

BELIZE 2014 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Belize is a constitutional parliamentary democracy. In March 2012 Prime Minister Dean Barrow's United Democratic Party (UDP) won 17 of the 31 seats in the House of Representatives following generally free and fair multi-party elections, albeit with some allegations of irregularities. Authorities at times did not maintain effective control over the security forces.

The most important human rights abuses included the use of excessive force by security forces, lengthy pretrial detention, and harassment and threats based on sexual orientation or gender identity.

Other human rights problems included corruption, domestic violence, discrimination against women, sexual abuse of children, trafficking in persons, and child labor.

In some cases the government took steps to prosecute officials who committed abuses, both administratively and through the courts, but successful prosecutions generally were limited in number and tended to involve less severe infractions. While many lower-ranking officials faced disciplinary action and/or criminal charges for alleged abuses, higher-ranking officials were less likely to face punishment, resulting in a perception of impunity.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary or Unlawful Deprivation of Life

There were some allegations that the government or its agents committed arbitrary or unlawful killings.

In February a Toledo special constable and a regular constable shot a man while trying to subdue him after he injured one of the officers with a machete. The special constable was hospitalized, and the suspect, Williams, later died from the shooting. The family of the deceased filed complaints with both the Professional Standards Board (PSB) and the Ombudsman's Office, arguing that the police mishandled the incident, in part because the victim suffered from a mental disorder. The PSB investigation concluded there was no intention to injure or kill

Williams and determined police used justifiable force given that Williams had previously threatened police, was armed, and used his weapon to injure an officer.

In March Belize Defence Force (BDF) soldiers fatally injured a Guatemalan resident. The incident occurred on a border patrol in the Chiquibul Forest Reserve, two miles inside Belizean territory. The patrol came across a group of armed Guatemalan civilians who, when ordered to stop, opened fire on the patrol. Investigations into the death followed established protocols, included observers from the Organization of American States, and continued as of November.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The constitution prohibits torture or other inhuman punishment, but there were reports that police used excessive force and other allegations of abuse by security force personnel.

The government occasionally ignored reports of abuses, withheld action until the case had faded from the public's attention, failed to take punitive action, or transferred accused officers to other areas within their department. The Ombudsman's Office stated it received numerous complaints of police abuse and that the public continued to complain about the Gang Suppression Unit (GSU). The PSB continued to receive complaints against the GSU and numerous complaints against several patrol units in Belize City.

There were widespread allegations of police refusing to respond to complaints and using excessive force.

In June authorities charged four officers in the shooting of a 19-year-old man in Unitedville Village. Authorities charged the officer suspected of shooting the victim separately with attempted murder and use of deadly means of harm and wounding. The trial was pending as of November.

In August BDF personnel were accused of using excessive force in disciplining youths at a six-week summer camp at a military base. The BDF commander

justified the force used as necessary to control the youths who had allegedly launched a gang war.

Prison and Detention Center Conditions

Prison conditions did not meet all international standards. The Kolbe Foundation, a local nonprofit organization administered Belize Central Prison, the country's only prison, but the government retained oversight and monitoring responsibility.

Physical Conditions: In September the prison held 1,527 inmates, including 44 women (plus one minor), 50 male juveniles, 539 on remand, 199 foreigners, and 68 persons with disabilities. Prison capacity was approximately 1,750, with an average population of 1,550 inmates.

The regular prison population lived in cells accommodating four to six persons. Prisoners on remand lived in a facility with approximately three to four persons per cell. Authorities also held some prisoners in the maximum-security section in the remand facility, usually with only one inmate per cell. Prison officials used isolation in a small, unlit, unventilated punishment cell, called a "reflection room," to discipline inmates in the youth section. Inmates had access to adequate food and potable water.

Prison officials held women and men in separate facilities. The women's facility was located 200 yards outside the main compound. Conditions in the women's area were significantly better than in the men's compound. Officials housed the female juvenile with the adult women.

Authorities held both on remand and convicted male juveniles separately from adult prisoners in two dormitories at the Wagner Youth Facility within the prison compound. Courts had convicted a quarter of the youth of major crimes, including murder, and many were gang members.

There was one case of a prison officer failing to report the use of force against an inmate. While prison authorities later determined that the use of force was justified, prison authorities issued the officer a caution letter for failing to report the incident.

The chief of security investigates allegations of officer misconduct or corruption in the prison. If the investigation discovers incriminating evidence, the officer is disciplined according to the severity. As of September there were two incidents of

officers being dismissed and facing criminal charges for smuggling drugs into the prison.

By the end of September authorities recorded that the 133 inmate-on-inmate assaults were notably less violent and severe than in previous years. There was one death due to complications related to HIV/AIDS and numerous hospitalizations due to other health concerns.

The prison had one full-time doctor, one nurse, and seven emergency medical technicians to perform medical referrals to a local hospital. Two counselors were available on a daily basis. A psychologist visited the prison on Saturdays to see patients referred by the medical staff. Two counselors and two social workers from the Ministry of Human Development and Social Transformation visited inmates of the Wagner's Youth Facility three times a week. Prisoners with disabilities were housed separately and were visited twice a month by a psychiatric team.

Administration: Prisoner recordkeeping was adequate. Authorities have the flexibility to use alternative sentencing such as community service for nonviolent offenses, but there were no records of how often magistrates chose to use this option. Inmates had daily access to visitors, and there were approximately 20 special family days throughout the year. Inmates were not restricted in religious observance. Prisoners could request other religious services, and the prison accommodated special dietary restrictions for prisoners whose faiths required them.

