



**ORGANIZATION OF AMERICAN STATES**  
**Inter-American Drug Abuse Control Commission (CICAD)**

**Multilateral Evaluation Mechanism (MEM)**  
**Governmental Expert Group (GEG)**

**TRINIDAD AND TOBAGO**

**EVALUATION OF PROGRESS IN DRUG CONTROL**  
**2003-2004**

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## INTRODUCTION

Trinidad and Tobago has a total area of 5,128 km<sup>2</sup> with 362 km of coastline. The country has a population of 1,303,000 (2003). The main ethnic groups in the country are Asian (mainly from the north of India) and black. Its literacy rate is 98.30% (2000). Trinidad and Tobago has a parliamentary democracy and is divided into 8 counties, 3 municipalities and 1 district (ward). The country has a GDP per capita of US\$5,955 (1995) and an inflation rate of 4.20% (2002). Trinidad & Tobago exports total US\$4,900 millions annually, which is approximately 63% of the GDP (2003) relying on the principal exports of petroleum and byproducts, chemicals, steel byproducts, fertilizers, sugar, cocoa, coffee, citric fruits and flowers.

## I. INSTITUTIONAL BUILDING/NATIONAL ANTI-DRUG STRATEGY

### A. National Anti-Drug Plan and National Commission

Trinidad and Tobago has had a national anti-drug plan since 2001 approved by Cabinet which expired in December 2004. The National Drug Council, the country's central coordinating and monitoring body, also approved the national anti-drug plan covering demand reduction, supply reduction, control measures, institutional framework and program evaluation. The country reports that the plan, which is implemented by the national agencies responsible for various areas, is currently being reviewed prior to presentation for government approval.<sup>1</sup>

There is an integrated budget for financing the National Anti-Drug Plan which is funded by direct allocations from the central government, with assistance from civil society. The budgetary allocations through the various ministries for administration by the respective agencies, is considered adequate by the country. Trinidad and Tobago could not provide an aggregate figure for funds devoted to anti-drug efforts but is pursuing methods of calculating an aggregate national figure that is spent on an annual basis. In 2002 the budget allocations for the operation of the National Drug Council and its Secretariat was US\$100,000 and in 2003 it totalled US\$110,000. Approval for 2004 was granted for US\$150,000.

The National Drug Council is made up of decision makers at the highest level of the key agencies involved in the anti-drug initiative. This includes representatives from supply control, demand reduction, law enforcement, Customs and Excise, the Central Bank, the Non-Governmental Organizations community, business community, the legal community and National Security.

CICAD recognizes that Trinidad and Tobago had a national anti-drug strategy implemented by the national agencies responsible for the various areas. However, CICAD is concerned that the anti-drug plan expired in December 2004 and has not yet been renewed. The budgetary allocations through the various ministries for administration by the respective agencies are considered adequate by the country to meet its needs.

### B. International Conventions

The country has strengthened its counter narcotic efforts and has ratified:

- Inter-American Convention Against The Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials (CIFTA), 1997.

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<sup>1</sup> The country informs that during the review period, specific objectives which were not completed in the previous plan will continue to be pursued.



- Inter-American Convention against Corruption, 1996.
- Inter-American Convention on Mutual Assistance in Criminal Matters, 1992. (ratification was granted on June 1st, 2004)
- United Nations (UN) Convention Against Illicit Trafficking in Narcotic Drugs and Psychotropic Substances, 1988.
- UN Convention on Psychotropic Substances, 1971
- UN Single Convention on Narcotic Drugs, 1961 as amended by the 1972 Protocol

There is no progress on the ratification of the UN Convention Against Transnational Organized Crime, 2000, or its Protocols against the Smuggling of Migrants by Land, Sea and Air, or the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. The country has not signed the Protocol to the UN Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, nor has it enacted legislations or regulations pertaining to these conventions during 2003–2004. There is an ad-hoc committee, which assesses the effectiveness of the mandates of the particular international conventions, but there have been no bilateral cooperation agreements signed during the period under evaluation.

CICAD recognizes the country has strengthened its counter narcotic efforts and has ratified most of the related United Nations (UN) and Inter-American conventions. There is, however, no progress on the ratification of the UN Convention Against Transnational Organized Crime, 2000, and two of its Protocols, while the Protocol to the UN Convention Against the Illicit Manufacturing of and Trafficking in Firearms, their parts and components and Ammunition remains to be signed and ratified. Legislations or regulations pertaining to the conventions have not been enacted yet.

