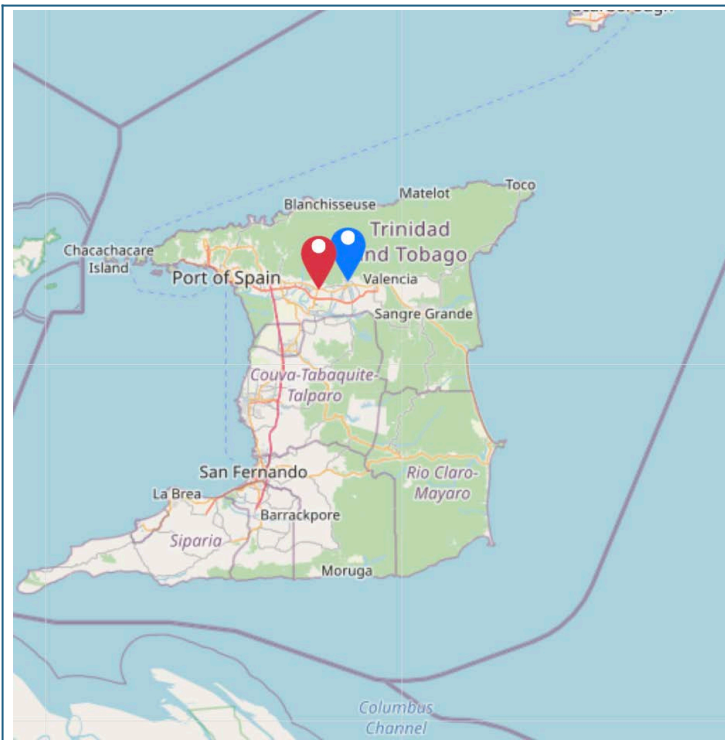


Trinidad and Tobago Immigration Detention Data Profile



Quick Facts

Immigration detainees (2014)	131
Detained minors (2017)	Not Available
Immigration detention capacity (2011)	150
International migrants (2015)	49,900
New asylum applications (2019)	9,189

NOTES ON USING THIS PROFILE

- Sources for the data provided in this report are available online at: <https://www.globaldetentionproject.org/countries/americas/trinidad-and-tobago>
- "Observation Dates" indicate the timeframe statistical data correspond to or other data were last validated. More than one statistical entry for a year indicates contrasting reports.

STATISTICS

Detention, expulsion, and incarceration statistics

		Observation Date			Observation Date
Total number of immigration detainees by year	131	2014	Total number of detained minors	Not Available	2017
Estimated total immigration detention capacity	150	2011	Number of dedicated long-term immigration detention centres	1	2016
Criminal prison population	3,700	2016	Percentage of foreign prisoners	3.1	2013
	4,846	2013			
Prison population rate (per 100,000 of national population)	272	2016			
	362	2013			

Demographics and immigration-related statistics

		Observation Date			Observation Date
Population	1,360,000	2015	International migrants	49,900	2015
International migrants as a percentage of the population	3.7	2015	Refugees	2,308	2019
				785	2018
				288	2017
				89	2016
				121	2015
				83	2014
Ratio of refugees per 1000 inhabitants	0.08	2016	Total number of new asylum applications	9,189	2019
	0.06	2014		156	2016
				161	2014
Refugee recognition rate	75	2014			

DOMESTIC LAW

LEGAL TRADITION

Legal tradition	Name	Observation Date
	Common law	

LAWS AND REGULATIONS

Constitutional guarantees?	Yes/No	Constitution and Articles	Year Adopted	Last Year Amended
	Yes	The Constitution of the Republic of Trinidad and Tobago, Act 4 of 1976, as amended by Act 89, 2000 Article 4 Article 5 Article 11	1976	1976

LAWS AND REGULATIONS				
Core pieces of national legislation	Name		Year Adopted	Last Year Amended
	Immigration Act and Amendments, Chapter 18:01		1969	2000
GROUNDS FOR ADMINISTRATIVE IMMIGRATION-RELATED DETENTION				
Immigration-status-related grounds	Name		Observation Date	
	Detention to establish/verify identity and nationality		2016	
	Detention to effect removal		2016	
	Detention for unauthorised entry or stay		2016	
CRIMINALIZATION OF IMMIGRATION-RELATED OFFENCES				
Does the country provide specific criminal penalties for immigration-related violations?	Fines	Incarceration	Observation Date	
	Yes	Yes	2016	
CRIMINALIZATION OF IMMIGRATION-RELATED OFFENCES				
Grounds for criminal immigration-related detention/incarceration and maximum potential duration of incarceration	Grounds for Incarceration	Maximum Number of Days of Incarceration		Observation Date
	Unauthorized entry	0		2016
	Unauthorized re-entry	0		2016
LENGTH OF DETENTION				
Maximum length for administrative immigration detention in law.	Number of Days		Observation Date	
	No Limit		2016	
LENGTH OF DETENTION				
Longest recorded instance of immigration detention.	Number of Days		Observation Date	
	1095		2016	
LENGTH OF DETENTION				
Average length of detention	Number of Days		Observation Date	
	60		2014	
PROCEDURAL STANDARDS				
Provision of basic procedural standards	Name	In Law	In Practice	Observation Date
	Right to legal counsel	Yes		2016
	Access to free interpretation services	Yes		2016
NON-CUSTODIAL MEASURES (ALTERNATIVES TO DETENTION)				
Types of non-custodial measures	Name	In Law	In Practice	Observation Date
	Supervised release and/or reporting		infrequently	2014
	Provision of a guarantor		infrequently	2014

