

EOC NEWS

Equal Opportunity Commission
Promoting Equality

MAY 9TH 2023 ISSUE 18

EOC Wants Zero Discrimination Day Celebrated Nationwide

In a bid to spread the awareness and celebration of Zero Discrimination Day, the Equal Opportunity Commission (EOC/Commission) is advocating for the day to be a staple observation in the country and across the region. The institution is leading the charge and championing the cause, and is calling on the nation as a whole to support that mandate.

The EOC is the leading state advocate on eliminating discrimination and promoting equality of opportunity in Trinidad and Tobago.

The institution plays a critical role in raising awareness through its public education and public relations activities and through its complaints mechanism, which members of the public can access to hold persons accountable for their actions.

The Commission has amped up its public education activities this week and will be disseminating messages via the mass media, social media and its nationwide outreach caravan, which will resume on Friday 3rd March at the Commission's Head Office on Manic Street, Chaguanas.

EOC Chairman Ian Roach affirmed that for all of society to benefit from zero discrimination, we have to all be part of the process and solution to change harmful attitudes, behaviours and norms. He said, "we can build a more inclusive society by respecting

the rights, differences, and dignity of others. The adage of treating another as you would like to be treated is a simple but effective one that has stood the test of time for good reason."

Chairman Roach encouraged the citizenry and Caribbean neighbours to join the global movement of solidarity to end all forms of discrimination say



ing, "by becoming a part of this movement, we can recreate a society where no one is denied their rights because of factors such as race, colour, sex, language, religion, origin and so much more. Research shows that truly equal and fair societies are more likely to be prosperous and harmonious ones. Failure to tackle discrimination and to provide equal opportunities hurt individuals and families, and this negatively affects our society and the economy. Discrimination costs us."

Zero Discrimination Day is observed every year on March 1 by United Na-

tions members to celebrate the right of all human beings to live a full and productive life with dignity, which cannot exist if there is discrimination. The day highlights how members of society can become more informed about inclusion and promote a movement for change.

Through the Equal Opportunity Act (EOA), the Commission has been doing its part by leading the charge in safeguarding the rights of our citizenry. The Act protects seven status grounds, or what can be deemed protected inherent characteristics. These are sex, race, ethnicity, origin (including geographical origin), religion, marital status, and disability. These are protected under four (4) broad categories of employment, education, provision of goods and services and provision of accommodation.



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The EOC has also submitted amendments to the EOA to the Honourable Attorney General. These recommendations include inserting age and sexual orientation as status grounds for discrimination, the expansion of the definition of ‘disability’ and Co-habitation and half-blood relationships in the definitions of ‘family’ and ‘marital status.’

Furthermore, the Commission envisions transitioning into an operational and financially independent organisation (the National Human Rights Institution for Trinidad and Tobago) so that the Commission can address discrimination on a holistic level, instead of only those categories and status grounds laid out in the Act.

The EOC has in the past, addressed wider issues such as human trafficking, migration, LGBTQI+ and HIV & AIDS. For instance in 2022, The EOC was invited to present at the inaugural DEI conference held on May 17th, which coincided with the International Day Against Homo, Bi and Trans Phobia. The theme was “Diversity as an Asset for Investment”. Further, the Commission renewed a Memorandum of Understanding with the Ministry of Labour. The aim of this partnership is to help prevent the transmission of HIV among workers, to mitigate the impact of the epidemic on workplace productivity and to eliminate stigma and discrimination related to HIV and AIDS.

Zero Discrimination Day first was declared in 2014 by the United Nations General Assembly on March 1. It was inspired by World AIDS Day but has since been expanded to include calls to action for eradicating discrimination in all forms and promoting social inclusion and tolerance

If you have been discriminated against, you can lodge a complaint at the EOC on our website www.equalopportunity.gov.tt or via e-mail: complaints@eoc.gov.tt.

