget, the Old Age Pension grants were \$800 TT and \$700 TT respectively.

As an election promise, the PNM political party promised to increase the Old Age Pension Grants to \$1000 and \$900 respectively. That party formed the new Government after the December 2001 elections, and on the 1st March, 2002 fulfilled their promise, retroactive to January 2002. The pensioners who previously received \$800 TT are now getting \$1,000 TT and those who previously received \$700 are now getting \$900 respectively. It is expected to cost the Government \$12.6 million to pay out these increased pensions.

Concomitant with these increases, the income ceiling for the grant of Old Age Pension rose twice during this period from \$5,000 TT per annum to the current figure of \$8,640 TT per annum, allowing more older persons to qualify for this grant. In 1999/2000 there were 61,190 recipients of Old Age Pension. Approximately 62,000 older persons now benefit from this grant as compared to 1995, when the amount of persons receiving Old Age Pension numbered approximately 58,800. Blind and other persons with disabilities are no longer provided assistance under the Old Age Pension Act, but under the Public Assistance Act.

Old Age Pension is administered in accordance with the Old Age Pension Act, Chapter 32:02. A person must be sixty five years and over to qualify and must have been resident in the country, for twenty years preceding the claim. Application forms are available at all local offices. Persons wishing to apply must obtain a form which is to be filled out, signed and witnessed by a well known person.

Disability Assistance

To qualify a person must be between the ages of forty (40) to sixty five (65) years of age. The person must be resident in Trinidad and Tobago for twenty years preceding the date claim. The person's annual income must not exceed \$3,600 per month. The person must be certified as permanently disabled and must be, in the opinion of the Local Board, totally incapable of earning a livelihood.

Eligible persons are paid a monthly grant of \$600 TT. In 1999/2000, 7,358 persons benefited from the Disability Grant. Application forms are available at all Local Board Offices. Persons wishing to apply must obtain a form which is filled out, signed and witnessed by a well known person.

A parent with a child who is physically or mentally handicapped and is under eighteen (18) years of age and living under needy circumstances can also apply for a Special Child Grant by visiting the Local Welfare Office or Sub-office. This grant is for the sum of \$80 per month for one child; \$120 per month for two children and \$150 per month for three or more children.

Public Assistance

This is administered in accordance with the Public Assistance Act, Chapter 32:03. To qualify a person must be eighteen years of age or older. The person must be certified as disabled from earning by a Government medical officer. The person must be found to be living under needy circumstances. Public assistance is also paid to necessitous children where the head of household is dead, living in an institution, has deserted the family and cannot be found or is not providing financial support in accordance with a court order. Public assistance can also be granted on behalf of individuals/families for three months only to relieve urgent financial distress in extremely needy circumstances.

The grant is for the sum of \$222 TT for one person up to a maximum of \$720 for four or more persons. An application may be made to the Local Office for this Grant, whether by referral from another agency or by visiting the local office in person.

There were 24, 991 recipients of public assistance in 1999/2000.

- 22. Please furnish statistics disaggregated by gender and age concerning persons not covered by social security, and provide additional information on the measures taken by the State party to ensure increased coverage.**

There are no statistics available on persons not covered by social security. In terms of measures taken to ensure increased coverage, between 1997 and 2000, the Government increased the income ceiling for the grant of Old Age Pension from \$5,000 per annum to \$8,640 to enable more older persons to benefit from this grant.

Article 10. Protection of the family, mothers and children

- 23. Please provide more information on family protection measures and indicate what steps are being taken to protect victims of domestic violence, especially women and children. Please also provide data on the results obtained through approval of the new domestic violence legislation and state whether domestic violence has decreased.**

Trinidad and Tobago has implemented several strategies to provide protection for the family and have instituted several measures to protect women and children who are victims of domestic violence. The following are among the measures employed:

- A Domestic Violence Unit has been established in the Gender Affairs Division of the now Ministry of Community Development and Gender Affairs.
- A twenty-four toll free domestic violence hotline has been established in the

Domestic Violence Unit. A supervisor/counsellor and eight active listeners operate the hotline. This service networks with all social service agencies and the police. The State funds all the operations of the hotline. In 1999, 2,384 persons called the Hotline, while in 2000, 2,250 persons called the Hotline.

- Nineteen (19) Drop-in Centres have been established in communities throughout Trinidad. This service offers victims the opportunity to discuss domestic violence matters with trained social workers/counsellors.
- Eleven Shelters and several Children's Homes have been providing refuge for victims of domestic violence. All shelters are operated by non-governmental organizations and several of them receive subventions from the State. Additionally, the State provides all shelters are provided with a yearly grant to assist them with their operations.
- The Gender Affairs Division has been involved in public awareness programmes specifically targeting women and children using various methods, including lectures, seminars/workshops, posters, brochures, palm cards, booklets, newspaper supplements, art competitions and rallies.
- The Police Service has established a temporary shelter for women and children who are victims of domestic violence. This service is located at a facility adjoining the police station and allows for a period of stay of forty-eight hours or less. Plans are being made to establish similar facilities throughout Trinidad and Tobago.
- Female victims of domestic violence who are interested in establishing their own business can apply through several social service agencies in the Ministry of Community Development and Gender Affairs for a grant of three thousand five hundred dollars (\$3,500). Women applying for this grant are expected to provide information to support that they were victims of violence.

- The Domestic Violence Act, No. 27 of 1999 makes special provisions for women and children who are victims of domestic violence. Section 23 of the Domestic Violence Act, No. 27 of 1999, provides that where a police officer has been refused entry on to premises and has reasonable cause to believe that a person is engaging on or threatening to engage in conduct which amounts to domestic violence, and failure to act immediately may result in physical injury or death, the police officer may enter those premises without a warrant, for the purpose of:

-Arresting the person whom he suspects of engaging in conduct amounting to domestic violence;

-Giving assistance to a person who has suffered injury;

-Ensuring the welfare and safety of a child who may be on the premises; and

-Preventing any further breach of the law.

Section 23(4) of this Act attempts to safeguard against abuse of this power by the police, by making it compulsory for a police officer who exercises his or her power of entry to submit a written report to the Commissioner of Police where the incident occurred.

24. Please state what measures are taken to guarantee that fathers assume responsibility for their children's maintenance when the fathers live elsewhere.

The Maintenance Orders (Enforcement) Act, Chap. 45:53 provides for the enforcement of orders made in a court in Trinidad and Tobago but where the fathers live elsewhere. Section four of the Act provides:

Where a court in Trinidad and Tobago has made a maintenance order against any

person, and it is proved to that court that the person against whom the order was made is resident in some part of England or Northern Ireland, the court shall send to the Minister for transmission to the Secretary of State a certified copy of the Order.

The Maintenance Orders (Enforcement) Rules prescribe the modus to be employed in enforcing a maintenance order where the person is not in the jurisdiction.

When it is desired to enforce under section 4 of the Act, an order made in Trinidad and Tobago against a defendant who is resident abroad, a certified copy of the order shall be forwarded to the Minister with a statement giving the full address and personal description of the defendant, to which his photograph shall, if possible, be attached.

The Act however, does not apply to all foreign territories, but only to those listed in the Schedule of the Rules. Therefore, if a maintenance order is made in Trinidad and Tobago and the person against whom it is made is abroad, then the order is amenable to enforcement under Trinidad and Tobago law if the person is living in England and Northern Ireland and also:

- Guyana.
- Grenada
- Saint Lucia
- St. Vincent.
- Leeward Islands.
- Barbados
- Jamaica
- Bahamas.
- New South Wales.
- The Australian Commonwealth (territory seat of government)
- Bailiwick of Guernsey
- State of Queensland.
- Isle of Man
- The State of Western Australia
- The States of South Australia
- Victoria and Tasmania.

25. Please provide information on the progress achieved with regard to adoption of legislation protecting the rights of the child (para.164). In particular, please furnish more information and statistics on the number of homeless children, working children, and children with physical and mental disabilities, those living with HIV/AIDS and drug users, as well as information and statistics on child prostitution and trafficking in children. What preventative measures is the State taking, and how does it accommodate the needs of these children and counter the abuses to which they are subjected (paras. 160-162)?

In October 2000, Parliament agreed to the passage of the new laws described in paragraph 164 which were drafted to bring the laws of Trinidad and Tobago in conformity with the Convention on the Rights of the Child. These laws are as follows:

- The Children's Authority Act, No. 64 of 2000.
- The Children's Community Residences, Foster Homes and Nurseries Act, No. 65 of 2000.
- The Adoption of Children Act, No. 67 of 2000
- The Children (Amendment) Act, No. 68 of 2000.
- The Miscellaneous Provisions (Children) Act, No. 66 of 2000

These laws will come into effect on a date to be proclaimed by the President. The Government is in the process of setting up the administrative mechanisms needed to support the entry into force of these pieces of legislation.

The Government has also prepared a Draft Bill entitled the Family Court Bill, 2000 to vest exclusive jurisdiction for all family matters in a Family Court consisting of an upper and a lower division.

The object of this Bill to reduce delays and inconvenience to the public in the resolution of family disputes. It will also provide for a more efficient and economical use of social service resources in the resolution of family disputes and develop a group of judges as specialists in dealing with all kinds of family problems. Further it will ensure that there is a common judicial philosophy and a common network of social services to bear in all family disputes.

Clause 5(5) of the Bill provides that the Court shall have exclusive jurisdiction in relation to any child charged with an offence under any of the criminal enactments referred to in the Schedule to the Act. Clause 10 of the Bill provides that for the purpose of ensuring the Court has access to information in several disciplines relevant to family matters, there shall be an Advisory Committee consisting of five persons, two of whom shall be social workers. Clause 11 of the draft Bill provides for the establishment of a Family Administration Department for the Court to be comprised of a Registry and a Counselling and Advisory Division. Clause 18 provides that there shall be appointed to the Counselling and Advisory Division, such number of public officers qualified in social work or in family and child counselling, as may be necessary for the effective functioning of the Division. That Division would be responsible for advising members of the public or potential litigants of the options or services available to them in respect of the matter; counselling of members of the public who may have a problem in respect of a family matter and counselling of litigants referred to it by the Court. Clause 25 of the Bill requires a Court exercising jurisdiction under the Act to advise the parties about mediation services and counselling services that could be used to resolve any matter in dispute. Clause 31 of the Draft Bill provides that in every proceeding before it, the Court shall have a report on the history of the matter from the Probation Department, the Children's Authority or the Family Services Division.

Many non governmental organisations have congratulated the Government on its decision to build a separate court to deal with family disputes. This Bill is expected to be reintroduced for debate in Parliament when Parliament is reconvened.

Homeless children

In a 1993 unpublished report titled "*Report on the Survey of the Root Causes and Consequences of Vagrancy and Homelessness in Trinidad and Tobago*", conducted by the then Ministry of Social Development, sixteen (16) children between the ages of 0-14 and forty-four (44) persons between the ages of 15-24 were found on

living on the streets. Of the 0-14 age group category, 1.3% were male and 1.1% were female.

In Tobago, the 0-14 homeless population was eleven (11) and the 15-24 population was two (2). Of the 0-14 group, five were male and six female. Of the 15-24 category, the distribution was even.

No recent studies on homeless children are available.

