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**NATIONAL REPORT SUBMITTED IN ACCORDANCE WITH PARAGRAPH 15 (A)  
OF THE ANNEX TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1 \***

**Belize**

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\* The present document was not edited before being sent to the United Nations translation services.

## **I. INTRODUCTION AND METHODOLOGY**

1. Belize is firmly committed to the protection and promotion of human rights as evidenced by its Constitution, domestic legislation, adherence to international treaties and existing national agencies and non-governmental organizations (NGOs).
2. Belizean culture, democratic history and legal tradition has infused in Belizean society and government a deep respect for those fundamental human rights articulated in Part II of the Belize Constitution. Such fundamental freedoms as the right to assembly, the right to free speech and the right to due process are vigilantly guarded by Belizeans themselves.
3. As a developing country Belize views development as inextricably bound to the fulfilment of human rights making the right to development a fundamental right itself as asserted by the Declaration on the Right to Development. Thus, the Government of Belize has consistently adopted a human rights based approach in development planning, social services and general policy formulation and execution.
4. Belize's national report for the Universal Periodic Review has been prepared in accordance with the General Guidelines for the Preparation of Information under the Universal Periodic Review, decision 6/102, as circulated adopted by the Human Rights Council on 27 September 2007.
5. The Ministry of Foreign Affairs and Foreign Trade and the Attorney General's Ministry of Belize were responsible for the coordination of consultations with relevant Government Ministries, social agencies and NGOs and the production of the final report. Consultations were conducted in the initial drafting of the report, again prior to its finalization and will continue further throughout Belize's preparation for the interactive dialogue phase of the Universal Periodic Review.

## **II. COUNTRY BACKGROUND**

### **A. Political and social structure**

6. The territory of Belize is, bordered in the North by Mexico, in the South and West by Guatemala, and in the East by the Caribbean Sea. Belize consists of six districts, covering an area of 8,866 square miles. The Belize District is the largest with a population of 93,200, concentrated primarily in Belize City. The second largest is the Cayo District with a population of 73,400. The capital of Belize, Belmopan City, is located in Cayo.
7. A multi-ethnic, multilingual society, Belize's approximately 311,500 people consist of the Creole, the Garifuna, the Mestizo, the Spanish, the Maya, the English, the Mennonite, the Lebanese, the Chinese, and the East Indian. The prominent ethnic groups are the Creoles – descendants of early British settlers and African slaves – comprising some 30 percent of the population, and the Mestizos – descendants of Mexicans and Yucatec Mayas – who comprise 40 percent of the population. The Garifuna, descendants of African slaves, Carib and Arawak Indians, make up another 6.6 percent of the population and the Yucatec, Mopan, and Kekchi, three Amerindian groups, another 9 percent. The Chinese, with a population of 6,000 have made distinct communities, as well as the East Indians and the Mennonites.
8. Belize is a parliamentary democracy based on the Westminster system. The three branches of Government are the executive, the legislature and the judiciary. The Head of State is the Queen of England, represented in Belize by the Governor General. The legislature is elected

in free and fair elections conducted at no longer than five year intervals. The executive is formed by the political party commanding the majority in the legislature. The independence of the judiciary is enshrined in the Constitution.

9. Belize has a bicameral legislature, the National Assembly, comprised of the House of Representatives and the Senate. The House of Representatives is composed of 31 elected members. The Senate is composed of 13 members appointed as follows: six members of the Senate are appointed by the Governor General on the advice of the Prime Minister; three members are appointed by the Governor General on the advice of the Leader of the Opposition; and, one each on the advice of the Council of Churches, the Belize Chamber of Commerce/Business Bureau and the Trade Union/Non Governmental Organizations.

10. The executive branch, headed by the prime minister, is steered by the Cabinet, appointed by the Governor General on the advice of the Prime Minister. The Cabinet is the “principal executive instrument of policy with general direction and control of the government and [is] ... collectively responsible to the National Assembly ...”<sup>1</sup>

11. Belize also has a system of local government comprising two city councils, seven town councils and a network of 192 village and community councils. The two city councils—Belize and Belmopan—plus the seven town councils cover the urban population in the six administrative districts of the country. The 180 village and 12 community councils cover the rural population across the districts. In the Toledo District and other parts of southern Belize there is an alcalde system that operates alongside village councils.

12. In the town and city councils, the mayors and council members are directly elected. The term of office is three years for all municipalities. Mayors (other than Belize City) have an executive role and are designated as the chief executive officer. Their councils determine their remuneration and benefits. Other members receive an allowance determined by their councils. All councils must elect a deputy mayor from their number.

13. Village councils began in the 1950’s but were only formalized by the Village Councils Act 1999. A Village that existed and was recognized by the government before the 1999 Act qualified as a village following the legislation. A new village must have a minimum of 200 eligible voters to qualify as a village. New villages are established by ministerial order. Registered villagers directly elect six councillors and a chairperson who is the leader of the council. Councillors elect a deputy chairperson, secretary and treasurer from their ranks. Councils must meet at least quarterly and the meetings must be open to the public. Decisions are taken by simple majority.

