



**PERMANENT MISSION OF THE REPUBLIC OF TRINIDAD AND TOBAGO
TO THE OFFICE OF THE UNITED NATIONS, GENEVA**

Note No. 105/2023

The Permanent Mission of the Republic of Trinidad and Tobago to the United Nations Office at Geneva and the Specialised Agencies in Europe presents its compliments to the Special Procedures Branch of the Office of the High Commissioner for Human Rights and has the honour to transmit the response of the Government of the Republic of Trinidad and Tobago to Communication Ref.: UA TTO 1/2023 dated 19 October 2023 from the (then) Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism.

The Permanent Mission of the Republic of Trinidad and Tobago to the United Nations Office at Geneva and the Specialised Agencies in Europe avails itself of this opportunity to renew to the Special Procedures Branch of the Office of the High Commissioner for Human Rights the assurances of its highest consideration.

Geneva, 18 December 2023



**Response from the Government of Trinidad and Tobago to the
Urgent Appeal from the Special Rapporteur on the Promotion and Protection of
Human Rights and Fundamental Freedoms while Countering Terrorism**

Reference is made to the matter at caption and correspondence *Ref. UA TTO 1/2023* dated October 19, 2023, wherein a response was requested from the Government of the Republic of Trinidad and Tobago with respect to the steps taken by the Government to safeguard the rights of [REDACTED] and her son, namely [REDACTED]

Having reviewed the correspondence, the responses hereunder were prepared by the Government of the Republic of Trinidad (GoRTT), which includes input from (i) the Office of the Attorney General and Ministry of Legal Affairs, (ii) the Ministry of National Security and (iii) the Ministry of Foreign and CARICOM Affairs, and are respectfully submitted for the Special Rapporteur's attention.

- 1. Please provide any additional information and any comment you may have on the above-mentioned allegations.**

The Government's response to No. 1:

The Constitution of the Republic of Trinidad and Tobago recognizes and guarantees that, without discrimination by reason of race, origin, colour, religion or sex, all citizens are afforded universally accepted fundamental human rights and freedoms.

The GoRTT, in governing a sovereign state, recognises the potential impact of persons entering or returning to the jurisdiction from conflict zones, having endured exposure to extreme violence and hardship. In this regard, there continues to be ongoing efforts and particular emphasis on Trinidad and Tobago's readiness in treating with the repatriation or return of persons from conflict zones. Whilst this matter is of utmost importance, this process involves ensuring that there exists the necessary legislative framework to manage this dire situation, as well as ensuring that appropriate arrangements and resources are allocated to deal with the deradicalization and reintegration of persons safely into society. It is of utmost importance that the GoRTT safeguards its citizens and that overall national security interests are preserved, in dealing with this multifaceted issue.

Furthermore, the GoRTT is also regularly collaborating with various international organisations and experts on this matter, in order to learn from other countries' experiences and to ensure its approach is congruent with international best practices. Needless to say, the GoRTT continues to progress through the ongoing work and is unwaveringly dedicated to promoting appropriate physical, psychological, psychosocial, secure, and social reintegration of its said nationals, including children. The GoRTT is also cognizant of the importance of a whole-of-government approach, and has established a multi-agency task force, comprising representatives from Government agencies responsible for child protection, legal affairs, law enforcement, counter trafficking,

intelligence services, border control and consular and diplomatic affairs to lead on this issue. Further, the GoRTT recognizes the role that civil society organizations play in the rehabilitation, reintegration and relocating of Foreign Terrorist Fighters, returning nationals and their families, and has sought to include such representatives in its current and ongoing efforts.

- 2. Please provide information on what steps have been taken to address the risk and prevent the transfer of [REDACTED] from the Houri Centre to an adult detention facility.**

The Government's response to No. 2:

The GoRTT wishes to thank the Special Rapporteur for transferring the information received as per its respective mandates. The GoRTT has received and continues to receive a plethora of requests by persons claiming to be citizens of Trinidad and Tobago in similar circumstances with demands for return. In treating with all matters, as aforementioned, the GoRTT is paying specific attention to this on-going complex matter and is taking all requisite steps towards ensuring the necessary preparations and resources are allocated to effectively deal with the safe repatriation of Trinidad and Tobago citizens.