The law authorizes inmates to make complaints to the Ombudsman's Office through prison authorities, but inmates and their family members tended to submit such complaints directly to the ombudsman and did so without censorship. The Ombudsman's Office followed up with prison authorities.

Independent Monitoring: Prison authorities permitted visits from independent human rights observers, and they generally operated free from government interference. Observers had access to the prison grounds and could visit inmates.

Improvements: During the year Kolbe implemented a grievance system and hired an inmate welfare officer to facilitate a formal system to address prisoner complaints. Kolbe also facilitated group meetings between foreign inmates and their respective embassies. The initiative began with Guatemalan nationals, who accounted for the largest percentage of the foreign prison population. A program

to train officers in the areas of prison management including intelligence, leadership, and quick response continued during the year.

d. Arbitrary Arrest or Detention

Although the constitution and law prohibit arbitrary arrest and detention, there were occasional allegations that the government failed to observe these prohibitions. Due to substantial delays and a backlog of cases in the justice system, in some cases courts did not try minors until they turned 18, although charges proceeded based on the age of the suspect when the crime was committed.

Role of the Police and Security Apparatus

The Ministry of National Security supervises the BDF, the Belize Coast Guard, and the Belize Police Department (BPD). Although primarily charged with external security, the BDF also provides limited domestic security support to civilian authorities, particularly in Belize City. BDF personnel assisting police have limited powers of arrest; police take the lead when making arrests. Low pay for security officers and corruption remained problems. There were several cases of alleged abuse by the police.

The PSB investigates complaints against police, including regular officers, civilian police and special constables. An assistant commissioner of police, supported by seven officers, headed the PSB, which has two offices, one in Belmopan and the other in Belize City. The law authorizes the police commissioner to place police personnel on suspension or interdiction (which is suspension, potentially with garnished wages). As of the end of August, the PSB received 89 formal complaints of alleged police misconduct and placed 52 officers on interdiction and one on suspension pending criminal charges or disciplinary action. Additionally, authorities used police investigations, coroner's inquests, and the director of public prosecutions to evaluate all killings by police.

Arrest Procedures and Treatment of Detainees

Police must obtain search or arrest warrants issued by a magistrate, except in cases of hot pursuit, when there is probable cause, when the presence of a firearm is suspected, or in cases covered by the Crime Control and Criminal Justice Act. Generally, police must inform a detainee of his rights at the time of arrest and of the cause of his detention within 48 hours of arrest. Police must also bring a detainee before a magistrate to be charged officially within a reasonable time (no

more than 48 hours). The BPD faced allegations that its members arbitrarily detained persons beyond 48 hours without charge, did not take detainees to a police station in the required manner, and used detention as a means of intimidation.

The law requires police to follow the Judges' Rules, a code of conduct governing police interaction with arrested persons. Although judges sometimes dismissed cases that involved violations of the Judges' Rules, they more commonly deemed confessions obtained through violation of these rules to be invalid. Police usually granted detainees timely access to family members and lawyers, although there were occasional complaints that authorities denied inmates access or a telephone call after arrest.

Persons charged with minor offenses are eligible for bail, but persons charged with more serious crimes--including murder, gang activity, possession of an unlicensed firearm, and specified drug trafficking or sexual offenses--must apply to the Supreme Court for bail.

In October the Firearms (Amendment) Act of 2014 changed the legal code so that only the owner or tenant of a premise in which an illegal firearm is found will be presumed owner of the firearm unless there is evidence to the contrary. Observers noted this amendment improved the existing law, which found everyone within the premises where police found an illegal firearm to be liable and subject to detention. The Crime Control and Criminal Justice (Amendment) Act of 2014, also passed in October, allows the court to relax the period of 10 working days before bail application can be considered if the accused is a person of good character and has no previous convictions. Critics claimed, however, that neither amendment addressed the problem of innocent people detained for firearm possession.

Pretrial Detention: Lengthy trial backlogs remained, particularly for serious offenses such as murder. Problems included police delays in completing their investigations, investigative follow-up, court delays in preparing depositions, and adjournments in the courts. Judges occasionally were slow to issue rulings, in some cases taking a year or longer. The time lag between arrests, trials, and convictions ranged from six months to four years and in some cases up to seven years. Pretrial detention for persons accused of murder averaged three to four years.

e. Denial of Fair Public Trial

The constitution provides for an independent judiciary, and the government generally respected judicial independence. Persons have the right to bring legal actions for alleged violations of rights protected under the constitution, regardless of whether there is also implementing legislation.

Trial Procedures

The law provides for all citizens the right to a fair trial, and an independent judiciary generally enforced these rights. A magistrate generally issued decisions and judgments for lesser crimes after deliberating on the arguments presented by the prosecution and defense.

The law stipulates that nonjury trials be mandatory in cases involving murder, attempted murder, abetment of murder, and conspiracy to commit murder. Government officials stated that this law protects jurors from retribution. A single Supreme Court judge hears these cases.

Defendants enjoy a presumption of innocence and have the right to defense by counsel, a public trial, and appeal. The court has the authority to exclude defendants from the courtroom if it determines that the opposing party has a substantiated fear for his/her safety, in which case the court can grant interim provisions that both parties be addressed individually.