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About the EOC

The primary task of the EOC is to oversee implementation of the Equal Opportunity Act Chapter 22:03, which prohibits certain kinds of discrimination and seeks to promote equal opportunity between persons of different status.

- The Act is concerned with discrimination in four broad categories - employment, education, provision of goods and services, and provision of accommodation - where someone has suffered less-favourable treatment:

- Because of their status, that is, because of one of the following personal characteristics: race, ethnicity, religion, sex, marital status, origin or disability;

- Or by way of victimisation, that is, in retaliation for doing certain actions that are protected under the Act, for example, lodging a complaint with the Commission or giving evidence in support of someone who has lodged a complaint.

The Act also applies to a third category of conduct known as ‘offensive behaviour.’

- A person who believes that they have been subjected to discrimination in any of the above areas may lodge a complaint with the EOC. The EOC is mandated to receive, investigate and as far as possible conciliate complaints.

- If the matter is unresolved, the complaint can be referred to the Equal Opportunity Tribunal (the ‘EOT’). The EOT is a superior court of record and its mandate is to hear and adjudicate on matters referred to it by the EOC. The EOT has the power to make orders, declarations and awards of compensation as it determines to be appropriate.

The EOC urges all persons to be mindful of these provisions and to refrain from discriminatory practices which infringe the human rights of others. For more information, please visit www.equalopportunity.gov.tt.

The EOC's Outreach Caravan has returned!

The Trinidad leg of the nationwide outreach caravan was launched on Friday 3rd March at the Commission's Head Office on Manic Street, Chaguana.

Approximately seventy persons visited EOC's blue tent.

Members of the public were educated about the mandate of the EOC and its free services. Further, they received guidance from an EOC attorney about alleged matters of discrimination. Visitors to the booth also won prizes by participating in activities.

The resumption of this caravan was strategically coordinated to coincide with Zero Discrimination Day, which is observed on 1 March every year.



Caravan continues.....

The EOC's blue tent attracted scores of participants outside of Massy Stores Maraval at its second nationwide outreach activity in Trinidad.

On Friday 14 April, about seventy-five (75) members of the public, received free legal advice on discrimination and learnt about the EOC's function and free services. Visitors also won fun prizes by participating in the EOC's activities which included trivia, crossword puzzles and participants listing do's and don'ts when interacting with a person with a disability.



**NEXT STOP
MARABELLA**

International Women's Day



Staff of the EOC gave equity a huge embrace in commemoration of International women's Day (IWD) on Wednesday 8th March. This year, IWD called on each one of us to actively support and embrace equity within our own sphere of influence by challenging gender stereotypes, calling out discrimination and biases as well as promoting inclusion.

The Hard Conversation: Let's Talk Equality



Dike Rostant, Paige De Leon, Rubadiri Victor, Terri Lyons

Does carnival have the power to unify us as a nation? Are we already experiencing unity during the carnival season? What is the genesis of this unity? The Equal Opportunity Commission brought together a panel of speakers from the carnival industry to discuss just this on the final episode of "The Hard Conversations: Let's Talk Equality."

The topic, **The Unifying Power of Carnival** was discussed by Terri Lyons, calypsonian, soca artiste, entrepreneur and actress; Rubadiri Victor, Multi-media Artist; and Paige De Leon, Advocate for the Trinidad and Tobago Promoter's Association (TTPA). They shared their unique perspectives based on their experience in the industries, challenges and areas for improvement. The programme was hosted by Dike Rostant on TTT on Wednesday 15th March.

EOC's Chairman, H.R. Ian Roach's statement on International Day for the Elimination of Racial Discrimination (March

"I want to remind the nation that our strength is in our unity. Admittedly, we have much to work on before we can truly say that we have achieved the ideal of equality but let us take a moment to appreciate the relative tolerance and unity we experience as a multi-racial and multi-ethnic nation. We see it during carnival time and we feel it at our sporting events. We have a solid foundation on which to build.

An inclusive society is a progressive and productive nation since it uses all of its human capital based on merit and on equal opportunity and equity.