### **RECOMMENDATION:**

1. RATIFY THE UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME, 2000 AND ITS FOLLOWING PROTOCOLS:
  - A) THE PROTOCOL AGAINST THE SMUGGLING OF MIGRANTS BY LAND, SEA AND AIR.
  - B) THE PROTOCOL TO PREVENT, SUPPRESS AND PUNISH TRAFFICKING IN PERSONS, ESPECIALLY WOMEN AND CHILDREN.
  - C) SIGN AND RATIFY THE PROTOCOL TO THE UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME, 2000 AGAINST THE ILLICIT MANUFACTURING OF AND TRAFFICKING IN FIREARMS, THEIR PARTS AND COMPONENTS AND AMMUNITION.

### **C. National Information System**

The country launched and continues to maintain a National Observatory on Drugs, of which the National Drug Information System is a component. The Observatory seeks to provide information on specific drug-related programmes in addition to social, economic and other initiatives, which have the potential to impact the issue of drugs. The data base utilizes elements of both the Uniform Statistical System on Control of the Supply Area (CICDAT) and the Inter-American Uniform Drug Use Data System (SIDUC) models of data collection and this information is shared with the International Narcotics Control Board (INCB) and the United Nations Office on Drugs and Crime (UNODC). Built into this system is a mechanism of constant evaluation of the data collected.



Trinidad and Tobago utilizes web pages, libraries, education institutions, publications and the press to distribute available materials and information related to the drug problem. However, it does not operate a help line. The country has a budget, which is spread over a number of Ministries and departments, to disseminate information related to the drug problem. The primary Ministries which engage in this activity on a continuous basis are: The Office of the Prime Minister, Social Services Delivery, the Ministry of Health, the Ministry of Education and the Ministry of National Security. This activity is also supported by the work of Non-Governmental Organizations. There are efforts to promote information related to the drug problem to target groups, and where a need is identified, opportunities are taken to educate in these areas. The following amounts were assigned to dissemination of information: US\$406,051.58 in 2002, US\$601,803.17 in 2003 and US\$720,196.66 in 2004.

CICAD recognizes the progress made by the country with the existence of a National Observatory on Drugs, of which the National Drug Information System is a component, to collect statistical data, making use of both the CICDAT and SIDUC models of data collection, and to share this information with relevant authorities. Several formats are being used to distribute available materials and information related to the drug problem. CICAD also recognizes the increase of the amounts assigned to dissemination of information. Non-Governmental Organizations play an important role in these activities too.

## **II. DEMAND REDUCTION**

### **A. Prevention**

Trinidad and Tobago is implementing a national system of drug abuse prevention targeting key populations, including children at primary and secondary schools, tertiary institutions, street and abandoned children. It also has community-based programs for adults in the workplace as well as for prisoners. The country has not provided data on the number of participants in these programs. The Caribbean Institute on Alcohol and Other Drugs (CARIAD) offers both training and certification at a two-week training course which is held annually, for both local and regional participants. Short refresher courses, certificate and training programs were offered in 2002 and 2003 at the University of the West Indies. These courses do not meet the national demand for professional training in drug prevention and treatment. No system exists for accreditation or licensing of demand reduction professionals. The country has not conducted evaluations of the drug programs over the past three years.

CICAD recognizes some progress made by the country in terms of implementing a national system of drug abuse prevention through education and training. NGO's are an integral part of the national demand reduction program. The country needs to advance with the evaluation of programs in this area.

### **RECOMMENDATIONS:**

2. EVALUATE DRUG ABUSE PREVENTION PROGRAMS TO DETERMINE THEIR EFFECTIVENESS.
3. ESTABLISH A MECHANISM TO ESTIMATE COVERAGE ON DRUG ABUSE PREVENTION PROGRAMMES.



## B. Treatment

In the area of treatment and rehabilitation there are public and private facilities providing out-patient and in-patient care for adult males and females as well as male and female minors. Services are provided for early detection, detoxification, treatment and rehabilitation, social reintegration and after care, and self-help groups in both the public and private sector. Social reintegration and aftercare is not offered in the public setting. There are two aftercare centers specifically geared towards women, but none for adolescents. The country reports the following number of drug dependents that sought and received treatment in the fifteen treatment programs which includes both residential and outpatient facilities: 1,571 in 2002, 1,624 in 2003 and 1,461 in 2004.

The country has taken initial steps to establish national standards of care for treatment of drug abuse, and reports that it has drafted a "Code of Practice" which will cover activities or services provided by NGO's. However, there is no national mechanism to oversee the adherence to the standards of care, nor instruments for accrediting treatment services, or a system to evaluate the quality of treatment services carried out.