The Legal Advice and Services Center, staffed by three attorneys, can provide legal services and representation for a range of civil and criminal cases, including cases of domestic violence and criminal cases up to attempted murder. There is no requirement for defendants to have legal representation except in cases involving murder. The Supreme Court's registrar has the responsibility of appointing an attorney to act on behalf of indigent defendants charged with murder. In lesser cases, the court does not provide defendants an attorney, and defendants sometimes represented themselves rather than hire an attorney. Defendants are entitled to adequate time and facilities to prepare a defense or to request an adjournment, often used by the defense as a delaying tactic. Defendants may not be compelled to testify against themselves or confess guilt. Defendants have the right to appeal their sentences to a higher court.

The law allows defendants to confront and question witnesses against them and to present witnesses on their behalf, but a 2010 law allows written statements by witnesses to be admitted into evidence in place of court appearances. Judges generally admitted a statement if it was complemented by other evidence pointing

to the defendant's guilt, but they were sometimes reluctant to admit witness statements without the presence of the witness at the trial if it was the sole or main evidence suggesting guilt. A 2012 law allows the prosecution to submit the content of previous testimony as official statements when the witness was a hostile witness, rather than allowing the statement to be used only as proof that the witness provided different testimony earlier. Judges remained reluctant, however, to allow the prosecution to submit into evidence previous testimony as official statements in instances of hostile witnesses, and judges and juries were less likely to convict solely on statements. Defendants have the right to produce evidence in their defense and examine evidence held by the opposing party or the court.

The rate of acquittals and cases withdrawn by the prosecution due to insufficient evidence continued to be high, particularly for murder and gang-related cases. These actions were often due to failure of witnesses to testify because of fear for life and personal safety.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

Citizens may seek civil remedies for human rights violations. The Supreme Court hears most civil suits, but the magistrates' courts have jurisdiction over civil cases involving sums of less than \$5,000 Belize (BZ) dollars (\$2,500). In addition to civil cases, the Supreme Court has jurisdiction over cases involving human rights issues. The backlog of civil cases in the Supreme Court was significant and increased during the year.

Litigants may appeal their cases to the Caribbean Court of Justice, the country's highest appellate court.

Property Restitution

During the year the prime minister and the lands commissioner criticized pervasive corruption in the Lands Department. The media reported numerous instances of department employees canceling leases without due notice to the leaseholders and fraudulently transferring land titles without consent. In August the government announced that it would improve customer service and security of files, investigate misconduct by public officers, and enact measures to improve accountability.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The constitution prohibits such actions, and government authorities generally respected these prohibitions.

Law enforcement agencies may, with judicial oversight, intercept communications to obtain information in the interest of “national security, public order, public morals, and public safety.” The law defines communication broadly to encompass the possible interception of communication by post, telephone, facsimile, e-mail, chat, or text messages whether encrypted or unencrypted and whether via public or private providers.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The law provides for freedom of speech and press, and the government generally respected these rights. An independent press, an effective judicial system, and a functioning democratic political system combined to promote freedom of speech and press.

Press Freedoms: The independent media were active and operated without restriction.

Libel Laws/National Security: Independent groups noted some concerns with defamation suits and national security restrictions on implementation of the Freedom of Information Act.

In June the Supreme Court awarded Prime Minister Barrow BZ\$60,000 (\$30,000) in a defamation case against well-known attorney and opposition politician, Arthur Saldivar. Saldivar spoke on a radio program and made specific allegations of corruption against the prime minister.

Internet Freedom

There were few government restrictions on access to the internet and no credible reports that the government monitored e-mail or internet chat rooms without appropriate legal authority. According to the International Telecommunication Union, 32 percent of the population had access to the internet in 2013.

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events.

b. Freedom of Peaceful Assembly and Association

The law provides for freedom of assembly and association, and the government generally respected these rights.

Freedom of Assembly

The constitution allows for the right of free assembly, and the government generally respected this right.

Security forces generally reacted to demonstrators cautiously and peacefully. In August police arrested 44 sanitation workers after they dumped garbage in front of the Belize City Council to protest the government's nonpayment of contracts. Police charged them with loitering, staging a public gathering with no permit, and littering. Prime Minister Barrow subsequently instructed all charges to be withdrawn.

Also in August residents of the San Jose Succotz village in the Cayo district protested against Deputy Police Commissioner Miguel Segura after he was involved in a fatal traffic accident. Villagers burned tires and blocked access to the Western highway for most of the day. Some protesters threw beer bottles at the police who sought to disperse the crowd. In November police initiated charges of rioting and unlawful assembly against 14 persons they claimed caused the August protests. Police claimed the protesters were engaged in civil disobedience without a permit, but one nongovernmental organization (NGO) claimed that the charges were unwarranted and meant to stifle freedom of expression.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/religiousfreedomreport/.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The constitution provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.

Protection of Refugees

Access to Asylum: The laws provide for the granting of asylum or refugee status, but the government has not established a system for providing protection to refugees. The NGO Help for Progress, the UNHCR's implementing partner in the country, assisted with refugee and asylum cases. The Immigration and Nationality Department handled individual cases but has not issued refugee permits in almost 15 years; it also has not activated the Refugee Committee, a body which would be responsible for reviewing refugee applications.

In the absence of the Refugee Committee, in July the government appointed members to the Immigration Visa Vetting Committee to review applications for temporary stays in the country. Two local NGOs objected to the appointment of one member of the committee, citing the member's lack of cooperation with the auditor general's investigation into the 2013 immigration scandals.