We are not unaware of the reality that there is still racism that is systematically rooted, but we need to change our narratives. Stop focusing on where we don't want to be and instead, focus on our true potential and the solutions to get there. If we choose to focus on our goals, we are well on your way to achieving them. In the same way we must resist and reverse, condemn and eliminate racial discrimination in all its forms, and address it wherever and whenever it arises; we should also appreciate, support and share positivity and stories of unity. The Equal Opportunity Commission is committed to educating the population on equality and inclusion and we also have a mechanism for redress for those who have been discriminated against through our complaints process.

You can lodge a complaint on our website www.equalopportunity.gov.tt or E-mail us at complaints@eoc.gov.tt."



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Public education session with Building Maintenance Services Limited



On Thursday 23rd March, thirty (30) members of staff at the Building Maintenance Services Limited received a free inclusivity training session by the EOC.

The EOC's main presenter, Ms. Cheryl-Ann Peters, Legal Officer I discussed the topic of "Diversity in the Workplace, Discrimination with Regards to Sex, Race, Age and Disability".

Public education session with Coosal's Group of Companies



LORELEI WONG
Legal Officer

The Human Resources Department of the Coosal's Group of Companies were recipients of a free virtual inclusivity training session by the EOC on Tuesday 28th March.

Ms. Lorelei Wong, Legal Officer I, presented on the topic, "Discrimination in Employment, Education, Goods and Services and Seeking Accommodation, Sexual Harassment, Accommodating persons with Disabilities and LGBTI+ Inclusion in the Workplace".

Monday 6th March

Victimisation in context of the act

WHEN WE think of victimisation, we often think of it in the workplace context. However, there are other circumstances in which a person may be victimised, some of which are covered by the Equal Opportunity Act Chap 22:03. The act prohibits discrimination of seven protected characteristics in four broad categories – employment, education, provision of goods and services and provision of accommodation.

Generally, victimisation is understood as unfair or unequal treatment of a person compared to how another person is treated, making them feel like a victim. This treatment can stem from an action a person has taken or from an impression that the person took a particular action.

Under the act, victimisation occurs within a specific context. The term is closer in meaning to that of the Australian Human Rights Commission and the English Equality and Human Rights Commission, which states that “victimisation is treating someone badly or unfairly, or threatening to treat * Given evidence or information in connection with legal proceedings brought by any person against the discriminator or any other person or any relevant law.

* Done anything in connection with the act in relation to the discriminator or any other person.

* Stated the discriminator has committed an act which would amount to a contravention of the act or by reason the discriminator knows or suspects the person victimised is going to or will pursue action from



the referred points above.

There must be a direct link between what the person did and the subsequent treatment by one's employer, service provider or organisation.

On the other hand, the act states that unfair treatment would not be considered victimisation if the person in question provided false information and that was given in bad faith. This protects against the possibility of abuse of the legal system for personal gain.

Example of victimisation under the act and the exception to the rule

An example of victimisation in the category of education is highlighted below, and an exception to the law is examined:

someone badly or unfairly, because they have asserted their rights under the law, made a complaint about discrimination or racial and religious vilification, helped someone else make a complaint, or it is believed they intend to make a complaint.”

Therefore, according to the act, victimisation occurs when the person alleging victimisation has:

* Made a complaint against the discriminator or any other person under the act.

A teacher denies a student the opportunity to attend a class field trip because the student provided

evidence against the teacher and in support of a peer during the investigation of the peer's discrimination complaint against the teacher. This may be considered victimisation in the context of the Equal Opportunity Act, for which the student may be protected. It can be inferred that there is a direct link between the student being a witness and not being able to attend the class trip.

Conversely, let us say the student held a grudge against the said teacher and, as a result, provided false evidence during the investigation.

Subsequently, the student was suspended for a week from school for their action. In this instance, this suspension may not necessarily be deemed as victimisation per the act, as the student acted in bad faith.