The Ministry of Social Development funds two projects that address the problem of street children, the *Credo Drop-in Centre for Socially Displaced Children* at Nelson Street and the *Credo Aylward House at Gonzales*. The latter is a transitional facility for homeless boys. The Centre at Nelson St. was formally opened in 1997 but Credo Foundation, an NGO, had been providing similar services since 1994 at another location. The Centre caters for homeless children under the age of fifteen (15) years and provides counselling, remedial education, primary medical care, change of clothing and three (3) meals per day. With financial assistance from the government, an additional wing was added in 1998 to cater for short-term emergency residential accommodation for the children. Since its establishment the Centre has assisted approximately 187 children. At any given time, there are approximately twenty (20) children at the Centre, primarily boys. In 2001, the transitional facility was officially opened and has assisted four (4) boys to date.

There are also plans for the establishment in 2002 of a Centre for young women at risk. The Government has committed funding in the 2002 budget to assist in the implementation of this project.

There are approximately thirty-three (33) Children's Homes (according to the records of the Ministry of Social Development). Institutions under the purview of the Office of the Prime Minister (Social Services Delivery) which are for the protection of young people include:

- St. Michael's School for Boys
- St. Jude's School for Girls
- St. Mary's Children's Home
- St. Dominic's Children's Home

The first two of these Homes are for the rehabilitation of juvenile offenders, but children who require protection and are not in conflict with the law are also housed at these institutions. Other institutions for the protection of young people include more than twenty-five (25) private Children's homes and the Youth training Centre under the Ministry of National Security.

With respect to programmes to prepare children for leaving institutions referred to in paragraph 140 of the Report, in 1999 UNESCO collaborated with the St. Mary's Children's Home to pilot a Programme entitled "*Living Beyond 18*" which sought to address, among other issues, the problem of lack of programmes in the Children's Homes to prepare residents for leaving. The programme was successful and there are plans to replicate it in the other Homes. In addition, the then Ministry of Community Empowerment, Sport and Consumer Affairs has constructed a Halfway House for Young Offenders 16 years and under, which is expected to be operational by mid-2002. The plans to establish the *Couva* Probation Hostel (referred to in paragraph 140 of the Report) were changed to accommodate the establishment of a Family Services Centre to provide a range of services to families in the area to enable more holistic and effective service delivery to clientele.

The Government of Trinidad and Tobago, with technical assistance from UNICEF is in the process of establishing databases on child indicators and the status of children. To this end, the following initiatives are to be taken:

- *The Child Indicators Monitoring System*. This is being implemented by the Central Statistical Office. It will serve as an institutionalised system of child indicator monitoring, and support the advocacy efforts for increased investments in social development.
- *The Children in Need of Special Protection Monitoring Programme*. This will be a computerised system that will initially treat with four groups of children:
 - Abused and neglected children;
 - Institutionalised children;
 - Children with disabilities;
 - Children in conflict with the law.

This system will enable collection, processing and analysis of information on children who are in need of special protection measures. It is envisioned that the project will enable an understanding of the causes of problems, and in turn, eliminate the causes leading to children living in especially difficult circumstances. The National Family Services Division of the Ministry of Social Development is coordinating the project.

Working children

In Trinidad and Tobago child labour characterises both the formal and informal sector.

The 1993 sponsored UNICEF *Situational Analysis of Children in Especially Difficult Circumstances in Trinidad and Tobago*

identified the following categories of working children:

- Little labourer: A child under 12 years of age who works for an employer who is not a relative and receives direct remuneration;
- Little participant: A child who is under the age of 14 and works for an employer;
- Working children: A child between the ages of 12-14 years who works for an employer;
- Roadside waif: A child under the age of 14 who may be pretending to offer something for sale but who is in fact inducing the giving of alms;

Based on a head count of the categories identified, the following distribution was collated:

Distribution of the Child Working Population (1993)

Geographical Districts	Population 1-14	Number of Child Workers	Percent
Port of Spain	11,938	250	2.1
San Fernando	7,842	100	1.3
Chaguanas	31,607	300	.95
Sangre Grande	3,326	70	2.1
Mt. Irvine (Tobago)	281	50	17.8
Total	54,994	770	1.4

Findings of the 1993 study suggested that:

- Socio-economic status of parents influenced children's work activity; children of street vendors were also involved in street vending and children who begged had parents who begged. The majority of children however did not necessarily work alongside their parents but in close proximity to them. Some parents did not work on the same day as their children.
- Mothers and grandmothers were generally identified as the persons who encouraged the children to sell or manage little stalls;
- In at least two thirds of the sample, children stated that the money they earned went directly towards meeting household expenses, either the payment of bills, groceries and/or transportation to school for themselves or their siblings.
- Children were involved in activities such as sale of agricultural produce and clothing. Others 'apprenticed' in

tyre repair and mechanic shops. In many commercial districts children assisted shop keepers with loading goods or ferrying goods from one location to another.

- Hours of work generally ranged from 9:30 am to 5 pm or 6 pm and 12:30 pm to 5pm .

Although a similar study has not been done to date, it is believed that the population of working children has risen since 1993. A *Multiple Indicator Cluster Survey* was undertaken by the Government in 2000 and it is believed that data from the child labour module of that survey will constitute a more reliable reflection of the status of working children in Trinidad and Tobago. This survey which was implemented on a national scale, covered 4,600 households. A comprehensive report is scheduled for publication.

The Government is taking legislative steps to prohibit child labour. See the response to question 14 above for details

Children with physical and mental disabilities

According to preliminary results of a survey which was conducted by the Disability Affairs Unit of the Ministry of Social Development, on persons registered with NGOs and schools associated with the disabled in Trinidad and Tobago, there are an estimated one thousand, three hundred and sixty six (1366) children with physical and mental disabilities in Trinidad and Tobago.

As stated in paragraph 271 of the Report, the now Ministry of Social Development (formerly the Ministry of Community Empowerment, Sport and Consumer Affairs) provides the majority of social services available to disabled persons to assist in their independence and integration. There are also limited specialised governmental and private medical services available to disabled persons. See paragraph 272 for the services provided at these institutions.

Special care for children with physical disabilities is available free of charge through outpatient clinics located throughout the country. This includes the provision of crutches and wheelchairs. In respect of medication, some medication included on the Government's formulary is available free of charge. Medicine which is not included in the formulary, and is available at the expense of the patient can be purchased with some financial assistance from the Government through the Social Work Department of the Ministry of Health, which has a presence in all major hospitals.

For extensive corrective surgery, children are referred to the Princes Elizabeth Home which is located in Trinidad. This organisation is receives a Government subvention to carry out its services.

Children with mental disabilities are entitled to special care, however currently the quality and availability of this care is inadequate. The Government has recognised this deficiency and has incorporated a Community Care Initiative under the purview of the Health Sector Reform Programme. Through this initiative, children with mental disabilities receive health care appropriate to their individual cases. The full implementation of this initiative will ensure that children with mental disabilities will have improved access to quality health care.

Information on disability is available to parents and children through health care centres and various Divisions of the Ministry of Social Development. Information is also available through various non governmental organisations such as SERVOL, the Trinidad and Tobago Association for Retarded Children and the Association for Developmental Education.

In 1974, SERVOL opened a special school for mentally challenged children. The school caters for 110 children between the ages of 6 and 17 years who have been diagnosed as autistic, mentally challenged or slow learners. The school operates with 11 teachers who have been exposed to local and foreign training, and who have contributed to the success of the school. Graduates of this school often move to one of the SERVOL Adolescent Centres where they are taught a technical skill.

The Trinidad and Tobago Association for Retarded Children is a non governmental organisation concerned with the protection and enhancement of the rights of disabled children. The aim of this organisation is to ensure that disabled children achieve the fullest possible social integration and individual development through community involvement and through assimilation with children who are not disabled. This Association operates the Lady Hochoy Homes for Children (one of which is located in the North of Trinidad and the other in the South) the Memisa Residential/Vocational Centre and the Penal Day Centre (which is a special school). During the period 1996-2000 the Association provided residential care, special education and vocational and recreational services for persons with intellectual impairment from infancy to old age. This Association receives a monthly subvention from the Government to manage the homes and school.

Since 1990, all new public schools have been equipped with ramps and special toilet facilities and access to specialist rooms have been ensured. In April 1999, Multi-Disciplinary Diagnostic and Prescriptive Units were established in each Education District to determine the special education needs of each student. Teachers at specific schools in Education Districts are equipped with skills to teach children with special needs. It is estimated that approximately 27,000 students with special educational needs attend public schools.

Tobago-Children with Disabilities

Mentally and physically challenged children are generally less fortunate in Tobago. Presently, there is no home to cater to their residential, rehabilitative and educational needs. The Social Welfare Programme provides for grants to special children. The NGOs and CBOs have been more prominent in offering assistance to such persons and their families of origin, or with relatives as far as practicable and wherever possible. See Para.301 of the Report for information on the Council for Handicapped Children in Tobago.

Children living with HIV/AIDS.

At the end of 1997, it was estimated that the number of adults and children living with HIV/AIDS was 6,800 of which 100 were children under below the 15 years.

Paediatric AIDS Cases and Deaths (1999)-Children below 13 years.

Paediatric AIDS Cases	No. Cases	Deaths
Infants of HIV positive mothers	5	2
Paediatric cases under investigation	16	8
Total	21	10

Paediatric HIV Cases (1999)

Paediatric HIV Cases	No of Cases
Infants of HIV positive mothers	50
Paediatric cases under investigation	60
Total	110

The Ministry of Health through its National AIDS Programme has developed a comprehensive strategic plan for addressing all issues related to HIV/AIDS which include education, research and treatment. See response to question 9 above for specific programmes targeting youth.

The Ministry of Health has initiated a country wide programme to address pregnant women who are infected with HIV/AIDS. The aim is to decrease the incidence of mother to child transmission of the virus. The programme involves screening, counselling, treatment and monitoring. Educational material is being disseminated to mothers at antenatal clinics. In addition, blood samples of the mother and

child are regularly taken to monitor whether the child's immune system has rejected the virus.

Treatment and management of HIV/AIDS cases among children and parents is available through clinics and services which are offered at the main public secondary health care institutions in the country. Emphasis is also being placed on prevention.

The Cyril Ross Home is operated by the St. Vincent de Paul Society, a non governmental organisation. The Home offers specialised services to HIV/AIDS infected children ranging from birth to 18 years of age. It has a capacity for 30 HIV/AIDS infected children and provides them with accommodation, health care, social care and spiritual counselling. The Home also has an in house school to accommodate children who have been removed from the formal education school system on account of their infection with the disease.

Another element of the Ministry of Health's anti-AIDS strategy, is to ensure that all secondary schools receive lectures on HIV/AIDS and to provide selected secondary school teachers with training as counsellors in that regard. The aim is to educate the youth about the virus and to encourage healthy lifestyles.

Subventions are given to Non Governmental Organisations responsible for HIV infected children.

Children who are drug users.