Temporary Protection: The Immigration Department worked with Help for Progress to determine the eligibility of persons claiming refugee status or asylum. The department established an Eligibility Committee for Refugee Status Determination, but it did not meet. Help for Progress continued to report an increase in asylum seekers who claimed to be victims of, or threatened by, gangs and organized crime, primarily from El Salvador and Guatemala. Help for Progress also operated a government-subsidized shelter for asylum applicants and refugees. The Immigration Department generally offered renewable special residency permits for periods of 60 to 90 days to asylum seekers with the possibility of permanent residency and citizenship after extensive stays.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

The constitution provides citizens the ability to change their government through free and fair elections, and citizens exercised this right through periodic elections

held by secret ballot and based on universal suffrage for all citizens age 18 and older.

Elections and Political Participation

Recent Elections: In March 2012 the UDP won 17 of 31 seats in the House of Representatives, giving it a parliamentary majority in generally free and fair elections, with some allegations of irregularities.

Participation of Women and Minorities: There were five women in the 13-member appointed Senate and one woman in the 31-seat elected House of Representatives. Mestizo, Creole, Maya, Garifuna, Mennonite, and other minority and immigrant groups participated in the National Assembly and at high levels of government. There were two female ministers in the 21-member cabinet.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, but the government did not implement the law effectively, and officials sometimes engaged in corrupt practices. The World Bank's worldwide governance indicators reflected that corruption continued to be a problem.

Corruption: Following years of widespread allegations of corruption within the Department of Immigration, in February 2013 the minister of immigration made changes to tighten passport procedures and increase accountability. In September 2013 the prime minister expelled Minister of State Elvin Penner from the cabinet after an investigation uncovered allegations that he illegally assisted a non-Belizean citizen to obtain Belizean citizenship and receive a Belizean passport. As an elected representative, Penner continued to hold a seat in the National Assembly but attended no sessions during the year. In March authorities officially charged him with two immigration offenses but dropped the case in July for lack of evidence. Authorities also suspended one high-level Department of Immigration official and two lower-level officials, pending the results of the investigation, which remained open as of October.

During the year a news outlet accused Minister of Civil Aviation Edmund Castro of accepting money from the Belize Airport Authority (BAA) and improperly facilitating visas for foreigners. Minister Castro stated that he used the BAA funds for his mother's funeral and to support his constituents. Although the prime minister and BAA Board of Directors did not officially call this corruption, the

government stripped Castro of his portfolio as minister of civil aviation. The government reviewed operational protocols, and the entire BAA Board of Directors resigned following the scandal. Castro filed a defamation case against the media and the whistleblower who accused him of improperly facilitating foreign visas. The case remained pending as of October.

The Office of the Ombudsman has authorization to investigate allegations of corruption as well as other complaints. Individual agencies used various internal methods to investigate misconduct by their officials. Additionally, the Office of the Auditor General is empowered to ensure government accountability of public finances. That office produces an annual report and--when called upon--special audits into government spending. It has the authority to access financial records and highlight irregularities.

During the year the auditor general uncovered the mismanagement of hundreds of thousands of dollars of government funds by Ministry of Health officials. These cases resulted in the termination of one official, the suspension of two others pending hearings by the Public Service Commission, and the transfer of another official from one senior post to another.

Additionally, the ministry faced criticism for decreased standards of service and cronyism. In September the families of five of the 13 babies who died in 2013 while in the neonatal intensive unit of the country's largest hospital reached a legal settlement against the hospital. The hospital also faced allegations of confidentiality breaches and protests by the Pharmacy Association against the hiring of a minister's daughter as the inspector of the Drug Directorate.

Financial Disclosure: The law requires public officials to submit annual financial disclosure statements, which the Integrity Commission reviews. At the same time, the constitution allows authorities to prohibit citizens from questioning the validity of such statements. Anyone who questions these statements orally or in writing, outside a rigidly prescribed procedure, is subject to a fine of up to BZ\$5,000 (\$2,500), imprisonment of up to three years, or both. There were no reports that authorities invoked this prohibition during the year. The body governing financial disclosure did not function, and no financial disclosure statements were submitted.

Public Access to Information: The law provides for public access to documents of a ministry or prescribed authority upon written request, although it protects a number of categories, such as documents from the courts or those related to national security, defense, or foreign relations. The government must supply to the

office of the ombudsman a written reason for any denial of access, the name of the person making the decision, and information on the right to appeal. There was no public outreach or training relating to public access to information during the year.

For the first time, two applications were made to the ombudsman under the Freedom of Information Act. In one instance Citizens Organized for Liberty Through Action requested a review of the auditor general's decision to defer access to information that would aid in the prosecution of the former minister of immigration and nationality, Elvin Penner. The ombudsman denied the applicant's request, claiming that the report could not be shared with the public until after it had been shared with the National Assembly.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A variety of domestic human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials often were cooperative and responsive to their views.

Government Human Rights Bodies: The ombudsman, although appointed by the government, acts as an independent check on governmental abuses. The ombudsman's office holds a range of procedural and investigative powers, including the right to enter any premise to gather documentation and the right to summon persons. The office operated under significant staffing and financial constraints. The law requires the ombudsman to submit annual reports. The office also created a mid-year report to address problem trends, which was encouraged by the cabinet.

Of the 109 complaints filed between January and July, 50 were against the BPD, with excessive use of force being the most common complaint. Other allegations included unreasonable refusal to enforce law; abuse of power and process; failure to adhere to proper procedures and practices; and unlawful detention of persons and unwarranted search and seizure of property. The ombudsman also reported on the BPD's efforts to ensure compliance with professional standards and law enforcement practices and to take complaints referred to the Ombudsman's Office more seriously.