14. The alcalde system is part of the local government structure of Belize. It focuses on judicial matters within a given judicial district. This form of local governance is administered through the inferior courts in accordance with Chapter 77 of the Laws of Belize and implemented by five voluntary village police officers. The alcaldes are effectively local magistrates operating at the village and community level. They differ from the chairperson of the village as they have a judicial role for which they are paid a small stipend by the government. They have power to decide who can live in the village and can call for the communal cleaning of a village. They are responsible for managing the communal land and act as school officers. While mainly Mayan communities, including the Mopan and Ketchi groups, in southern Belize practice this form of local governance, the alcalde jurisdiction is not limited to Mayas. Any rural community can adopt the alcalde system as long as the citizens request the relevant authority to implement it. The inferior court is charged mainly with maintaining law and order and is

authorized to hear and pass judgment on petty crimes committed within its jurisdiction. The alcaldes can therefore judge disputes and punish misdeeds and petty crime. The government appoints alcaldes every two years.

## **B. Legal and institutional framework**

15. The Constitution of Belize is the supreme law of Belize. At Part II, the Constitution guarantees the protection of fundamental rights and freedoms, including the protection of the right to life, the protection of personal liberty, the protection of the law, protection from inhuman treatment, protection from slavery and forced labour, protection from arbitrary search and entry, protection of freedom of movement, protection of freedom of conscience, protection of freedom of expression, protection of freedom of assembly and association, protection of the right of privacy, protection of the right of work, protection from discrimination on the ground of race, sex, place of origin, political opinions, colour or creed, protection from deprivation of property, provisions for periods of public emergency, and protection of persons detained under emergency laws. Under the provisions for the protection of law, the Constitution declares that all persons are equal before the law and are entitled without any discrimination to the equal protection of the law.

16. The Constitution further provides in Part II, section 20, that any person alleging the violation of any of the fundamental rights described in the said Part may apply to the Supreme Court for redress. Appeal of any decision of the Supreme Court may also be sought from the Court of Appeal and the Judicial Committee of the Privy Council if necessary.

17. The Constitution at section 94 provides for a Supreme Court of Judicature and a Court of Appeal. The judiciary is headed by the Chief Justice who has overall responsibility for the administration of justice. The Supreme Court has unlimited original jurisdiction to hear and determine any civil or criminal proceedings under any law. In its criminal jurisdiction, a Judge sits with a jury made up of twelve members for capital offence cases, and nine members for non-capital offence cases. The Court in the exercise of its criminal jurisdiction sits four times or holds four sessions in the calendar year in each of the three judicial districts designated under the Supreme Court of Judicature Act – the Northern, Southern, and Central districts. This is for convenience and for the participation of all citizens as jurors throughout the country. In this very way, accused persons can truly be tried by their peers, which is a fundamental principle in the jury trial system.

18. The Supreme Court also has appellate jurisdiction in all cases determined in inferior courts and in respect of any misdirection or misruling of those courts. At least one inferior or magistrate court and one family court are established in each district capital.

19. The Court of Appeal exercises appellate jurisdiction over both the High Court and Magistracy and has jurisdiction and powers to hear and determine appeals in civil and criminal matters. The Court of Appeal may sit in Belize up to four times annually. The final appellate court for Belize is the Judicial Committee of the Privy Council of the United Kingdom. Belize also recognizes the original jurisdiction of the Caribbean Court of Justice, i.e. for the interpretation of the Revised Treaty of Chaguaramas. The Revised Treaty of Chaguaramas governs the operation of the Caribbean Community (CARICOM) including the CARICOM Single Market and Economy.

20. A wide range of fundamental rights is enshrined in Belize's Constitution and in the laws of Belize. Some legislation specifically implements provisions of international treaties such as

the Genocide Act, the Refugees Act, the International Child Abduction Act, International Labour Organizations Convention Act, the Belize Red Cross Society Act and the Trafficking in Persons (Prohibition) Act. The United Nations Resolutions and Convention (Enforcement) Act provides generally for the enforcement in Belize of United Nations resolutions. The following is a compilation of legislation that have been enacted to protect the fundamental human rights and freedoms of individuals in Belize:

Interpretation Act – Chapter 1  
Belize Constitution – Chapter 4  
Ombudsman Act – Chapter 5  
Freedom of Information (Amendment) Act – Chapter 13  
United Nations Resolutions and Convention (Enforcement) Act – Chapter 24  
Pensions Act – Chapter 30  
Widows' and Children's Pensions – Chapter 32  
Education Act – Chapter 36  
Public Health Act – Chapter 40  
School Teachers Pensions Act – Chapter 42  
Social Security Act – Chapter 44  
Social Service Agencies Act – Chapter 45  
Village Councils Act – Chapter 88  
Court of Appeal Act – Chapter 90  
Supreme Court of Judicature – Chapter 91  
Family Courts – Chapter 93  
Evidence Act – Chapter 95  
Indictable Procedure Act – Chapter 96  
Criminal Code – Chapter 101  
Protection Against Sexual Harassment – Chapter 107  
Genocide – Chapter 110  
Juvenile Offenders – Chapter 119  
Probation of Offenders – Chapter 120  
Certified Institutions (Children's Reformation) Act – Chapter 121  
Defence Act – Chapter 135  
Prisons Act – Chapter 139  
Intoxicating Liquor Licensing Act – Chapter 150  
Immigration Act – Chapter 156  
Belizean Nationality Act – Chapter 161  
Refugees Act – Chapter 165  
Families and Children Act – Chapter 173  
Marriage Act – Chapter 174  
Married Persons (Protection) Act – Chapter 175  
Married Women's property Act – Chapter 176  
International Child Abduction – Chapter 177  
Domestic Violence – Chapter 178  
Administration of Estates – Chapter 197  
Wills Act – Chapter 203  
Labour Act – Chapter 297  
Trade Disputes (Arbitration and Inquiry) – Chapter 299  
Trade Unions – Chapter 300  
Wages Council Act – Chapter 302  
Workmen's Compensation Act – Chapter 303

