

BELIZE 2021 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Belize is a constitutional parliamentary democracy. In the most recent national election, held in November 2020, the People’s United Party won 26 of 31 seats in the National Assembly and selected John Briceno as prime minister. Queen Elizabeth II is the head of state and is represented by a governor general. On May 27, Froyla T’zalam assumed the post of governor general following the forced retirement of Sir Colville Young, who held the role for 27 years.

The Ministry of National Defence and Border Security is responsible for oversight of the military and the Coast Guard, while the Ministry of Home Affairs and New Growth Industries has responsibility for police and prisons. The Belize Police Department is primarily responsible for internal security. The small military focuses on external security but also provides limited support domestically to civilian authorities. The Belize Defence Force has limited powers of arrest within land and shoreline areas, and the Coast Guard has arrest powers and jurisdiction within coastal and maritime areas. Civilian authorities maintained effective control over the security forces. There were credible reports that members of the security forces committed some abuses.

Significant human rights issues included credible reports of: inhuman treatment by security and prison officers; widespread and serious corruption by government officials; trafficking in persons; and the worst forms of child labor.

The government took steps both administratively and through the courts to prosecute some public officials who committed abuses, but there were few successful prosecutions. The government did not effectively implement the laws on corruption, and officials often engaged in corrupt practices with impunity.

Section 1. Respect for the Integrity of the Person

a. Arbitrary Deprivation of Life and Other Unlawful or Politically

Motivated Killings

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

On September 5, off-duty Belize Defence Force (BDF) soldier Jessie Escobar was shot by a soldier in a joint police-BDF patrol that stopped a group of men outside a store. The shooter, BDF Private Raheem Valencio, was arrested and charged with murder. Police officer Juan Carlos Morales and another BDF soldier in the patrol, Ramon Alberto Alcoser, were both charged with attempting to pervert the course of justice by providing inaccurate statements to the investigators. Morales was also charged with aggravated assault on one of the men at the store. The commissioner of police noted Morales would face Belize Police Department (BPD) disciplinary charges for an “act of prejudice to good order and discipline” and “breach of department policy” for using force during the incident.

On the night of July 14, police corporal Kareem Martinez shot and killed 14-year-old Laddie Gillett while Gillett and a friend were fleeing from police officers. According to Gillett’s friend Thomas Palacio, he and Gillett ran because they believed the two men in dark clothing confronting them with guns intended to rob them. Palacio said the men had not identified themselves as police officers. Palacio claimed the officers beat him, and he feared he would be killed. Two days after the incident, Martinez was charged with manslaughter by negligence and granted bail while awaiting trial. A police investigation led to Martinez’s dismissal from the police force. Following the incident, Commissioner of Police Chester Williams said the shooting was not a justifiable use of force. The Belize Progressive Party condemned the “recurrent issues of brutality” by the police and “diminished charges assigned to officers involved ... the scandalously low rate of successful prosecution of said officers, and the light sentences accorded to the few that would be found guilty.” The Human Rights Commission of Belize (HRCB), an independent, volunteer-based, nongovernmental organization (NGO), denounced the killing and stressed that “this kind of systematic abuse of authority by some police officers and their disregard of the humanity and dignity of Belizean citizens can no longer be countenanced.”

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

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

The constitution prohibits torture or other inhuman punishment, but there were reports of abuse and use of excessive force by law enforcement agents. During the first half of the year, 25 percent of the complaints received by the Office of the Ombudsman were filed against police for abuse of power, harassment, and brutality. The ombudsman also received complaints against the central prison for allegations of inhuman treatment.

In January police constable Edgar Teul was charged for sexually assaulting a 19-year-old woman who went to the Succotz police station to sign bail documents for the release of her common-law husband. The woman reported that while she waited to sign the bail documents, Teul sexually assaulted her three times. Teul was criminally charged and subsequently dismissed from the BPD following an internal investigation.

Through the end of August, the BPD Professional Standards Branch, the internal investigative unit of the police department, registered 105 complaints against members of the BPD and concluded 60 investigations with recommendations. Through June the BPD dismissed 14 officers after internal tribunals found them guilty of offenses which ranged from excessive absence to drug trafficking and abuse.

Prison and Detention Center Conditions

There were reports of harsh conditions in the central prison and police detention center due to inadequate sanitation.

Physical Conditions: The Kolbe Foundation, a local Christian nonprofit organization, administered the country's only prison, which held men, women, and juveniles. The government retained oversight and monitoring responsibility and provided funding.

In February amateur video showed inhuman treatment of prisoners by guards at the central prison. The video showed guards spraying pepper spray directly in the faces of handcuffed prisoners, guards forcing an inmate to ingest large quantities of water until the inmate vomited, and a paralyzed inmate suffering from bedsores. An anonymous letter directed to the HRCB listed other human rights violations at the prison, including inmates being fed stale or spoiled food. The chief executive officer of the prison, Virgillo Murrillo, told the press that the mistreatment featured in the video did not occur at the prison, and that the inmate with bedsores received treatment and assistance from an NGO. The HRCB categorized the incidents as “atrocious inhumane acts” and called on the minister of home affairs to appoint visiting justices to the central prison as mandated by law.

Prisoners in pretrial detention and held for immigration offenses continued to be held with convicted prisoners. Officials used isolation in a small, poorly ventilated punishment cell to discipline inmates.

Administration: Authorities investigated credible allegations of mistreatment. Relatives of inmates claimed that prison authorities were occasionally reluctant to provide information about family members in prison and did not allow direct communication with the imprisoned relative.