Studies have been conducted to evaluate treatment and rehabilitation programs in order to assess their effectiveness, but there is no information on early intervention and aftercare/social reintegration.

CICAD recognizes that Trinidad and Tobago has developed treatment programmes for diverse populations, however CICAD notes that the country lacks information whether these programmes are sufficient to cover the demand for treatment. The country should consider the adoption of CICAD's Minimum Standards of Care in their treatment programmes.

### **RECOMMENDATION:**

4. ESTABLISH MINIMUM STANDARDS OF CARE FOR THE TREATMENT OF DRUG ABUSE IN ITS CODE OF PRACTICE, A RECOMMENDATION REITERATED FROM THE SECOND EVALUATION ROUND, 2001-2002.

## C. Statistics on Consumption

Trinidad and Tobago reported that, for the evaluation period 2003-2004, the average age of first use of alcohol, tobacco, solvents and inhalants is 10 – 12 years; for marijuana it is 12 – 14 years, for crack cocaine 16 – 20 years and other cocaine types 14 – 15 years. There is no estimate of the number or the percentage of youth (10 - 19 years) that perceived drug use as being harmful to their health or well-being.

A study is being undertaken in the prison system on the use of drugs by prison inmates utilizing the International Arrestees Drug Abuse Monitoring (I-ADAM) Protocol. The National Alcohol and Drug Abuse Prevention Programme (NADAPP, the National Demand Reduction Agency) undertook the Secondary School Survey on drug prevalence. No other studies have been conducted besides I-ADAM and the Secondary School Survey. The results of the Secondary School Survey are not yet available.

There is no estimate of drug related morbidity among injecting drug users in the community, since there are no reported incidences of injecting drug use among the local population. consequently, the country could not provide estimates of association between intravenous drug use and hepatitis B and C and HIV or any other disease. There is no system in place to gather information from emergency room cases or drug related law enforcement reports. However, data is gathered from



the forensic Sciences Centre on all deaths related to road accidents, murders, suicides, etc., to provide data in order to identify morbidity associated with drug abuse. The country further informs that there are no new drugs or new patterns of administration of drugs in the period 2002 - 2004.

The country does not have an estimate of the number of drug related deaths; research on this topic is being undertaken. It has no system to collect data on drug content or drug toxicity levels in the body associated with drug related mortality. Nor does it have data on drug use as it relates to accidents and crimes. There is no estimate of drug or alcohol use at the time of arrest. Records are not kept on alcohol and drug related traffic accidents nor on drug related accidents in the workplace.

CICAD observes some progress made by the country in the area of data collection. The country needs to continue its data collection agenda in the area of mortality, morbidity, toxicity levels and the correlation between drug use and Hepatitis/HIV in order to provide a more accurate assessment of the extent and the impact of drug abuse on its diverse populations.

### **RECOMMENDATION:**

5. CONDUCT STUDIES TO DETERMINE THE PREVALENCE OF DRUG USE IN THE COUNTRY, A RECOMMENDATION REITERATED FROM THE FIRST EVALUATION ROUND, 1999 – 2000.

## **III. SUPPLY REDUCTION**

### **A. Drug Production and Alternative Development**

Trinidad and Tobago reports that the detected and eradicated area of illicit production of cannabis in 2002 was 12,290 hectares and 13,537 hectares in 2003. No data was provided for the year 2004. The country carries out a manual eradication program that eliminates all crops that are detected. The costs of this eradication program were US\$384,000.00 in 2002 and US\$400,000.00 in 2003. Areas which were eradicated are closely monitored for re-cultivation and further eradication. Coca and poppy production or indoor cultivation of cannabis have not been detected in the country. Although there are no specific alternative development programs, there are social sector programs that provide training and employment opportunities for at-risk groups.

CICAD recognizes that Trinidad & Tobago has made progress in relation to an aggressive eradication program for cannabis, however CICAD notes with concern the increased of the number of detected area of illicit cultivation of cannabis.

### **B. Supply Reduction and Control of Pharmaceutical Products and Chemical Substances**

Trinidad and Tobago reports that, during the period 2003-2004, it has not found any illicit, organic or synthetic drug laboratories. The country indicates that no precursors or synthetic drugs were seized during the period.