Trinidad and Tobago Police Service Drug Seizure by Sex and Age Group of Persons Arrested (Cocaine)-January 1997-September 1998

Age Group	Possession/Trafficking				Possession			
	Male		Female		Male		Female	
	1997	1998	1997	1998	1997	1998	1997	1998
	7	8	7	8	7			8
Under 10 years	-	1	-	-	-	-	-	-
10-14	1	1	-	-	2	1	-	2
15-19	34	49	14	9	27	26	1	1

Trinidad and Tobago Police Service Drug Seizure by Sex and Age Group of Persons Arrested (Marijuana) January 1997-September 1998

Age Group	Possession/Trafficking		Possession	
	Male	Female	Male	Female

	1997	1998	1997	1998	1997	1998	1997	1998
Under 10 years	-	-	-	-	-	-	-	-
10-14	5	4	1	1	3	10	-	-
15-19	76	97	35	13	86	147	13	9

National Alcohol and Drug Abuse Prevention Programme (NADAPP) has been established within the Ministry of Social Development. A comprehensive demand reduction plan has been the foundation of NADAPP's strategy for addressing drug, tobacco and alcohol abuse among young people. In October 1996, an "Integrated Demand Reduction Programme" was implemented with the objectives of streamlining the existing institutional frameworks and programmes in preventive education; treatment and rehabilitation; research, and community drug abuse control action. The project also sought to consolidate relationships among key stakeholders including the media, schools, community groups and treatment institutions. Initiatives implemented over the period 1996-2000 included:

- The institutional strengthening of NADAPP to develop staff capabilities in research, the provision of advisory services to policy makers, programme planners and communities and in the provision of information services and development of media campaigns;
- Implementation of the *Community Action Plan Programme* which facilitated the identification of community leaders, the establishment of action groups and promoted the development of a community action plan encompassing:
 - Promotion of healthy lifestyles and substance abuse prevention via school visits;
 - Employment creation;
 - Skills training; and
 - Attitudinal development.
- The Schools' Prevention Education Programme targeted both the primary and secondary school levels through the development and implementation of substance abuse and prevention curricula, formulation of guidelines regarding teaching aids/materials and extra curricula activities in the area of drug abuse prevention.
- A booklet for parents on Drug Abuse Prevention entitled "Parents- Play it Safe" was completed for dissemination. To date, approximately 20,000 booklets have been distributed to schools.
- A comprehensive evaluation of all substance abuse

treatment and rehabilitation centres was completed in October 1998.

- National laws and policies are being reviewed in the context of alcohol and drug abuse prevention.

Under a project entitled "Drug Reduction Phase II Initiative" which started in 1997 and ended in 2000, the Government of Trinidad and Tobago in conjunction with the United Nations Drug Control Programme and the European Union, established 6 Information Resource Centres throughout the country to inform the general public about drugs. One of these Centres has been established in Tobago and provides information to the public on drugs and related matters. Through these centres, the general public can research any matter connected with drugs through books, posters and brochures.

Under this Project NADAPP also spearheaded the conduct of two Rapid Assessment Surveys in 1997 and 2000 in five regions in Trinidad and Tobago, utilising ten (10) communities. According to the results of the 2000 survey, the extent of drug use by children was as follows:

Type of Drug Use	Age Group	Percentage of Population Using Drug
Alcohol	5-9	Nil
	10-14	Nil
	15-19	8.3
Marijuana	5-9	Nil
	10-14	0.6
	15-19	16.7
Cocaine	5-9	Nil
	10-14	Nil
	15-19	Nil

The Report further stated that there was a clear pattern among marijuana users that suggested that younger persons are starting to use drugs at an earlier age. For example, among the 15-19 years age group 84.6% had used a drug by age 15 years. Alcohol users appeared to start at a later age with a similar trend for cocaine users.

1 June 2001, NADAPP hosted a week long programme of activities to commemorate International Day Against Drug Abuse and Illicit Trafficking (June 26).

he Ministry of Education has also compiled a second handbook entitled "Draft School Policy on Drugs and Prevention", the aim of which is to create and maintain a

well-informed school population able to properly and adequately resist the temptation of drug abuse. The draft substance abuse school policy explains the legal implications of the Dangerous Drugs Act, No.38 of 1991 (as amended).

The prevention of drug use among children is also part of the formal Guidance Curriculum Programme of the Guidance and Counselling Unit of the Ministry of Education. Guidance counsellors who visit schools throughout the country are required to inform and educate children in this regard.

Child prostitution and trafficking in children:

In 1996/1997 a study was commissioned by the then Ministry of Social and Community Development entitled "*Survey into the nature and extent of child prostitution, child pornography and the sale of children*". The study identified economic hardship and adverse social and domestic conditions as contributing factors for the involvement of persons under the age of eighteen years who are considered beyond control. The Study also revealed:

- Some children and adolescents in Trinidad and Tobago are involved in prostitution and pornography, but the extent is unknown.
- Prostitution is more prevalent among females than among males;
- Prostitution is more prevalent among persons in the lower socio-economic strata;
- There is some organisation of female commercial sexual exploitation in a network involving some fashion houses; night clubs and dating and escort services;
- The production of pornographic material is minimal and is possibly connected to this network;
- There is a market of business and tourist visitors for teenage prostitution;
- The commercial sexual exploitation of children and adolescents in Tobago appears to be mainly associated with the tourist industry;
- Erotic dancing and stage performances by females in nightclubs were found to be a common practice;
- While there is no evidence of any connection to the drug trade, drug use is one factor influencing child prostitution.

The Ministry of Education is currently developing programmes that will inform children about their rights and the risks they take by becoming involved in prostitution and related activities.

As regards trafficking in children, there are no reported instances of trafficking or the sale of children in the jurisdiction.

Trinidad and Tobago acceded to the Hague Convention on the Civil

Aspects of International Child Abduction in June 2000. The Convention came into force for Trinidad and Tobago in October 2000.

Child stealing is a criminal offence under S.54 of the Offences Against the Person Act, Chapter 11:08.

In 1997, the police service established an Anti-Kidnapping Unit to deal with reports of kidnapping, including those involving children. During the period 1999-2000, the Unit responded to a total of thirty six kidnapping cases involving children. There is no evidence that any of the cases were linked to the sale of children.

The recently enacted Adoption of Children Act, No. 67 of 2000, provides in S.25(e) that before making an adoption order, the Court shall *inter alia* be satisfied that no person has received or agreed to receive or give to another, any payment or other reward in consideration of the adoption.

26. Please provide information on the protection afforded to households headed by women and state whether they enjoy the same rights regarding the provision of social welfare benefits. What measures is the State party taking to promote gender equality in such situations (paras. 168-174)?

Legislation and other social schemes make no exceptions for households headed by women. Therefore, women have an equal right to benefits and coverage.

Under the Public Assistance Act, Chapter 32:03 the term “head” of the family was consistently interpreted in practice to mean the male head of

the family and the female only where she was a single head of the household. In effect, a female spouse who was the only or main bread winner in the family/household, could not qualify for assistance if she became disabled or was unable to earn a livelihood. By Amendment No. 22 of 1996 to the Regulations to this Act, public assistance under the Act is to be paid to the person “who in the opinion of the local board, is the head of the family”. This Amendment serves to enhance women’s access to social services.

A 1996 Report entitled “*The Determination and Measurement of Poverty in Trinidad and Tobago*”, citing some revealing characteristics of the poor, indicated that female-headed households were increasingly emerging among the poor. The now Ministry of Community Development and Gender Affairs conducts a number of programmes targeting women, many of them heads of households.

The Gender Affairs Division has established a number of programmes specifically targeting poor women under the umbrella name of the *Women’s Second Chances Programme*. This Programme includes an Elderly Care Training Project; an Agricultural Training Project and a Home Work Centre Project.

The Elderly Care Training Project and the Agricultural Training Project are

designed to offer the participants (women aged 35 and above with little or no skills) skills in these areas, affording them an opportunity for self sustainability and the opportunity to earn an income.

Participants in this Second Chances Programme have generally been able to enjoy an improvement in their standard of living. The Homework Centre component of the Programme was designed to facilitate the children of the women in the two training projects mentioned above. The objective was to provide after school assistance to these children who otherwise may not be privy to such guidance within the home.

The Inter American Development Bank and the Government of Trinidad and Tobago's *Non-Traditional Training Programme for Income Project* also provides training to low income women. The programme provides women with technical and vocational education. The programme has provided training for women in the areas of construction, woodworking and auto-mechanics. The first cycle of this programme began in February 2001.

The Social Health and Rehabilitative Fund (SHARE) programme was initiated by the Government to distribute hampers to the most disadvantaged persons in society. Women constitute 90% of the recipients of the

programme.

The Public Assistance Grant provides for assistance to necessitous children where the head of household (in many cases a male person) is dead, living in an institution (hospital, prison etc.) or has deserted and cannot be found or is not supporting in accordance with a court order. In both 1998 and 1999 fourteen thousand, six hundred and sixty-seven (14,667) women benefited from the programme.

A number of women heads of households also benefit from a Micro Enterprise Training and Development Grant and Grant to Victims of Domestic Violence. These programmes provide a maximum grant of \$2,500 and \$3,500 respectively, to needy persons who are clients of the Ministry, to enable the establishment of a small business or to pursue a course of training to increase employability. In the fiscal years 1999/2000 and 2000/2001 twelve (12) and thirteen (13) women respectively, benefited from the programme.

The Social Welfare Unit addresses income maintenance benefits, with referrals for casework services. Micro Enterprise Assistance is offered to generate self-efficiency within families.

The Social Welfare Programme of the Ministry of Social Development provides social security to the aged and needy in the country. Through the administration of non-contributory social security programmes, which are financed out of the annual consolidated fund, old age pension, public assistance, disability grants and emergency cases fund are provided to socially vulnerable groups. See response to question 21 for details on the quantum.

The Social Services Department also provides financial assistance through subventions to non-governmental organizations to assist in the provision of services to men women and children. The School Social Services Sector provides support to link resources for communities, families, teachers and students to best utilize basic education for all.

Article 11. Right to an adequate standard of living.

27. According to paragraph 180 of the report, 32.5 per cent of all households were living under the poverty line in 1992. Please provide adequate and updated information to enable the Committee to evaluate the measures being taken by the State party to combat poverty.

In collaboration with the United Nations Development Programme, the Government of Trinidad and Tobago is taking full cognisance of the issues which have been hindering the full impact of social programmes, set up its national structure for addressing poverty in a comprehensive and holistic manner.

The structure included a Ministerial Council on Social Development whose aim was to build collaboration with and among line Ministers and facilitate increased stakeholder participation on the basis of a holistic vision for social development. Parallel to this, a Civil Council on Social Equity was established to bring about improved coordination of the development activities of the non-governmental sector and mobilise resources for targeted intervention via this sector. Both councils are united and serviced by the Change Management Unit for Poverty Eradication and Equity Building, the implementing arm of this initiative, whose role is fundamentally to assist Government-

- to bring about improved coordination and collaboration in the design and implementation of anti-poverty initiatives across Ministries, sectors and agencies;
- to ensure that all stakeholders, including the poor themselves are full participants in the process of development;
- to facilitate the formulation of a national poverty reduction framework which would underpin the above.

It is for this reason that the Change Management Unit has been identified as the implementing agency responsible for the European Commission sponsored *Poverty Reduction Programme*.

Since its establishment in 1997, the Change Management Unit has concentrated its activities in areas including:

- Firstly, the design and implementation of anti-poverty initiatives that employ the principles of community participation and leadership, and multi-sectorialism. Relevant

initiatives of the Change Management Unit include the *Adopt a Community Programme* initiated in 1998. The programme facilitates the building of partnerships between corporate citizens and poor communities through the provision of corporate sponsorship to finance assistance. To date twenty-five (25) communities have benefited from corporate sponsorship in the areas of education and training, income generation programmes, social development, sport, culture and infrastructure. The Government intends to strengthen this programme in the year 2002. Another such programme is the Community Based Micro Credit Programme known as the MEL facility, which locates a credit facility at the community level, for access by needy would-be entrepreneurs.