Independent Monitoring: The prison administrator generally permitted visits from independent human rights observers. Due to COVID-19 pandemic restrictions, the HRCB was unable to carry out inspections of police detention cells and the central prison. The HRCB, however, met with inmates who requested assistance and guidance with the legal process.

d. Arbitrary Arrest or Detention

While the constitution and law prohibit arbitrary arrest and detention and provide for the right of any person to challenge the lawfulness of his or her arrest or detention in court, there were several allegations made to media that the government sometimes failed to observe these requirements.

On August 19, the government instituted a 30-day state of emergency for a section of Belize City in response to an increase in criminal gang activity. The measure allowed the BPD and BDF to target criminal gangs through house raids, arrests,

and imprisonment. Normal due process rights related to timely habeas corpus were suspended under the state of emergency.

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, or when the presence of a firearm is suspected. Police must inform detainees of their rights at the time of arrest and of the cause of their detention within 24 hours of arrest. Police must also bring a detainee before a magistrate to be charged officially within 48 hours. The BPD faced allegations that at times police arbitrarily detained persons for more than 24 hours without charges, did not take detainees directly to a police station, and used detention as a means of intimidation.

Police usually granted detainees timely access to family members and lawyers, although there were reports of persons held in police detention without the opportunity to contact family or seek legal advice.

By law a police officer in charge of a station or a magistrate's court may grant bail to persons charged with minor offenses. The Supreme Court may grant bail to those charged with more serious crimes, including murder, gang activity, possession of an unlicensed firearm, and specific drug-trafficking or sexual offenses. The Supreme Court reviews the bail application within 10 working days.

In July the Supreme Court ruled the BPD cannot profile citizens and treat them as criminals without a clear cause for suspicion. The ruling followed a civil suit brought against the BPD by Greg Nunez and Bryton Codd, who claimed they were returning from a basketball practice when police officers stopped and searched them because of their appearance and took pictures of them and of their identification cards. These pictures were then sent to an informal police social media group in WhatsApp. The court stated the officers' actions were arbitrary, oppressive, and unconstitutional. The claimants were jointly awarded 28,000 Belize dollars (\$14,000). The practice by police of profiling persons, especially young black men, was used by the BPD for years. Following the ruling, the minister of home affairs and the commissioner of police announced that profiling would be discontinued.

In July, two police officers, Wilton Justin Montero and Jerome Ingram, were secretly videotaped while abusing an unarmed man who was in handcuffs and appeared unconscious. Both officers were criminally charged with harm, granted bail, and faced internal disciplinary penalties for their conduct. At the end of the year, the trial had not started.

Arbitrary Arrest: The law bars arbitrary arrest. According to the Professional Standards Branch, no formal report was made during the year of officers making unlawful arrests, detentions, or searches. The HRCB raised concerns that several immigration offenders remained imprisoned despite completing their prison sentence. In February, South African national Rupert Lulofs sued the government for illegally keeping him detained at the central prison beyond his sentence. Lulofs was detained in January 2020 for immigration offenses and was sentenced to seven days in prison. Prison authorities failed to release him until February 2021.

Pretrial Detention: There were lengthy trial backlogs, particularly for serious crimes such as murder. Problems included delays in police completing investigations, lack of evidence collection, court delays in preparing depositions, and adjournments in the courts. The COVID-19 pandemic closed the court system for all cases several times during the year, increasing the case backlog. Judges were typically slow to issue rulings, in some cases taking a year or longer. The time between arrest, trial, and conviction ranged from six months to four years. Pretrial detention for persons accused of murder averaged three to four years. In April the legislature approved the Time Limit for Judicial Decisions Act, which sets a time limit of no more than 120 days for judges to deliver judgments once the full hearing has concluded. The act includes provisions to remove a judge who consistently fails to provide written decisions and reasons for decisions within the time specified. In June the Supreme Court and the Court of Appeal introduced an electronic program to facilitate the submission of legal documents and thus improve the efficiency of case management by the courts. As of September, 364 persons, representing 35 percent of the prison population, were being held in pretrial detention, an increase from the previous year.

e. Denial of Fair Public Trial

The constitution provides for an independent judiciary, and the government

generally respected judicial independence and impartiality.

Due to substantial delays and a backlog of cases in the justice system, the courts did not bring some minors to trial until they reached age 18. In such cases the defendants were tried as minors.

In July, Ramiro de la Rosa was sentenced to three years' imprisonment for the possession of an unlicensed firearm. De la Rosa, his wife, and two children were at home when police officers, without a court warrant, conducted a search of their residence and found the unlicensed firearm that belonged to his father-in-law, who had died a few days before, in the attic. To avoid his wife being charged, De la Rosa pled guilty to the offense, but instead of being granted bail per standard practice, he was immediately sentenced to prison. De la Rosa was not afforded adequate time and facilities to prepare a defense prior to sentencing. After applying for a stay of execution through an attorney, De la Rosa was released pending the outcome of his appeal.

Trial Procedures

The law provides for the right to a fair and public trial, and an independent judiciary generally enforced this right, although delays in holding trials occurred.

The law stipulates trials by judge alone (without a jury) are mandatory in cases involving charges of murder, attempted murder, abetment of murder, and conspiracy to commit murder. Government officials stated the law protects jurors from retribution. Other serious crimes are heard by a Supreme Court judge with a jury. For lesser crimes, a magistrate generally issues decisions and judgments without a jury after deliberating on the arguments presented by the prosecution and defense.

Defendants enjoy a presumption of innocence. The defendant has the right to be informed promptly of the charges against them and to be present at the trial. If defendants are under the influence of drugs or alcohol, or if there are language barriers, they are informed of the reason of arrest at the earliest possible opportunity. Defendants have the right to defense by counsel and appeal, but the prosecution may apply for the trial to proceed if a defendant skips bail or does not appear in court.