## Pharmaceutical Products

All pharmaceutical products listed in the United Nations Convention are controlled by the Drug Inspectorate and the Food and Drugs Division from the Ministry of Health, and by the Customs and Exercise Department from the Ministry of Finance. These divisions are also responsible, in the Commercial Sector, for import/export control, license control, monitoring distribution, inspection, investigation, regulatory control, administrative sanctions, registry of licenses, transport control and sale and storage of pharmaceutical products; in the Health Sector they are responsible for license distribution, monitoring distribution and prescribing, inspection, investigation, regulatory control, administrative sanctions and registry of licenses. To assess the effectiveness of these institutions, Trinidad and Tobago has a formal mechanism based in quarterly reporting of controlled drug substances, import/export permit and auditing. The country reports inadequate staffing and archaic laws and regulations as major impediments encountered in these institutions in effectively fulfilling the control of pharmaceutical products.

Trinidad and Tobago has a mechanism in place to regulate the use and distribution of pharmaceutical products that includes prescription requirement, special license to prescribe certain drugs, distribution through pharmacies, monitoring distribution and prescribing, inspection, administrative sanctions and registry of licenses. The number of licenses to practice issued and number of inspections initiated are used to evaluate the effectiveness of this mechanism.

In terms of pharmaceutical products there are penal and administrative sanctions, but no civil sanctions. In the period under evaluation, there were no seizures involving pharmaceutical products.

## Controlled Chemical Substances

All controlled chemical substances listed in the UN Convention and the CICAD Model Regulations are regulated by Trinidad and Tobago. The Ministry of Health and the Ministry of Finance are responsible for the import/export, regulatory control, administrative sanctions, registry of licensees, principal pharmacist and entry at ports of controlled chemical substances. However, they have no control over manufacturing, distribution, inspection, investigation, transport, as well as pre-export notifications. There is a formal mechanism to evaluate the system, using provision of the Pesticide and Toxic Chemicals Act and the 4th Schedule of the Dangerous Drugs Act. The major impediments encountered by these Institutions in fulfilling their responsibilities are the overlapping functions of different agencies, lack of regulations and insufficient human resources. In 2004 Cabinet established a Chemical Precursor team to review and update the management systems and existing laws in this area.

In Trinidad and Tobago, there are penal, civil and administrative sanctions against diversion of controlled chemical substances. The country reports that there were no pre-export notifications for controlled chemical substances issued during the past three years to countries importing or transshipping these chemicals. The country received 45 pre-export notifications in 2003 for controlled chemical substances, of which two were promptly dealt with. The country did not provide information on pre-export notifications in 2004. There were no seizures involving controlled chemical substances made during 2002 - 2004. If seizures are made, there is provision for these to be destroyed by incineration.

CICAD recognizes some progress made in terms of measures to control pharmaceutical products and chemical substances. Progress has also been made in the evaluative mechanisms to measure the program's efficiency. CICAD notes with concern that Trinidad and Tobago has not established complete management of all areas related to controlled chemical substances under the jurisdiction of the Ministry of Health and the Ministry of Finance.



## RECOMMENDATION:

6. ESTABLISH ADMINISTRATIVE CONTROL MEASURES OVER THE AREAS OF LICENSE CONTROL, MONITORING, DISTRIBUTION, INSPECTION, INVESTIGATION, TRANSPORT CONTROL AND PRE-EXPORT NOTIFICATIONS OF CONTROLLED CHEMICAL SUBSTANCES.

## IV. CONTROL MEASURES

### A. Illicit Drug Trafficking

The country has identified new trends in trafficking routes while a new trend of ingesting cocaine capsules is reported in international trafficking.

Trinidad and Tobago reports the following number of drug seizures operations and the quantities seized by law enforcement agencies during the years 2002- 2004. All seized drugs are disposed of by incineration.

Drugs Seizures, 2002-2004

Year	2002		2003		2004 (Jan-June)	
	Type of drug	Number of Seizures	Quantity Seized	Number of Seizures	Quantity Seized	Number of Seizures
Heroin	2	10.38 kg	8	19.69 kg	Number Not reported	16 kg
Cocaine HCL	1,012	486.18 kg	834	169 kg	Number Not reported	590 kg
Cannabis plants	2,608	2,638.3 kg	3473	299.512 kg	Number Not reported	1,513 kg
Ecstasy	1	8,420 (Tablets)				

The following number of persons were charged and convicted for illicit drug trafficking and illicit possession of drugs during the years 2002- 2004.

Persons charged and convicted for illicit drug trafficking

Year	2002		2003		2004 (Jan-June)	
	Crime	Charged	Convicted	Charged	Convicted	Charged
Illicit drug trafficking	636	85	431	505	580	420
Illicit possession	5087	2923	4604	4718	6044 *	640

\* Please note that this figure includes those persons charged with possession of devices for using drugs, in addition to those in possession of the drug itself.

