

BELIZE 2019 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Belize is a constitutional parliamentary democracy. In 2015 the United Democratic Party won 19 of 31 seats in the House of Representatives following generally free and fair multiparty elections.

Police are responsible for internal security. The Ministry of National Security is responsible for oversight of police, prisons, the coast guard, and the military. Although primarily charged with external security, the military also provides limited domestic security support to civilian authorities and has limited powers of arrest that are executed by the Belize Defense Force (BDF) for land and littoral areas and by the coast guard for coastal and maritime areas. Civilian authorities maintained effective control over the security forces.

Significant human rights issues included allegations of unlawful killings by security officers; allegations of corruption by government officials; trafficking in persons; crimes involving violence targeting lesbian, gay, bisexual, transgender, and intersex persons; and child labor.

In some cases the government took steps to prosecute public officials who committed abuses, both administratively and through the courts, but there were few successful prosecutions.

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

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

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

In July a police officer allegedly shot and killed Allyson Major Junior of Belize City. Officers in a police vehicle were pursuing Major and opened fire after suspecting he had purchased illegal drugs (marijuana). Major received a gunshot wound to the head and died while undergoing treatment. The Police Standards Branch (PSB) investigated the matter, and the officer was criminally charged with manslaughter by negligence. As of August he was on interdiction (administrative leave at half pay) pending the outcome of the case.

Also in July police officers Leonard Nunez and Hallet King were found guilty of the death of Hilberto Sotz, who died while in police custody in 2015. While in police custody, Sotz was fatally brutalized by the police officers. Both officers were sentenced to nine months' imprisonment, with credit for time served before and during the trial; consequently, the men were released.

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 that police used excessive force as well as allegations of abuse by security force personnel. In 2018, 43 percent of the complaints received by the PSB were for police brutality. The human rights ombudsman also received complaints against the Belize Central Prison for allegations of inhuman treatment of inmates.

In January police officer Tyrell Rowley was criminally charged with "wounding," after it was determined he used excessive force to disperse a group fight. The incident was recorded on video in which Rowley was seen kicking an unconscious man on the ground. He also faced internal disciplinary charges. In his statement, Rowley claimed self-defense.

Prison and Detention Center Conditions

There were significant reports of harsh prison and detention center conditions due to inadequate sanitary conditions. Anecdotal reports indicated that other detention cells at police stations across the country were in similarly poor condition.

Physical Conditions: Prisoners in pretrial detention and held for immigration offenses were not separated from convicted prisoners. Officials used isolation in a small, poorly ventilated punishment cell to discipline inmates.

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 equivalent to 14 Belize dollars (BZ\$) (\$7.00) per inmate per day. The human rights

ombudsman stated that sufficient resources were not available for prisons to meet what he called “minimal standards.”

In the beginning of the year, former prison inmate Orel Leslie sought legal redress against the Belize Central Prison for denying his constitutional rights. Leslie claimed he was kept in a cell with a convicted murderer while he was on remand, which made him fearful for his safety and life. Additionally, Leslie claimed that while detained, he suffered from flaky skin due to poor ventilation and no access to sunlight, he had no blanket or bedding for sleeping, and the cell was infested with scorpions, tarantula spiders, millipedes, and roaches. He also alleged his feces were not removed from the cell and the prison gave him a tuberculosis vaccination against his will. As of October the matter remained before the Supreme Court.

The Human Rights Commission of Belize raised concerns about “unsanitary” conditions in the detention cell at the Queen Street Police Station in Belize City after a detained officer published photographs. Commissioner of Police Chester Williams noted the situation was “tantamount to inhumane treatment.” He immediately sought to address the matter, and conditions improved to meet acceptable standards.

Administration: Authorities conducted investigations of credible allegations of mistreatment.

Independent Monitoring: The prison administrator permitted visits from independent human rights observers.

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 through media and to the PSB that the government failed to observe these requirements.