International Labour Organization Conventions – Chapter 304.01  
Belize Red Cross Society Act – Chapter 309  
Non-Governmental Organizations – Chapter 315  
General Registry – Chapter 327  
Penal System Reform (Alternative Sentences) Act  
National Institution of Culture and History – Chapter 331  
Trafficking in Persons (Prohibition) Act  
Prevention of Corruption Act

21. In addition to legislation, Belize is a party to the Convention on the Prevention and Punishment of the Crime of Genocide, the International Convention on the Elimination of all Forms of Racial Discrimination, the International Covenant on Civil and Political Rights, the Convention on the Elimination of All Forms of Discrimination against Women and the Optional Protocol thereto, the Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of the Child and its Optional Protocols, the Inter American Convention on Support Obligations, and the International Convention on the Protection of the Rights of all Migrant Workers and their Families. The Government is presently reviewing the Convention on the Rights of Persons with Disabilities.

22. Belize is also a party to the major international conventions relating to trafficking in persons, smuggling of migrants, status of refugees, international labour organization conventions, the Hague Conventions on inter-country adoption and child abduction, the Inter American conventions on the return of children and adoption of minors as well as other international humanitarian law treaties such as the 1949 Geneva Conventions and their protocols.

23. The human rights infrastructure is comprised of both legal and institutional aspects. The legal aspects include the guarantees enshrined in the Constitution, the provisions of the Laws of Belize and Belize's international obligations. The institutional aspects include both governmental and non governmental institutions. Amongst the governmental institutions, the most actively involved at the cabinet level is the Ministry of Human Development and Social Transformation. The Ministry itself is tasked with employing a rights based approach to the delivery of social services and the protection of vulnerable groups and has oversight of three departments – Human Services Department, the Community Rehabilitation Department and the Women's Department. Notwithstanding the primary role that the Ministry of Human Development plays in the promotion and protection of human rights, many other ministries have portfolios that impact upon the enjoyment of those fundamental rights and freedoms including ministries dealing with education, housing and urban development, youth, sports and culture, economic development, health, labour, local government, rural development, national security, and governance improvement.

24. In 1999, an independent Office of the Ombudsman was established. Under the provisions of the Ombudsman Act, the Ombudsman is tasked with investigating and reporting on allegations of corruption, wrongdoing and actions taken by an authority resulting in injury, injustice or abuse. An investigation may be undertaken on the Ombudsman's own initiative or on a complaint made to the Office. The Ombudsman has also taken a proactive role in promoting human rights in Belize. A new female Ombudsman was appointed in January 2009 and has signalled her intention to strengthen the office.

25. The Police Internal Affairs Department was established to facilitate the transparent investigation of police actions, of citizen complaints and to provide an avenue for redress of

wrongful police action in recognition that the delivery of police service involves all aspects of its operations directed towards enforcing the laws preserving public tranquility, and protecting human rights and property, while maintaining order.

26. A small but relatively active group of non-governmental organizations, devoted to different aspects of human rights, play an important role in promoting and protecting human rights in Belize. The work of these NGOs, such as the Society for the Promotion of Education and Research, the Human Rights Commission of Belize, and the Women's Issues Network, include advocacy, public education and awareness and programme implementation.

27. The Society for the Promotion of Education and Research (SPEAR) and the Human Rights Commission of Belize (HRCB) have engaged over past the years in human rights education, public awareness and human rights advocacy. HRCB has been particularly active on the issue of prisoner rights. SPEAR has pioneered the popularization of citizen rights and human rights to maximize the impact of public education. Both organizations have also through advocacy exerted influence of the policy making process.

28. The Women's Issues Network (WIN) is an umbrella organization for NGOs working in the area of women and children's issues. WIN has been very active in promoting women's rights, and raising awareness about gender based violence and HIV/AIDS. In 2007 WIN presented a Shadow Report on the implementation of the Convention for the Elimination of All Forms of Discrimination against Women (CEDAW). The National Women's Commission is a quasi governmental agency charged solely with promoting, monitoring and evaluating compliance with CEDAW and other national, regional and international obligations regarding women including Belem do Para Convention.

29. The National Committee for Families and Children (NCFC) is a statutory agency legally mandated under the Families and Children's Act to promote, monitor and evaluate Belize's compliance with its national and international commitments to children. The NCFC is the major coordinating and advisory body to the government on families and children's issues. The work of the NCFC is guided by the Convention on the Rights of the Child (CRC) and Belize's commitment to the implementation of the outcome of the twenty seventh special session of the General Assembly on children entitled *A World Fit for Children*, the Millennium Development Goals (MDG), the Dakar Framework for Action adopted at the World Education Forum and the Beijing Rules.

30. The National Human Development Advisory Committee is a multisectoral advisory Committee which is tasked with providing policy advice to the Government on development issues with a holistic approach including consideration of human rights, sustainable development and development objectives. The National Human Development Advisory Committee is able to identify issues, offer policy advice and conduct and commission studies and analysis to inform proposed policy positions.

### **III. PROMOTION AND PROTECTION OF HUMAN RIGHTS**

#### **A. Women's Rights**

31. Belize has made significant improvements in the advancement and promotion of women's rights, gender mainstreaming and the overall empowerment of women. The fulfilment of the obligations arising from CEDAW and from the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women is coordinated by the

Women's Department. The National Women's Commission is tasked with ensuring compliance, and government has recently sought to institutionalize the Commission by installing a technical secretariat for the first time in its over 20 year history.