Possession of drugs is criminalized in the country, with a distinction between "possession" and "possession for the purpose of trafficking" based on the amount of drugs. Any person found in possession of drugs in a school or within 100 meters of a school's premises, regardless of the amount, is charged with drug trafficking. There is no alternative sentencing option for convictions. The country facilitates information exchange and collaboration among national authorities and with international counterparts by using inter-agency committees, joint forces/operations and joint training and inter-agency information systems/networks. There is no formal mechanism in place to evaluate the effectiveness of the system, neither an inter-agency communication systems/network.





The Attorney General is the central authority for judicial cooperation and for making and receiving extradition requests. The country has a mechanism in place for judicial cooperation with other countries and received three requests from the UK and the USA, in 2003 and 2004, which were all facilitated. Extradition treaties have been signed with the USA, the Kingdom of the Netherlands and all Commonwealth countries.

Trinidad and Tobago's law permits extradition of their nationals. The country received one request in 2002 for extradition in an illicit drug trafficking case, in accordance with international agreements, eight in 2003 and three in 2004.

CICAD recognizes the progress made by Trinidad and Tobago by having operational as well as regulatory mechanisms in place to control the illicit drug trafficking activities, utilizing the sharing of information and collaboration among its national authorities and with international counterparts. However, CICAD notes that there is no formal mechanism in place to evaluate the effectiveness of the system, neither an inter-agency communication systems/network.

## B. Firearms and Ammunition

The Ministry of National Security and the Ministry of Finance are responsible for controlling activities in relation to firearms, ammunition, explosives and other related materials. The National Police and Customs are the entities responsible for controlling firearms and preventing firearms and ammunition diversion. There is a mechanism to evaluate the effectiveness of these entities. Information is shared with agencies through the Office of the Commissioner of Police to facilitate various exercises among law enforcement agencies on an "as needed" basis. The country reports that the Firearms Act Chapter 16.01 and the Firearms Amendment Act No. 3 of 2004 (proclaimed on May 31st 2004) criminalize the illicit possession, trafficking and manufacture of firearms, ammunition, explosives and other related materials. It makes provision for a fine of approximately US\$8,300.00 and 10 years imprisonment.

There were 921 persons charged in 2002 and 741 persons charged in 2003 for illicit possession and trafficking of firearms, ammunition, explosives and other related materials. Of these, 151 persons were convicted in 2002. There were no charges or convictions for illicit possession and trafficking of explosives. In 2003, 92 persons were convicted for illegal possession of firearms and ammunition, and in 2004 a total of 835 were charged. In connection with those persons charged a total of 215 firearms and 2,616 rounds of ammunition were seized.

There are laws and regulations that establish administrative controls over the importation (Section 213(2):44), exportation (section 154 of the Customs Act) and in-transit movement (Section 75 of the Customs Act) of firearms, ammunition, explosives and other related materials. The sanctions are fines, forfeiture and imprisonment. During the years 2002 – 2004, 8 sanctions were imposed for importation, 1 for exportation and 3 for in transit. The Customs Act 78.01 and the Firearm Act Chapter 16.01 regulates import and in-transit activities related to firearms, ammunition, explosives and other related materials. Following is an overview of shipments and quantities refused:

Firearms, ammunitions and explosives shipments

Entry of shipments	2002		2003		2004	
	Refused	Quantity	Refused	Quantity	Refused	Quantity
Firearms	7	9	4	4	0	0
Ammunitions	12	542 rounds	6	546 rounds	0	0
Explosives	2	30 cartons	1	14 cartons	0	0



In 2002, three international airlines were fined for un-manifested shipments of quantities of firearms and ammunition. The country has no laws that ensure that before issuing an export license or authorization for shipments of firearms, ammunition, explosives and other related materials, the importing country has first issued the necessary license for import. The law makes no provisions for in-transit shipments or for the re-export of firearms, ammunition, explosives and other related materials.

The country did not provide information on the number of firearms, ammunition, explosives and other related materials confiscated. The country reports that there is a mechanism in place to destroy confiscated firearms, to prevent their return to illicit trade, however details on this mechanism were not provided by the country. The national law requires that firearms be marked at the time of manufacture, for their importation and when officially used after confiscation or forfeiture.

There is a national computerized database and record keeping system for tracking/monitoring all firearms and related material. Records are kept for 5 years, except for the importation of firearms, which is kept for 14 years. Information exchange and collaboration, in relation to the control of firearms, ammunition, explosives and other related materials is handled by Interpol Trinidad. The country reports that no requests were made and no requests received with regard to shipments of firearms, ammunition, explosives, and other related materials.