There is no requirement for defendants to have legal representation except in cases involving murder. The Supreme Court's registrar is responsible for appointing an attorney to act on behalf of indigent defendants charged with murder. In lesser cases the court does not provide an attorney to defendants, and defendants sometimes represent themselves. 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 domestic violence and other criminal cases up to and including attempted murder. These legal aid services were overstretched and did not reach rural areas or districts. Defendants are entitled to adequate time and facilities to prepare a defense. Defendants can request an adjournment. The court provides Spanish, Mandarin, or Hindi interpreters for defendants upon request. Defendants may not be compelled to testify against themselves or confess guilt.

The law allows defendants to confront and question witnesses against them and present witnesses on their behalf. Witnesses may submit written statements into evidence in place of court appearances. Defendants have the right to produce evidence in their defense and examine evidence held by the opposing party or the court.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

Individuals and organizations may seek civil remedies for human rights violations through domestic courts, including the Supreme Court. Litigants may appeal cases to the Caribbean Court of Justice, the region's highest appellate court. Individuals may also present petitions to the Inter-American Commission on Human Rights.

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

The constitution prohibits such actions, but there were reports that the government sometimes failed to respect these prohibitions (see section 1.e.).

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

The law provides for freedom of expression, including for members of the press and other media, and the government generally respected this right. An independent press, an effective judiciary, and a functioning democratic political system combined to promote freedom of expression, including for members of the media.

The press was largely independent of government influence, although most radio stations, television stations, and newspapers had strong editorial ties to either the United Democratic Party or the People's United Party. The press was often critical of government officials, with few signs of repercussions.

Violence and Harassment: In May police assaulted and falsely charged Vejea Alvarez, a reporter with Love FM radio, as he covered a protest by nurses at the Northern Regional Hospital. The protesting nurses invited the reporter and his cameraman to cover the event. At the hospital compound, a hospital security officer stopped them, stating they were not allowed to be there. When the reporter insisted on covering the event, police were called. Police sergeant Evaristo Cobb threatened to beat the reporter if he did not leave and punched him in the chest. The incident was captured on video. Alvarez continued to cover the protest from outside the compound. Cobb arrested Alvarez for assault and detained him at the police station. When Alvarez complained about the incident, he was ignored and then threatened by the officer in charge of the station. After reviewing the video, Commissioner of Police Chester Williams disciplined Cobb for lying about the incident and falsely accusing the reporter. The Professional Standards Branch investigation of the incident also led to internal disciplinary charges of "act to the prejudice of good order and discipline" against Corporal Gaspar Tuz and Constable Walter Leonardo.

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.

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events. Narda Garcia, the chief executive officer in the Office of the Prime Minister, threatened well known painter Alex Sanker with a civil lawsuit in April for featuring Garcia in a painting. The artwork depicted Garcia at the Social Security Board during a period when funds were mismanaged. Garcia was subsequently investigated.

b. Freedoms of Peaceful Assembly and Association

The law provides for the freedoms of peaceful 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 <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement and the Right to Leave the Country

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights. As part of the COVID-19 measures, land borders remained closed except for necessary travel for medical services, education, trade, and foreign tourist arrivals. During the year several foreign nationals who were imprisoned for immigration offenses were unable to exit the country due to the closures and were kept in prison beyond the end of their sentence.

e. Status and Treatment of Internally Displaced Persons

Not applicable.

f. Protection of Refugees

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR), International Organization for Migration (IOM), and other international organizations to provide protection and humanitarian assistance to refugees, asylum seekers, stateless persons, vulnerable migrants, and other persons of concern. The Ministry of Human Development, Families, and Indigenous Peoples' Affairs and the Ministry of Immigration share responsibility in handling the refugee process and in providing for their protection and needs.

Access to Asylum: The law provides for the granting of refugee status, and the government has established a system for providing protection to refugees. The government does not recognize a legal status of "asylum" and treats all applicants as potential refugees. The courts and executive offices use procedures for refugees to cover both refugees and asylum seekers.

The Ministry of Immigration's Department of Refugees handled all refugee applications, investigations, and interviews. Previously, the department would not accept refugee applications from persons who had been in the country for more than 14 days. During the year, in response to a legal challenge from the HRCB and a subsequent court ruling, the department adjusted its procedures to accept applications from persons applying for refugee status beyond the law's 14-day limit.

UNHCR and its partners had a resource center near the western border that provided information on the refugee process to new arrivals. UNHCR also provided limited basic services including shelter, clothing, food, counseling, and assistance with processing legal documents. Reports from NGOs indicated that during the year, groups of fewer than a dozen Haitians and Hondurans entered the country unofficially via Arenal and Calla Creek; the official border crossing in Benque Viejo del Carmen remained closed.

The Refugee Eligibility Committee, a nine-member taskforce made up of pertinent government agencies and social partners, reviews applications for refugee status. Once the committee recommends approval to the Ministry of Immigration, the file is sent for signature and formal approval. Despite the committee's having

recommended approval for 640 persons, the government granted refugee status to only 15 percent of them by the end of September. By October the Refugee Department registered 4,104 persons applying for refugee status. The HRCB stated that from June to August it registered six cases involving a total of 20 persons. HRCB claimed these persons were denied from applying for asylum because they entered the country illegally.

Through its Assisted Voluntary Return program, the IOM office assisted in the repatriation of 189 migrants between June 2020 and September 2021. The migrants were in an irregular status for more than three years: persons stranded by the pandemic, persons who were in the asylum-seeking process and decided to withdraw and return home, unaccompanied minors, and persons who were detained while transiting the country.

