

Foreword

NATIONAL PLAN OF ACTION 2016-2018

Introduction

St. Vincent and the Grenadines is an international partner in the fight against transnational crimes especially trafficking in persons. To illustrate this country's seriousness and commitment to the aforementioned, St. Vincent and the Grenadines ratified the *United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children* on October 29, 2010.

The preamble to this protocol states "*Declaring that effective action to prevent and combat trafficking in persons, especially women and children, requires a comprehensive international approach in the countries of origin, transit and destination that includes measures to prevent such trafficking, to punish the traffickers and to protect the victims of such trafficking, including by protecting their internationally recognized human rights*".

Consequently, the measures spelt out in this National Plan will be guided by the articles set out in the Protocol. The plan seeks to build on the current counter-trafficking measures and will encapsulate the internationally accepted principles of "*Prevention, Protection, Prosecution and Partnership*".

Trafficking in Persons (TIP) is a global phenomenon which seriously affects humanity. It is a crime in which traffickers profit from the exploitation of individuals, who is lured to places where they can be controlled and exploited. Victims are promised a better life and good jobs, but are often forced into dangerous, barbaric, illegal or abusive situations and terrible working conditions; it has no place in a civilized society. Human Trafficking has many different forms such as sexual exploitation in men, women and

children, forced labour, child labour, domestic servitude and the like. St. Vincent and the Grenadines is therefore not immune from being affected by this dastardly act.

Based on our geographical location, porous borders and thrust in tourism and its related activities, St. Vincent and the Grenadines is exposed to all kinds of nationals entering and leaving our shores thereby creating the possibility of our country being used as a transit point. However, through the collaborative efforts of all stakeholders, we stand committed in preventing this societal ill from reaching our shores. We therefore wish to thank all stakeholders involved in this process who stand willing and ready to address all issues relating Trafficking in Persons in St. Vincent and the Grenadines.

Duration of National Plan

This National Plan of Action to combat trafficking in persons is operable for three (3) Years (2016 – 2018) and will be up for review at the end of 2018. However this document may be amended throughout the period to respond to developing trends in human trafficking.

Definition of Trafficking In Persons

Article 3 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children defines Trafficking in Persons as:

(a) “Trafficking in persons” shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;

(b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;

(c) *The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons” even if this does not involve any of the means set forth in subparagraph (a) of this article;* (d) *“Child” shall mean any person under eighteen years of age”.*

Human Trafficking vs. Human Smuggling (Migrant)

Human Trafficking is often confused with Human Smuggling. They are two different phenomenons. Smuggling of Migrants shall mean *“procurement in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a State Party of which the person is not a national or a permanent resident”.*

(Article 3 of the Protocol against Smuggling of Migrants)

It is imperative that this plan highlights the differences. The table below illustrates the differences between the two.

Human Trafficking	Human Smuggling (Smuggling of Migrant)
The product is a “person”	The product is a “service”
The victim does not give consent (if initial consent is given, that consent become irrelevant due to deceptive and abusive nature of the Traffickers)	The Migrant gives consent
The act is involuntary	The act is voluntary
Regular/irregular border crossing or no border crossing	Border crossing is involved
It occurs within or outside of a country	International borders have to be crossed
Withholding of documents (whether legal or not)	Migrant is in possession of documents
Crime against the individual	Crime against the State
Sustained exploitation of the victim	Exploitation of Migrant may not occur
Use of psychological force	Little or no force involve

Overview of Human Trafficking in SVG

St. Vincent and the Grenadines has recently recorded its first report of Human Trafficking. The suspect has been arrested and charged on three (3) counts of engaging in Trafficking in Persons and is on bail awaiting trial. St. Vincent and the Grenadines remains susceptible to acts of human trafficking especially in areas where persons are vulnerable due to some who are economically and socially challenged; and a lack of education of what human trafficking entails. Human Traffickers are utilizing various means to deceive their victims especially via the internet. The Government of St. Vincent and the Grenadines nonetheless remains resolute in its quest to prevent occurrences of human trafficking in the State

The Government's Response

I. Enactment of Legislation

On September 29, 2011, the Parliament of St. Vincent and the Grenadines passed the Prevention of Trafficking in Persons Act (No. 27/2011) which criminalizes human trafficking. The object is to prescribe measures to combat and prevent trafficking in persons by:

- a) Providing a framework for protecting and assisting victims;
- b) Providing the means to effectively investigate, prosecute and suppress all forms of trafficking in persons and;
- c) Promoting cooperation between St. Vincent and the Grenadines and other states in order to prevent and suppress Trafficking in Persons and to punish offenders.