CICAD recognizes that the country has legal systems in place to implement The Inter-American Convention Against The Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Other Related Materials (CIFTA), 1997. However CICAD notes with concern the lack of information related to confiscation of firearms, ammunition, explosives and other related materials, despite the number of persons convicted for illegal possession of firearms and ammunition.

### **C. Money Laundering**

The Proceeds of Crime Act 2000 criminalizes money laundering and imposes the applicable sanctions: On summary conviction a fine of TT\$10 million (approximately US\$166,667) and imprisonment for 10 years, and on indictment a fine of TT\$25 million (approximately US\$4,166.667) and imprisonment of 15 years. The Act provides for the following predicate offenses: Illicit drug trafficking, trafficking in firearms, kidnapping, extortion, corruption, fraud and other specific offenses under the Income Tax Act, and the Copyright Act. It does not include trafficking of human beings, human organs or terrorism and its financing. Money laundering is criminalized as an autonomous offense: a charge of money laundering can stand on its own, providing that there is ample evidence of the commission of an indictable offence, and does not necessitate a conviction.

There are no national laws that authorize undercover investigations, electronic surveillance, use of informants and controlled deliveries. The existing laws provide, however, for a reduced sentence for a cooperating defendant<sup>2</sup> on approval by the Director of Public Prosecution.

Administrative controls to prevent money laundering apply to banks, stock exchange, insurance, casinos and real estate. They do not apply to offshore banks, currency exchanges, lawyers, notaries, accountants, or cross border movement of money and other negotiable bearer instruments. During the years 2002 – 2004, there were no persons charged or convicted for money laundering. It is mandatory for financial institutions to report suspicious or unusual transactions to the competent authorities and control measures exists to verify client identity, to preserve records, know your clients policies, know your employees policies, and prohibition of

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<sup>2</sup> Therefore, this person becomes a cooperating witness.



anonymous accounts. There are no control measures for the reporting of large transactions, to maintain a client registry, a transaction registry, existence of enforcement officials, or existence of independent audits. The Proceeds of Crime Act provides for currency exchanges and cross border movement of money and other negotiable instruments. Regulations are currently being developed to address the shortcomings experienced.

The country reports details on suspicious transactions and their outcome. There is a system to track and report suspicious transactions and mechanisms to evaluate effectiveness of the system. There were no sanctions imposed on financial institutions for failure to report suspicious transactions under money laundering control, during the period 2002 – 2004. Trinidad and Tobago reports that bank documents and/or financial records can be provided in money laundering cases, and that these documents can be requested for indictment.

In 2002 there was one money laundering case, seventy requests were made for financial documents and all were granted. In 2003 there was one money laundering case, seven requests made for financial documents and all were granted. In 2004, eighteen requests were made and all were granted.

No property was forfeited during the years 2002–2004. In 2003, \$88,600 TT (approximately \$14,063.49 US\$) was confiscated. There was no confiscation of assets in 2004. The national law does not authorize sharing forfeited goods in cases involving more than one country. However, there is a case pending resolution in the court where property has been seized. The country reports that the Ministry of Finance is the entity for the management and/or disposition of assets seized and forfeited for both illicit drug trafficking and money laundering offenses. The Comptroller of Accounts manages the Asset Forfeiture Fund, whereas the Asset Forfeiture Committee appointed by the Minister of National Security, decides on the disposition of those funds.

The Financial Investigations Unit (FIU) is an agency of the Ministry of National Security. The unit has its own budget and conducts analyses and reports its findings, investigates, receives and communicates information but it does not regulate or apply sanctions. The FIU is not a member of the Egmont Group. It can share information with its counterparts in other countries without a signed MOU.

The country reports that money laundering is an extraditable offense. The Attorney General is the central authority for dealing with requests for extradition. The country permits extradition of its own nationals. The national laws make provision for requests to other states, with regard to extradition and money laundering. There were no requests made or received on this subject. No requests were made to other states to freeze assets in money laundering cases. The Central Authority Department of the Attorney General is the responsible agency in these matters.

During the evaluation cycle 2003-2004, the country made requests to and received requests from other states for financial records for use in money laundering investigations. There are provisions to lift bank secrecy in money laundering cases. In 2003 - 2004, 16 prosecutors and 6 administrative officials received specialized training to administer money laundering cases. All of these persons continued to perform the same functions in 2003 and 2004.