- Secondly, improvements in the collection and management of poverty data through efforts to design an acceptable poverty study methodology, which would ensure comparability in poverty measurements over time.
- Thirdly, improvements in the access by the poor to information on and about poverty programmes. The strategies here include steps to implement the soon to be launched Community Based Telecentre Project as well as a variety of media based programmes addressing various poverty indicators.
- Fourthly, improvements in the level of collaboration across Government agencies and society through:
 - the hosting of workshops targeting public and civil society officials, and
 - the design of a Regional Poverty Reduction Strategy to facilitate a more decentralised, collaborative management of social service delivery. This design is now the fundamental platform of the EC Sponsored Poverty Reduction Programme.

Steps are also being taken to derive a national poverty reduction policy framework. In spite of all of this, there is recognition that a lot more is still to be done.

One definite area for consideration and strengthening is the role of the Regional Corporation in social programming. The Government of Trinidad and Tobago has already agreed to use the current geographical boundaries of the municipalities in Trinidad and Tobago, as the basic units or building blocks for planning social development. The fact that the European Commission sponsored *Poverty Reduction Programme* will provide for the assessment and planning of initiatives to be done at the municipal levels and envisages an intimate role for the regional corporations in social planning, is consistent with this kind of direction.

It is therefore against the backdrop of the current national approach and considerations that the European Commission sponsored

Poverty Reduction Programme has been designed and it is that structure that it seeks to build on. The Programme has been expertly designed to provide critical institutional support to ensure that the issues of inadequate collaboration, improper targeting, centralised planning and the like, will not feature in the next generation of anti-poverty programmes.

In terms of strengthening of the institutional framework for poverty reduction, a fundamental pillar of the European Commission Sponsored Programme is the establishment of Regional Social and Human and Development Councils in the fourteen (14) Municipal Regions of Trinidad and Tobago. Each Cabinet Council is to be comprised of sixty percent public officials and forty percent civil society stakeholders from within the particular region. The Council will be involved in the assessment of regional needs and the design and facilitation of collaborative interventions at the regional level. It is envisaged that these Councils will become the engine room for programmes to be implemented in the regions and therefore eventually drive the budgetary process in each Ministry/agency. The Councils will also have responsibility for administering grant funding for projects in the region, to facilitate the implementation of programmes in a timely manner.

The second objective of strengthening the information system on poverty reduction programmes, will seek to address the dearth of accurate and up to date data on the nature and extent of poverty in Trinidad and Tobago. It will finance a Survey of Living Conditions to be conducted in the year 2003, as well as the maintenance of a database on poverty statistics to be obtained from all sectors.

Another focal area will be the gathering and storage of information on Government and civil society programmes and services, so as to enable groups to take advantage of these services, to collaborate on initiatives or to design complementary strategies. This will provide an avenue for all agencies to have information on their programmes and services, displayed for access by other agencies, community based organisations and individuals.

The final focal area of the Programme is that of improving the delivery of poverty reduction services through the establishment of a Micro Project Fund, a Micro Credit Fund and the setting up of a network of information and resource centres. In the context of the Micro Project Fund, the Consultants have envisaged that as we sharpen our ability to design targeted interventions for the poor, there must be resources available to ensure that such interventions could be implemented in a timely manner. Unlike other programmes, the Micro Project Fund, will facilitate the funding of joint public sector and CBO Programmes. The other direct safety net programme which the Poverty Reduction Programme will fund, is a Micro Credit Programme. The establishment of a sustainable system of making credit available to the poor for sustainable livelihoods, is undisputed as a poverty reduction strategy.

The European Commission has sponsored the Poverty Reduction Programme. This provides the necessary institutional support to ensure that the issues of inadequate collaboration, improper targeting, and centralised planning will not feature in future anti-poverty programmes.

The incidence of poverty in Tobago

The incidence of poverty is revealed in the data on the Survey of Living Conditions in Tobago (1997). This data indicates that a rate of 26.2 per cent of the Tobago population, representing over 14, 000 individuals, live in poverty.

A geographical analysis of poverty shows that the majority of the poor households (63.6%) live in the western sampling region (urban). In the eastern sampling region (rural) there is a higher rate of poverty, 32.4 per cent compared with 23.6 per cent in the western sampling region. In spite of the rural East having the higher incidence of poverty, the reality is that the poor are concentrated in the urban West.

This raises serious concerns for the Department of Social Services and the Gender Affairs, and the Division of Health and Social Services, Tobago House of Assembly, since urban poverty presents particular problems such as: crime and violence, drug dealing, squatting, hustling, vagrancy, HIV/AIDS and other STDs, teenage pregnancy and other harder to solve social problems.

28. Please supply information and statistics on the housing needs of the population of the State party and the financial resources allocated to the housing sector by the State party (para. 207). Please also provide information on measures taken to reduce the problem of homelessness.

Budget of the Ministry of Housing and Settlements in TT\$ Millions

	2002	2001	2000
Development Programme: Capital Budget New Work	57	(revised)	1.5 (actual)
ecurrent Programme	118.6	103.3	66.6

Source: Draft Estimates for expenditure 2002

The Government of Trinidad and Tobago has also secured an international loan totalling US\$100 million for housing for the period 2000-2005.

Financial resources allocated to the housing sector has been explained in paragraph 204 and 205 which includes the allocations for the provision of shelter and the regularisation of squatters

throughout Trinidad and Tobago. Updated information for the year 2002 is as follows:

Dwelling Units, Households and Non-Institutional Population by Area, 2000

Area	Number of Dwelling Units	Number of Households	Total Population
Trinidad and Tobago	353 097	343 180	125 652
Trinidad	337 703	328 000	119 426
City of Port of Spain	14 984	14 487	4 021
City of San Fernando	16 200	16 016	5 042
Borough of Arima	8 570	8 400	3 114
Borough of Chaguanas	17 854	17 819	6 248
Borough of Point Fortin	6 146	5 715	1 941
Point Fortin	30 334	29 352	10 930
San Juan/Laventille	46 902	45 926	15 966
Tunapuna/Piarco	55 852	55 206	19 939
Carriacou/Tabaquite/Talparo	43 095	41 941	16 259
Mayaro/Rio Claro	9 907	8 852	3 474
San Fernando	18 290	16 622	6 187
Princes	24 004	23 492	9 901
Penal/Debe	22 191	21 779	8 579
Siparia	23 374	22 393	8 825
Tobago	15 394	15 180	5 226
St. George	1 487	1 473	343
St. Mary	776	756	965
St. Andrew	4 663	4 702	1 554
St. Patrick	3 987	3 884	1 524
St. David	2 042	2 059	487
St. Paul	1 525	1 451	405
St. John	914	855	948

The following information is contained in the 2000 Population & Housing Census, Preliminary Report

The Ministry of Housing and Settlements with its mandate to provide innovative and affordable shelter solutions for the citizens of

Trinidad and Tobago, is undertaking the following:

- Enacting appropriate legislation for the efficient and effective planning and development of land and is giving squatters on land belonging to the state and those of State Enterprises security of tenure;
- Facilitating the development and allocation of land at affordable prices for shelter construction; and
- Facilitating the provision of loans especially to the poor at affordable rates of interest for shelter construction.

The Minister of Housing has recently stated that the Ministry of Housing will soon start building 4,000 new houses this year with a further 8,000 to be built. The private sector is expected to construct 2,000 new houses. The Government has also stated its plans to repairing some 350 houses owned by the National Housing Authority (NHA). The Government has allocated \$47 million to repair the 350 houses and the repair programme will start in San Fernando where some 12 high rise buildings are occupied by low income people.

See paragraphs 186 to 211 of the Report for an overview of the work of the Ministry of Housing and Settlements in providing for the housing needs of the population.

29. Please provide updated statistical data concerning malnutrition, with particular emphasis on the most vulnerable groups and on programmes designed for these segments.

1994-1995 statistical data concerning malnutrition among children indicate that wasting and stunting, though not widespread, are more prevalent among primary school entrants in counties Victoria, Caroni, and St. Patrick and less than 10% of the children were anaemic.

Nationwide, there have been no recorded deaths from malnutrition. Reports are that "of the children attending public health clinics 5.1% under the age of one year suffered from mild to moderate malnutrition in 1994, and 0.48% from severe malnutrition". Generally among all the under five year olds, the rate is lower. In 1994 and 1995, mild to moderate malnutrition was observed in 3.3% and 2.7% of that population, and severe malnutrition in 0.2% each year. Cases of mild and severe malnutrition are more prevalent among children under one year old.

Programmes have been put in place to control the occurrence of malnutrition, anaemia and food-borne diseases among the under-fives

and others where possible. A report from the Ministry of Health also states that in the control of malnutrition, in addition to improved training of surveillance staff at all centres, there are counselling programmes for parents on prevention methods.

Malnutrition Rates (%) in Children under 5 for the period 1994-1995

Malnutrition	1994	1995
Mild	.3	2.7
Severe	.2	0.2

Source: Statistics Unit, Ministry of Health

The then Ministry of Community Empowerment Social Development and Consumer Affairs is responsible for two nutrition programmes, which treat with vulnerable groups, the Social Help and Rehabilitative Efforts (SHARE) Programme and the Relief Centres Programme. The SHARE Programme is a food hamper distribution programme, which provides hampers on a three-month rotational basis to persons who do not qualify for grants of social assistance. The programme also involves a rehabilitative component and is conducted in collaboration with a network of one hundred and twenty-nine (129) NGOs throughout the country. As at August 2001, eighty-one hundred (8,100) families (approximately 40,000 persons) benefited from the programme.

The Relief Centres Programme provides hot meals to destitute persons at three Centres in Port-of-Spain. Approximately twenty-two thousand (22,000) hot meals are distributed to walk-in clients on a monthly basis and a training component has been added to achieve Government's thrust towards empowerment and sustainable development. The training component covers the areas of :

- Remedial literacy and numeracy;
- Micro-enterprise management;
- Food preparation; and
- Agricultural processing.

Admittedly the programme is confined to the urban capital so there is a need to expand the programme's outreach to incorporate rural areas where access to services are limited.

There is also a School Feeding Programme run by the Ministry of Education which provides nutritious meals to students in both primary and secondary schools who are needy. In September 2000, the number of lunches being served in schools free of charge was 80,000. The Government has introduced on a pilot basis to 1045 children at 22 schools, a breakfast programme for students who start their day with little or nothing to eat. The first part of this programme commenced in May 2000. As part of the pilot

programme, a assessment will be made of any changes in the children's weight, height and attendance and attention to their school work.

30. What measures are being envisaged by the State party to ensure the full utilisation of agricultural land, in order to increase agricultural production and improve food security in the State party? Please also provide information on the distribution of agricultural property.

The Government has been following a 'market-based' approach to land reform. Measures have been introduced to ensure the development of a vibrant, secure and transparent market in land in order to allow a functioning land market to move agricultural lands out of less productive activities and into more productive activities.

On the extensive State landholding, the emphasis has been on ensuring that occupiers of agricultural land have secure and transferable thirty-year leases (at market-based rental levels), in order to encourage the development of a vibrant agricultural rental market. A programme to regularise the occupation of State agricultural land (the Accelerated Land Distribution/Regularisation Programme) and to grant new leases to eligible occupiers is currently being implemented by the Ministry of Agriculture, Land and Marine Resources. The State leasehold lands are particularly important to small and medium-scale producers, with little access to the capital to purchase freehold agricultural land.

Actions to ensure the smooth functioning of the land market with respect to private lands have emphasised decreasing transaction costs, ensuring secure property rights and reforming the legislation controlling agricultural tenancies. The land registry has undergone an extensive modernisation programme and new legislation has been passed to undertake a nation-wide land adjudication programme in order to ensure secure title to property.