Employment: Persons awaiting adjudication of their refugee applications were unable to work legally in the country. Through a new government policy, however, 546 persons who were approved for refugee status and awaiting the minister's decision were offered permits to work in the sugar, citrus, and banana industries.

Access to Basic Services: Refugees and asylum seekers were able to use the education system and the socialized medical system, but the government offered no assistance with housing or food except in extreme cases that involved children and pregnant women. UNHCR reported that several refugees claimed health providers discriminated against them when the refugees accessed public clinics and hospitals.

Temporary Protection: The Immigration Department issued renewable special residency permits for periods of 60 to 90 days to those who applied for refugee status. A government policy allowed for the renewal of protection status every three months for persons who had been approved by the Refugee Eligibility Committee but awaited the minister's approval.

Section 3. Freedom to Participate in the Political Process

The law provides citizens the ability to choose their government in free and fair

periodic elections held by secret ballot and based on universal and equal suffrage.

Elections and Political Participation

Recent Elections: In November 2020 an estimated 82 percent of registered voters participated in parliamentary elections. The People’s United Party won 26 of 31 seats in the National Assembly. Party leader John Briceno was sworn in as prime minister in November 2020. Diplomatic observers reported isolated cases of vote buying and violations of campaign rules, but the election in general was free and fair.

Political Parties and Political Participation: In August the Supreme Court ruled that the suspension of legislator Julius Espat by the then speaker of the House of Representatives Michael Peyrefitte was unconstitutional. In 2016 Peyrefitte ordered Espat to vacate the legislative chamber during a session for what he described as “disregarding the rules of conduct in parliament.” Espat refused to leave willingly and was forcibly removed by police officers. As a result of his suspension, Espat did not receive a salary or benefits until his return to the House of Representatives five months later. The court awarded Espat 95,000 Belize dollars (\$47,500), to be paid by the government. Espat and Peyrefitte had disagreed in the past, especially when Espat intended to question the actions of the then government for perceived acts of corruption.

Participation of Women and Members of Minority Groups: No laws limit participation of women or members of minority groups in the political process, and they did participate. Observers suggested cultural and societal constraints limited the number of women participating in government. Women remained a clear minority in government, making up only 13 percent of the 31-member House of Representatives. In the November 2020 parliamentary elections, 12 women candidates participated, an increase from past elections. A by-election was held on March 3 for the Corozal Bay electoral division that resulted in the election of a fourth woman to the House of Representatives. Of the 160 candidates in the March municipal election, 45 were women, of whom 51 percent were elected to office.

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 often engaged in corrupt practices with impunity. There were numerous reports of government corruption during the year.

Corruption: Allegations of corruption in government among public officials, including ministers, deputy ministers, and chief executive officers, were numerous, although in most cases no substantial proof was presented.

In February the government instituted a Commission of Inquiry to investigate the sale of government assets between October 2019 and November 2020, including office equipment, furniture, and vehicles. The commission included a chairperson appointed by the government and one representative each from the Public Service Union (PSU) and the Chamber of Commerce and Industry. During the first phase of public hearings, the commission publicly questioned several high-ranking government officials, including former prime minister Dean Barrow, who was responsible for government property. In April the commission's work was suspended after PSU representative Luke Martinez recused himself from the inquiry. Martinez stepped down in protest of the continued sale of public assets by the new administration; the same actions the commission was investigating. The commission's investigation resumed on August 16.

On September 6, the BPD issued a wanted notice for the apprehension and arrest of former minister of works Rene Montero for the crime of "willful oppression." The Ministry of Works investigated Montero's use of human resources and government property to develop private property in which Montero had a personal financial interest. The commissioner of police stated Montero tried to leave the country on September 4 but was denied exit by immigration agents. As of November 15, Montero was presumed to be out of the country and there was a warrant for his arrest.

Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses 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, 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. The office does not have the power to investigate allegations against the judiciary or private entities. While the Office of the Ombudsman has wide investigative powers, it lacks effective enforcement authority; noncompliance by the offices being investigated severely limited the effectiveness of the Office of the Ombudsman. As of April the post of ombudsman remained vacant after the government did not renew the contract of Lionel Arzu and failed to name a replacement. In August, Arzu sued the government for making amendments to his three-year contract, signed under a former administration in 2020, without his consent. The changes included reductions in salary, allowances, and vacation days.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: The law criminalizes rape of men or women, including spousal rape. The government generally enforced the law. The law states that a person convicted of rape should be sentenced to imprisonment for eight years to life, although on occasion sentences were much lighter. Problems facing the wider justice system generally resulted in poor conviction rates for rape. Victims frequently requested the charges be dropped, often citing spousal support from the perpetrators as key to providing for their children's well-being.

Data from the BPD indicated that 62 percent of reported sexual violence was

against girls between the ages of 10 and 19. The Belize Crime Observatory, a unit of the BPD, indicated that women were the victims in 77 percent of the 1,794 domestic violence cases registered by the BPD through the end of September. Public perception was that complaints may be filed without repercussion but that insufficient numbers of police officers and inadequate funding hampered investigations.

Some NGOs working with the BDF indicated that sexual assault was a problem in the BDF. In August a BDF soldier accused a male captain of spanking him on his buttocks during a social event on BDF grounds. The matter was referred to the BPD for investigation.

Domestic violence is prohibited, and the law was generally enforced. Victims noted the procedure was lengthy but that nevertheless, perpetrators were convicted. Domestic violence is considered a civil matter; however, perpetrators were often prosecuted with criminal charges such as harm, wounding, grievous harm, rape, and marital rape. Police, prosecutors, and judges recognized both physical violence and mental injury as evidence of domestic violence. Penalties include fines and imprisonment. The law empowers the Family Court to issue protection orders against accused offenders.

