

BELIZE 2015 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Belize is a constitutional parliamentary democracy. In November the United Democratic Party (UDP) won 19 of 31 seats in the House of Representatives following generally free and fair multiparty elections. Civilian 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 (especially the police), lengthy pretrial detention, and harassment and threats based on sexual orientation or gender identity.

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

In some cases the government took steps to prosecute public officers who committed abuses, both administratively and through the courts, but there were few successful prosecutions. 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 was one allegation that the government or its agents committed arbitrary or unlawful killings.

In July, Hilberto Sotz died while in custody at the Caye Caulker police station after being detained pending the investigation of a series of burglaries. According to a person who claimed to have been a witness, two police officers tortured Sotz and put a plastic bag over his head. An investigation by the Belize Police Department's (BPD) Professional Standards Branch (PSB) led to the arrest of the two interrogating officers for murder. Three other officers who were on duty at the time of the incident were suspended. An autopsy concluded that Sotz died from major internal bleeding and trauma caused by excessive force. Investigation of the case continued as of November.

b. Disappearance

There were no reports of politically motivated disappearances.

In August, three Belize City fishermen went missing while at sea. Family members claimed members of the Belize Coast Guard were involved in the disappearance of the men because of antagonistic previous encounters. The coast guard commander stated an investigation was underway.

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 there were other allegations of abuse by security force personnel.

The government occasionally ignored reports of abuses, delayed action, failed to take disciplinary action, or transferred accused officers to other areas within their department.

The Ombudsman's Office stated that it received complaints of police abuse and that the public complained in particular about members of the Gang Suppression Unit. The PSB received complaints against that unit and patrol units from all parts of the country, but the majority were from Belize City.

In June a resident claimed a police special constable beat him while detaining him. The victim sustained several injuries, including two large cuts to the head. Police arrested and charged the constable, who was suspended pending the outcome of an investigation. The police officer who was with the constable at the time of the incident faced disciplinary action within the department for failure to stop the beating. The case against the constable was pending as of November.

Prison and Detention Center Conditions

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

Physical Conditions: Prison officials held women and men in separate facilities. Conditions in the women's area were significantly better than in the men's

compound. Officials used isolation in a small, unlit, unventilated punishment cell, called a “reflection room,” to discipline inmates in the youth section.

As of September there were four cases of officers who had been investigated for abuse of power. Authorities dismissed two officers and suspended the other two.

Through September authorities recorded three major cases of inmate-on-inmate assaults in the men’s wing, including two stabbings. Authorities charged the attackers in two incidents with criminal offenses, disciplined them, and were investigating the third incident.

Administration: Despite the fact that the law authorizes inmates to make complaints to the Ombudsman’s Office only through prison authorities, inmates (and sometimes their family members) continued to make complaints directly to the ombudsman, who cannot investigate complaints. The prison administrator’s chief of security initially investigates allegations of using excessive force. If the investigation discovers incriminating evidence, the accused officer is disciplined. If there is evidence of officer corruption, the investigation is passed to the administrator’s intelligence officer, who then further investigates the matter.

Independent Monitoring: The prison administrator permitted visits from independent human rights observers, and while the prison generally operated free from government interference, the Ministry of National Security monitored it through the Office of Controller of Prisons on site. Observers had access to the prison grounds and could visit inmates.

Improvements: In February an inmate advisory committee was created as part of the grievance process implemented in 2014. The committee had representation from inmates from each section of the prison, and it was tasked with presenting to prison administration officials matters affecting prisoners.

d. Arbitrary Arrest or Detention

While the constitution and law prohibit arbitrary arrest and detention, there were several allegations made through the media and to the PSB that the government failed to observe these prohibitions. In addition, due to substantial delays and a backlog of cases in the justice system, the courts in some cases did not bring minors to trial until they turned 18 years even if criminal charges preceded their reaching adulthood; in such cases, however, the defendants were tried as minors.