32. The work of the Women's Department is carried out by its main office in Belize City and by Women Development Officers in each district, who work as a team with other personnel from the Ministry of Human Development such as social workers of the Department of Human Services and officers of the Community Rehabilitation Department and/or the Community Parent Empowerment Programme.

33. Gender based violence continues to be a major concern. Several measures are being taken on a continuous basis to reduce the incidences of gender based violence and to ameliorate the impact on families. The Women's Department along with several partner NGOs have sustained an ongoing multimedia national public awareness campaign, which is heightened during Women's Week in March and during the Sixteen Days of Activism from November 25-December 10 each year. A new Domestic Violence Act was introduced in 2008 which repealed the existing Act. This new Act, expands the definition of abuse to include financial abuse, provides for longer protection orders and harsher penalties for persons who breach such orders, and includes persons in visiting relations as persons against whom orders may be issued.

34. Part VI of the Education Act of the laws of Belize provides for equal access for males and females at all educational levels and for gender sensitivity within educational systems. Primary school enrolment rates for girls and boys are virtually equal: 33, 734 boys and 32, 273 girls were enrolled for the academic year 2007-2008. However, girls outnumber boys at both secondary and tertiary levels of education; at the secondary level: 8161 boys and 8946 girls were enrolled; while at the junior college level 1103 boys and 1635 girls were enrolled during the academic period 2007-2008. Yet, unemployment rates among women stand at 13.1 per cent compared to only 5.8 per cent for men.

35. Women's participation in electoral politics is limited. There are currently no female members of either the Cabinet or the House of Representatives. At the municipal level there are two female mayors out of seven mayors.

36. In 2005, the Labour Act was amended to provide for 14 weeks maternity leave entitlement for women, instead of the previous 12 weeks, on full pay and as required by the ILO Convention No. 183 – *Maternity Protection Convention* which Belize has ratified.

37. In 2007, the National Gender-Based Violence Plan 2007-2009 was developed. This plan of action makes reference to international commitments made by the government combined with other regional and international instruments, which are being used to mount a national vigorous effort to halt gender-based violence in all its forms in Belize.

38. In 2005 the *Sexual and Reproductive Health Policy* was launched which focuses on interventions to protect and promote sexual and reproductive health and rights. It addresses Millennium Development Goal No.5 to improve maternal health and outlines strategies to provide women with more access to reproductive health services.

39. A National Gender Policy was developed and ratified by Cabinet in 2003. The Policy aims to achieve gender equity and equality by eliminating discrimination against women in five priority policy areas: health, wealth and employment generation, violence-producing conditions, education and skills training, and power and decision-making.



40. In 1999 the NGO WIN-Belize developed an advocacy campaign to increase the minimum wage for shop assistants and domestic workers. During this campaign, a wages council was re-established by the Ministry of Labour and on 29th April 2002, the Wages Regulation Order of 1993 was repealed. The minimum wage was increased from \$1.75 to \$2.25 an hour. This campaign was as a result of the comments made by the CEDAW Committee on Belize's first and second periodic report. WIN-Belize reviewed the minimum wage again in 2006. The wages council was re-established to review the minimum wage levels in Belize for the minimum was not revised since 2002. Statutory Instrument No. 14 of 2007 was gazetted on 10th February 2007. The Order is amended to repeal the minimum wage from \$2.25 to \$3.00 an hour.

## **B. Children's rights**

41. Belize was among the first countries to ratify the Convention on the Rights of the Child in May 1990. Since then Belize has also ratified the two optional protocols: Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography in addition to other Inter American Conventions relating to the rights of the child. The National Committee for Families and Children is tasked with monitoring compliance of the CRC obligations and engages in its own programme of work in the areas of advocacy, public education, legal reform and monitoring and evaluation.

42. In 1998 the Families and Children's Act was passed to incorporate specific provisions of the CRC in domestic legislation. Amendments to other legislation are required to give full effect to the CRC. The age of criminal responsibility for instance has been increased from the age of 9 to 12 years and the age of marriage with parental consent from 14 to 16 years. The Penal Reform (Alternative to Sentencing) Act allows for non-custodial sentences for young and first time offenders. However, other gaps have been identified and plans are in place to make the required amendments. Stakeholder consultations are currently ongoing on proposed amendments to the Criminal Code, Juvenile Offenders Act and other pieces of legislation aimed at better protecting the rights of abused children and children who come in conflict with the law.

43. Significant work has been done to raise public awareness among children, families and the general public of the CRC. NCFC in particular has sustained and facilitated a radio show, Kid O' Rama, which is for children, by children to raise awareness on children rights and to encourage the participation of children in the promotion thereof.

44. A National Plan of Action for Children and Adolescents 2004-2015 has been adopted which outlines the priority areas for the advancement of child rights and development in six key areas: education, health, child protection, HIV/AIDS, family and culture. The NPA has the endorsement of both political parties ensuring its continuity should government administration change during the period 2004-2015.

45. The NCFC on an ongoing basis monitors and evaluates the implementation, by the stakeholders and duty bearers, of the National Plan. The National Plan of Action for Children and Adolescents is now in its fifth year of implementation and the NCFC has engaged a consultancy to undertake an assessment of the state of implementation and to identify areas of concerns where adjustments or interventions are required.