In August, Mercedez Pais killed his mother-in-law, 64-year-old Angela Flores Rodriguez. Pais was beating two of Flores Rodriguez's daughters when Flores Rodriguez intervened. Pais turned himself in to police, was charged with murder, and at the end of the year awaited trial.

The government had awareness campaigns against gender-based and domestic violence. It had a domestic violence hotline and shelters for victims. Major police stations designated domestic abuse officers. Due to understaffed police stations, however, these measures were not always effective. The NGO Live and Let Live conducted a study that found 20 percent of respondents indicated women feared for their safety at certain times and places.

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 government enforced the law, but officials

noted that no criminal cases had ever been brought under the law's sexual harassment provisions. The Women's Department, under the Ministry of Human Development, Families, and Indigenous Peoples' Affairs, recognized sexual harassment as a subset of sexual violence. A representative of local NGO Tikun Olam Belize noted that some victims did not report sexual harassment due to fear of further victimization or losing their job.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Some NGOs said that in socially conservative communities, women seeking tubal ligation sought the permission of the husband for cultural and religious reasons.

The government provided access to sexual and reproductive health services to survivors of sexual violence, but the government lacked rape response kits, including emergency contraception.

Reports noted some religiously affiliated educational institutions did not allow pregnant girls to attend school. Because of the stigma and discrimination of underage pregnancy, some families opted not to report the matter to the authorities and instead enrolled the young girl at another institution following the birth. Male adolescents involved in the case normally did not face expulsion. Because school attendance is by law compulsory only to age 14, educational institutions are not obligated to enroll pregnant girls older than 14.

Discrimination: The law provides for the same legal status and rights for women as for men. The law mandates equal pay for equal work, but the labor commissioner verified that men on average earned more per month than women did, often because men held higher positions. There are restrictions on women working in certain industries, including mining, construction, factories, energy, water, and transportation. The law provides for the continuity of employment and protection against unfair dismissal, including for sexual harassment in the workplace, pregnancy, or HIV status, but the law was not enforced.

Despite legal provisions for gender equality and government programs aimed at empowering women, NGOs and other observers reported women faced social and economic discrimination. Although women participated in all spheres of national

life, outnumbered men in university classrooms, and had higher graduation rates from high school, women held relatively few top managerial or government positions.

In January the Supreme Court ruled that female police officers of African descent may wear their hair in dreadlocks, contrary to the instructions of the commissioner of police. The court noted that the commissioner's interpretation of the BPD policy against dreadlocks infringed on the officers' freedom of expression.

Systemic Racial or Ethnic Violence and Discrimination

The constitution provides for the right to freedom from discrimination and violence based on race and skin color, but there are no specific laws or regulations prohibiting violence or discrimination on the grounds of ethnicity. The population is approximately 47 percent Hispanic, 26 percent of African descent, and 16.5 percent indigenous. The remainder is Asian or of unknown descent. There were anecdotal reports of racial discrimination in the workplace and in wider society against ethnic minority groups and against members of the migrant community. While there were no reports of any systemic racial or ethnic discrimination or violence, there were no government programs designed specifically to counter racial or ethnic biases.

Indigenous Peoples

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

The Maya Leaders' Alliance monitored development in the Toledo District, with the goal of protecting Mayan land and culture. The Maya in the southern part of the country and the government worked to implement the 2015 Caribbean Court of Justice consent order on Maya customary land tenure. In January the government appointed indigenous rights activist Gregory Ch'oc as commissioner of indigenous affairs to oversee the implementation of the consent order of the Maya land rights case and other matters related to indigenous peoples. Ch'oc consulted indigenous

communities for a report to be prepared for the government to highlight the concerns of the indigenous peoples. The Maya Leaders' Alliance and the Toledo Alcalde Association raised concerns that the government would not implement the commitments made by the previous administration regarding Maya customary land practices.

In June the Supreme Court ordered the government to compensate the Maya community of Jalacte and Estevan Caal 6.3 million Belize dollars (\$3.15 million) for damages on customary Maya land during the construction of a road without obtaining the proper consent from the indigenous community. The court also ordered that the government return unoccupied lands previously taken from villagers in Jalacte.

In August the NGO and advocacy group Garifuna Nation raised concerns that the government and private investors were infringing upon communal lands of the indigenous Garifuna people in Punta Gorda Town and Seine Bight Village in Stann Creek. Garifuna Nation stated that Garifuna fishermen were blocked from lands in Punta Gorda where they traditionally docked their boats. In Seine Bight, developers were building a gas station where Garifuna people conducted sacred cultural rites. Garifuna Nation noted the activities were happening without their free, prior, or informed consent. According to Minister of Public Utilities and Logistics Rodwell Ferguson, a survey was conducted to gather the opinion of villagers regarding the construction of the gas station. Ferguson said the survey found that 81 percent of residents supported the project. Once the necessary building requirements were met, the project resumed in October. By the end of the year, there was no comment from the authorities on the indigenous lands in Punta Gorda.

Children

Birth Registration: Citizenship is derived by birth within the country's territory, regardless of the parents' nationalities. Citizenship may be acquired by descent if at least one parent is a citizen. The standard requirement is for births to be registered no later than one week after birth; registration after one month is considered late and includes a minimal fine. Failure to register does not result in denial of public service, but it slows the process for receiving a social security card

to access services such as health care. Children without birth certificates had trouble registering for school and often had to move from school to school. Government experts from the Ministry of Human Development indicated that 4 percent of children up to age five were not registered, making them legally stateless. The government's Vital Statistics Unit, with support from the embassy of Mexico, UNHCR, and UNICEF, continued its mobile registration program that provided services across the country.