The Land Administration Division of the Ministry of Agriculture, Land and Marine Resources is engaged in a programme in which the level of agricultural utilisation of State-leased agricultural land is monitored and the appropriate actions are initiated to ensure that the land is utilised to a level satisfactory to the Ministry.

In addition, the Division is engaged in an accelerated Land Distribution /Regularisation Programme in which systems and personnel have been put in place to accelerate the rate at which tenure security is provided to persons who are either desirous of obtaining State lands for agricultural production or are in occupation of State lands without legal tenure.

The amount of state land targeted to be distributed /regularised under this programme is approximately 3,240 hectares (8,000 acres).

Persons benefiting from this programme obtain a thirty (30)-year Standard Agricultural Lease renewable for a further thirty (30) years. The lease contains a Schedule which describes the programme of agricultural activities that has been approved for the specific parcel of land. This measure ensures that the activities to be pursued are environmentally and economically sustainable so as to increase agricultural production and improve food security in the country.

As to the distribution of agricultural property, the present pattern of land use indicates that over fifty nine percent (59%) of the total land area in Trinidad and Tobago is occupied by natural and secondary forests and swamps. Thirty-four percent (34%) of the land area is devoted to agriculture. About 9% of the land area contains built development, the heaviest concentration of population being found in two belts, one along the west coast of Trinidad and the other along the foothills of the Northern Range.

31. Please provide information on the current status of the Socially Displaced Persons Bill and on the Homes for Older Persons Bill, and the measures currently being implemented to assist those vulnerable groups (paras. 212-217).

Both of these Bills have been enacted into law as follows: The Socially Displaced Persons Act, No. 59 of 2000 and the Homes for Older Persons Act, No. 38 of 2000. Both these Act state that they will come into force by proclamation.

The Homes for Older Persons Act was assented to in September 2000 and is still to be proclaimed. Draft regulations have been prepared and discussions are being held to finalise the same between representatives of the Ministry of Social Development and the Ministry of the Attorney General.

In response to the increasing number of older persons there has been an increase in the number of Homes for Older Persons throughout the country. There are approximately (60) institutions offering care to older persons. With the exception of nine (9) Homes that receive a Government subvention, the others are private institutions of varying sizes. While institutional care is significant because of the demand for it, there is a need to put in place, control and monitoring mechanisms to ensure that the highest standard of care, in a secured environment, is delivered to our senior citizens at these institutions.

In this regard, the Homes for Older Persons Act No.38 of 2000 provides mechanisms for dealing with licensing, control and regulation of Homes for Older Persons, and for the establishment of

standards of care for residents of these Homes.

In accordance with the Act, the Government will soon be establishing a Division of Ageing. A Draft Cabinet Note with respect to the staffing and other operational costs for the Division has been prepared and will be forwarded to Cabinet in the near future. That Division will be responsible for the following:

- Receipt of applications for the licensing of Homes for Older Persons and the conduct of investigations for the grant and renewal of licences.
- Development of standards of care of older persons.
- Conduct of annual inspections of Homes for Older Persons.
- Monitoring of the operations of Homes for Older Persons.
- Monitoring and co-ordination of the implementation of the proposed National policy on Ageing.
- Organisation and conduct of training programmes, seminars and workshops for care providers.
- Development and implementation of programmes and projects for the benefit of senior citizens.
- Conduct of research on matters pertinent to ageing and the elderly.
- Conduct of public sensitisation programmes on issues relating to ageing and the elderly.

Another initiative which will be undertaken by the Government is the establishment of Day Centres for the Elderly. These Centres will be established throughout the country and would allow older persons to continue to lead healthy, active and fulfilling lives. These Centres will also serve to integrate older persons into the communities to which they belong. The main thrust of this project is to serve as a mechanism to counteract the disquieting effects of social isolation, by allowing older persons to participate in both indoor and outdoor activities.

In order to promote independent living and rehabilitation, the relocation of Socially Displaced Elderly Persons to Homes for Older Persons is a project, which will seek to place socially displaced older persons in residential care facilities.

The Socially Displaced Persons Act was assented to in November 2000 and is awaiting proclamation. In respect of Socially Displaced Persons, there is a Social Displacement Unit within the Ministry of Social Development. The Unit was established in 1999 and currently targets homeless people via the following programmes:

- The Independent Living Programme which assists persons who are

homeless but employed. The clientele of the programme are highly de-motivated and are encouraged to undergo a ten session behaviour modification programme. Participants who complete the programme are given a start-up incentive by way of a food hamper and rental assistance in the sum of \$200 per month for a maximum period of nine (9) months. Since the programme's inception in April, 2000 approximately 40 persons have benefited to date.

- The Drug Rehabilitation Programme which is geared towards homeless persons who are drug addicts and tend to be unemployed. The Unit monitors the detoxification aspect of clients' rehabilitation before sourcing employment for them. The Unit also acts as an agent for the provision of clients for the *Piparo* Empowerment Centre. The *Piparo* Empowerment Centre is one of the development projects which was brought to completion by the Ministry of Social Development. The residential facility, which is geared towards the full recovery of addicts via a scope of programmes including agriculture skills acquisition, became operational in July 2001. The main residence and accompanying infrastructure have been completed and during the upcoming fiscal year, Phase II of the project-the construction of a multi-purpose hall will begin.

Article 12. Right to health.

32. Please provide information on the resources earmarked by the State party for the health sector and on the priorities assigned.

Financial Resources earmarked by the State in the current fiscal year for the Public Health Sector in Trinidad (Trinidad and Tobago Dollars).

Recurrent Expenditure -	\$1,094,654,595.00
Development Expenditure -	\$ 154,740,000.00
Total	\$1,249,394,595.00

Priorities of the Ministry of Health for the Year October 2001 – September 2002

- Early prevention and treatment of cancer
- Mental Health
- HIV/AIDS
- Chronic Diseases
- Immunisation
- Training of medical personnel
- Infrastructure
- Disease prevention and health promotion
- Primary Health Care

33. Please indicate the specific programmes devoted to reducing and preventing infant mortality, maternal mortality and prenatal and neo-natal mortality, as well as teenage pregnancies and back-street abortions, and provide up-to-date statistics on these matters (para. 256). Please also provide up-to-date information on programmes on sexual and reproductive health in the State party.

Programmes devoted to reducing and preventing infant mortality as follows:

- Early Antenatal care which is available at all health centres and hospitals-See Report at para. 243.
- Nutrition counselling. The Ministry of Health has a Nutrition and Metabolism Department. Food Demonstrators from this department visit health centres on a daily basis, giving information on nutrition as well as demonstrations on its preparations. Printed documents are also made available to the general public and counselling is provided once a week. Information on infant nutrition is generally provided through baby friendly clinics and supportive organisations like the Informative Breastfeeding Service and the Breastfeeding Association of Trinidad and Tobago.
- Hospital delivery under well trained health professionals.
- Immunisation.
- Mother to child transmission - anti retroviral drug treatment.
- Breast feeding education and systems to ensure that breast feeding starts half an hour after delivery.
- The Mount Hope Maternity Hospital contains a Neonatal Unit which offers specialist care to infants with special problems.

Programmes devoted to reducing and preventing maternal mortality are as follows:

- Early antenatal care
- Nutrition
- Family planning
- Hospital delivery under trained medical staff
- Immunisation
- Mother to child transmission - anti retroviral drugs
- Testing of pregnant women for HIV
- Home visit by District Health Visitor
- A maternal mortality surveillance system will be implemented in all hospitals to monitor maternal deaths. A system will be implemented to ensure proper documentation to safeguard

against under-reporting of deaths related to pregnancy.

Programmes devoted to reducing Teenage Pregnancies are as follows:

- Education (School Programmes)
- Deregulation of condoms
- Family planning services
- Sexual and Reproductive Health
- Sensitisation/educational programmes in Secondary School
- Workshops for youths

There are no up to date statistics on infant mortality and maternal mortality available. Further efforts will be made to source this information.

Teenage Pregnancies

Births to teenage mothers increased from 13.5% of all live and stillbirths in 1994, to approximately 14% in the year 2000. Births to women below the age of 20 years have increased as a proportion of total births to 14.5%, due to the slower pace at which fertility has declined among younger age groups. The median age for girls in respect of their first sexual experience is 15 years.

The Government of Trinidad and Tobago has recognised that childbearing in the teenage years represents an obstacle to sustainable development as it seriously compromises the young mothers' educational, economic and personal development and also jeopardises their children's life chances. Further teenage motherhood can reinforce intergenerational poverty. Cognisant of this, the now Ministry of Social Development commissioned a study in 1995 entitled "*Needs Assessment of Pregnant Teenagers and Young Mothers*". As a follow up to this study, the Ministry has engaged in ongoing collaboration with non-governmental organisations to implement programmes that address issues related to teenage pregnancy including the production of a video entitled "*Your Life, Your Choice-Teenage Pregnancy and Making the Right Choices*". One proposed project entitled "*Communities Mothers*" will be introduced to provide care for the children of single and low income mothers, while allowing these mothers to seek employment or participate in other developmental programmes.

The Population Policy for Trinidad and Tobago provides a framework for a national policy on family planning. Within this framework, the Ministry of Health is committed to providing accessible reproductive health care services while ensuring absolute freedom of care. Government operated family planning clinics are available at health centres to provide family planning counselling and supplies to clients during clinic hours. Free condoms and contraceptive pills are available at Government post natal and family planning clinics. Women are counselled and examined prior to being issued with contraceptives and information literature is also

distributed.

These services are supplemented by the work of the Family Planning Association of Trinidad and Tobago, a non governmental organisation. The Association has offices in Port of Spain, San Fernando and in Scarborough, Tobago. It provides inter alia, contraceptive services, voluntary sterilisation, infertility examinations, family life education programmes, peer counselling training, health care for corporations, gynaecological services and pregnancy tests. The aim of these services is to prevent unplanned pregnancies through expanded and improved family planning services. These services are offered to the public at reduced rates, and with even further reduced rates for persons who become members of the Association at an annual fee. The Association has sought to identify and address the specific needs of adolescents and implement specific and appropriate educational programmes on sexual and reproductive health issues, including sexually transmitted diseases. The National Youth Project Peer Helper Training Programme of the Association for example, provided information to some 6,274 young people.

The Government provides financial assistance to the Family Planning Association and makes community centres available to the association, to ensure effective delivery of services throughout the country.

The Ministry of Health has provided technical and management support to the *CHOICES Programme* of the Child Welfare League, which is a non-governmental organisation. This project was established in 1994 and specifically targets young mothers, pregnant teenagers, teenagers at risk, their infants and their families and provides preventative, remedial and developmental services through the establishment of community intervention centres. Three such centres have been established under the programme. Teenagers who attend these centres benefit from individual and group counselling and an environment that facilitates change and development. Young mothers are referred to the programme during pregnancy or after the birth of their children by social workers, health workers, community police officers, welfare officers and teachers. The programme varies in duration from nine months to two years. The programme has been successful in deterring teenage pregnancies through its outreach counselling sessions, which are held in schools and in communities.

Articles 13 and 14. Right to education

34. Please indicate whether the percentage of the gross domestic product (GDP) earmarked for education, which stood at 3.7 per cent in 1999, is sufficient to meet the requirements of the right to education and what measures the State party is taking to ensure access for all to secondary education.

