**Trinidad and Tobago**

**1. In your view, how and to what extent has the right to development been implemented and realized, at the national, regional and international levels?**

The right to development was first recognized by the United Nations General Assembly in 1966 through the adoption of the International Covenant on Economic, Social and Cultural Rights (ICESCR), which was entered into force in 1976. The ICESCR addresses the right to development as articulated in article 1(1) which states “all peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development”. This covenant is the foundation of the right to development at both the international and regional level as 164 countries are parties to the covenant, including Trinidad and Tobago which acceded to the ICESCR on 8th December 1978.

The implementation of the right to development is based on the rate at which the ICESCR has been incorporated into domestic law and policy. The Constitution of Trinidad and Tobago provides for the right to liberty of the person by virtue of section 4 (a), which states “the right of the individual to life, liberty, security of the person and enjoyment of property and the right not to be deprived thereof except by due process of law”. This framework for the right to development is present and apparent.

The specific elements that make up the right to development (economic, social, cultural development) have been promoted in Trinidad and Tobago through several key pieces of legislation.

Trinidad and Tobago has comprehensively reported on the implementation of the right to development in its State Report under ICESCR. However, there has since been developments that further fortify the right to development.

**2. In your view, what are the main obstacles to the implementation and realization of the right to the development at the national, regional and international levels and what measures should be taken to overcome them?**

The right to development has not been under scrutiny in Trinidad and Tobago due to the fact that there is little to no infringement of the right, though there may be impediments to its constituent parts. In order to achieve sufficient recognition of this right, it is necessary to initiate legislative reform and policy agenda that seek to promote the right to development. Sensitization of the public is critical as it allows wider participation by stakeholders.

**3. What steps, including the formulation, adoption and implementation of policy, legislative and other measures, have been taken by your country at the national, regional and international levels to implement the obligations enshrined in the United Nations Declaration on the Right to Development, inter alia, with regard to:**

1. **Formulating appropriate national and international development policies;**
2. **Achieving effective international cooperation;**
3. **Undertaking appropriate reforms at the national and international levels;**
4. **Removing obstacles to development, including, inter alia, human rights violations, racism, colonialism, occupation and aggression; and**
5. **Promoting peace and disarmament, and the redirecting of savings generated therefrom to development.**

Reference can be made to the State Party Report on ICESCR which can be accessed at <http://www.refworld.org/publisher,CESCR,STATEPARTIESREP,TTO,3f6c4c1a4,0.html>.

With regard to parts (a), (c), and, (d) of this question, Trinidad and Tobago has taken many steps to implement the obligations enshrined in the United Nations Declaration on the Right to Development.

Trinidad and Tobago is party to six (6) of the nine (9) core Treaty Bodies and will continue to meet its obligations under each, namely its obligations of implementation and reporting. These Treaty Bodies touch and concern certain elements of the right to development such as discrimination and equality.

Trinidad and Tobago has also submitted its second cycle Universal Periodic Review Report which encapsulates the level of implementation of the obligations under these Treaty Bodies with respect to all human rights.

**4. Has the right to development been invoked by your country before any international investment arbitration or trade dispute settlement mechanism or before any other international dispute settlement mechanism? If so, please provide details.**

N/A

**5. Has the right to development been invoked by your country in support of trade-related flexibilities, safeguards or special and differentiated treatment? If so, please provide details.**

N/A

**6. Have external obstacles to the realization of the right to development been invoked by your country in reports or responses to international human rights mechanisms? If so, please provide details.**

N/A

**7. Is the right to development recognized in the constitution, a bill of rights, a basic law, or other national legislation of your country and, if so, is there any limitations attached to it? If so please provide details.**

See question number 1. The only restriction of the right to development appears to be within the Constitution which makes provision is the consideration of the rights of others which provides that an individual is free to pursue economic, social and, cultural development so long as the exercise of these rights does not impede the rights of others.

**8. Has the right to development been invoked before, or enforced by, the courts, tribunals or administrative authorities in your country? If so, please provide details.**

The right to development, as stated prior, is not enunciated as a separate and distinct right, it exists in a sphere that consists of a set of other rights hence the issue will not arise as an infringement on the right to development rather it will be spread over the constituent parts. For example, the right to social development will be promoted by legislation that prohibits discrimination and as such case law will record the issue as a breach of law against discrimination.

**9. Has the jurisdiction of any regional human rights court or any international human rights mechanism competent to rule or express views on the right to development been accepted and, if so, what is the nature and progress of any recent or pending cases and follow-up to any rulings made?**

N/A

**10. Have you submitted information to regional or international human rights monitoring mechanisms on the steps taken by your country in implementing the right to development? If so, please provide details.**

Yes. Trinidad and Tobago has submitted a National Report for ICESCR and also a National Report for the first Universal Periodic Review. The Report under ICESCR has been submitted in September of 2000, which provides information specific to the rights that define the right to development; namely economic, social and, cultural rights.

The UPR second cycle Midterm National Report submitted in 2015 encapsulates the level of implementation of human rights broadly in Trinidad and Tobago and as such makes reference to the right to development indirectly.

**11. What statistical methods are being used by your country to assess progress made in the realization of the right to development?**

N/A