In September a 20-year-old woman in Ladyville sought the public's assistance after she discovered her parents, now deceased, had not registered her at birth. As a result, the woman could not access basic documents such as a birth certificate and social security registration in order to be legally employed.

Child Abuse: The law allows authorities to remove a child from an abusive home environment and requires parents to maintain and support children until age 18. Abuse of children occurred. There were publicized cases of underage girls being victims of sexual abuse and mistreatment, in most cases in their own or a relative's home.

The Family Services Division in the Ministry of Human Development was the government office with the lead responsibility for children's matters. 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 UNICEF to promote children's welfare.

The ministry reported that by midyear it had registered 220 cases of sexual abuse and assaults on minors; in 2020 there were 366 reported cases for the entire year. Following several crimes against minors, the government, with the Office of the Special Envoy for the Development of Families and Children and the National Committee for Families and Children, affirmed their "commitment to protect girls and boys from predators" by working with partner agents and NGOs to ensure that laws, policies, and services were responsive to the needs of families and children.

In June police arrested and charged a man for raping a 14-year-old girl while she slept. In August another girl reported a man, who was later criminally charged

with rape of a child, sexually abused her.

Child, Early, and Forced Marriage: The legal minimum age to marry is 18, but persons ages 16-17 may marry with the consent of parents, legal guardians, or judicial authorities. According to UNICEF, 29 percent of women ages 20 to 49 were married or cohabitating before reaching age 18. Early marriage was more prevalent in certain areas – Toledo, Corozal, and Orange Walk – and among the Maya and Mestizo ethnic groups.

Sexual Exploitation of Children: The law establishes penalties for child trafficking, child pornography, child sexual exploitation, and indecent exhibition of a child. It defines a “child” as anyone younger than 18. The law allows 16- and 17-year-old children to engage in sexual activity. NGOs and experts noted that this provision makes children vulnerable to commercial sexual exploitation.

The legal age for consensual sex is 16 but prostitution is not legal under age 18. Sexual intercourse with a minor younger than age 14 is punishable with 12 years to life imprisonment. Sexual intercourse with a minor age 14-15 is punishable with five to 10 years’ imprisonment.

There were anecdotal reports that boys and girls were exploited through child trafficking, including through “sugar daddy” arrangements whereby older men provided money to minors, the families of minors, or both for sexual relations. Similarly, there were reports of increased child trafficking, often to meet the demand of foreign sex tourists in tourist areas or where there were transient and seasonal workers. The law criminalizes the procurement or attempted procurement of “a person” younger than 18 to engage in prostitution; an offender can receive eight years’ imprisonment. The government did not effectively enforce laws prohibiting child sex trafficking.

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. See the Department of State’s *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child->

[Abduction/for-providers/legal-reports-and-data/reported-cases.html](https://www.state.gov/abduction-for-providers/legal-reports-and-data/reported-cases.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 <https://www.state.gov/trafficking-in-persons-report/>.

Persons with Disabilities

The law does not expressly prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities, but the constitution provides for the protection of all citizens from any type of discrimination. The law does not mandate accessibility accommodations for persons with disabilities, and most public and private buildings and transportation were not accessible to them. Certain businesses and government departments had designated clerks to attend to the elderly and persons with disabilities. There were no policies to encourage hiring persons with disabilities in the public or private sectors. The government did not provide all information in accessible formats, and there were a few anecdotal reports of violence against persons with disabilities.

Mental health provisions and protections were generally poor. Informal government-organized committees advocating for persons with disabilities were tasked with public education and advocating for protections against discrimination. The country did not have a reliable system for identifying persons with disabilities who needed services. The Ministry of Education, Culture, Science, and Technology maintained the National Resource Center for Inclusive Education (NaRCIE), which offered screening, diagnostic assessments, teacher training, parent and school support, specific therapies for students with special needs, and segregated education programs within the mainstream school system.

Children with disabilities attended specific classrooms with no more than 15 pupils for every two teachers, all of whom were specially trained to work with learners with disabilities. Postprimary and postsecondary educational services, vocational

training, and life skills development opportunities were limited. One private school, one public school, and five education centers across the country specialized in working with children with disabilities. The special education centers were attached to public schools under the same management. Children with disabilities attended mainstream schools through the secondary level at a significantly lower rate than other children and were placed with nondisabled peers. NaRCIE collaborated with UNICEF to deliver school packages to special-needs students and special-education classrooms countrywide during the closure of schools due to the COVID-19 pandemic. Packages included instructions for parents and students. Social media chat groups were created for ease of teacher-parent communication. Special-education officers conducted home visits to provide support.

The special envoy for the development of families and children continued advocacy campaigns on behalf of persons with disabilities, especially children, and supported efforts to promote schools that took steps to create inclusive environments for them. Health care reportedly was at times difficult to access for persons with hearing disabilities and persons with mental disabilities, especially in rural areas of the country. The NGO Live and Let Live conducted a survey that found approximately 95 percent of respondents believed persons with disabilities should be protected in the workplace, and 50 percent of respondents agreed that persons with disabilities were treated unfairly, compared with the rest of the population.

HIV and AIDS Social Stigma

There was some societal discrimination against persons with HIV and AIDS. The government worked to combat it through public education efforts of the National AIDS Commission under the Ministry of Human Development.

The law provides for the protection of workers against unfair dismissal, including for HIV status.