If you believe you have been subjected to victimisation, you can lodge a complaint at the EOC via e-mail at complaints@eoc.gov.tt or on our website:

www.equalopportunity.gov.tt.

Monday 13th March

The unifying power of Carnival

WE ARE deep in the Carnival season. We know it as the greatest show on earth or the mother of all carnivals! We have been witnessing the spectacular shows, energetic fetes and in one week, the parade of the bands. What we are also witnessing is the unifying power of Carnival in our nation.

Carnival is a unique expression of our culture that encapsulates music, dance, costumes, pageantry and performance. While it is celebrated in various styles and with slightly different names throughout the greater Caribbean, there is one common thread: it has a unique ability to unite people no matter your age, sex, religion, ethnicity or geographic origin.

Take J'Ouvert morning for instance; in the capital city and its environs there is a sea of oneness chipping down the road. There is no recognition of our differences, only togetherness amongst complete strangers. The harmony and happiness that surround Carnival and engulf almost the entire population have the same effect as sports. Both bring out the best in us and unify us.

This same unity witnessed on J'Ouvert morning is mirrored throughout all our Carnival celebrations including Monday mas, Tuesday mas and las lap. It is noteworthy to mention that the lyrics in our soca music also contribute immensely to this togetherness. For example, songs such as "All ah we is one family" and "We are one people under the sun, one nation, under the Lord" encourage us to love and respect one another as well as to unify us as a people.

In addition, the Road March 2019, Famalay, echoes, "We doh see skin, we doh see colour, we see strength, we see power, we doh see race one or de other, once he is breathing on dis earth he is meh brother." These lyrics truly exemplify a line in our national anthem that



says "here every creed and race finds and equal place."

Just as the Carnival celebration advances this nationwide unity, the Equal Opportunity Commission (EOC) continues to be the leading state advocate. We remain steadfast in our efforts to promote unity, equality and inclusion through our mandate to work towards the elimination of discrimination and the promotion of equality and good relations between people of different status.

The EOC is guided by a dynamic piece of legislation called the Equal Opportunity Act. This act seeks to protect people against discrimination as it relates to four categories: employment, education, the provision of goods and services and the provision of accommodation.

Under the act, citizens are entitled to equality and fair treatment, despite their status. The seven status grounds, or what can be referred to as inherent characteristics, covered by the act are race, ethnicity, religion, marital status, origin including geographical origin, disability and sex.

A person who believes that they have been subjected to discrimination in any of the above areas may lodge a complaint with the EOC. The EOC investigates every complaint lodged at its office.

Services at the EOC are free of charge up until the stage of conciliation. Bear in mind that the EOC is not a court of law that makes determinations or gives interpretations under the act. While

there are many factors that contribute to the overall growth of a nation, it is clear that the elimination of discrimination and promotion of inclusivity is a key element that fosters unity. So, let us stay together and help support one another in times of adversities. If we remember that "unity is strength" and "united we stand, divided we fall," we will surely build a stronger society and successful people.

Have a safe and enjoyable Carnival, Trinidad and Tobago.

Monday 20th March EOC and the nation:

Partners in equality

THE EQUAL Opportunity Commission (EOC) joins all other United Nations members to observe Zero Discrimination Day on March 1. UNAIDS (the United Nations agency for treating with issues relating to HIV and AIDS) first observed Zero Discrimination Day in 2014 and initially focused on combating discrimination and stigma against people living with HIV and AIDS, but in recent time it has been expanded to include wider issues of inequality.

The EOC envisions a society where we all have equal access to opportunities, which is a basic and fundamental human right. It is for this reason that the commission, as the leading state advocate on eliminating discrimination and promoting equality, is taking the mantle on commemorating Zero Discrimination Day and is calling on the nation to observe the day.

