

RESPONSE OF THE MINISTRY OF SOCIAL DEVELOPMENT RE: REQUEST FOR
INFORMATION FROM THE UN HIGH COMMISSIONER FOR HUMAN RIGHTS:
HUMAN RIGHTS COUNCIL RESOLUTION 12/6 – “HUMAN RIGHTS OF MIGRANTS:
MIGRATION AND THE HUMAN RIGHTS OF THE CHILD”

1. **Challenges in the implementation of the international framework for the protection of the rights of the child in the context of migration.**

a) *The situation of separated and unaccompanied migrant children.*

There is at present no institutionalised mechanism in Trinidad and Tobago to collect data on, and therefore describe the situation of separated and unaccompanied migrant children.

b) *Access to social services (ensuring, inter alia, protection of the right to health, housing, education, water and access to sanitation), including for migrant children in an irregular situation.*

There is universal access to primary health care. Access to water and sanitation would depend on the quality of housing that is accessed. However, access to social safety net programmes (in terms of social assistance grants) is restricted to citizens of Trinidad and Tobago and their dependants – these provisions are governed by legislation.

Migrant children do access schools in Trinidad and Tobago although there is no formal policy position on this issue. The Ministry of Education is guided by the relevant sections of the Education Act and Article 28 of the Convention on the Rights of the Child (“right of the child to education – on the basis of equal opportunity – compulsory and available free”).

e) *Access to the right to identity, including birth registration.*

All persons born in Trinidad and Tobago can access the birth registration process; however, birth registration in Trinidad and Tobago of non-nationals does not lead automatically to citizenship.

2. **Examples of best practice in the implementation of the international framework for the protection of the rights of the child in the context of migration.**

- a) *National legislation, policies and practice, including mechanisms to assess and address challenges in the implementation of the international framework for the protection of the rights of the child in the context of migration.*

A Cabinet-appointed Multi-Sectoral Task Force to Counter Human Trafficking in Trinidad and Tobago is currently addressing the situation of migrants – especially the children of migrants – within the ambit of its deliberations. The Ministry of Social Development is represented on that body.

- b) *Joint efforts and strategies available at the bi-lateral, regional and international levels to assess and address challenges in the implementation of the international framework for the protection of the rights of the child in the context of migration.*

In 2009 the International Organisation for Migration (IOM), UNICEF (Caribbean Area Office) and the CARICOM Secretariat spearheaded an initiative to address the situation of child migration in the Caribbean. Two (2) working Group Sessions – that comprised representatives of the Member States of CARICOM – were conducted and culminated in a document titled: “A Framework and Recommendation for Action on children Affected by Migration in the Caribbean” which was to be presented at the 19th COHSOD [Council for Human and Social Development (of CARICOM)] Meeting – April 14th – 16th 2010.