The Human Rights Commission, an independent, volunteer-based government agency, continued to operate, but only on an ad hoc basis, constrained by funding and staffing limitations. Despite this, NGOs and other organizations stated that the

Human Rights Commission was more active and vocal than in previous years. The commission provided human rights training for police recruits, prison officers, and the BDF.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The constitution prohibits discrimination based on race, gender, disability, language, or social status, and the government generally enforced these prohibitions.

Women

Rape and Domestic Violence: The criminal code, which was amended in February, criminalizes rape, including spousal rape. The code states that a person convicted of rape or marital rape shall be sentenced to imprisonment of eight years to life, although in practice sentences were sometimes much lighter. Generally, challenges to the wider justice system resulted in poor conviction rates for rape offenses. A number of cases resulted in acquittals or discontinuance because the accusing party dropped the charges or refused to testify at trial. In many instances the failure to proceed with a case was due to the victim's fear for personal safety. As of August the BPD reported 25 cases of rape and 18 arrests. Perceived inefficiencies in the police and judicial systems as well as fear of further violence, retribution, and social stigma contributed to the underreporting of rapes.

Domestic violence is frequently prosecuted with charges such as "harm," "wounding," "grievous harm," rape, and marital rape. Police, prosecutors, and judges recognize both physical violence and mental injury. Penalties include fines or imprisonment for violations; the level of fine or length of sentence depends on the crime. The law empowers the Family Court to issue protection orders against accused offenders. Persons who may apply for protection orders against domestic violence include de facto spouses or persons in visiting relations (couples in a relationship but not living together). Protection orders may remain in place for up to three years and may include a requirement for child maintenance (support) where applicable.

The Women's Department under the Ministry of Human Development and Social Transformation continued its campaign against gender-based and domestic violence. It received referrals from both the criminal and civil courts. The BPD continued to operate a toll-free domestic violence hotline. A lack of resources and

coordination among the response agencies, however, inhibited the provision of viable alternatives for victims.

Domestic violence was most prevalent in the Belize District, which includes Belize City. There were two women's shelters in the country (with a total of 18 beds) that offered short-term housing. These facilities lacked the necessary resources and staff to provide basic services to women and children who were victims of domestic violence. There were no transitional or medium-term shelters to assist victims to move toward independent living.

Female Genital Mutilation/Cutting (FGM/C): While there is no law prohibiting FGM/C, the practice was virtually nonexistent in the country.

Sexual Harassment: The law provides protection from sexual harassment in the workplace, including provisions against unfair dismissal of a victim of sexual harassment in the workplace. The Women's Department recognizes sexual harassment as a subset of sexual violence.

Reproductive Rights: Couples and individuals have the right to decide freely and responsibly the number, spacing, and timing of their children, and to have the information and means to do so, and the right to attain the highest standard of reproductive health, free from discrimination, coercion, and violence. The UN Population Fund reported that the estimated maternal mortality ratio was 45 per 100,000 live births. Programs undertaken by the Ministry of Health and the Belize Family Life Association provided information, counselling and access to family planning, reproductive health services, and gender-based violence sensitization and referrals; skilled health personnel attended 95 percent of births. Individuals could access contraception through Ministry of Health subsidies, NGOs, or private vendors. While abortion is illegal, individuals had access to emergency health care for the management of complications arising from abortion.

The government worked to strengthen its collaboration with NGOs, primarily those engaged in the HIV response and those providing reproductive health services. These organizations generally reported having well-established relationships with government community health and social workers. Some groups also received government grants to support women empowerment initiatives; to provide general health, reproductive and HIV-related services; and to promote gender programs.

Discrimination: Despite legal provisions for gender equality, NGOs and other observers believed that women faced social and economic discrimination. The law

mandates equal pay for equal work. The government had programs aimed at empowering women. The law provides generally for the continuity of employment and protection against unfair dismissal, including for sexual harassment in the work place, pregnancy, or HIV status. It also addresses procedures for the termination of contract and establishes a labor complaints tribunal.

The Women's Department is responsible for programs to improve the status of women. A number of NGOs focused on women's issues also worked closely with various government ministries to promote social awareness programs relating to gender equality.

There were no legal impediments to women owning or managing land or other real property. Despite participating in all spheres of national life, women held relatively few top managerial positions. The labor commissioner verified that men traditionally earn more because they hold higher managerial positions. Women outnumbered men in university classrooms and in high school graduation rates. The law mandates equal pay for equal work and was generally respected. The labor commissioner received no complaints by women relating to unequal pay. According to a 2012 government survey, women accounted for 40 percent of the labor force and experienced higher rates of unemployment--22 percent compared with 9 percent for men. The same survey noted that 52 percent of women participated in the labor force, in comparison with 79 percent of men.

Children

Birth Registration: Citizenship is derived by birth within the country's territory, regardless of the nationality of the parents. Citizenship may also be acquired by descent if at least one parent is a citizen of the country, but citizenship by descent is not automatic for a child born outside the country. The law requires the registration of the birth of children within 42 days of birth. During the year the Vital Statistical Office and the Ministry of Health signed an agreement to offer bedside registration in the hospital shortly after birth. This program began in the southern Toledo district, which had a large population, had high rates of poverty, and was geographically difficult to reach.

Education: Primary education is free, and education is compulsory between the ages of six and 14; however, primary schools may incorporate other fees, and parents may be required to pay for textbooks, uniforms, and meals.

Belize BOOST Conditional Cash Transfer benefits citizens who meet certain criteria and conditions through monthly payments from the government. One component of the program assisted needy children with support for primary and to a limited extent secondary school participation.

Child Abuse: No data was available regarding the number of cases of domestic violence and of sexual abuse against children under age 14 reported during the year. In 2012 there were 80 cases of domestic violence against children under age 14 and 31 cases of sexual abuse against children under age 14.