46. The NCFC has made some targeted intervention in southern Belize including, the piloting, with assistance from the International Labour Organization, a successful project in the

Toledo District, which has seen the transition child labourers into the formal education system. NCFC also has a Roving Caregivers Programme which deploys trained caregivers into southern villages to help parents provide early childhood learning.

### **C. Trafficking in persons**

47. While qualitative assessments<sup>2</sup> have indicated that trafficking in persons is not a significant problem in Belize, the Government cognizant of the global problem of trafficking has taken measures to combat trafficking in persons. In June 2003, the Trafficking in Persons (Prohibition) Act was passed, and an Anti Trafficking in Persons Committee was established to coordinate the Government's response to human trafficking.

48. Belize's response to human trafficking has focused on prevention, protection and prosecution. In the area of prevention a national, multimedia, bilingual public awareness campaign has been sustained throughout the year. In the area of protection the Government has dedicated two shelters exclusively to trafficking victims, ensured that victims have access to the full range of social services including medical care and allocated a budget for victim care. Prosecution remains a challenge. The cases of trafficking in persons which have emerged have by and large not resulted in conviction. To address this weakness, the Anti Trafficking in Persons Committee intends to focus on forensic interviewing skills, and prosecutorial and investigative techniques.

49. Recognizing the link between trafficking in persons and transnational organized crime, regional cooperation is a critical part of Belize's strategy to combat trafficking. To this end, Belize has worked with neighbouring countries to repatriate victims, share best practices and experience. The Regional Conference on Migration had adopted guidelines for special protection to facilitate repatriation of child victims of human trafficking. Belize has subscribed to these guidelines.

### **D. Culture**

50. The right to participation in cultural life is guaranteed by the Constitution. Belize is a multicultural society comprised of almost a dozen distinct ethnic groups. Each group is free to and does promote and preserve its culture and traditions.

51. In 2003, the Government of Belize established the National Institute of Culture and History (NICH) to coordinate and exercise oversight of the protection and promotion of Belizean culture, historical sites, artefacts, and the arts. NICH has four main branches: The Belize Film Commission, the Institute of the Creative Arts, the Museums of Belize and Houses of Culture, the Institute of Archaeology, and the Institute for Social and Culture Research.

52. Belize is a full member of the United Nations Education, Scientific and Cultural Organization (UNESCO). A National Commission for UNESCO has been established in Belize and is operational. Belize is a state party to several UNESCO Conventions including the Convention concerning the Protection of the World Cultural and Natural Heritage, Convention for the Safeguarding of Intangible Cultural Heritage, the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export, and Transfer of Ownership of Cultural Property, the Convention against Discrimination and the Universal Copyright Convention. Pursuant to the World Heritage Convention, Belize's Barrier Reef has been added to the World Heritage List. In 2001, UNESCO proclaimed the Garifuna Language, Dance and Music as Masterpieces of Intangible Heritage.

53. Culture is also being integrated within the Belizean educational system through intercultural bilingual education (IBE) programmes. There are three pioneering IBE schools which have integrated culture into their curriculum: the Guilisi Garifuna School and La Escuela Garifuna located in Dangriga, Stann Creek District, teach Garifuna traditions and language; the Tumul K'in Centre of Learning provides inter cultural education based on Mayan tradition, knowledge and philosophy.

#### **E. Aging/Elderly**

54. Belize is committed to the implementation of the Madrid International Plan of Action on Ageing 2002 as well as the Regional Strategy for the implementation of the MIPA including as articulated in the Brasilia Declaration 2007. In mid 2007, older persons made up 6.6 per cent (21,285) of the population.

55. In June 2002, the Government of Belize developed and adopted a National Policy on Older Persons. It identifies nine programme areas namely national mechanism, education and media, health and nutrition, social welfare, income security, housing and environment, family, legal and research.

56. The National Council on Ageing was established in February 2003 and is the advisory, advocacy and coordinating mechanism of Government and acts to implement, monitor and evaluate the National Policy on Older Persons.

57. At present, there is no legislation that exclusively protects older persons from discrimination and abuse. The National Council on Ageing is currently drafting an Older Persons Act which will provide greater legal protection for the elderly. The draft Act is being circulated among stakeholders before being submitted to the office of the Solicitor General.

58. A draft regulation for residential homes for Older Persons is currently with the Solicitor General's Office. In October 2008, amendments to the Domestic Violence Act, which provides for special protection for older women, were passed by Parliament.

59. The Belize Social Security Board introduced the non contributory pension for women 65 years and older and men 67 years and older. It presently pays persons fitting into this category \$100 per month.

60. Since 2005, a government supported program - Belize Rural Development Program, funded by the European Union - has instituted and implemented a credit window for older persons. Older Persons are able to access grants of US\$1,000 as a member of a group, or as an individual for micro projects in agriculture and craft. The program targets rural areas with high levels of poverty such as the two most southern districts of Stann Creek and Toledo.

61. The Government of Belize has implemented a National Health Insurance Scheme since 2001. Services offered to older persons are an integral part of the scheme which provides them with universal and free of charge access to essential medicines and rehabilitation services. However, there is no specific health program for the elderly and there is no geriatrician in Belize or geriatric training.

62. There are a total of three long stay institutions in Belize for older persons. The main reasons for entry include insufficient or no familial support; poverty; and inability to take care of oneself due to illness and/or old age. One of these is fully funded and managed by the

Government of Belize while the other two receive funding through monthly subventions from the Government.