In July lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) activist Caleb Orozco spoke out against Saint Martin's Credit Union in San Ignacio, a financial institution that denied a funeral benefit for persons who died of HIV complications. Orozco pointed out that a significant number of AIDS victims were

members of the LGBTQI+ community and the institution's benefit plan denied them an equal opportunity to benefit.

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

The law does not prohibit discrimination specifically against LGBTQI+ persons in housing, employment, nationality laws, or access to government services, such as health care, but the constitution provides for the protection of all citizens from any type of discrimination.

The law prohibits "homosexual" persons from entering the country, but immigration authorities did not enforce the law.

The extent of discrimination based on sexual orientation or gender identity was difficult to ascertain due to a lack of official reporting. The LGBTQI+ advocacy NGO UniBAM said that discrimination and assault based on sexual orientation and gender identity were substantially underreported. UniBAM's director noted that in communities with strong religious affiliations, police often refused to take reports from LGBTQI+ victims of discrimination. According to UniBAM, LGBTQI+ persons were denied medical services and education and encountered family-based violence.

The NGO Live and Let Live conducted a survey showing 65 percent of respondents were tolerant of LGBTQI+ persons. One-third of respondents agreed that LGBTQI+ persons sometimes feared for their safety and were treated unfairly, compared with the rest of the population.

In June the government reconstituted the National Committee for Families and Children to include a member of the LGBTQI+ community and a representative for persons with special needs. The committee functions as a special advocate for policy development, monitoring, and evaluation of government responsibilities.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law generally provides for the right to establish and join independent trade unions, bargain collectively, and conduct legal strikes. The Ministry of Rural Transformation, Community Development, Labor, and Local Government (Ministry of Labor) recognizes unions and employers associations after they are registered. The law establishes procedures for the registration and status of trade unions and employer organizations and for collective bargaining. The law prohibits antiunion discrimination, dissolution or suspension of unions by administrative authority, and requires reinstatement of workers fired for union activity.

The unions, under their umbrella organizations the National Trade Union Congress (NTUC) and the Civil Society Steering Group (CSG), are represented in the legislature by a senator designated by the NTUC and CSG. This senator provides direct input into the political and legislative process for labor organizations.

In disputes involving public- and private-sector employees who provide “essential services,” the law allows authorities to refer the dispute to compulsory arbitration, prohibit strikes, and terminate labor actions. The postal service, monetary and financial services, civil aviation, petroleum sector, port authority personnel (stevedores and ship pilots), and security services are deemed essential services by local laws. This list was more extensive than the International Labor Organization’s definition of essential services.

On April 1, the PSU, Belize National Teachers Union (BNTU), and Nurses Association of Belize (NAB) jointly initiated industrial action against the government to protest a 10 percent salary reduction and a three-year salary freeze as part of the government’s COVID-19 pandemic austerity plan. These organizations collectively represented 85 percent of government employees and public-school teachers across the country. The industrial action included go-slows at government offices and hospitals, public demonstrations, and teachers not teaching. The government implemented the measures despite the protests and after five weeks, the PSU, NAB and BNTU members returned to work. During the

strike, the government ministries instructed its departments to compile a daily list of absent employees. While employees feared retaliation, the chief executive officer of the Ministry of Human Development, Tanya Santos, stated the procedure was to collect information to ensure that critical government services remained available. In August the nurses at the central health region returned to industrial action in protest of the government's failure to pay overtime for more than three months.

In February, Director of Health Marvin Manzanero was placed on administrative leave (suspension) after he refused to accept a demotion to make way for an appointee by the new government administration. Manzanero, who was recovering from COVID-19, returned to his job to find his post occupied and was offered a demotion. When Manzanero refused the demotion, Ministry of Health and Wellness CEO Deysi Mendez informed Manzanero he would be placed on administrative leave while he was investigated for misconduct. The law requires the PSC to review demotions. In October the government introduced a law to replace Manzanero's position as director of health services with two separate positions: director of public health and wellness, and director of hospital services. This legal change would effectively lower the rank of Manzanero's position without formally demoting him.

Reports abounded of government employees who were unfairly terminated from central government and municipal posts when the new government administration came into power. PSU president Dean Flowers said the terminations were for "political reasons." A memorandum from the government's accountant general instructed administrative officers not to pay certain retirement benefits for terminated long-term government employees originally hired as general "open vote" workers and thus classified as temporary employees rather than as public servants; the law provides those benefits only for permanent government employees who retire or resign. Flowers noted that the PSU was providing legal counsel to the affected employees and formal complaints were being filed with the Labor Department. Through October no decision had been made on the cases. Prominent among the terminated officers was National Sports Director Ian Jones. In February, Jones announced that he was suing the government for breach of contract and wrongful termination.

Workers may file complaints with the Ministry of Labor or seek redress from the courts for wrongful termination because of union activity, although it was difficult to prove that terminations were in retaliation for union activity. The ministry's Labor Department generally handled labor cases without lengthy delays and dealt with appeals through arbitration outside the court system. The court did not apply the law requiring reinstatement of workers fired for union activity but provided monetary compensation instead.

The government generally enforced labor law in the formal sector but did not effectively enforce it in the large informal sector due to lack of registration from employers. There were complaints of administrative and judicial delays relating to labor complaints and disputes. Penalties were not commensurate with other violations.

On July 16, the Christian Workers Union (CWU) initiated a go-slow at the Port of Belize Limited (PBL) after the CWU was unable to resolve issues with PBL. Among the issues were salary reductions due to the impact of the COVID-19 pandemic, the PBL not being willing to negotiate a collective bargaining agreement with CWU members, and the decision of American Sugar Refining to export a substantial portion of its sugar through another port. On October 6, the CWU and the PBL signed a new collective bargaining agreement for PBL staff. Both entities continued to engage on resolving outstanding matters on behalf of the stevedores.