Budgetary allocation to Ministry of Education, 1998-2002

Year	Amount Allocated (TT dollars)
1998/1999	1,194,091,825
1999/2000	1,411,676,998
2001/2002	1,741,836,336

to maintain universal primary education, the Government developed and implemented a Basic Education Programme (the Fourth Basic Education Programme) with funding from the International Bank for Reconstruction and Development (IBRD). One of the main objectives of this programme is to build new primary schools and rebuild dilapidated primary schools. Schools which have been built or rebuilt under this programme, to date, are:

- Longdenville Government
- Malabar Government
- Edinburgh Government
- Santa Rosa Government
- San Juan Girls and Boys R.C.
- Fifth Company Baptist
- Aripo R.C.

St. Pierre Composite and Excel Composite were also built to accommodate both primary and secondary school levels.

Following the Government's acceptance in 1996 of the Report of the National Task Force on Education, which made specific recommendations for the improvement of secondary level including universal secondary education, the Government began discussions with the Inter-American Development Bank for loan funding for a Secondary Education Modernisation Programme (SEMP). The result of these discussions was the development of a US\$150 million dollar Secondary Education Modernisation Programme comprising a range of well structured education projects designed to face the challenges now posed to the system. The programme seeks to build on the gains of the Fourth Basic Education Programmes. The principal goals of the Programme are enhanced quality of education at the secondary level, increased access at the secondary level, the overall development of a system capable of responding to the ever changing demands of society and better articulation among the different levels of the system and strengthening of the nation's productivity and competitiveness by ensuring that young citizens from all

backgrounds are prepared to participate in, and contribute to, the development of a modern country.

This IDB loan has ensured the construction of twenty new secondary schools as well as initiatives in the areas of curriculum development, training in teaching and learning strategies, professional development, testing assessment and evaluation and institutional strengthening. The Project will be implemented over a seven year period.

The Government's policy with respect to education is free secondary education for all. To this end, as of September 2000, every one of the 29,065 students who wrote the Common Entrance examination, was placed in a secondary institution to continue his/her education. This was one aspect of the provision of Universal Secondary Education (USE).

USE is a comprehensive package of measures, ensuring equitable access to quality secondary education. The Ministry of Education has been working with special project units such as the Secondary Education Modernisation Programme (SEMP) and the Education Programme Coordinating Unit (EPCU) to put these measures in place. The key elements of USE are:

- Eleven new government secondary schools (10 funded through SEMP and one through the EPCU), plus seven denominational secondary schools were established in the year 2000.
- Many of the new schools are situated in rural districts where transportation costs often prevented children from attending school.
- All new schools offer at least five years of full time education. Fourteen (14) more new schools are scheduled to come on stream.
- The upgrade and modernisation of existing school facilities.
- For the first time new principals received training to help them create successful schools.
- Restructured and modernised curricula at both the primary and secondary levels.
- Modern teaching methods that encourage the integration of subject areas to take advantage of the different ways children learn.
- Renewed emphasis on basic literacy; numeracy and problem-solving skills at the primary level, supported by the introduction of the Secondary Entrance Assessment in the year 2001. The aim is to ensure that students are better prepared for secondary school.
- New primary level syllabuses in Language Arts and Mathematics have been developed and 8000 copies were distributed to all primary school teachers in Trinidad and Tobago.
- Workshops to update teachers' skills particularly in the teaching of Language Arts and Math.

- Through the SEMP, there is a programme to support and encourage the professional development of teachers.

All of the above measures, taken together ensure that there are not just enough secondary school places but that the Government provides a secondary education that suits the varied interests and abilities of the children of Trinidad and Tobago, and that they are adequately prepared to make the most of this opportunity.

It should be noted that starting in 2001 the Common Entrance examination was replaced with a Secondary Entrance Assessment. SEA candidates are required to write out responses but they have fewer questions and have to write only three papers instead of the five which obtained under the Common Entrance. While the Common Entrance Exam lasted three and a half hours, the SEA lasts only two hours and forty minutes. As in the past, parents still have the right to list those schools where they would prefer to have their children placed and assignment to schools of choice is on the basis of merit. Students up to age 15 are entitled to two chances to write the SEA. Since September 2001 however, all students who write the SEA are assured of a secondary school place.

35. Please indicate recent progress, accompanied by statistical information, on equal access to education through the creation of school places for boys and girls at the primary and secondary levels (292-293).

In its bid to realise its goal of universal secondary education, the Government constructed eleven (11) new secondary schools in the year 2000. The first eight (8) schools mentioned below are located in rural communities where no secondary schools existed before, thus making education both accessible and affordable. All the schools are co-educational. A twelfth (12th) school, Ibis High School was opened in a refurbished building.

School	Enrolment
Biche	525
Matura	350
Blanchisseuse	350
Valencia	875
Brazil	525

Tableland	525
Coryal	350
Manzanilla	350
Waterloo	875
Debe	525
Cunupia	875
Ibis	420

In addition, several denominational schools were also opened in 2000/2001

School	Denomination
Shiva Boys	Hindu
Vishnu Boys	Hindu
Parvati Girls	Hindu

Saraswati Girls	Hindu
Holy Faith Convent	Roman C a t h o l i c
Swaha	Hindu
Miracle Ministries	Pentecostal
ASJA Boys (Charlevill e)	Muslim
ASJA Girls (Barrackp ore)	Muslim

Further space was required, the Ministry of Education bought spaces in private secondary schools. Five hundred and seventy spaces (570) were bought in seventeen (17) private secondary schools across the country, for the 2001/2002 academic year, to accommodate primary school students moving into secondary school.

Enrolment in primary and secondary schools

ACADEMIC YEAR	PRIMARY			SECONDARY		
	MALE	FEMALE	TOTAL	MALE	FEMALE	TOTAL

1995-1996	14,570	15,085	29,655	0,612	52,404	103,016
1996-1997	14,111	14,849	28,960	1,096	53,253	104,349
1997-1998	14,139	14,370	28,509	1,931	54,119	106,050
1998-1999	14,212	14,586	28,798	1,740	54,050	105,790
1999-2000	14,354	14,686	29,040	1,461	54,048	105,509

In terms of secondary education, there are 100 public secondary schools. Of these 70 are owned and managed by the Government. The remaining thirty are owned and managed by various religious denominational bodies.

36. Please state whether human rights are taught in primary, secondary and higher education, and provide information on human rights training for teachers.

Human rights is included as part of the Social Studies curriculum at both the primary and secondary school levels. The Social Studies Curriculum includes the following components which relate to human rights:

- The Effects of Pollution on Human Rights. The Objective is to promote a greater awareness and understanding of the problems caused by pollution and their effects on basic human rights.
- The Right to an Education. The Objective is to teach students that they have a right to an education.
- Equality and Non-Discrimination. The specific objective is for students to recognise that discrimination in the class/society/world should be removed.
- Equality and Discrimination: Discrimination. The Objective is to define discrimination by identifying areas of discrimination in society and describing ways in which discrimination is manifested at home, school and in the community, so that children will recognise, understand and avoid discriminatory practices.
- Equality and Discrimination: Children with Special Needs. The Objective is for the students to know that children with special needs have the right to special care.
- Denial of Human Rights-The Objective is for children to develop an appreciation of the rights they enjoy today by

examining the denial of rights of persons and groups (in early Caribbean history)

For those schools participating in the National Certificate of Secondary Education (N.C.S.E.) Programme, the Ministry of Education has developed an Instructional Strategies Booklet, entitled "*Lesson Plans and Literature in the Module-Rights of the Child*". Included in the Booklet are data and excerpts from documents produced by UNICEF.

The Contents of the Booklet include:

- What are Rights/Responsibilities?
- What are Human Rights?
- What is the Universal Declaration of Human Rights?
- What is the Convention on the Rights of the Child?
- What are the Rights of the Child as stated in Convention.

The Objectives of the Booklet are to enable students to:

- Define what are rights.
- Define what are responsibilities.
- State what are the child's responsibilities to:
 - school
 - self
 - family
 - nation/country
- Explain why children need rights.
- Outline the circumstances that led to the Convention on the Rights of the Child.
- Identify the rights of the child as outlined in the Convention on the Rights of the Child.
- Identify infringements on the rights of the child under the headings: education, civil, political, economic and social.
- Infer factors that can lead to the infringement of the rights of the child.
- Infer ways in which the rights of the child are protected in Trinidad and Tobago.
- Identify laws, agencies and groups in Trinidad and Tobago which protect the rights of the child.
- Describe the services, the agencies and groups which offer to protect the rights of the child.
- Be sensitised to children's rights as stated in the Convention on the Rights of the Child.

An alternative Human Rights Module has been developed in those

schools where the N.C.S.E. programme has not yet been implemented. The contents of this Module are similar to that outlined above, but also include the following:

- The Constitution of the Republic of Trinidad and Tobago;
- The rights, freedoms and responsibilities of the citizen;
- An outline of the ways in which the rights of the citizen can be violated or abused;
- A description of the role of human rights activists such as Mahatma Gandhi, Nelson Mandela, Martin Luther King and local activists including Uriah Butler and Captain Cipriani.
- Identifies singers and writers who have championed human rights through the medium of song e.g. Bob Marlin and other local singers.
- Assesses the success of any one human rights activist.

Article 15. Right to take part in cultural life.

37. Please provide information on the measures taken to promote and safeguard the values and cultural identity of the various ethnic groups living in the State party.

The 1990 Population Census identifies ten different recognised religious groups living in a country with an estimated one million, two hundred and sixty two thousand, three hundred and sixty six persons (1,262,366) of whom fifty eight thousand and eighty four persons (54,084) live in Tobago Trinidad and Tobago (Preliminary Count of the Population and Housing Census for Trinidad and Tobago as at June 2000). The successful management of this identified diversity of religions is a challenge which has confronted successive governments. There has generally been a multi-faced approach by each Government to preserving and promoting the cultural identities of the different religious groups including the formulation of policy; the enactment of legislation and the provision of financial assistance.

Government Policy

The Division of Culture within the Ministry of Culture and Tourism is mandated to protect the components of our multifarious cultural heritage, and to uphold the values and cultural identities of the various groups.

Several policy documents have been proposed over time to effectively promote cultural diversity. Each document presented to Cabinet has been withdrawn on account of the need for deeper levels of public consultation. Consequently, a Cabinet appointed committee comprising various cultural and artistic groups across Trinidad and Tobago was set up in 1997. This committee was mandated to submit their recommendations for a visual and performing arts policy that

would be reflective of the multi-ethnic and multi cultural fabric of Trinidad and Tobago.

This draft document was completed in December 1998 and circulated to over seventy cultural and artistic organizations across Trinidad and Tobago for their comments. These comments were incorporated into the draft policy document. This culminated in the approval by the then Cabinet of a *Visual and Performing Arts Policy of Trinidad and Tobago*. This policy seeks to ensure that creative spaces and infrastructure for diverse ethnic arts and cultures would be given high priority by the Government and would be strategically located in both rural and urban areas where the development of the arts and the blossoming of cultural activities are most needed.

A statement of the philosophy that guides the administration of culture and the creative arts is enshrined in the *Visual and Performing Arts Policy of Trinidad and Tobago* and is quoted below:

"We believe that Trinidad and Tobago is a multi-ethnic, multi-cultural society and this fact must be reflected in our National Policy for the Visual and Performing Arts. We believe that the values of equity and cultural freedom must be integral to our treatment of Visual and Performing Arts and that recognition of moral and spiritual values must be similarly acknowledged. We believe that, in all artistic expressions, excellence and artistic integrity must be encouraged and aimed at, and that the highest standard of creativity should always be the goal. We must simultaneously show respect for, and protect, our national heritage in culture and cultural artefacts. We also believe that the development of the visual and performing arts must be integral to our national development and foreign policies and that they are indeed tools for economic development in all aspects, including tourism development."