#### **F. Prisoner's rights**

63. In August 2002, the Government of Belize privatized the management of the Belize Central Prison. The Belize Central Prison is now managed by the Kolbe Foundation, a non-profit, non-governmental organization. Since taking over the management of the prison, the Foundation has implemented several programs aimed at rehabilitation such as a drug rehabilitation programme, learning programmes and prisoner fellowship.

64. The first complete drug addiction program was implemented in the prison in 2005. The program requires three month seclusion from the larger prison population and family members. The process is further supplemented by spiritual and physical development. After graduation, inmates who have met the criteria for parole and remission are released. The others are transferred to the rehabilitation centre's reintegration building for another three months and then thereafter allowed to return into the general population.

65. The Restorative Justice program focuses on easing the harm and suffering caused by criminals. This program involves victims going to the prison to meet with 'unrelated' offenders and discussing topics related to crime and its consequences and the reconciliation process to make life easier for victims.

66. Inmates at the prison who are HIV positive have access to counselling services and free ARVs medication through the Ministry of Health.

67. Young inmates are segregated from the rest of the adult prison population in their own facility. The facility presently houses two large buildings –one used for housing or sleeping quarters, and the other building used for feeding or conducting family visits. A third building contains four classrooms.

68. The inmate population includes both remanded and convicted prisoners. The prison staff assigned to the facility are trained in rehabilitation and qualified to offer counselling to individual inmates. The young inmates have a daily schedule of activities that involve academic and vocational classes; support in Personal and Spiritual Development; life skills, sports, physical training exercises, personal hygiene, recreation, time management, evening devotion followed by local news and counselling activities.

### **IV. CHALLENGES AND PRIORITIES**

#### **A. HIV/AIDS**

69. HIV/AIDS remains a major challenge for Belize. Belize currently has the highest prevalence rate in Central America and the third highest in the Caribbean. The infection rate at the end of 2007 was 2.1 per cent.

70. To respond to the challenge of HIV/AIDS, Belize has adopted a multi-sectoral participatory approach and in February 2000 established and tasked the National AIDS Commission with coordinating Belize's national response including implementation of the national strategic plan, HIV/AIDS policies and mobilization of resources. The National AIDS Commission is comprised of representatives from all key stakeholder groups, i.e., representatives of government departments that include the Ministries of Health, Education, Labour, Human

Development and Tourism, the business sector, youth, other non-governmental organizations, faith-based organizations (FBOs), community-based organizations (CBOs), and representatives of district AIDS committees. The United Nations agencies and other such entities serve as technical partners to the national counterparts.

71. In 2006 the Government adopted a National AIDS Policy and a National AIDS in the Workplace Policy. Since then the Belize Chamber of Commerce and Industry has launched the Business Coalition on HIV/AIDS and the Public Service has adopted its own HIV/AIDS in the Workplace Policy. Currently the Ministry of Labour is promoting and expanding the implementation of the Workplace Policy across the country. The purpose of the policy is to remove stigma and discrimination against persons infected with HIV/AIDS and to promote healthy lifestyles in the workplace.

72. In 2001 the Government of Belize initiated its Prevention of Mother to Child Transmission (PMTCT) programme to reduce the risk of HIV/AIDS infected pregnant mother passing the virus on to their newborns. The PMTCT has been integrated within the public health prenatal clinics countrywide to enhance its impact. In 2007 for instance of the 2766 women receiving antenatal care, 54 tested positive for HIV/AIDS and were able to receive prophylactic antiretroviral therapy. In 2008 only two cases were reported countrywide as a result of vertical transmission highlighting the success of the programme.

73. Public education and awareness has been an ongoing effort. Government and its partners in HIV/AIDS prevention continue to utilize all avenues to raise awareness about the disease and to promote healthy living, including multimedia campaigns, direct outreach, health clinics and fairs.

74. The prevention and control of HIV/AIDS remains a priority for the Government of Belize and multiple ministries continue to form part of the National Response to HIV. The Ministry of Health through its National HIV/AIDS Programme this year seeks to expand HIV testing to all rural health outposts in support of the PMTCT programme as well as further testing previously not accessible to the rural communities. The eventual integration of HIV services into the health care system is also being analyzed in partnership with multiple agencies. The work of the Programme is a long time planning process geared towards meeting the MDGs as well as meeting the multiple other indicators the country is a signatory to.

75. Support services are available for persons living with HIV/AIDS including in the areas of education, and emotional, financial and physical support. The Government provides free antiretroviral medication, agencies such as the Belize Enterprise for Sustainable Development and the Youth Business Trust provide micro-financing for small business start-ups for persons living with HIV/AIDS, and several NGOs such as Living with Hope Foundation and the Alliance Against AIDS provide financial grants, support groups and other kinds of assistance.

## **B. Youth**

76. The 2007 Mid Year Population Estimates indicated that 49.5 per cent of Belize's population is 19 years old or younger and 65 per cent is under 30 years old. While net enrolment in primary education is relatively high, less than 50 per cent of children transition to high school. Youth unemployment is particularly high and above the national average. According to the Statistical Institute of Belize, there are 81,900 young people between the ages of 15 – 29 years in Belize. This sub-population is 28 per cent of the total population. Of this number, 40,000 or 57 per cent are in school. Of the remaining number, 22,500 (32 per cent) are employed and the other

7,500 (11 per cent) are unemployed (SIB figures). Simultaneously, at risk youth have fallen victim to a life of crime, violence and gangs. Government has responded vigorously with the operationalization of the Youth for the Future and the Conscious Youth Development Programme to the need to engage young people positively to build a good, productive citizenry.