Other supporting laws enacted to combating trafficking are:

- **Domestic Violence Act**
- **Status of Children Act**
- **Child Care Adoption Act**

The Immigration (Restriction Act) will be amended to bolster the government's efforts in combating human trafficking. In addition to this, the Government has instituted visa restrictions on nationals from the following countries namely: Iraq, Iran, Jordan, Syria, Lebanon, The Dominican Republic, Nigeria and the People's Republic of China (Mainland)

II. National Task Force against Trafficking in Persons

There is established, a National Task Force against Trafficking in Persons tasked with a myriad of functions including "Developing a National Plan to address Trafficking in Persons and coordinate its effective implementation". The Task Force is chaired by the Minister of National Security and comprise of the Attorney General, Ministers responsible for Finance, Foreign Affairs, Family, Gender Affairs, Social Development, Social Security, Labour and Legal Affairs and other Senior Government Officials from the afore mentioned Ministries.

III. Formation of the Anti-Trafficking in Persons Unit (ATIPU)

The Anti- Trafficking in Persons Unit (ATIPU) was established in the Royal St. Vincent and the Grenadines Police Force on March 07, 2012 by Commissioner of Police Mr. Keith Miller. It was officially launched on Friday April 13, 2012.

Duties and Responsibilities

The Anti-Trafficking in Persons Unit (ATIPU) will:

1. Investigate possible cases of Trafficking in Persons
2. Prosecute suspected traffickers
3. Train law enforcement officers and other stakeholders about Trafficking in Persons
4. Sensitize the general public about Trafficking in Persons through awareness campaigns.
5. Submit quarterly reports to the Minister of National Security on all pertinent matters concerning Trafficking in Persons.

IV. Formation of an Inter-ministerial Working Group

The Inter-ministerial Working Group currently comprises of representatives from the Ministries of National Mobilization, Labour, Passport and Immigration Department and the Anti-Trafficking in Persons Unit (ATIPU). Its mandate is to

- Assist in public outreach strategy
- Assist in training stakeholders
- Provide support with case referrals

Prevention

Prevention is critical in minimizing and responding to incidents of trafficking. Two (2) very important aspects of prevention are Training and Awareness Campaigns. To date, the government has trained in collaboration with the International Organization for Migration (IOM), law enforcement officers, government and non-governmental officials and other stakeholders in the ‘craft’ of combating human trafficking. Training was conducted locally, regionally and internationally.

These individuals will in turn train other persons so that the relevant stakeholders will have an intimate knowledge about human trafficking; its causes and consequences.

The government embarked on a vigorous sensitization campaign to educate citizens and visitors alike about human trafficking. The Anti-trafficking in Persons Unit has been charged with the responsibility of ensuring that the message against human trafficking “gets out”. The Unit has worked assiduously schools, Government ministries /agencies, Private Sector, Faith Based Organizations, Community Based Organizations, Civil Society and the general public in training and educating them about human trafficking. it is envision that through these awareness exercises, the likelihood of detection is will be increased thus aiding the reporting of such crimes.

Action Points

The training of stakeholders

1. Promote training for front line staff especially those at the borders
2. Promote training for stakeholders
3. Continue campaign awareness through, lectures, pamphlets, skits, bookmarks etc.
4. Make regular visits to vulnerable communities
5. Make available awareness materials at hotels, schools, bars/pubs, taxi agents, airports, billboards, etc.

This National Plan of Action will build on what has been done hitherto and focus on enhancing the process through various campaigns strategies. Additional training will be made available to law enforcement officers and other stakeholders to keep abreast of the trends in human trafficking. It is of paramount importance that law enforcement officers and front line staff be trained because they are the ones who not only would have to detect and prevent trafficking but prosecute the traffickers. In addition more focus will be placed on vulnerable areas where persons are targeted as a result of being economically challenged.

With the advent of 'free movement' of people in the OECS and wider CARICOM region, St. Vincent and the Grenadines is exposed to a number of issues. For example, while some visitors will come to SVG on legitimate business, others will seek to exploit the spirit of 'free movement' to conduct nefarious and illegal activities such as human trafficking. We therefore must be cognizant of this anomaly and fashion the plan accordingly.

Protection and Victim Assistance

Crimes associated with trafficking in persons are usually atrocious. Victims therefore need the sort of protection that will guarantee their safety; accordingly, the protection measures offer will be 'victim centered'. This Plan will seek to enforce the victim assistance measures contained in the Prevention of Trafficking in Persons Act. A germane element of offering protection to victims is "identifying" the victim; this is critical

to the process. The Anti-Trafficking in Persons Unit (ATIPU) has developed 'screening forms' to identify and capture cases of human trafficking.