Role of the Police and Security Apparatus

The BPD maintains internal security, including migration and border enforcement. The Ministry of National Security supervises the Belize Defense Force (BDF), the Belize Coast Guard, and the 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 brutality and corruption (extortion cases primarily) remained major problems among police officers despite salary increases during the year. The PSB investigates complaints against police, including regular officers, civilian police, and special constables. An assistant commissioner of police, supported by seven officers, heads the PSB. The law authorizes the police commissioner to place police personnel on suspension or interdiction (which is suspension, in some cases receiving half wage). As of June the PSB had received 58 formal complaints of alleged police misconduct. The PSB reported 55 officers on interdiction and 55 on suspension. Additionally, authorities use police investigations, coroner inquests, and the director of the Public Prosecutions Office to evaluate all allegations against the 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 these rules, they more commonly deemed confessions obtained through violation of the rules to be invalid. Police usually granted detainees timely access to family members and lawyers, although there

were occasional complaints from detainees that authorities denied a telephone call after arrest.

By law a police officer in charge of a station may grant bail to persons charged with minor offenses, but those 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. The Supreme Court reviews the application within 10 working days.

Pretrial Detention: Lengthy trial backlogs remained, particularly for serious crimes such as murder. Problems included police delays in completing their investigations, investigative follow-up, court delays in preparing depositions, and adjournments in the courts. Additionally, the police department did not have access to a forensic laboratory for the proper investigation of human specimens and ballistic analysis that would make stronger cases in court.

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.

Trial Procedures

The law provides for 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 charges of 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 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 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 is a hostile witness, rather than allow 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. 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 sexual offenses, 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. 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. The Supreme Court hears most civil suits, but the magistrates' courts have jurisdiction over civil cases involving sums of less than 5,000 Belize dollars (BZ\$) (\$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 continued to be significant.

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

Property Restitution

During the year the government settled compensation with two foreign-owned, major utility companies that it forcibly nationalized: Belize Telecommunication Limited in 2009 and Belize Electricity Limited in 2011. In August the government announced that it had reached a compensation agreement with the previous owner of the national telecommunication company. The final decision of the compensation amount was to be decided by an arbitration panel. In September the government also announced that it had reached an agreement with the former majority owners of the electricity firm.

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.

Libel/Slander Laws: Independent groups noted some concerns with defamation suits.

In July, House of Representative member Edmund Castro withdrew his case against a whistle-blower and a national television station. He filed the case in 2014 after the station broadcast an interview in which the whistle-blower identified Castro as being involved in the sale of visas. The court ordered Castro to cover the legal costs of the defendants, approximately BZ\$30,000 (\$15,000).

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports that the government monitored private online communications without appropriate legal authority. According to the International Telecommunication Union, 32 percent of the population had access to the internet in 2014.

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.

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, or other persons of concern.

Protection of Refugees

Access to Asylum: The law provides for the granting of asylum or refugee status, but the government has not established a system for providing protection to refugees. The nongovernmental organization (NGO) Help for Progress, 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. In November the reactivated Refugee Eligibility Committee, responsible for reviewing refugee applications, met for the first time in 18 years.

Temporary Protection: The Immigration Department worked with Help for Progress to determine the eligibility of persons claiming refugee status or asylum. 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. Freedom to Participate in the Political Process

The constitution provides citizens the ability to choose their government through free and fair periodic elections based on universal and equal suffrage, and citizens exercised that ability.

Elections and Political Participation

Recent Elections: In the November 4 general elections, the UDP maintained its 19-12 majority in the National Assembly. The Organization of American States observation team reported generally free and fair elections. The elected candidates in general represented a cross-section of the races and cultures present in the country.

Participation of Women and Minorities: Observers suggested cultural and societal constraints limited the number of women participating in government. While women remained a clear minority in government, both major parties declared they were taking steps to increase female participation. During the November 4 general elections, 11 women ran for office two of whom were elected to the 31-member House of Representatives. The UDP further appointed two women to the 12-person Senate, and the opposition People's United Party appointed one. For the first time, a woman was appointed to the position of attorney general.

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: Allegations of corruption in government among public officers, including ministers and chief executive officers, were numerous; however, no substantial proof was presented in the majority of the cases, with the exception of the sale of visas involving the case of Representative Edmund Castro (see section 2.a.). Through September the Office of the Ombudsman had received two reports of corrupt acts against two government ministers (members of cabinet).