VULNERABLE PERSONS

Is the detention of vulnerable persons provided in law? Are they detained in practice?	Name	In Law	In Practice	Observation Date
	Asylum seekers	Not mentioned	Yes	2016

COVID-19 UPDATES

	Update Status	Observation Date
Latest Update	<p>Trinidad and Tobago adopted a series of measures in response to the Covid-19 pandemic, including health-related measures, employment benefits, food handouts, and temporary extension of residence permits and certificates. However, most asylum seekers and irregular migrants, mainly from Venezuela, did not benefit from these measures, aside from receiving primary health care (see 9 May Trinidad and Tobago update on this platform). Instead, officials in the country have used the pandemic to spread fear about the dangers of migrants, particularly those from Venezuela. While it is estimated that 40,000 Venezuelans were residing in Trinidad and Tobago in 2019, the country has not instituted an official asylum policy and no legislation protecting migrants and asylum seekers is in place. In May 2019, the government embarked on a nationwide exercise to register all Venezuelan nationals who are in the country, regardless of their immigration status. The registration process began on 31 May and ended on 14 June 2019. Venezuelans with valid work permits and those in the process of obtaining legal immigration status did not have to undergo the registration process. Following the two-week procedure, only 16,500 Venezuelans were registered, a fraction of the total population. Those registered can remain in the country temporarily and work legally for one year. Venezuelan migrant children remain still barred from going to school. In response, some Trinidadians have set up support groups. In July 2019, shortly after the registration procedure ended, the country's national security minister called for ramped up deportations of undocumented people "in the same manner as the United States." In a press conference on 25 July 2020, the minister claimed that "illegal immigrants," "boat people," and those that "trafficked them" present health risks and issued a hotline number for people to make reports. On 27 July, the Trinidad and Tobago Police Service circulated fliers on Facebook stating that "illegal immigration" could cause a "new wave of Covid-19" and called people to report "suspicious activity." The following day, 167 Venezuelan nationals were deported from Trinidad and Tobago after having completed a compulsory quarantine period, as requested by the Venezuelan government. Louise Tillotson, a Caribbean researcher at Amnesty International said: "It's no secret that Trinidad and Tobago's authorities criminalise irregular entry, contrary to international human rights standards. But to deport Venezuelan refugees back to the human rights and humanitarian emergency that they were fleeing, in the middle of the pandemic, is an outrageous violation of the obligations that Trinidad and Tobago has committed to under international law. No one should be forced back to a place where they are at risk of serious human rights violations." The local NGO, Caribbean Centre for Human Rights, has called on the government to help Venezuelan women and children who may have been trafficked to the country by giving them access to fair and efficient asylum procedures rather than sending them back automatically. While it is unclear if any specific measures have been taken in the country to protect immigration detainees, some measures have been implemented in prisons. On 3 April, the attorney general announced the release of 388 prisoners of the 3,959 total population. Only those incarcerated for minor infractions are eligible for release and they have to go through a medical test before being released.</p>	2020
	<p>Trinidad and Tobago reportedly operates one dedicated immigration detention centre, the Aripo Detention Centre in Arima, which has a total capacity of 150 places. In recent years, the country has cracked down on Venezuelan migrants and asylum seekers who have fled violence and economic hardship in their country. The Covid-19 pandemic reached the Caribbean in March 2020, and it is expected that the outbreak will increase further in the coming weeks. As of 8 May, the country had recorded a total of 116 cases and 8 deaths. As a response to Covid-19, the government implemented confinement measures for all the "non-essential labour force" from 29 March until 15 April. This was later extended to 30 April. The government had announced, on 22 March, the closure of its borders to all international flights for an indefinite period and visas for non-citizens are currently suspended until further notice. The government also introduced a series of financial and economic measures to provide income, food and rental fee support to nationals and permanent residents who have been financially affected by the Covid-19 crisis. Most Venezuelan migrants and refugees as well as other non-nationals, will not benefit from these measures, but are entitled to public primary health care. According to the International Detention Coalition, the government is keeping migrants and asylum seekers in immigration detention centres with a history of poor healthcare and sanitation, disregarding the risks for detainees in contracting Covid-19. Amnesty International has also begun a petition urging the governments of the USA, Mexico, Canada, Curacao and Trinidad and Tobago to release migrants and asylum seekers from immigration detention so they can be protected from Covid-19 infection. UNHCR implemented several measures aimed at ensuring protection for persons of concern during this pandemic. Three hotlines have been established to provide assistance and information. In the first month, the hotline received 1,111 queries from persons of concern requesting information on cash (51%) or food (16%) assistance. A cash-based intervention was put in place and 215 applications have already been approved. Also, through an implementing partner in the country, Living Water Community, UNHCR is providing food to around 200 families. Other measures such as a public information campaign, ensuring education access and providing medical and psychosocial health services have been set up by UNHCR and their implementing partners. On 3 April, the general prosecutor announced the release of 388 prisoners out of the country's 3,959 total prison population. Only those sentenced for "minor" infractions were released and a medical examination prior to release is conducted on the prisoners. Following the suspension of visits to prisoners on 31 March, alternatives such as electronic communications and video calls were organised in the Golden Grove women's prison. Each prisoner will get 10 minutes every two weeks to speak with their family. While the country has taken measures to protect prisoners, including release and suspension of visits, the GDP has been unable to find reports indicating that authorities have adopted any measures to assist migrants in detention.</p>	2020