We are hopeful that this day can be a staple observation in all calendars, with as much prominence and public awareness as other UN-observed days. As the leading state advocate on working towards eliminating discrimination and promoting equality of opportunity, the commission has a robust public education programme, which raises awareness among the population and provides platforms to magnify inequality across various communities.

On Zero Discrimination Day, we heighten our awareness and advocacy activities. We as a people must commit ourselves to ensuring that all forms of discrimination come to an end and the observance of Zero Discrimination Day is a welcome opportunity for the nation to engage our public education material to become enlightened partners in putting an end to inequalities wherever it is found.

Our beautiful twin islands are shared by multiple races, ethnicities, religions,

“As the leading state advocate on working towards eliminating discrimination and promoting equality of opportunity, the commission has a robust public education programme, which raises awareness among the population and provides platforms to magnify inequality across various communities.”



disabilities, genders and origins and we all have the right to enjoy life, liberties and equality.

The co-operation and advocacy that we require from the nation is supported by the role of the EOC as an institution specifically created to champion the pursuit of equality in our society. It seeks to enforce the Equal Opportunity Act so that people who face discrimination in certain settings can get relief.

The EOC receives, investigates and conciliates matters of discrimination. If you have been discriminated against, you can lodge a complaint with us. We will bring parties to conciliation, similar to that of mediation, where parties meet to amicably resolve the matter.

If the matter is unresolved, it can be referred to the Equal Opportunity Tribunal for adjudication. The tribunal is a superior court of record and is an independent institution to the commission. Recently, the EOC engaged members of the public through its outreach caravan in Tobago. We had the opportunity to place our fingers on the pulse of the people and listen to their concerns.

It was apparent from our many conversations that people, while they are aware of the commission, are largely unaware of the protection that the

act offers to people who have been discriminated against and how the commission provides redress. Therefore, our focus this week, in addition to leading the thrust on commemorating Zero Discrimination Day, would also be to return to our foundation and educate the wider public on the EOC's mandate and the protection offered by the Equal Opportunity Act.

Discrimination

It is important for members of the public to be able to identify what discrimination looks like so they can be empowered to lodge a complaint. Discrimination occurs when someone treats you less favourably than they would treat another person with a different status in a circumstance that is not materially different.

About the act

The act protects seven status grounds, or what you can call protected inherent characteristics. They are: sex; race; ethnicity; origin, including geographical origin; religion; marital status; disability. The act covers four categories of discrimination. Meaning if you are trying to access services within one of those categories and you are discriminated against based on any of the above seven characteristics, you can lodge a complaint.

The four categories are: provision of goods and services, provision of accommodation, employment, education. For more information, visit the Equal Opportunity Commission's website, www.equalopportunity.gov.tt, and follow us on social media: Facebook, LinkedIn, Instagram and YouTube

Monday 27th March

Mental health as a disability

WHEN YOU think of a disability, what do you tend to think? Blindness or vision impairment, deafness and immobile body parts? Oftentimes when we think of a disability we think of a physical disability. However, there are many types of disabilities that are not physical, such as mental health conditions, health conditions or an intellectual disability. In today's column, we focus on mental health.

Under the Equal Opportunity Act, disability includes any "malfunction of a part of the body including a mental or psychological disease or disorder." This means that certain mental health conditions may be considered disabilities, depending on their severity and the impact they may have on the daily life of the affected individual.

According to the World Health Organization, a mental disorder is characterised by a clinically significant disturbance in an individual's cognition, emotional regulation, or behaviour. It is usually associated with distress or impairment in important areas of functioning and may also be referred to as a mental health condition.

The latter is a broader term covering mental disorders, psychosocial disabilities and (other) mental states associated with significant distress, impairment in functioning, or risk of selfharm.

Some examples of the types of mental health conditions which can lead to a disability are dementia, depression, bipolar disorder, obsessive compulsive disorder and schizophrenia.

If an individual's mental health condition has a significant, adverse and long-term effect on their ability to carry out normal day-to-day activities, it is likely that it may be covered under the Equal Opportunity Act under the status of disability.