Antiunion discrimination and other forms of employer interference in union functions sometimes occurred and, as a result, on several occasions unions threatened or carried out strikes. NGOs working in migrant communities in the informal sector asserted that in certain industries, particularly the banana, citrus, and construction sectors, 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. An NGO noted that both national and migrant workers continued to be denied labor rights.

b. Prohibition of Forced or Compulsory Labor

The constitution prohibits all forms of forced or compulsory labor. Penalties for

forced or compulsory labor are covered under the antitrafficking law and are commensurate with those for similar crimes. The government did not effectively enforce the law. Resources and inspections to enforce compliance were insufficient. Forced labor of both Belizean and foreign women occurred in bars, nightclubs, and domestic service. Migrant men, women, and children were at risk for forced labor in agriculture, fishing, and the service sector, including restaurants and shops, particularly in the South Asian and Chinese communities.

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

The law does not prohibit all of the worst forms of child labor. The law sets the minimum age for employment at 14, except for work in wholesale or retail businesses, for which the minimum age is 12. "Light work," which is not defined in the law, is allowed for children ages 12 and 13. Children ages 14 to 17 may be employed only in an occupation that a labor officer determines is "not injurious to the moral or physical development of nonadults." Children older than 14 are explicitly permitted to work in certain "industrial undertakings," which can include mining, manufacturing, and construction. Children younger than 16 are excluded from work in factories, and those younger than 18 are excluded from working at night and in certain kinds of employment deemed dangerous. The Labor Department used a list of dangerous occupations for young workers as guidance, but the list was not adopted as law.

The law permits children to work on family farms and in family-run businesses from the age of 10, taking into consideration the well-being of the child and continued enrollment in school. National legislation does not address a common situation in which child labor is contracted between a parent and an 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, human trafficking, child slavery, commercial sexual activities, and illicit activities.

The Labor Department has primary responsibility for implementing labor policies, but it did not effectively enforce the law. Inspectors from the Labor and Education Departments are responsible for enforcing these regulations, with the bulk of the enforcement falling to truancy officers. Penalties were not criminal nor commensurate with those for similar crimes. There is 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.

Schooling is mandatory until age 14, and many poorer parents withdrew their children from school on their 14th birthday to put them to work in the informal sector. Children working for their parents are exempt from many of the protections provided in the formal system. Officers of the Ministry of Education are unable to act legally against parents who withdraw their child from school against their child's wishes.

Some children were vulnerable to forced labor, particularly in informal agriculture and the service sector. Commercial sexual exploitation of children occurred (see section 6, Children). According to the most recent data available (2013) from the Statistical Institute of Belize, the country's child labor rate was 3.2 percent, with half of those children involved in hazardous work. The problem was most prevalent in rural areas. Boys accounted for 74 percent of children illegally employed, mostly engaged in hazardous activities.

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

d. Discrimination with Respect to Employment and Occupation

The law prohibits discrimination with respect to employment based on 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 age, disability, sexual orientation, or gender identity.

There were reports that discrimination in employment and occupation occurred with respect to hiring persons with disabilities and LGBTQI+ applicants. One

NGO reported that members of the LGBTQI+ community often had problems gaining and retaining employment due to discrimination in the workplace.

There were no officially reported cases of discrimination at work based on ethnicity, culture, or skin color, although anecdotal evidence suggested such cases occurred. NGOs note that in most cases victims did not make formal reports due to fear of further victimization such as loss of employment.

The law mandates equal pay for equal work, but women lagged men in wages and promotions (see section 6). There were also restrictions on women working in certain industries, including mining, construction, factories, energy, water, and transportation.

There were no formal reports of antiunion discrimination, but there were reports that workers were intimidated into either not joining a union or dropping union membership if they had joined. This situation occurred predominantly in the agricultural sector, where a significant number of the workers were from Central America, working in the country on temporary work permits.

e. Acceptable Conditions of Work

Wage and Hour Laws: The national minimum wage was above the poverty-limit income level. 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 workweeks of 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. In June the government implemented fiscal austerity measures that shortened the workweek for government employees by 10 percent along with reducing their pay by 10 percent. While employees in the private sector also received salary cuts, reportedly their working hours remained the same.

Occupational Safety and Health: Health and safety regulations for all industries provide that the employer must take “reasonable care” for the safety of employees. The regulations further provide that every employer who provides or arranges accommodation for workers to reside at or near 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 consistently enforce minimum wage, hour, and health and safety regulations. Inspectors could make unannounced visits and initiate penalties, but the number of inspectors was not sufficient to secure compliance, especially in the more remote areas. Fines varied according to the infraction but generally were not commensurate with those for similar crimes. Inspections were curtailed during the year because of COVID-19 mitigation measures but were slowly reinstated at the end of the year as health measures were lifted.

The minimum wage was generally 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.

Workers have the right to remove themselves from situations that endanger health or safety without jeopardy to their employment. As of October, no major accidents caused death or serious injury.

Informal Sector: The International Monetary Fund in 2015 estimated the informal economy generated 47 percent of GDP. In September the Statistical Institute of Belize estimated there were 72,433 persons in informal employment, approximately 42 percent of the total employed population.

Most labor violations pertaining to acceptable conditions of work occurred in the informal sector, but authorities were not able to properly monitor and carry out inspections. Workers in the informal economy were not afforded social protection by government entities. The country does not have a specific occupational safety and health law, but the Factories Act and the Labour Act contain provisions in relation to occupation, safety, and health in the workplace.