Unlawful sexual intercourse (previously termed “carnal knowledge”) of a girl under the age of 14, with or without her consent, is an offense punishable by 12 years’ to life imprisonment. Unlawful sexual intercourse of a girl 14-16 years of age is an offense punishable by five to 10 years’ imprisonment. As of August police reported 64 cases of carnal knowledge and 23 arrests. Anecdotal evidence suggested this reflected better public education on the issue and improved protection of minors’ names by the National Council for Families and Children.

The law allows authorities to remove a child from an abusive home environment and requires parents to maintain and support children until the age of 18.

There were publicized cases of underage young women being victims of sexual abuse and misconduct.

The Family Services Division in the Ministry of Human Development and Social Transformation is the government office with the lead responsibility for children’s issues. The division coordinated programs for children who were victims of domestic violence, advocated remedies in specific cases before the Family Court, conducted public education campaigns, investigated cases of trafficking in children, and worked with local and international NGOs and the UN Children’s Fund (UNICEF) to promote children’s welfare.

Early and Forced Marriage: The legal minimum age to marry is 18, but persons between ages 16 and 18 can marry with the consent of parents, legal guardians, or judicial authority. According to UNICEF, 26 percent of girls under 18 were married.

Female Genital Mutilation/Cutting (FGM/C): No law prohibits FGM/C, and the practice was virtually nonexistent in the country.

Sexual Exploitation of Children: In February 2013 the government passed laws increasing criminal penalties and improving protections for victims of trafficking and of the criminal sexual exploitation of children. The Commercial Sexual Exploitation of Children (Prohibition) Act, 2013 (CSEC) introduces penalties related to child prostitution, child pornography, child sexual exploitation, and indecent exhibition of a child, defining “child” as anyone under 18 years of age. The law includes a provision stipulating that the offense of child prostitution does not apply to 16- and 17-year-old children in a consensual sexual relationship with a person promising remuneration, gifts, goods, food, or other benefits. NGOs expressed concern that this specific clause in the law could render children vulnerable to commercial sexual exploitation given the common practice of parents’ pushing their children to provide sexual favors to older men in exchange for remuneration. The legal age for consensual sex is 16. First Lady Kim Simplis Barrow, who is the country’s special envoy for women and children, continued to advocate publicly against the sexual exploitation of children.

There were anecdotal reports that boys and girls were involved in child prostitution, including the so-called “sugar daddy” syndrome where older men provided money to young women and/or their families for sexual relations. Similarly, there were reports of increasing use of minors involved in prostitution and sex tourism in tourist-populated areas, or where there were transient and seasonal workers, including in the south among oil truckers and citrus workers. A 2013 criminal code amendment criminalizes the procurement or attempted procurement of “a person” (changed from “a female”) under the age of 18 to engage in prostitution; an offender is liable to eight years’ imprisonment. Sexual activity with anyone age 16 or under is a criminal offense.

The criminal code establishes a penalty of two years’ imprisonment for persons convicted of publishing or offering for sale any obscene book, writing, or representation.

In November 2013 UNICEF launched its Ending Violence against Children Campaign. As part of that program, the government, with UNICEF support, hosted in October countrywide training and sensitization sessions for key public officials in law enforcement and social services on the 2013 CSEC, trafficking in persons, and criminal code amendments.

The government also commenced judicial reform to improve legal proceedings that involve children as victims, juvenile offenders, or witnesses. In September magistrates and judges participated in a two-day “judicial dialogue” aimed at

sensitizing justices on issues of child response and behavior in the courtroom, particularly relating to children who are victims of abuse, neglect, trafficking, and exploitation.

Displaced Children: There were occasional cases of displaced children who arrived in the country unaccompanied from neighboring Central American countries. Authorities usually placed these children in the care of the Department of Human Services, which placed them in foster homes while authorities worked with the relevant diplomatic missions to repatriate them.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For country-specific information see the Department of State's report at travel.state.gov/content/childabduction/english/country/belize.html.

Anti-Semitism

The Jewish population was small and there were no reports of anti-Semitic acts.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

Persons with Disabilities

The law does not expressly prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air or other transportation, access to health care, or the provision of other state services. The constitution provides for the protection of all citizens from any type of discrimination. The law does not provide for accessibility to persons with disabilities, and most public and private buildings and transportation were not accessible to them. There were no policies to encourage hiring of persons with disabilities in the private or public sectors.

In general, mental health provisions and protections in the country were poor. Informal government-organized committees for persons with disabilities were tasked with public education and advocating for protections against discrimination. Private companies and NGOs provided services to persons with disabilities. The Ministry of Education maintained an educational unit offering limited special

education programs within the regular school system. There were two schools and four special education centers for children with disabilities.

The special envoy for women and children, First Lady Kim Simplis Barrow, continued advocacy campaigns on behalf of persons with disabilities and supported efforts to promote schools that made efforts to create inclusive environments for persons with disabilities. In March First Lady Barrow launched the Inspiration Center, an NGO that aimed to offer basic medical care and therapies for children with disabilities, as well as assistance for at-risk youth.

Indigenous People

No separate legal system or laws cover indigenous persons, since the government maintains that it treats all citizens the same. Employers, public and private, generally treated indigenous people equally with other ethnic groups for employment and other purposes.