Please be informed that the GoRTT continuously collects intelligence and information on these evolving matters. However, due to a lack of concrete evidence to confirm the assertions being made by persons claiming to be Trinidad and Tobago nationals or of those having been taken to the conflict zones against their free will, it is essential to have laws and procedures in place to properly address all underlying issues.

Moreover, whilst these matters fall within our respectful purview, the GoRTT has to undertake a comprehensive approach and in treating with matters on a *case-by-case basis*, will apply domestic law in conformity to the rule of law and applicable international standards.

- 3. Please provide detailed information on the nationals of Trinidad and Tobago repatriated from Northeast Syria, including figures, and indicating their gender and age range.**

The Government's response to No. 3:

To date, the GoRTT has not conducted any formal repatriations of nationals from North-East Syria. Kindly note that the GoRTT is committed to returning its nationals from North-East Syria, and is making the necessary legislative and regulatory arrangements to facilitate requests for repatriations, which, as stated previously, will be considered on a

case-by-case basis, in alignment with domestic law in conformity to the rule of law and applicable international standards.

- 4. Please provide information on measures taken or foreseen by your Excellency's Government to identify and localize your nationals, held in different detention facilities (camps, rehabilitation centres, prisons) in Northeast Syria including [REDACTED] and her son, [REDACTED], in order to protect their physical and mental health and integrity, to safeguard their rights, to end their detention, and to ensure their safe repatriation.**

The Government's response to No. 4:

The GoRTT has received and continues to receive a plethora of requests by persons claiming to be citizens of Trinidad and Tobago in similar circumstances with demands for return. In treating with all matters, as aforementioned, the GoRTT is paying specific attention to this on-going complex matter and is taking all requisite steps towards ensuring the necessary preparations and resources are allocated to effectively deal with the safe repatriation of Trinidad and Tobago citizens. The GoRTT also continues to work closely with partner countries and international organisations, on the ground in North-East Syria, in aiding our national efforts to identify and locate Trinidad and Tobago nationals who may be present in the region.

- 5. Please provide information on the criteria based on which nationals of Trinidad and Tobago are being identified and cleared for repatriation and explain how your Excellency's Government assesses the cases of boys who reached the age of adulthood while in detention in Northeast Syria.**

The Government's response to No. 5:

Please be guided by the responses to questions two (2) and four (4) above.

- 6. Please provide details on the domestic mechanism and/or procedure that has been set up to identify and protect the rights of individuals who have been trafficked into Northeast Syria, in particular women and children.**

The Government's response to No. 6:

Given the nature and complexity of the trafficking conducted by these terrorist organisations, the GoRTT is heavily reliant on the provision of assistance from Foreign Law Enforcement Authorities to coordinate or pursue effectively, the manner in which these traffickings are executed, in its locality. Further, the case-by-case approach, as

outlined in three (3) above, will allow the relevant law enforcement and counter trafficking officials to screen and investigate as necessary. The overall protection of human rights, safety and wellbeing of all nationals are of paramount concern to the GoRTT and its approach to these matters works in tandem with the various Human Rights Council Resolutions.

The GoRTT, in addressing this matter, has been working assiduously with all stakeholders via draft legislation to ensure that this crisis is determined appropriately. This legislation will introduce inter alia a framework for specific measures to treat with the complex issue of persons requiring specialist attention and care to safely reintegrate them into society having returned from geographical areas marred by war and extreme violence. The GoRTT is currently working assiduously to have this legislation finalized in the near term. In the interim, the GoRTT wishes to underscore its commitment to safeguarding national security interests and assures that in this essential process, which involves the balancing of rights, all requisite steps will be taken to ensure constitutional rights are preserved.

Ministry of Foreign and CARICOM Affairs of the Republic of Trinidad and Tobago

December 15, 2023