CICAD recognizes Trinidad and Tobago has laws on money laundering that establish a number of predicate offenses, but notes with concern that trafficking of human beings, human organs or terrorism and its financing are not considered as predicate offenses. However there is a need to institute tighter controls regarding activities of offshore banks, currency exchanges, lawyers, notaries, accountants, or cross border movement of money and other negotiable bearer instruments. There are gaps in these laws, such as the inability to use special investigation techniques in money laundering investigations.



## **RECOMMENDATIONS:**

7. UPDATE THE LAW ON MONEY LAUNDERING TO INCLUDE THE CRIMES OF TRAFFICKING IN HUMAN BEINGS, HUMAN ORGANS OR TERRORISM AND ITS FINANCING AS PREDICATE OFFENSES, A REITERATED RECOMMENDATION FROM THE SECOND EVALUATION ROUND, 2001-2002.
8. INSTITUTE TIGHTER CONTROLS REGARDING OFFSHORE BANKS, CURRENCY EXCHANGES, LAWYERS, NOTARIES, ACCOUNTANTS, OR CROSS BORDER MOVEMENT OF MONEY AND OTHER NEGOTIABLE BEARER INSTRUMENTS.
9. ADOPT LAWS TO PROVIDE FOR SPECIAL INVESTIGATION TECHNIQUES TO SUPPRESS MONEY LAUNDERING.

### **D. Corruption**

There were no laws enacted or amended, during the evaluation period 2003-2004, that criminalize acts of corruption in accordance with the Inter-American Convention against Corruption. The country reports that a number of high ranking public officials have been charged with money laundering, while others in public service have been charged with illicit drug trafficking. No information was provided on the exact number of public officials charged with money laundering or illicit drug trafficking, nor their outcome.

### **E. Organized Crime**

The principal institutions responsible for enforcing laws against transnational organized crime are the Organized Crime and Narcotics Unit, the Anti-Corruption Squad and the Firearms Interdiction Unit. The Officers of the various units are trained and continue to upgrade their training. These officers are properly screened before assignment and periodically reviewed to ensure trustworthiness. There were no persons arrested, tried or convicted for offenses related to international organized crime. There is no mechanism to evaluate the efficiency of these units.

The country has national laws to combat transnational organized crime which include participation in an organized criminal group, money laundering, corruption, and obstruction of justice, also illicit manufacturing and trafficking of firearms, components and ammunition. They do not include trafficking in persons, victim protection and assistance, nor does it allow for special investigation techniques, such as under-cover operations, telephone tapping or controlled deliveries. The laws also make provisions to cooperate in the areas of extradition, mutual joint, legal assistance, seizures and confiscation and interdiction operations. All requests for assistance received in relation to transnational organized crime during the years 2002-2004 were granted.

CICAD recognizes that Trinidad and Tobago has national laws to combat transnational organized crime, and that the officers of the principal institutions responsible for enforcing these laws are properly trained and continue to upgrade their training. CICAD, however, notes with concern that the laws to combat transnational crime do not include victim protection and assistance, nor do they allow for special investigation techniques, such as under-cover operations, telephone tapping or controlled deliveries.

## **RECOMMENDATIONS:**

10. UPDATE NATIONAL LAWS TO COMBAT TRANSNATIONAL ORGANIZED CRIME TO INCLUDE VICTIM PROTECTION AND ASSISTANCE.
11. ADOPT NATIONAL LAWS TO ALLOW FOR SPECIAL INVESTIGATION TECHNIQUES SUCH AS UNDER COVER OPERATIONS, TELEPHONE TAPPING, AND CONTROLLED DELIVERIES.



## V. CONCLUSIONS

Trinidad and Tobago has made progress in its overall efforts to address the drug control issues that it has been facing. However CICAD notes with concern the expiration of the National Anti-Drug Plan. The budgetary allocations through the various ministries for the implementation of this plan are considered adequate by the country to meet its needs. Furthermore the country has ratified most of the related UN and Inter-American conventions, and CICAD urges the country to continue its efforts in signing and ratifying all of these conventions.

CICAD notes that Trinidad and Tobago has a National Drug Information System to collect statistical data and to share this information with relevant authorities. Several methods are being used to distribute available materials and information related to drug problems. Non-governmental organizations play an important role in the dissemination of information.

In the area of demand reduction, the country made progress in the implementation of drug abuse prevention programs through education and training. The evaluation of prevention and treatment programs, however, will need further strengthening to measure the impact of the prevention programs and to obtain information whether the treatment programs are sufficient to cover the demand for treatment. The country also needs to continue its data collection agenda on morbidity and mortality and on the correlation between drug use and hepatitis and HIV, in order to provide a more accurate assessment of the extent and the impact of drug abuse on its diverse populations.