The objectives of the Visual and Performing Arts Policy are as follows:

- *To legitimise, encourage and strengthen all the visual and performing arts.*
- *To ensure that artists achieve higher levels of professionalism in their respective art forms.*
- *To develop the necessary infrastructure for the protection of our national heritage, both tangible and intangible.*
- *To encourage the development and integration of the visual and performing arts as a key aspect of socio-economic growth and foreign policy.*

The implementation of this policy entails the establishment of the following subcommittees: The Visual Arts Subcommittee; the

Performing Arts Subcommittee; the Musical and Musical Arts Subcommittee, and the Carnival and Carnival Arts Subcommittee. The administration of culture under the policy will entail the formation of the Cultural Council of Trinidad and Tobago.

Grants and Subventions

Earlier Government efforts have been directed to the giving of grants and subventions to various organisations which represent the interests of the various ethnic groups. This continues to be the mainstay of the Government's efforts to promote and safeguard the values and cultural identity of the various ethnic groups.

Subventions are grants to large organisations and associations which are recommended for approval by the Minister to the Cabinet. The amount of funding granted varies according to the scope of the organisations. The *Santa Rosa Carib Community*, the *Sanatan Dharma Maha Sabha* and the *National Drama Association* are some of the organisations that are granted annual subventions. The National Carnival Commission for example is as a statutory body that is granted a subvention for the production of the Carnival celebrations. The Commission is responsible for the distribution of funds to three organisations under its purview: *The Trinbago Unified Calypsonians Organisation* (TUCO); *The National Carnival Bands Association* (NCBA) and *Pan Trinbago*, the umbrella organisation for steel band orchestras.

Through various cabinet decisions over a period of twenty odd years, the Government of Trinidad and Tobago, through the Culture Division, has been granting financial and technical assistance to various national and other organisations to produce religious festivals and celebrations. The following funds have been set up to assist the organisations with their annual programmes:

- *Assistance to Cultural Organisations Grant*. This fund is managed by the Division of Culture and provides financial assistance to various national or umbrella organisations for the promotion of the visual and performing arts such as Calypso, *Parang* (a Spanish based festival), and *Ramleela* (a Hindu drama festival). Organisations currently receiving this type of grant include:
 - Non-profit institutions;
 - Queens Hall (North of Trinidad);
 - Naparima Bowl (South of Trinidad);
 - National Steel Orchestra.
 - The Carnival Institute of Trinidad and Tobago.
- *Small Grants*. Many organizations, receive assistance in the form of small grants from the Division of Culture. These small grants may be given based on the merits of an applicant

who may have applied to the Minister, the Permanent Secretary, or the Director of Culture. This grant also assists religious organizations in the celebrations of their festivals.

- *Assistance to Individuals and Organisations.* This fund provides individuals and organisations with financial assistance for the promotion of activities in relation to the preservation of the collective cultural heritage; the promotion of the cultural identity of a particular group, and generally the promotion and safeguarding of the national cultural heritage.
- *National Days and Festivals.* Assistance directed towards National Days and Festivals - This fund which is managed by the Division of Culture, provides assistance to organisations, which plan and implement activities for the celebration of the various national cultural festivals.

The preservation of Amerindian heritage

Amerindian *middens* dating back to the pre-Columbian era were discovered in 1999 at Mayaro in the south of Trinidad. There is historical evidence to indicate that the First Nation's people once settled in the southern coastal line of Trinidad during the 15th Century. These *middens* were analysed and treated by the archaeologist within the Victoria and Albert National Museum of Trinidad and Tobago and are currently housed at this museum for public viewing.

Although there are no pure Amerindians in the country, there are some 500 mixed blood descendants of Amerindians who live in the north east of Trinidad. The Government of Trinidad and Tobago provides technical and financial assistance to the *Santa Rosa Carib Community*, the representative organisation for the First Nation's People of Trinidad and Tobago. This Community collectively maintains the traditions of their ancestors. The Ministry of Culture and Tourism continues to service this small Community by the grant of an annual subvention in the amount of TT\$36,000.

In the year 2000, the *Santa Rosa Carib Community*, in collaboration with the then Ministry of Human Development, Youth and Culture hosted in Trinidad and Tobago, the Second International Gathering of First Nation's People. The Government of Trinidad and Tobago funded this International Gathering of First Nation's People in the amount of \$244,770 TT. The purpose of this international gathering was to strengthen the linkages across Amerindian communities throughout the world, so that this vulnerable civilization would be protected from cultural extinction.

In the year 2000, the Government of Trinidad and Tobago under advisement from the *Santa Rosa Carib Community* introduced into the National Calendar, a day of recognition for the Amerindian people.

October 14th has been designated "Amerindian Heritage Day".

Legislative Measures

The Constitution of the Republic of Trinidad and Tobago in S.4 recognises the right of all individuals without discrimination by reason or race, origin, colour, religion or sex to (h) freedom of conscience and religious belief and observance and (j) freedom of association and assembly.

In an effort to remove outdated discriminatory provisions in the statute and to ensure equality of all religions in accordance with the requirements of the Constitution, the Government enacted a Miscellaneous Laws Act, No. 85 of 2000. This legislation *inter alia* deleted certain provisions of the Summary Offences Act, Chapter 11:02 which restricted the *Orisa* and *Spiritual Baptist* religious groups in the practice of their religion. The Summary Offences Act which was enacted in 1921 contained restrictions for example, on the beating of drums, the blowing of horns and the use of noisy instruments in public places; activities which are considered integral to the religious observances of these groups. This Act amended the law to provide an exception, "where the singing, or dancing is done, or the drums, gongs or tambours, bangees, chachacs or other musical instruments are used as part of a religious observation, ceremony or custom in any place of worship". This amending legislation also deleted references to the practice of *obeah* as well as the definition of *obeah* in that Act, which were offensive to the *Orisa* group. The Miscellaneous Laws Act also amended the Summary Offences Act by introducing a new section, akin to the offence of blasphemy, as follows:

96.A. Notwithstanding any other law to the contrary, any person who brings into contempt or disbelief or who attacks, ridicules or vilifies another person's religion in a manner that is likely to provoke a breach of the peace commits an offence and is liable on summary conviction to a fine of one thousand dollars.

Based on requests from the Inter Religious Organisation, the Government in the Miscellaneous Laws Act, 2000, also amended the provisions of the Summary Courts Act, Chapter 4:20, deleting the words which only applied to the Christian faith, such as "church" and "clergyman" and substituting them with religious-neutral language such as "religious building" and "religious head or official" respectively, thereby providing protection under the law for all religious groups.

The Government of Trinidad and Tobago has also enacted a Public Holidays and Festivals Act, Chapter 19:05 (as amended) which promotes religious harmony and the cultural identity of different groups. The Act declares as national public holidays for everyone, days which are of religious and/or historic cultural significance

to the recognised religious groups of Trinidad and Tobago. March 30 for example has been declared Spiritual Baptists Shouter Liberation Day; 30 May, Indian Arrival Day; and 1st August, Emancipation Day. There are also annual public holidays to celebrate *Divali* (a Hindu Festival); *Eid ul Fitr* (an Islamic Festival) as well as Good Friday; Easter; Corpus Christi, Christmas and Boxing Day.

Also significant is the enactment of an *Orisa* Marriage Act, No. 22 of 1999, which made provisions for the solemnisation and registration of *Orisa* Marriages. Under this Act the President may grant licences to priests or priestesses of the *Orisa* faith to be marriage officers. The *Orisa* religion was brought to Trinidad and Tobago from the Yoruba culture of West Africa during the period of slavery. It is estimated that several thousand citizens of this country practice and pursue *Orisa* beliefs. This is the first time that legislation has been enacted in the Caribbean to give legal recognition to marriages performed according to *Orisa* rites. Legislation has already been implemented to facilitate marriages between persons of the Christian, Muslim and Hindu faiths.

In an effort to safeguard the national cultural heritage of the country, the Government has enacted a National Trust of Trinidad and Tobago Act, No. 11 of 1991 (as amended). The National Trust of Trinidad and Tobago was established under the Act as a body corporate. Section 5 outlines the functions of the Trust as follows:

4. *The Trust is established for the purpose of carrying out the functions given to it by this Act which include-*
 - (a) *listing and acquiring such property of interest as the Trust considers appropriate;*
 - (b) *permanently preserving lands that are property of interest and as far as practicable, retaining their natural features and conserving the animal and plant life;*
 - (c) *preserving, maintaining, repairing and servicing or, arranging for the preservation of property of interest other than land and where such property of interest comprises buildings, augmenting the amenities of such buildings and their surroundings;*
 - (d) *making provision for the access to and enjoyment of property of interest by the public;*
 - (e) *encouraging research into property of interest including where applicable any animal, plant or marine life associated therewith;*
 - (f) *compiling photographic or architectural records of property of interest;*
 - (g) ***making the public aware of the value and beauty of the heritage of Trinidad and Tobago; and***
 - (h) *advising the Government on the conservation and preservation of property of interest and on any or*

all the matters referred to above.

38. Please provide information and statistical data on museums, theatres, cultural centres and libraries in the State party, and on the proportion of funding provided by the State party to such institutions.

Museums

Government currently operates and is responsible for the National Museum Service, which includes the National Museum & Art Gallery and the Museum of the City of Port-of-Spain. The National Museum maintains a small display at La Brea on the Asphalt Lake. The Government also operates other small museums that are not directly under the National Museum. These have been incorporated into the system of National Parks at *Lopinot, Cleaver Woods* in Arima and *River Estate* in Diego Martin:

The National Museum & Art Gallery is the main museum in Trinidad & Tobago and is housed in the Royal Victoria Institute. It was established in 1892. It houses collections of Art, Natural History, Archaeology and Carnival.

Museum of the City of Port-of-Spain is housed in the building at Fort San Andres. It is intended that this Museum will highlight the history and development of the Capital City and serve as an introduction to the rest of the City.

The Division of Culture of the Ministry of Culture and Tourism has undertaken to develop the Five Islands off the Western peninsula of Trinidad. This project includes the conversion of the four buildings at Nelson Island into an historical museum. The intention is to gather historical research from various parts of the world with a view to assembling a detailed account of the Five Islands and the persons who arrived there. The Nelson Island Heritage Museum project is considered to be a monument dedicated to the people and the peopling of Trinidad and Tobago. Historical research reveals that the buildings on the Five Islands were constructed in 1802 under British colonial rule by African slave labour and served as a depot for indentured immigrants from India in the 19th century. Research also reveals that during the 1930s German and Austrian Jews fleeing Nazi Germany came to Trinidad and were incarcerated as 'enemy aliens' on Nelson and Caledonia Islands. Government spending towards the development of the Nelson Island Heritage Museum and Site over the period 1999 to 2001 is estimated at \$2,000,000, TT inclusive of research, the building of a permanent jetty, landscaping, cleaning and repairs.

Government recently purchased the "*House of Mr. Biswas*" at Nepal Street, St. James in Port of Spain. This was once the home of *Sir V.S. Naipaul*, a Trinidadian born 2001 Nobel laureate for

literature. The purchase of the home in which the acclaimed writer once lived and wrote about, was executed by Government with a view to developing the literary heritage of Trinidad and Tobago. Government has allocated the sum of TT\$300,000 for the development of the *Biswas House* in the year 2001-2002, as the house is currently in a state of disrepair and is in need of urgent refurbishment. A non-profit association called "*The Friends of Mr. Biswas*", has been given the mandate by the Government to manage and develop the *Naipaul House* at Nepal Street as a Museum and International Study Library for education, cultural tourism (local and international), and research on the writings of the *Naipaul* family, Trinidad and Tobago Literature and West Indian Literature.

