

Trinidad & Tobago



LGBTIQ+ Rights

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MECHANISM

Universal Periodic Review (UPR)

SESSION

53rd Session of the Working Group of the UPR

DATE OF REVIEW

9 November 2026

Summary: Trinidad and Tobago criminalizes consensual same-sex sexual activity (CSSSA) between adult men, leaving all men who have sex with men at serious risk of harm and systematic exclusion. Trinidad and Tobago also does not protect lesbian, gay, bisexual, transgender, intersex, queer, and other gender or sexual minority (LGBTIQ+) people under the Equal Opportunity Act or specific hate crime laws. LGBTIQ+ people report experiencing discrimination, violence, lack of protection by law enforcement and government officials, and stigma while accessing services. Trinidad and Tobago has stated intentions to eliminate HIV/AIDS by 2030 but has yet to act.

The Trinidad and Tobago Government fails to provide LGBTIQ+ people equal protection under the law.

- The Government of Trinidad and Tobago criminalizes CSSSA between men under Sections 13 and 16 of the Sexual Offenses Act. In 2018, the High Court found the ban on CSSSA unconstitutional, but in March 2025, the Court of Appeal reversed that ruling.
- Without a *de jure* moratorium on enforcement, arresting and charging an individual suspected of engaging in consensual same-sex sexual activity with another adult man remains at the discretion of police and/or criminal justice systems actors.
- There are no training and monitoring mechanisms, such as a National Human Rights Institution, to provide redress for violations of LGBTIQ+ people's human rights and oversight over State actors.
- There are numerous reports of police failing to properly investigate human rights violations when LGBTIQ+ people report them, instead harassing, intimidating, making derogatory remarks, or denying service to LGBTIQ+ people. There are also reports that police specifically target gender-diverse people while exercising their duties.
- Trinidad and Tobago lacks legal gender recognition, nor is there a recognition of non-binary identities.
- The 1969 Immigration Act restricts "homosexuals" from entering the country without an exemption certificate.

The Government does not adequately protect LGBTIQ+ people's rights to health or to be free from violence.

- Despite the Government stating intentions to combat HIV/AIDS by 2030, it is unclear what the campaigns will look like or whether they will include comprehensive sexuality education that follow international technical guidance.
- There are no laws that protect intersex minors from non-medically necessary interventions.
- According to client data from local organizations, one-third of all LGBTIQ+ Trinidadians and Tobagonians report experiencing hate-motivated discrimination and violence and one-quarter experiencing physical assault. Despite this, the Government does not protect LGBTIQ+ individuals under the Equal Opportunity Act or specific hate crime laws.
- Non-State actors use online dating apps to target GBQ+ men, subjecting them to robberies, beatings, sexual assault, and doxxing of personal information and photos. The head of the police Special Victims Unit has said that it is GBQ+ men's responsibility to adequately vet all individuals they meet on dating apps.

Recommendations

- **Decriminalize consensual same-sex sexual activity between adult men by repealing Sections 13 and 16 of the Sexual Offences Act, and adopt an interim *de jure* moratorium on enforcement.**
- **Amend the Equal Opportunity Act to prohibit discrimination on the basis of actual or perceived SOGIESC.**
- **In collaboration with LGBTIQ+ civil society organizations, draft and adopt legislation that permits legal gender recognition and recognition of non-binary identities.**
- Modify immigration laws like the Immigration Act of 1969 that exclude individuals from entering Trinidad and Tobago on the basis of actual or perceived LGBQ+ identity.
- Enact hate-crime laws that recognize and penalize offenses motivated by bias related to actual or perceived SOGIESC.
- Conduct prompt, thorough investigations of incidents of hate-motivated violence against LGBTIQ+ individuals, hold perpetrators to account, require collection of data and provide redress to victims.
- Establish a National Human Rights Institution accredited in accordance with the Paris Principles.
- Establish compulsory, ongoing training programs for public officials, teachers, healthcare workers, and law enforcement agencies on LGBTIQ+ inclusion and rights and the mitigation of social prejudices, stigmatization, harassment, discrimination, and violence against individuals because of their actual or perceived SOGIESC.
- Advance increased availability of HIV and STI prophylaxis, testing, and related social and psychological supports to combat prevalence of HIV/AIDS and other STIs.
- In collaboration with LGBTIQ+ civil society organizations, draft and adopt legislation that prohibit non-medically necessary interventions aimed at altering or modifying intersex minors' sex characteristics to better comply with binary understandings of male and female sex characteristics without their informed consent.
- In collaboration with LGBTIQ+ civil society organizations, develop and fund public awareness-raising campaigns to fight and prevent discrimination and violence against LGBTIQ+ individuals and to promote tolerance.