Among the country's indigenous population, the Mopan and Q'eché have historically been referred to under the general term Maya, although self-proclaimed leaders more recently asserted that they should be identified as the Masenal (common people). The Maya Leaders' Alliance, which comprised the Toledo Maya Council, Q'eché Council of Belize, Toledo Alcaldes Association, the Julian Cho Society, and the Tumul K'in Center of Learning, monitored development in the Toledo District with the goal of protecting Maya land and culture. According to a representative of the Maya Leaders Alliance, the government, without consulting the Maya community, renewed petroleum exploration concessions in April in territories over which the Supreme Court gave the Maya community some jurisdiction in a 2010 decision.

In August the Maya Leaders Alliance addressed the Inter-American Commission on Human Rights (IACHR). Following the special session, the IACHR called on government to comply with its recommendations on Maya land rights, which include "demarcation and titling of lands, as well as repairing environmental damage caused by logging in Toledo." The commission also expressed concern about the lack of prior consent from Maya peoples to use the lands they owned.

In September the Maya Leaders Alliance and the prime minister began discussions on consultations with Maya communities affected by planned oil exploration. The government noted the need to respect and consult the Maya communities.

Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

The criminal code states that “carnal intercourse” with any person “against the order of nature” shall receive a punishment of 10 years’ imprisonment. The government interpreted this law as including only sex between men. Additionally, the Immigration Act prohibits “homosexual” persons from entering the country, but immigration authorities did not enforce that law.

The legal challenge by a member of the NGO United Belize Advocacy Movement’s (UniBAM) against the “carnal intercourse” law continued during the year. In July 2013 the court heard substantive arguments, but the court’s decision on the constitutionality of the law remained pending as of November.

A Jamaican lesbian, gay, bisexual, transgender (LGBT) rights activist based in Canada filed a case challenging the immigration law with the Caribbean Court of Justice, and in May the court issued a preliminary ruling that the case could proceed. A date for substantive hearings to begin remained pending as of October.

The extent of discrimination based on sexual orientation or gender identity was difficult to ascertain due to lack of official reporting of instances of discrimination. Local LGBT rights advocates noted that LGBT persons feared police and had been harassed while reporting unrelated crimes. They also noted that police at times refused to accept reports of crime from LGBT persons.

UniBAM, the country’s first legally registered LGBT advocacy organization, reported that continuing harassment and insults by the public affected its activities, and its members were reluctant to file complaints. In January assailants killed Joseph Sanchez, a transgender teen, in the early morning in Belize City. While members of the LGBT community condemned the killing as a hate crime, local authorities investigated the incident as general homicide with attempted robbery as the motive.

In March the Catholic Church’s bishop in Belize issued a directive to all Catholic schools and organizations to not cooperate with various NGOs engaged in HIV prevention work, including UniBAM, the National AIDS Commission, and Belize Family Life Association. The bishop’s directive addressed the organizations’ “agenda of sodomy, abortion, and sexual-gender redefinition,” which is seeking to “radically change Belize’s Christian character.”

In May LGBT groups held an event to commemorate the International Day Against Homophobia and Transphobia. The event was well attended by members of the community, general supporters, well-known personalities, and representatives from the diplomatic corps in Belize. For the second year, First Lady Barrow issued a statement in support of the community.

HIV and AIDS Social Stigma

There was some societal discrimination against persons with HIV/AIDS, and the government worked to combat it through the public education efforts of the National AIDS Commission under the Ministry of Human Development. NGOs such as the Pan American Social Marketing Organization also actively countered discrimination against persons with HIV/AIDS. The law provides for protection of workers against unfair dismissal, including for HIV status, but no cases have been filed.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law, including related regulations and statutes, generally provides for the right to establish and join independent trade unions, conduct legal strikes, and bargain collectively. The law also prohibits antiunion discrimination, dissolution, or suspension of unions by administrative authority, and requires reinstatement of workers fired for union activity. The Ministry of Labor recognizes unions and employers associations after they are registered, and the law establishes procedures for the registration and status of trade unions and employers organizations and for collective bargaining.

The law allows authorities to refer disputes involving public and private sector employees who provide “essential services” to compulsory arbitration, prohibit strikes, and terminate actions. The national fire service, postal service, monetary and financial services, civil aviation and airport security services, and port authority pilots and security services are deemed essential services outside of the International Labor Organization definition.

Workers can file complaints with the ministry’s Labor Department or seek redress from the courts, although it remained difficult to prove that terminations were due to union activity. The department generally handled labor cases without lengthy delays and dealt with appeals via arbitration outside of the court system. The

courts, however, did not apply the law requiring reinstatement of workers fired for union activity and provided monetary compensation instead.

There was a lack of resources to carry out the mandate of the Labor Department, including a shortage of vehicles and fuel to ensure compliance, particularly in rural areas. There were no complaints of administrative or judicial delays relating to labor complaints and disputes, although in the past labor disputes took an extended time to resolve through the court system. Information on penalties for violations of freedom of association or collective bargaining was not provided.

Freedom of association and the right to collective bargaining were not always respected. Antiunion discrimination and other forms of employer interference in union functions sometimes occurred.

In August, Help for Progress, the UNHCR's implementing partner in the country, petitioned the IACHR to highlight among other things concerns with measures used by employers that do not allow migrant workers to unionize; and that require migrants to undertake HIV testing in certain industries.

The organization said that in certain industries, particularly the banana, citrus, and construction industries, employers often did not respect due process, did not pay minimum wages, and classified workers as contract and non-permanent employees to avoid providing certain benefits. They noted that both Belizean and migrant workers were denied rights and that the Department of Labor was inadequately staffed and underresourced.

b. Prohibition of Forced or Compulsory Labor

The constitution prohibits all forms of forced or compulsory labor, and the government effectively enforced these provisions in some industries. Penalties for forced or compulsory labor were covered under new antitrafficking laws that carry sentences of one to 12 years, which were comparable to penalties for other major offenses and sufficient to deter violations. Resources and inspections to deter violations were limited. The government did not provide information on the number of victims removed from forced labor during the year.