Corruption within the Lands Department continued during the year. Citizens made most allegations against the department through the news media, which some believed was a more effective way to achieve justice than through the Ombudsman's Office or other watchdog organizations. There were several reports of department employees canceling leases without giving due notice to the leaseholders and fraudulently transferring land titles without consent. Despite accusations of political cronyism, the government insisted that it maintained transparency in the distribution of land.

In April the prime minister (minister of finance) announced that BZ\$500,000 (\$250,000) was missing from the Treasury Department. A joint investigation by

police and the Ministry of Finance led to the arrest and charge of two government employees.

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 does so, either orally or in writing, outside a rigidly prescribed procedure is subject to a fine of up to BZ\$5,000 (\$2,500), three years' imprisonment, or both.

The body governing financial disclosure did not function, and with the exception of one member of parliament, no elected official submitted financial statements to the committee.

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 training relating to public access to information during the year.

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

A variety of domestic and international 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 Office of the Ombudsman 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, and the office also created a midyear report to address problem trends. The office does not have the power to investigate allegations against the judiciary.

While the Ombudsman's Office technically has wide investigative powers, in practice its effectiveness was severely limited by noncompliance from the offices it investigates. From 2012 to the end of the year, only 5 percent of complaints had received proper attention from the respective government offices indicated in the complaint. Ninety-five percent of the cases remained unresolved, and the backlog continued to grow.

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. Nevertheless, NGOs and other organizations stated 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, political opinion, national origin or citizenship, social origin, sexual orientation, and age, and the government generally enforced these prohibitions.

Women

Rape and Domestic Violence: The criminal code 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. Challenges to the wider justice system generally 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. 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 severity of 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 operated a toll-free domestic violence hotline, and most of the major police stations in the country had designated domestic abuse areas (offices) administered by a woman police officer where victims could make their complaints. A lack of resources and coordination among the response agencies, however, inhibited the provision of viable alternatives for victims.

There were two women’s shelters in the country that offered short-term housing but lacked resources and staff to provide basic services to victims of domestic violence. There were no transitional or medium-term shelters to assist victims to move toward independent living.

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 the number, spacing, and timing of their children; manage their reproductive health; and have access to the information and means to do so, free from discrimination, coercion, or violence.

Discrimination: The law provides for the same legal status and rights for women as for men, including under family, labor, property, and inheritance laws. The law also mandates equal pay for equal work and was generally respected. 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.

Despite legal provisions for gender equality and government programs aimed at empowering women, NGOs and other observers believed that women faced social and economic discrimination. Although participating in all spheres of national life and outnumbering men in university classrooms and in high school graduation rates, women held relatively few top managerial positions. The labor

commissioner verified that men traditionally earned more--on average BZ\$90 (\$45) more per month than women--because they held higher managerial positions.

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. The law requires the registration of the birth of children within 42 days of birth. The Vital Statistical Office and the Ministry of Health have an agreement to offer bedside registration in hospitals shortly after birth.

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.

Through monthly payments the government assisted families of needy children at the primary school level and, to a limited extent, the secondary school level. The Ministry of Education continued to assist secondary schools students in the two southern districts with a BZ\$300 (\$150) grant for two years of high school. Students in other parts of the country had to apply to qualify for the subsidy.

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. 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.

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 mistreatment, in most cases in their own home or in the home of a relative.

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 to promote children's welfare.

Early and Forced Marriage: The legal minimum age to marry is 18, but persons between ages 16 and 18 may marry with the consent of parents, legal guardians, or judicial authority.

Sexual Exploitation of Children: The law establishes 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, due to 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.

There were anecdotal reports that boys and girls were involved in child prostitution, including the "sugar daddy" syndrome whereby 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. The law criminalizes the procurement or attempted procurement of "a person" 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 law establishes a penalty of two years' imprisonment for persons convicted of publishing or offering for sale any obscene book, writing, or representation.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For information see the Department of State's report on compliance at travel.state.gov/content/childabduction/en/legal/compliance.html, as well as country-specific information at travel.state.gov/content/childabduction/en/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. Certain businesses, such as banks and government departments (social security offices), had designated clerks to attend to the elderly and persons with disabilities. There were no policies to encourage hiring of persons with disabilities in the private or public sectors.

Mental health provisions and protections generally 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.

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.