Generally, employers should not require job applicants or employees to disclose a disability, and this should



therefore be at the discretion of the individual. In some instances, applicants may, however, be required to undergo a medical examination prior to starting a job, which may reveal a mental condition.

At this point the job offer can only be withdrawn if there is adequate evidence to demonstrate that the individual will not be able to effectively and efficiently carry out the requisite duties of the job without reasonable accommodation or that the issue may pose a safety risk to the individual or to others. This also applies to employees within the organisation.

As with physical disabilities, employers should provide reasonable accommodations to employees and applicants with mental conditions, unless they cause undue hardship to the organisation. Examples of such accommodations may be flexibility as it relates to the start or end of working hours to accommodate effects of medication or for medical appointments, or allowing an employee to relocate to a quieter area where they will be free from distractions.

Regrettably, mental health conditions usually generate misunderstanding, confusion and sometimes fear and can be easily overlooked because of their very nature. Such conditions are usually stigmatised because of the general lack of understanding and the preconceived notions held by others about employing or working with individuals that may have a mental condition.

This makes it difficult for individuals to seek the necessary support and ad-

justments they may require and oftentimes make it extremely difficult to disclose such information for fear of such stigmatisation.

Organisations therefore should ensure that staff are aware that their mental health is just as important as their physical health and being open about it will lead to support, not discrimination.

It is imperative that employers focus on what employees can do rather than what they can't and work together with the individual in finding solutions to accommodate them, remembering that people are usually very aware when it comes to identifying the necessary support or adjustment they may need in order to be effectively accommodated.

Unlike physical disabilities, mental health conditions are often latent and because of this they are not as easily identifiable. We are all familiar with the adage "just be kind, for everyone is fighting a battle you know nothing about."

While this holds true for so many aspects of life, it should be remembered that mental health conditions do not define who the individual is, but rather something they experience. We therefore need to be cognisant of the way we treat others because understanding and support can make the world of difference to this experience. Thus, no matter what, always strive to be kind as no act of kindness, no matter how small, is ever wasted!

For more information on the Equal Opportunity Commission, visit our website: www.equalopportunity.gov.tt or any of our social media pages

Monday 3rd April

EOC offers free inclusion policymaking services

IT IS IMPORTANT to take proper steps to prevent discrimination within the workplace. The general workplace atmosphere and culture could be adversely affected. The employees may feel uncomfortable and demotivated. Additionally, failure to do so may lead to the organisation breaching the Equal Opportunity Act if a complaint is lodged against it.

One very important mechanism to prevent discrimination within the workplace is through the creation and implementation of proper policies and procedures which act as a roadmap to provide guidance and clarity on how an organisation should operate and ensure compliance with laws and regulations, while providing the necessary assistance for decision-making, efficiency and effectiveness within the organisation.

The Equal Opportunity Commission (EOC) provides free public outreach programmes which aim to eliminate discrimination and promote equality in various categories. The need for proper policies within the organisation is communicated through these programmes, as well as the need for relevant communication and training in relation to these policies, as there is no point in having a policy that staff is unaware of.

The EOC works with organisations to create inclusive policies and also offers guidance and recommendations for amendments to existing policies.

It is important to note that even though policies are created, proper implementation and follow-up



are required to ensure they are understood and practised throughout the organisation and that there is a zero-tolerance culture within the organisation when it comes to discrimination and equality.

As such, mechanisms need to be in place for feedback, review and updating of policies in operation to measure effectiveness and recognise the need for any improvement. An inclusivity training session in relation to a particular policy can also be conducted by the EOC free of charge to ensure that staff are not just aware of the policy but understand it. This session would also act as a form of training on the topic and that staff are capable of implementing it throughout the organisation.

Some initiatives that could be implemented in the organisation's policy include a defined written-workplace policy. The policy should be done after consultation with employees to be more effective. An effective equal opportunity policy should set out in clear and simple terms what is and is not acceptable workplace behaviour so as to minimise confusion and uncertainty among staff and managers.