CICAD observes progress in the activities towards aggressive eradication of cannabis and in terms of measures to control pharmaceutical products. Challenges still remain in establishing complete control of all areas related to controlled chemical substances under the jurisdiction of the relevant authorities.

Operational as well as regulatory mechanisms were improved to control illicit drug trafficking activities. Efforts were enhanced to enforce domestic laws relating to the control of firearms, explosives and ammunition. However, there is a need to institute tighter controls on money laundering activities. Gaps in the laws of the country that prevent the ability to use special investigation techniques in money laundering and transnational organized crime, have to be resolved.

Trinidad and Tobago has been participating actively in the process of the Multilateral Evaluation Mechanism. The country has also shown a commitment to fulfill the recommendations made by CICAD during the previous rounds of evaluation.



## VI. SUMMARY OF RECOMMENDATIONS

The following recommendations are assigned to Trinidad and Tobago in order to assist the country in strengthening its policies to combat the problem of drugs and related activities and increase multilateral cooperation in the Hemisphere:

### INSTITUTION BUILDING

1. RATIFY THE UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME, 2000 AND ITS FOLLOWING PROTOCOLS:
  - A) THE PROTOCOL AGAINST THE SMUGGLING OF MIGRANTS BY LAND, SEA AND AIR.
  - B) THE PROTOCOL TO PREVENT, SUPPRESS AND PUNISH TRAFFICKING IN PERSONS, ESPECIALLY WOMEN AND CHILDREN.
  - C) SIGN AND RATIFY THE PROTOCOL TO THE UNITED NATIONS CONVENTION AGAINST TRANSNATIONAL ORGANIZED CRIME, 2000 AGAINST THE ILLICIT MANUFACTURING OF AND TRAFFICKING IN FIREARMS, THEIR PARTS AND COMPONENTS AND AMMUNITION.

### DEMAND REDUCTION

2. EVALUATE DRUG ABUSE PREVENTION PROGRAMS TO DETERMINE THEIR EFFECTIVENESS.
3. ESTABLISH A MECHANISM TO ESTIMATE COVERAGE ON DRUG ABUSE PREVENTION PROGRAMS.
4. ESTABLISH MINIMUM STANDARDS OF CARE FOR THE TREATMENT OF DRUG ABUSE IN ITS CODE OF PRACTICE, A RECOMMENDATION REITERATED FROM THE SECOND EVALUATION ROUND, 2001-2002.
5. CONDUCT STUDIES TO DETERMINE THE PREVALENCE OF DRUG USE IN THE COUNTRY, A RECOMMENDATION REITERATED FROM THE FIRST EVALUATION ROUND, 1999 – 2000.

### SUPPLY REDUCTION

6. ESTABLISH ADMINISTRATIVE CONTROL MEASURES OVER THE AREAS OF LICENSE CONTROL, MONITORING, DISTRIBUTION, INSPECTION, INVESTIGATION, TRANSPORT CONTROL AND PRE-EXPORT NOTIFICATIONS OF CONTROLLED CHEMICAL SUBSTANCES.

### CONTROL MEASURES

7. UPDATE THE LAW ON MONEY LAUNDERING TO INCLUDE THE CRIMES OF TRAFFICKING IN HUMAN BEINGS, HUMAN ORGANS OR TERRORISM AND ITS FINANCING AS PREDICATE OFFENSES, A REITERATED RECOMMENDATION FROM THE SECOND EVALUATION ROUND, 2001-2002.
8. INSTITUTE TIGHTER CONTROLS REGARDING OFFSHORE BANKS, CURRENCY EXCHANGES, LAWYERS, NOTARIES, ACCOUNTANTS, OR CROSS BORDER MOVEMENT OF MONEY AND OTHER NEGOTIABLE BEARER INSTRUMENTS.
9. ADOPT LAWS TO PROVIDE FOR SPECIAL INVESTIGATION TECHNIQUES TO SUPPRESS MONEY LAUNDERING.



10. UPDATE NATIONAL LAWS TO COMBAT TRANSNATIONAL ORGANIZED CRIME TO INCLUDE VICTIM PROTECTION AND ASSISTANCE.
11. ADOPT NATIONAL LAWS TO ALLOW FOR SPECIAL INVESTIGATION TECHNIQUES SUCH AS UNDER COVER OPERATIONS, TELEPHONE TAPPING, AND CONTROLLED DELIVERIES.