Forced labor of both Belizean and foreign women occurred in bars and nightclubs. Migrant men and women were at risk for forced labor in agriculture, fishing, and in the service sector, including restaurants and shops, particularly among the South

Asian and Chinese communities. Children also faced forced labor (see section 7.c.).

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits the employment of children under age 14 for industrial undertakings and shop work, but not for all sectors. Light work is allowed for children ages 12 to 13. Persons ages 14 to 18 may be employed only in an occupation that a labor officer has determined is “not injurious to the moral or physical development of non-adults.” Children under age 16 are excluded from work in factories, and those under age 18 are excluded from working at night or in certain kinds of employment deemed dangerous. As guidance the Labor Department used a list of dangerous occupations for young workers, but it had not been adopted as law as of December.

The law permits children to work on family farms and in family-run businesses. National legislation does not address a situation in which child labor is contracted between a parent and the employer. The National Child Labor Policy distinguishes between children engaged in work that is beneficial to their development and those engaged in the worst forms of child labor. The policy identifies children involved in the worst forms of child labor as those engaged in hazardous work, trafficking and child slavery, commercial sexual activities, and illicit activities.

The Department of Labor has primary responsibility for implementing labor policies and enforcing labor laws, but it had limited dedicated resources to investigate complaints. Inspectors from the Labor and Education Departments are responsible for enforcing these regulations. The penalty for employing a child below minimum age is a fine not exceeding BZ\$20 (\$10) or imprisonment not exceeding two months. On a second offense, the law stipulates a fine not exceeding BZ\$50 (\$25) or imprisonment not exceeding four months. There was not enough information provided to determine if the penalties, remediation, and inspections were sufficient to deter violations. There was no information on whether child labor laws were well enforced. There is also a National Child Labor Committee under the National Committee for Families and Children that advocated for policies and legislation to protect children and eliminate child labor. Some children were vulnerable to forced labor, particularly in the agriculture,

fishing, and service sectors. Commercial sexual exploitation of children occurred (see section 6, Children).

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at www.dol.gov/ilab/reports/child-labor/findings/.

d. Discrimination with Respect to Employment or Occupation

The law and regulations prohibit discrimination on the basis of race, sex, gender, language, HIV-positive status or other communicable diseases, or social status. The government did not effectively enforce those laws and regulations. The law does not explicitly prohibit discrimination in employment with respect to disability or to sexual orientation and/or gender identity.

There were reports that discrimination in employment and occupation occurred with respect to sexual orientation and/or gender identity as well as language. One NGO reported that members of the LGBT community often had problems gaining and retaining employment due to discrimination in the workplace, but these claims could not be verified.

During the year there was one incident of an employee resigning from a regional bank after claiming she was reprimanded for speaking her maternal language of Garifuna in the workplace. The employee's union took up the matter on her behalf. The bank denied that any such incident reflected its policy and undertook to put in place protocols to avoid such future incidents. There were also some reports that discrimination against migrant workers occurred (see section 7.a.).

e. Acceptable Conditions of Work

The national minimum wage was BZ\$3.30 (\$1.65) per hour. A full-time worker receiving the minimum wage earned between one-and-one-half and two times the poverty limit income, depending on the district. The law sets the workweek at no more than six days or 45 hours and requires premium payment for overtime work. Workers are entitled to two working weeks' paid annual holiday. Additionally, there are 13 days designated as public and bank holidays. Employees who work on public and bank holidays are entitled to pay at time-and-a-half, except for Good Friday and Christmas, which are paid at twice the normal rate.

Several different health and safety regulations cover numerous industries. The law, which applies to all sectors, prescribes that the employer must take

“reasonable care” for the safety of employees in the course of their employment. The law further states that every employer who provides or arranges accommodation for workers to reside at or in the vicinity of a place of employment shall provide and maintain sufficient and hygienic housing accommodations, a sufficient supply of wholesome water, and sufficient and proper sanitary arrangements.

The Ministry of Labor did not always effectively enforce minimum wage and health and safety regulations. The ministry’s Department of Labor had 25 labor officers in 10 offices throughout the country. Inspections were not sufficient to ensure compliance, especially in the more remote areas. Fines varied according to the infraction but generally were not very high and thus not sufficient to deter violations. The 2011 Labor Act broadened the definition of unfair dismissal to protect employees and gives broader authority to labor officers to investigate issues of unfair dismissal in addition to earlier powers to ensure employer’s compliance with fair compensation. Although several cases were pending, the Labor Tribunal has not convened since it was established.

The minimum wage generally was respected. Nevertheless, anecdotal evidence from NGOs and employers suggested that undocumented Central American workers, particularly young service workers and agricultural laborers, were regularly paid below the minimum wage. Information on workplace fatalities was not available. There were no complaints of major industrial factory fires or mine disasters.

An NGO complained that in certain industries--particularly the banana, citrus, and construction industries--employers often did not respect due process, did not pay minimum wages, and classified workers as contract and nonpermanent employees to avoid certain benefits. They noted that both Belizean and migrant workers faced labor rights abuse and that the Department of Labor was inadequately staffed and under-resourced.

It was unclear whether workers could remove themselves from situations that endangered health or safety without jeopardy to their employment or if authorities effectively protected employees in this situation.