The policy should be shared at staff meetings or at formal training sessions. Employers can indicate to employees that they can contribute

towards an equal opportunity environment for all. The establishment of a joint committee of management and employees, for example, to review policies.

An effective equal opportunity policy allows an organisation to gain the benefit of having a diverse staff, which allows the organisation to gain insight from different perspectives and backgrounds that are all valuable to the success of the organisation. There will be increased productivity, creativity and appreciation of differences as the importance of this is clearly understood.

Finally, effective policies prevent confusion and serious implications such as bullying, sexual harassment, as well as direct and indirect discrimination within the workplace. Employees feel a sense of freedom that they can raise issues and suggestions knowing they will be acknowledged and addressed, which will boost staff morale and lead to greater job retention by creating a safe place for employees.

It must be noted that every organisation is different and a policy for one organisation may not necessarily work for another, hence the need for constant dialogue between employers and employees to make the workplace inclusive for all people and to recognise that it is indeed a necessity.

To request the EOC's assistance to create or review a contract, send an e-mail to communications@eoc.gov.tt or visit our website www.equalopportunity.gov.tt for more information.

Monday 10th April

World Down Syndrome Day 2023

TOMORROW, the Equal Opportunity Commission (EOC) will join with the Down syndrome community to celebrate World Down Syndrome Day. The theme proclaimed for 2023 is With Us Not For Us. The World Health Organization (WHO) estimates that the incidence of Down syndrome is one in 1,000 to one in 1,100 live births worldwide.

World Down Syndrome Day (WDSD) is a global awareness day which has been officially observed by the United Nations since 2012 and each year it is observed on March 21. Did you know that March 21 was chosen as the day of celebration as it matched the three copies of chromosome 21, unique to people with Down syndrome?

This day aims to celebrate and promote people with Down syndrome having the same rights, freedoms and opportunities as everyone else, ensuring an equal playing field. WDSD raises awareness and educates the public about the congenital disorder in an effort to raise awareness and fight misconceptions associated with the condition.

This year, focus is being placed on taking the human rights-based approach to disability. This approach sees people with disabilities as having a right to be treated fairly and afforded the same benefits and accommodations, working with others to improve their lives. People with Down syndrome are entitled to the fundamental human rights as any other individual. This means they should be fully included within their families, communities, religious groups, online communities and civil society.

The EOC encourages and implores those who work in the best interests of people with Down syndrome to do so in alliance with them, empowering them to take decisions and bolster



ing them to have their voices heard. WDSD gives these individuals and their families a window of opportunity to speak on their experiences and advocate and champion for the well-being and inclusivity of those living with the condition.

People with Down syndrome are more often times subjected to stigma and various forms of discrimination within society. For example, they may be excluded from activities due to provisions, criteria or practices that disproportionately affect them.

Generally, stigma generates feelings of inadequacy on those affected, resulting in social exclusion and deprivation, unemployment, little to no access to financial resources, intolerance, less access to health services and, worse, quality of life.

WDSD, through its sensitisation and awareness activities, acts as a catalyst to break some of the stigmas surrounding Down syndrome so that the public can receive those individuals into their communities with open arms.

People with Down syndrome, like anyone else, enjoy the feeling of belonging and inclusivity. Being properly included means being treated fairly, not subjected to victimisation, being validated to make their own choices and being involved in every aspect.

WDSD encourages them to live a full life and be an active part of their communities. It gives them the recognition and empowerment they deserve and an opportunity for them to raise their voices and advocate for themselves, influence the governments towards

more inclusive policies and legislation, and be included in the day-to-day discourse.

It is therefore incumbent on our leaders, health professionals, educators and all entrusted with the care of people with Down syndrome to guarantee that they are safe, protected and given the opportunity to make their positive contributions to society.