In Tobago there is a Tobago Museum and Fine Arts Centre operated by the Tobago House of Assembly. This museum showcases the history of Tobago dating from its Amerindian presence.

There are several independent museums and collections in Trinidad and Tobago. These are as follows:

- *Chaguaramas* Military History Museum - This is operated by the Model Builders Society and highlights the military history of Trinidad and Tobago.
- *Toco* Folk Museum - This small museum has been developed by the teachers and students of the *Toco* Composite School, on the school's compound. It provides information on *Toco* and of the folk culture of the area.
- Tobago Heritage Parlour - This is a small museum operated by a leading figure in Tobago's folk heritage. The collection is mainly of Tobago's African heritage.
- The *Angostura* Museum - This museum is divided into two broad areas - the *Barcant Butterfly Collection* and a collection that traces the development of that company.
- The *Louis B. Homer Collection* - This is a collection which depicts the history of San Fernando. It is displayed in Mr. Homer's house.
- The *Kimme* Museum - This is a collection of sculpture done by Ms. Kimme, a German artist now living in Tobago. The collection is on display in a specially constructed space at Ms. *Kimme's* home.

The Government's plans for the future development of the Museum Service (within the next 5-7 years) can be summarised as follows:

- Bringing all museums operated by the Government under one authority.
- Development of other municipal and community museums to include:
 - Museum of the City of San Fernando.
 - Sugar Museum at Caroni.
 - La Brea Community Museum
 - National Gallery of Art

- The introduction of a Mobile Museum Service
- The expansion of the National Museum & Art Gallery
- Greater support for independent museums through the Museums Assistance Programme (MAP).

Theatres and Cultural Centres

Although there is no national theatre, the government has built and maintains several spaces, which are used as theatre spaces and venues for cultural events.

- The *Naparima Bowl* has a seating capacity for five hundred (500) persons and is located in the south of Trinidad. This facility is an excellent dance space and is frequently used as a venue for dramatic performances.
- The Government's Central Bank Auditorium, located in its Financial Complex in Port of Spain, also has a seating capacity for five hundred (500) persons. The stage space is relatively small but is nevertheless frequently used as a venue for theatre productions and other cultural events.
- Queen's Hall is another venue which is currently being remodelled into a fifteen hundred (1500) seat theatre with updated lighting and sound facilities.
- The University of the West Indies, which is partly funded by the Government, also has two theatre spaces, one new with modern equipment, which can house up to fifteen hundred (1500) persons, and an older one with a capacity for up to five hundred (500) persons.
- The majority of communities and villages in Trinidad and Tobago have community centres which serve as multi-purpose facilities. In the past ten years, twelve (12) regional community complexes and multi purpose sporting and cultural facilities have been built in twelve communities in Trinidad and Tobago.

As to the proportion of funding provided by the Government for museums, theatres and cultural centres, of the fifty million (\$50,000,000) TT allocated in the National Budget to the development of culture and cultural activities in Trinidad, four million (\$4,000,000) or 8.39% of the total sum is to be used for the development and maintenance of museums, theatres and cultural centres. This figure does not include the monies allocated to the maintenance and development of community centres.

Information and statistical data on libraries

- No. of Public Libraries - 21 (18 in Trinidad and 3 in Tobago). Five new libraries are proposed;
- Total Size of the public libraries - 101,498 sq. ft. (10,913 sm.)
- Total No. of registered users (by library)- 192,200 (estimated- year 2000)

- Total No. of loans annually - 500,000
- No. of mobile libraries and their location - 3 (2 North, 1 Tobago)
- No. of readers served by mobile libraries - North 5,000 registered users; Tobago 1,500 registered users.
- Total No. of loans annually - North 31,000 loans; Tobago 12,000 loans (estimated- year 2000)

Branches	Registered Users	Areas (square feet and square metres)
Trinidad		
Arima	10,000	5,100 sf 567 sm
Chaguanas	5,000	1,600 sf 178 sm
Diego Martin	2,500	1,444 sf 156 sm
Maloney	3,600	2,650 sf 293 sm
Mayaro	4,500	2,500 sf 278 sm
Port of Spain	41,000	8,500 sf 948 sm
St. James	4,400	2,000 sf 188 sm
San Juan	10,000	2,450 sf 272 sm
Sangre Grande	5,500	2,685 sf 298 sm
Tunapuna	4,400	2,600 sf 289 sm
Couva	5,500	1,377 sf 158 sm
La Brea	2,800	4,928 sf 545 sm
Moruga	2,800	944 sf 100 sm
Pt. Fortin	6,000	6,500 sf 722 sm
Ps. Town	5,500	2,735 sf 307 sm
Siparia	5,000	1,550 sf 156 sm
San Fernando	20,000	11,198 sf 1,083 sm
Tobago		

	126	
Scarborough	4,142	30,000sf.
Roxborough	1,392	3300sm.
Charlottetown	667	4,100 sf.
		455sm.
		6,200 sf.
		660 sm.
Bookmobiles		
Trinidad	5,000	687 sf.
Tobago	1,500	73sm.
		250 sf.
		28 sm.
Total	,201	101,998 sf.
		10,913 sm.

39. Please supply information on the facilities and benefits granted to young people, older persons, persons with disabilities and children for participating in cultural activities?

The Ministry of Social Development has avidly celebrated International Day for Older Persons on October 1st of each year. Over the years, this Day has been celebrated essentially by producing cultural functions for a selected number of older persons.

The Government of Trinidad and Tobago in 2000 took heed of the changing population demography and decided to celebrate the Day with a national festival, *Senior Citizens Festival 2000*. This festival involved the active participation of the older persons. Well over 2,000 persons attended.

In 2001 the Day was celebrated on a much larger scale by placing celebrations within communities in order to reach the wider society. More persons benefited at the community level and more importantly, a larger number of older persons were provided with the opportunity to participate actively in the celebrations.

The Government of Trinidad and Tobago first celebrated the International Day of Older Persons in 1992. These celebrations have continued and funds allocated towards its celebration have increased. In 1999 the Ministry of Social Development allocated \$20,182.50 to the celebration of the aged. In the year 2000 this allocation increased to \$75,000.00 and in the year 2001, funding for International Day of Older Persons totalled \$138,000.00.

Indian Arrival Day and Emancipation Day are designated national public holidays. During celebrations to commemorate these historic days, older people and survivors of the crossing, during periods of slavery and indentured labour are usually honoured.

Children

At the primary school level of education, pupils are exposed to folk literature through the *Broadcast to the Schools Programme*. There is instruction on the theme of national festivals in the Social Studies Syllabus, and there is student participation in national cultural events and school competitions. Standard two students of the Tunapuna Anglican Primary School visited *D'Midas Associates Mas Camp*, in February 2001 as part of a class project on Carnival.

At the secondary level of education, there is instruction on the theme of *Cultural Forms* in the Social Studies Syllabus and instruction on *Art Forms of the Caribbean* in the Caribbean History Syllabus. There is also student participation in national cultural events and school competitions. For Carnival 2001, schools across Trinidad and Tobago were invited by the Carnival Institute of Trinidad and Tobago to participate in a research project which also involved the production of a traditional carnival band.

The Language Arts Curriculum is also used in schools as an effective medium for developing and diffusing culture way of stories, speeches, rap, calypso, songs and rapso. Other subjects in the curricula which expose children to aspects of our culture include literature, drama and creative arts.

Exemplars of Culture are sometimes invited by schools to conduct workshops for students. These workshops demonstrate our cultural traditions and encourage students to appreciate and use our cultural ways.

40. Please furnish information on the measures taken by the State party to promote the population's access to scientific and technological information.

The Government recently enacted a College of Science, Technology and Applied Arts of Trinidad and Tobago, Act No. 77 of 2000. The Act has established a body corporate to be known as the College of Science, Technology and Applied Arts of Trinidad and Tobago (COSTAATT). The College is an umbrella body, comprising a number of institutions listed in the Schedule to the Act, including, among others, the John Donaldson Technical Institute; NIHERST Colleges (Business Management and Information Technology Division, College of Health and Sciences, College of Nursing, General Education Division, School of Languages) and the San Fernando Technical Institute.

The objects of COSTAATT as stated in the Act are to:

- *contribute to the national and regional development, social equity and the development of society by providing broad based*

access to socially responsive and innovative educational programmes and by encouraging scholarly work and applied research;

- provide programmes that meet internationally acceptable standards, to foster professional and personal development, to prepare students for careers and for advanced study in the areas of science, technology and applied arts;
- promote a culture of excellence by creating and maintaining an academic culture that foster innovation, discipline, tolerance of diversity, criticism, self evaluation and peer assessment.
- promote cross-cultural understanding and mutual respect among peoples;
- strive to be a centre of excellence for scholarly work and applied research.

COSTAAT is being managed by a fifteen member Board of Trustees. The College is a teaching, research and examining body. The funds and resources of the Board shall consist *inter alia* of amounts appropriated by Parliament; special grants provided by the Government for special programmes; sums arising from grants from other persons including national and international bodies and sums received as fees for tuition. The College is exempted under the Act from paying any stamp duty, corporation tax, custom duty, purchase taxes, motor vehicle taxes and all other taxes on its income or profits or on assets which it acquires for its own use.

With the advent of COSTAATT, NIHERST can now play an enhanced role in other aspects of its mandate in Science, Technology and Innovation.

One such mandate is in Science Promotion and Popularisation. NIHERST is committed to developing, managing and funding programmes that:

- Increase public understanding of Science and Technology
- Promote Mathematics and Science Education
- Promote creativity and innovation
- Foster a culture of innovation and invention and
- Strengthen formal science education through the promotion of informal teaching strategies in the science curriculum.

The overall objective of NIHERST's Science popularisation and promotion programmes is to educate the public in Science and Technology, promote greater dialogue on difficult issues, reduce antipathy and negative attitudes, and facilitate informed collective and individual decision-making on matters involving Science and Technology.

To this end, NIHERST has achieved, in part through the National Science Centre, the following activities for the period June 1990 to August 2001.

- The stimulation of creativity, invention, innovation and entrepreneurship in children and adults through Science, Technology & Innovation Competitions including:
 - Annual NIHERST/NGC Science Whizz Competition
 - Science Whizz Ideas Workshops in both Trinidad & Tobago
 - Prime Minister's awards for Innovation and Invention (children & adults).
 - Annual holiday for young inventors and Innovators Camps:
 - Kids Invent Toys
 - Young innovators and inventors Camps. Approximately 120 children have benefited from camps held in 2000 and 2001.

- Annual outreach programmes to underserved school districts and communities

- Publication of the NIHERST Children's Science Magazine (9 to 12 years). Magazine on its 5th issue.

- Yapollo's Touring Exhibitions

- Science Promotion Workshops and Seminars for Teachers

- Biennial Science and Technology Festival *Sci-TechKnoFest* 2002.

Over 600,000 adults and children have benefited from the science popularisation activities NIHERST has conducted over the past decade. It is seeking to sustain and increase its impact over the next decade.

Government has given its support for NIHERST to expand its thrust in informal science education that will serve to reinforce classroom learning. Informal science education helps to demystify Science and Technology and present it in a more culturally relevant way for students and adults left behind by the old school system.