The National Plan of Action will endeavour to:

1. Offer witness protection to the victim (relocation, New I.D Documents etc.)
2. Psychological and counseling support
3. Protect victims family from threats and/or reprisals
4. Offer protection and security to organizations providing assistance to victims
5. Provide social benefits to victims
6. Issue Temporary Resident and Work Permits to victims to aid in the investigation and prosecution of traffickers
7. Assist victims in repatriation to home country

➤ **The Crisis Centre**

The government of St. Vincent and the Grenadines opened a Crisis Centre. One of the main purposes of this centre is to house battered women and children and victims of human trafficking. The Government will also partner with Non-governmental organizations (NGOs) and Civil Society in the delivery of care for possible victims.

Action Points

1. SVG has the full support of the IOM to assist with the protection of any possible victims of TIP including repatriation back to home country.
2. Provide protection that is victim centered, inclusive of medical care, counseling, translation etc.

Detection, Investigation and Prosecution of Offenders

The government of St. Vincent and the Grenadines has 'zero tolerance' for acts of human trafficking; therefore no space will be given to human traffickers to operate in this

country. Law Enforcement officials will utilize all available tool and measures contained in the Prevention of Trafficking in Persons Act and the Criminal Code of SVG to investigate possible cases and bring perpetrators to justice.

To date, thirteen (13) possible cases of human trafficking have been investigated, ten (10) have been found false and three (3) is currently under active investigation. Human Traffickers will be charged indictably and prosecuted under the Prevention of Trafficking in Persons Act.

➤ **Offences under the Prevention of Trafficking in Persons Act**

- ✚ Offence of Trafficking in Persons
- ✚ Unlawful withholding of identification papers
- ✚ Transporting a person for the purpose of exploiting such a person's prostitution
- ✚ Receiving financial or other benefit knowing that it is as a result of trafficking in persons
- ✚ Threatening/obstructing a Police Officer
- ✚ Offences of Bodies Corporate

➤ **Penalties**

A person convicted (on indictment) for the offence of human trafficking is liable to fine of two hundred and fifty thousand dollars (\$250,000) or to a term of imprisonment for fifteen (15) years or both. There are other penalties contained in the Act.

Action Points

1. Effective investigation and prosecution of TIP case. This can be realized through networking and information sharing of different agencies
2. Provide training for judges, Magistrates and other law enforcement officers specifically geared towards TIP
3. Have stiff penalties in place for offenders of TIP.

PARTNERSHIP

The Government of St. Vincent and the Grenadines will continue to foster a close working relationship with all stakeholders including law enforcement, non- governmental organization, community based organizations, faith based organizations and civil society to deliver a comprehensive and coordinated approach to combat human trafficking. Along with law enforcement, 'partners' play a critical role in raising public awareness and provide support for potential victims of human trafficking. Further, the sharing of information among local, regional and international agencies is vital to breaking the cycle of human trafficking. SVG will continue to work in this vain to strengthen and maintain these relationships.

Action Points

1. Enhance engagement and collaboration with civil society and all levels of government to support the exchange of knowledge and information sharing. This in itself informs policy for decision making
2. Partner with agencies locally, regionally and internationally to increase capacity building through training and exchange of information. This would improve the skills of all stakeholders and aid in the implementation of best practices and with regard to the 'Four P's'
3. Continue to partner with IOM in the fight against TIP
4. Engage local businesses and educate them on their corporate social responsibility vis a vis combating human trafficking
5. The establishment of MOUs with the relevant Ministries
6. FUNDING – without adequate funding, this plan will not be implemented in an efficacious manner.

VICTIM IDENTIFICATION AND REFERRAL

Fundamental to combating the phenomenon of Human Trafficking is the careful identification of victims and to provide the necessary infrastructure to assist the victim including victim care and referral. Once a victim is identified, she/he would be interviewed and screen by the Anti-Trafficking in Persons Unit (ATIPU). Following the screening process, the victim(s) will be referred to the Crisis Centre for safe keeping

and other social service care and assistance. Thereafter, an investigation would be launched and the perpetrator(s) will be prosecuted according to law. The Government will also assist in the repatriation of victim(s) to their home countries if the expatriates so wishes and after it is established that it is safe for them to return .

In essence, the referral process in St. Vincent and the Grenadines is essentially this:

1. Report made to telephone numbers 1784-456-1750 or 1784-4571211 or via email svgantitraffickingunit@gmail.com
2. ATIPU Alerted and activated
3. Victim(s) screened and interviewed
4. Victims referred to Crisis Centre
5. Criminal Investigations initiated by ATIPU
6. Prosecution of perpetrator(s)

CONCLUSION

The Government of St. Vincent and the Grenadines in collaboration with all stakeholders is committed to detecting, preventing, investigating and prosecuting criminals who perpetuates this vicious act of violence on other human beings. The full force of the law will be utilized to realize this objective. The Government will continue to partner with the relevant agencies local, regional and international to ensure the Articles set out in the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children are adhered to.