77. There is also civil society involvement in creating positive and safe recreational opportunities for young people. The My Neighbours and Me provides peer coordinated development activities for children from disadvantaged neighbourhoods. The 4H organization operates twelve clubs across Belize equipping at-risk Belizean youths with skills in agriculture, food processing, building technology, and most recently tourism development. Other NGOs also working with young people in Belize include the Youth Enhancement Services, the Young Women's Christian Association, and the Belize Family Life Association.

78. In 2005, the Youth for the Future (YFF) was established under the auspices of the Ministry of Youth to coordinate youth programmes nationwide in three main areas: violence reduction and HIV/AIDS Education and awareness, youth governance and job creation and enterprise. YFF has impacted the lives of thousands of Belizean youth through HIV/AIDS awareness sessions, job skills training and so forth.

79. In 2008, Government re-activated the Conscious Youth Development Program (CYDP) which is aimed at offering at risk youth and young people already involved in gangs an alternative lifestyle. The institution's focus covers five main areas: conflict resolution, life skills development, job creation, socialization-communication and educational programs. For 2008, the CYDP has impacted or provided intervention for some two thousand one hundred and twenty-seven (2,127) clients.

80. Belize recognizes that youth development is critical to overall national development. Active measures are being taken to engage young people in a meaningful participatory manner.

### **C. Good governance**

81. The Government of Belize believes that good governance i.e. responsive, accountable and transparent government is essential for building, promoting and nurturing a culture of human rights. The Prevention of Corruption Act defines corruptions and provides certain protection for public officers and citizens who report acts of corruption. Among the institutions established to contribute to good governance is the Integrity Commission which is tasked with implementing the financial disclosure requirements for persons in public life and making inquiries as necessary into alleged violations of the Prevention of Corruption Act.

82. The new Prevention of Corruption Act which entered into force in February 2008 has increased the number of offences, increased penalties to \$25, 000 and broadens the scope to include public officers and persons in the private sector. The Act also creates a permanent secretariat for the Integrity Commission and provides protection for whistleblowers.

83. A triumvirate of institutions provide an important foundation for good governance: the auditor general, the contractor general and the ombudsman. The auditor general is responsible for auditing the accounts of all monies in the Consolidated Fund. The contractor general monitors the award and implementation of public contracts and conducts investigations into allegations of impropriety which arise. The functions of the Ombudsman are described above.

84. The Government in seeking to build on this good governance infrastructure and has made several important reform proposals including term limits for Prime Ministers, removing the

government majority in the Senate, and allowing for ministers to be recalled, regular and detail reporting on public finances, amending the Freedom of Information Act to outlaw secrecy in contracts and agreements.

85. Belize became a State party to the Inter American Convention against corruption in 2002. Belize participates actively in the Follow-up Mechanism for the Implementation of the Inter-American Convention against Corruption, and has presented two reports on implementation of the Convention in Belize.

#### **D. Indigenous rights**

86. The Maya indigenous people of Belize make up about 8.9 per cent of the Belize population and reside mainly in the southern district of Toledo. The Maya communities of southern Belize through their Maya Leaders' Alliance (MLA) have initiated several claims/complaints against the Government of Belize for failing to protect the rights of the Mayas, particularly in regard to land rights. The MLA has accessed international human rights treaty bodies to file their claims/complaints.

87. The MLA has raised issues of concern at the Inter American Commission on Human Rights and the United Nations Committee for the Elimination of Racial Discrimination and with the Special Rapporteur for Indigenous Rights. In each instance the Government has provided where it can information on measures it has undertaken to protect the rights of the Mayas.

88. On October 12, 2004, the Inter-American Commission on Human Rights issued Report No. 40/04, containing certain recommendations to the Government of Belize pertaining to the case "Maya Indigenous Communities of the Toledo District of Belize." The Government of Belize received and analyzed the report, but no mechanism was established to implement the recommendations of the Commission.

89. As a result the villages of Conejo and Santa Cruz sought to have their rights recognized by the Supreme Court of Belize. On October 18, 2007, the Supreme Court of Belize ruled that the Mayans residing in these two villages in the Toledo District had customary land tenure in the lands they occupied. These findings were similar to the recommendations of the Inter American Commission on Human Rights with respect to delimiting, demarcating, titling or otherwise protecting Mayan communal property based on customary use and practice. The distinction, however, was that the Commission's recommendation was in regards to the entire Toledo District while the judgement of the Supreme Court was confined to two villages, Conejo and Santa Cruz. The Government did not appeal the decision of the Supreme Court and is committed to respecting the decision. Since the Supreme Court ruling, representatives of the Government headed by the Commissioner of Lands and Survey met with the affected communities three times.

90. Following general elections in February 2008, the new government issued a cease and desist order the following month directing all Government Ministries to "cease all activities and/or operations on, or to otherwise deal with land in the Toledo District, in particular but not limited to the ways set out by the Order of the Court, until such time as further instructions of the mechanisms of implementation are issued." The order was later modified to apply only to lands traditionally occupied and used by the villages of Santa Cruz and Conejo.

91. The Parties have continued dialogue with the aim of arriving at a mutually agreeable framework for the implementation of the judgement in the Cal case. A consensus on the matter has not been reached, but communications between the parties continue.

92. On April 10, 2008, the Attorney General of Belize, on behalf of the Government of Belize, met with the representatives and the legal adviser of the Mayan communities and informed them of the Government's will to comply with judgement of the Court. The Parties agreed to meet further to develop a framework for the said implementation including demarcation of boundaries.