The emblem for World Down Syndrome Day is a yellow and blue ribbon, the colours that represent the genetic disorder. On March 21, those wanting to raise awareness about Down syndrome can wear odd, mismatched, crazy, colourful socks and have them proudly on display while walking around, which means that they are actively advocating for change.

If you believe that you have been subjected to discrimination based on your disability, you can lodge a complaint at the Equal Opportunity Commission via our website: www.equalopportunity.gov.tt or e-mail: complaints@eoc.gov.tt.

Monday 17th April

Towards a National Human Rights Institution

THE EQUAL Opportunity Commission (EOC) has set as one of its strategic objectives, to promote the transformation of the EOC to become the National Human Rights Institution (NHRI) of TT. This is the first of four columns on this topic. Today, we ask the question: Why a NHRI for TT?

Necessary to understanding the why is asking the what? What is a NHRI? NHRIs are state bodies that are given powers either by the Constitution or by written law to protect and promote human rights. They are part of the state apparatus and funded by the State. However, NHRIs operate and function independently from Government.

For example, NHRIs are not subject to the direction or control of a minister or of Cabinet, in the same way the Ombudsman is independent from these people. While their specific mandate may vary from country to country, the general role of NHRIs is to address discrimination in all its forms, as well as to promote the protection of civil, political, economic, social and cultural rights.

They are generally created with a broad and proactive mandate to work towards the advancement of human rights, and then they may be given specific tasks receiving and investigating complaints and reporting to international bodies on compliance with human rights treaties. Their core functions are any or all the following:

1. Monitoring: They monitor the human rights situation on the ground, and may, for example, inquire into specific areas such as the human rights of vulnerable groups.
2. Reporting: They report on human rights: this may be to Parliament, to the general public or to international bodies that the Government has committed itself to reporting to. For example, TT currently reports periodically



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to various United Nations bodies on its compliance with the following human rights treaties that it has signed and ratified:

- * International Covenant on Civil and Political Rights (ICCPR)
- * International Covenant on Economic, Social and Cultural Rights (ICESCR)
- * Convention on the Rights of the Child (CRC)
- * Convention on the Elimination of all Forms of Discrimination against Women (CEDAW)
- * Convention of the Elimination of all Forms of Racial Discrimination (CERD)
- * Convention on the Rights of Persons with Disabilities (CRPD)

3. Research and advice: They advise government and the public generally on law reform, policies or programmes to overcome gaps in the human rights protection system and address existing and emerging human rights concerns. They publish research, recommendations and opinions.

4. Co-ordinating: NHRIs serve as a focal point to co-ordinate the activities of the State with societal actors (eg, civil society, NGOs) and with regional and international organisations. They lend needed support to human rights defenders who work on the ground.

5. Public engagement: They promote a culture of rights, through training and awareness-raising activities, in much the same way the EOC engages in public training and advocacy, free of charge, to people who request same, to inform about the rights and remedies granted by the Equal Opportunity Act.

6. Complaints handling: They may be able to receive and investigate complaints from members of the public who have alleged a breach of their human rights, in much the same way the EOC presently receives and investigates complaints of a breach of the rights given by the Equal Opportunity Act.

Why should we advocate for a NHRI? It is beneficial to have a body dedicated to human rights; as with any special-purpose body it can dedicate its energies to its area of expertise. While the judiciary has championed the enforcement of human rights, an NHRI should be separate from the judicial function because that function does not lend itself to broad and proactive duties such as advocacy, monitoring, reporting and co-ordinating; the judiciary's role is to impartially adjudicate on matters that citizens bring before it and to not go further. The NHRI should be sufficiently distanced from the Executive to provide independent and impartial assistance through monitoring, reporting and advice. access to the policymakers for meaningful discussion. Additionally, the NHRI can function as the intermediary between the Government and civil society. It can provide a meeting point between and among the State and the various civil society groups.

The EOC believes that it is best positioned to become the NHRI for TT, and looks forward to working with the Government and civil society for this to happen. We will explore this area in future columns.