INTERNATIONAL LAW

Relevant international treaties and date of ratification

International treaties	Name	Ratification Year
	CRPD, Convention on the Rights of Persons with Disabilities	2015
	CTOCSP, Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime	2007
	CTOCTP, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children	2007
	CRSR, Geneva Convention Relating to the Status of Refugees	2000
	PCRSR, Protocol to the Geneva Convention Relating to the Status of Refugees	2000
	CRC, Convention on the Rights of the Child	1991
	CEDAW, Convention on the Elimination of All Forms of Discrimination against Women	1990
	ICCPR, International Covenant on Civil and Political Rights	1978
	ICESCR, International Covenant on Economic, Social and Cultural Rights	1978
	ICERD, International Convention on the Elimination of All Forms of Racial Discrimination	1973
	CRSSP, Convention Relating to the Status of Stateless Persons	1966
	VCCR, Vienna Convention on Consular Relations	1965
Ratio of relevant international treaties ratified	12/19	

Relevant international treaties and date of ratification

International treaty reservations	Name	Reservation Year	Observation Date
	ICCPR Article 10	1978	1978
	ICCPR Article 14	1978	1978
	ICCPR Article 26	1978	1978

Relevant international treaties and date of ratification

Individual complaints procedure	Name	Acceptance Year
	ICCPR, First Optional Protocol to the International Covenant on Civil and Political Rights, 1966	1980

Relevant international treaties and date of ratification

Ratio of complaints procedures accepted	Number	Observation Date
	1/6	
	1/6	

Regional treaties, regulations, and directives

Regional legal instruments	Name	Year of Ratification (Treaty) / Transposed (Directive) / Adoption (Regulation)
	CBDP, Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Convention of Belem do Para)	1996

Non treaty-based international human rights mechanisms			
Relevant recommendations of the UN Universal Periodic Review	Recomendation Issued	Year Issued	Observation Date
	No	2016	2017
	Yes	2011	

INSTITUTIONAL INDICATORS																
Governing structures																
Federal or centralized governing system		Federal or centralized governing system								Observation Date						
		Centralized system								2015						
Governing structures																
Centralized or decentralized immigration authority		Centralized or decentralized immigration authority								Observation Date						
		Centralized immigration authority								2015						
Institutions responsible for immigration detention																
Custodial authority		Agency			Ministry			Ministry Typology			Observation Date					
		Trinidad and Tobago Prisons Services			Trinidad and Tobago Prisons Services			Prison			2015					
		Immigration Division			Ministry of National Security			Internal or Public Security			2015					
Institutions responsible for immigration detention																
Detention Facility Management		Entity Name					Entity Type			Observation Date						
		Ministry of National Security					Governmental			2015						
		Trinidad and Tobago Prisons Services					Governmental			2009						
Institutions responsible for immigration detention																
Formally designated detention estate?		Formally designated immigration detention estate?				Types of officially designated detention centres							Observation Date			
		Yes				Any facility designated by relevant authority							2015			
Institutions responsible for immigration detention																
Types of detention facilities used in practice		Immigration detention centre (Administrative)	Immigration field office (Administrative)	Transit centre (Administrative)	Reception centre (Administrative)	Offshore detention centre (Administrative)	Hospital (Administrative)	Border guard (Administrative)	Police station (Criminal)	National penitentiary (Criminal)	Local prison (Criminal)	Juvenile detention centre (Criminal)	Informal camp (Ad hoc)	Immigration detention centre (Ad hoc)	Surge facility (Ad hoc)	Observation Date
		Yes							Yes	Yes	Yes					2015
2014																
Detention monitoring institutions																
Authorized monitoring institutions		Institution					Institution Type					Observation Date				
		Office of the Ombudsman of Trinidad and Tobago					National Human Rights Institution (or Ombudsperson) (NHRI)					2016				
Detention monitoring institutions																
Does NHRI carry out visits?		Does NHRI carry out visits in practice?								Observation Date						
		Yes								2013						

Detention monitoring institutions

Does NHRI have capacity to receive complaints?	Does NHRI have capacity to receive complaints?	Observation Date
	Yes	2014

More information about immigration detention in Trinidad and Tobago is available at the website of the Global Detention Project (www.globaldetentionproject.org)

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