93. Thirty-eight other villages in the Toledo District have initiated a similar action in the Supreme Court seeking to have the Courts recognize the Maya's customary land rights in these villages.

#### **E. Persons with disabilities**

94. Consecutive governments have made commitments to integrate persons with disabilities into society and to provide decent support for their treatment. The commitment has also included a pledge to increase public awareness of their rights and needs and to recognize persons with disabilities as equal citizens.

95. The 2000 population census estimates that 6 per cent of the population or 13,774 persons have some form of disability in Belize.

96. In Belize, there is no Act which deals particularly with persons with disabilities. However, the Belize Constitution Act, the Domestic Violence Act, the Families and Children Act and the Education Act address issues relating to persons with disabilities.

97. The Ministry of Education has tasked schools to integrate children with disabilities into regular classrooms wherever possible.

98. The Special Education Unit at the Ministry of Education plays a pivotal role in creating educational opportunities for children with disabilities. Its role is to oversee the integration and education of all children with special educational needs in the country of Belize. The unit works in partnership with school personnel, families, religious, government and non-governmental organizations to develop inclusive school communities which nurture and appreciate diverse learning needs of all students. A curriculum has been developed for teacher training in special education at the University of Belize and workshops are given by the unit when requested by principals, school managers and district officers.

99. The unit collaborates with the Belize Council for the Visually Impaired, to support blind and low vision children in schools country wide. Teachers are advised on strategies that can effectively integrate the visually impaired child in regular classes. School books are converted to large print and Braille by the Belize Council for the Visually Impaired with the assistance of volunteers who scan and edit textbooks.

100. Services for children with disabilities are addressed indirectly in the Maternal and Child Health Program in the Ministry of Health. CARE-Belize, a non-government organisation, provides community based rehabilitation services to children ages birth to 6 years. Special services for children with disabilities are available when visiting specialists hold annual clinics and select candidates for treatment abroad.



101. There are challenges in respect of persons with disabilities since there is no specific legislation governing treatment of them. Very few people with disabilities are employed in the private and public sector. Public buildings are still not designed to make it possible for persons with certain physical disabilities to access them. Public transportation is also not friendly for persons with disabilities.

## **F. Education**

102. The Government of Belize is committed to ensuring that every Belizean has an opportunity to assert the right to an education. Successive governments have made education a priority area for development, allocating as much as 25 percent of their budgets thereto.

103. Primary education in Belize is generally free though there are some associated costs such as acquiring the necessary uniforms, fees charged by the school and until 2008 textbooks. In 2008 Government launched a programme to provide free textbooks to all primary school students nationwide. In 1993 the Government began providing grants to all grant-aided secondary schools in Belize to cover the costs of tuition of secondary school students.

104. In the current budget the Government of Belize made some important provisions to ensure access to education including \$3 million in scholarship grants for the first year of high school, \$1.5 million in scholarship grants for tertiary education, \$2 million for the supply of textbooks to primary school students, an increase of \$1.5 million to the University of Belize and \$3million for the completion of the enhancement of the Technical, Vocation and Education Training project.

105. Education is compulsory for any person who is between five years and fourteen years of age. The Education Act of the laws of Belize prescribes a parental duty to ensure that a child of compulsory school age who has not completed primary school regularly attends school. Under the same act, the Chief Education Officer is empowered to issue a "School Attendance Order" requiring a parent to cause a child to become a registered pupil at a school. The Act further provides for penalties for non compliance. For the purpose of the enforcement of the Act, an adequate number of School Attendance Officers are assigned to a Truancy Unit.

106. Significant challenges remain in the Belize education system, particularly the completion and transition rates. 10 per cent of children entering primary school do not finish, the secondary school net enrolment rate in 2005-2006 was 45.3 per cent of which 59.7 per cent completed the secondary school curriculum. Thus efforts in the areas of truancy and in making education accessible are important. Government will also take active measures to ensure that a quality education being provided, such as conducting quality assurance inspections by the Ministry of Education and requiring schools to plan for, implement and monitor school improvement.

## **V. EXPECTATIONS OF THE STATE**

### **A. Capacity building**

107. To strengthen understanding of human rights and the practical application thereof, ongoing human rights education is necessary in both the public and private sectors. The Government has identified the need for further capacity building at the technical and policy levels in all branches of government to ensure that a rights based approach is applied throughout decision making and planning processes but especially for those frontline agencies to better identify and address the needs of victims of human rights abuses.

## **B. Technical assistance**

108. Belize is in need of technical assistance in several areas including human rights education, human rights monitoring and human rights reporting to international bodies. A sustained and effective human rights education campaign that is accessible to all Belizean could be developed with technical assistance.

109. Belize has also requested technical assistance in preparing its national reports to the various treaty bodies. As a small state, with limited human resources, Belize has experienced difficulty in preparing and presenting timely reports on its efforts to implement the many human rights treaties to which it is a party.

110. In order to better monitor the impact of the measures in place for the promotion and protection of fundamental human rights and fundamental freedoms, Belize would benefit from assistance in implementing an appropriate and manageable system of data collection.

### *Notes*

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<sup>1</sup> Belize Constitution, Part V, Section 44(2).

<sup>2</sup> Petit, Juan Miguel. *Trafficking in Persons in Belize 2004*. International Organization for Migration. Islin, Brian. *Assessment for the Institutional Strengthening of the response to Human Trafficking, 2007*. Inter American Development Bank.