The Maya Leaders' Alliance, composed of 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. While the government noted the need to respect and consult the Maya communities when issuing oil exploration licenses in the south, the alliance believed it was not consulted properly before decisions were taken. According to an alliance representative, the government, without consulting the Maya community, renewed petroleum exploration concessions in 2014 in territories over which the Supreme Court gave the Maya community some jurisdiction in a 2010 decision.

In June residents of the Maya community of Santa Cruz detained a creole man after they alleged he had defied community rules and destroyed part of a Mayan archeological site (Uxbenka). A Maya leader explained the community acted as a last resort after they had notified the proper authorities. The prime minister stated that the Maya broke the law when they falsely imprisoned and assaulted the individual. Police subsequently arrested 12 men and one woman and charged them with unlawful imprisonment. According to the Maya Leaders' Alliance, police abused the suspects while detaining them.

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 sex only between men. Additionally, the Immigration Act prohibits "homosexual" persons from entering the country, but immigration authorities did not enforce the law.

The legal challenge by a member of the local NGO United Belize Advocacy Movement (UniBAM) against the "carnal intercourse" law continued during the year. As of November the Supreme Court had not issued a decision.

The extent of discrimination based on sexual orientation or gender identity was difficult to ascertain due to lack of official reporting. As of November UniBAM had registered 12 cases of violence as a result of sexual orientation and gender identity, including nine cases involving homicide, violent attacks, (political) hate speech, medical service discrimination during pregnancy, denial of education to a minor due to his sexual orientation and gender identity, and family-based violence.

In January an openly gay man was stabbed several times, shot in the face, and thrown into a nearby river, where he drowned. The lesbian, gay, bisexual, transgender, and intersex (LGBTI) community classified the killing as a hate crime, but the police did not declare it as such. As of November police had made no arrest.

Local LGBTI rights advocates noted that LGBTI persons feared police and were harassed while reporting crimes. They also noted that police at times refused to accept reports of crime from LGBTI persons. UniBAM reported that continuing harassment and insults by the public affected its activities and that its members were reluctant to file complaints.

A private hotel and resort announced a gay pride event to be held in September and advertised it as a tourism activity. The announcement drew criticism from certain churches, after which the organizer cancelled the event.

HIV and AIDS Social Stigma

There was some societal discrimination against persons with HIV/AIDS, and the government worked to combat it through 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.

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 it requires reinstatement of workers fired for union activity. The Ministry of Labor, Local Government, and Rural Development (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 beyond the International Labor Organization definition of essential services.

Workers can file complaints with the Ministry of Labor’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, and on several occasions employee unions threatened strikes. Workers’ unions such as telecommunication, Karl Heusner Memorial Hospital, the governmental Social Security Board, and stevedores carried out “go-slows” in protest.

In 2014 Help for Progress petitioned the Inter-American Commission on Human Rights 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 NGO 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 nonpermanent employees to avoid providing certain benefits. The NGO noted that both national and migrant workers were denied rights and that the Labor Department 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 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 confronted forced labor and while there are no statistics to indicate the prevalence of children involved in sexual exploitation, local authorities believe the activity is present in the country especially among the indigent population (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 nonadults.” 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. For guidance the Labor Department used a list of dangerous occupations for young workers, but the list had not been adopted as law.

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 Labor Department 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, a statutory interagency group, that advocates 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). In 2013 the Labor Department conducted a survey on child labor that concluded most child labor happened between ages 14 to 17 (4,408) and was most prevalent in the rural areas, with 74 percent of them being males.

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 or orientation and/or gender identity. Nevertheless, 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 LGBTI community often had problems gaining and retaining employment due to discrimination in the workplace, but these claims could not be verified. Up to November there were no officially reported cases of discrimination at work based on ethnicity, culture, or skin color, although anecdotal evidence suggested that such cases occurred.

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 to 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 Labor Department had 25 labor officers in 10 offices throughout the country. Inspections were not sufficient to secure 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 broadens 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 had not been established since being created in 2011.

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.

While no known reports were made to the Labor Department, several individuals appeared in the media alleging that in certain industries--particularly in agriculture--employers often did not respect due process, did not pay minimum wages, and

classified workers as contract and nonpermanent employees to avoid certain benefits.

Information on workplace fatalities was not available. There were no officially reported complaints of major industrial factory fires or mine disasters. It was unclear if 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.