In July the commissioner of police instituted a children’s curfew in Belize City in response to the high number of minors engaging in crime, specifically gang activity. The Belize Police Department (BPD) instructed officers to detain unaccompanied children found on the streets of the city between 6 p.m. and 6 a.m. Parents of detained children were brought to police stations where they received warnings. The curfew was extended to the rest of the country in September,

despite criticism from local human rights activists. There was no public data on the number of children detained.

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 its members arbitrarily detained persons for more than 24 hours without charge, did not take detainees directly to a police station, and used detention as a means of intimidation.

The law requires police to follow the Judges' Rules, a code of conduct governing police interaction with arrested persons. Although judges sometimes dismissed cases that involved violations of these rules, they more commonly deemed confessions obtained through violation of the rules to be invalid. Police usually granted detainees timely access to family members and lawyers, although there were reports of persons held in police detention without the right 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 can 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.

Arbitrary Arrest: The constitution bars arbitrary arrest, and the law specifies protections enabling the constitutional ban. Nevertheless, there were anecdotal reports of arbitrary arrests by police units. During the year there were several allegations made through media and to the PSB that the government failed to observe the law.

Pretrial Detention: Lengthy trial backlogs remained at the end of the year, particularly for serious crimes such as murder. Problems included police delays in completing investigations, lack of evidence collection, court delays in preparing depositions, and adjournments in the courts. Judges occasionally were slow to issue rulings, in some cases taking a year or longer. The time lag between arrest, trial, and conviction generally ranged from six months to four years, and in some

cases up to seven years. Pretrial detention for persons accused of murder averaged three to four years. As of September, 458 persons, representing 40 percent of the prison population, were being held in pretrial detention.

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.

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 that nonjury trials 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. A single Supreme Court judge hears these cases. A magistrate generally issues decisions and judgments for lesser crimes after deliberating on the arguments presented by the prosecution and defense.

Defendants enjoy a presumption of innocence, and standard procedure is for the defendant to be informed promptly of the charges against them and for them to be allowed to be present at the trial. If the 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 can 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 defendants an attorney, and defendants sometimes represented 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 could not reach rural areas or districts. Defendants are entitled to adequate time and facilities to prepare a defense or request an adjournment, a common delay tactic. The court provides Spanish 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.

The rate of acquittals and cases withdrawn by the prosecution due to insufficient evidence continued to be high, particularly for sexual offenses, murder, and gang-related cases. These actions were often due to the failure of witnesses to testify because of fear for life and personal safety, as well as a lack of basic police investigative or forensic capability in the country.

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 country'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, and there were no reports that the government failed to respect these prohibitions.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Expression, Including for the Press

The law provides for freedom of expression, including for the press, 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 the press.

Press and Media, Including Online Media: In July a law firm representing Prime Minister Dean Barrow informed media outlets they could face legal action if they broadcast a statement from a foreign government agency related to Barrow. The statement, which was made public, was one of the court documents filed in a real-estate fraud case involving foreign investors. The prime minister and his law firm were named in the court document as having knowledge of the land scam. The opposition party criticized the prime minister's letter, and Senator Osmany Salas described it as an attempt to restrain freedom of press.

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.

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

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights. The government detained several unaccompanied minors who were transiting the country en route to the United States to join their families.

e. Internally Displaced Persons

Not applicable.

f. Protection of Refugees

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. The government does not distinguish between refugees and asylum seekers, as the law itself does not reference asylum seekers--only refugees and recognized refugees. During the year the government did not grant asylum status to any of the pending 3,740 applicants, although the Refugee Eligibility Committee recommended 517 persons for approval. Many applications were summarily denied because the applicants did not apply for asylum within 14 days of entering the country, as the law requires. The nongovernmental organization (NGO) Help for Progress, the UN High Commissioner for Refugees implementing partner in the country, opened a resource facility near the western border to offer information on how to apply for asylum status, and it continued to assist by providing limited basic services, including shelter, clothing, and food to refugees and asylum seekers.

Employment: Persons awaiting adjudication of their refugee applications were unable to work legally in the country.

Access to Basic Services: Refugees 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.

Temporary Protection: The Immigration Department issued renewable special residency permits for periods of 60 to 90 days to those who applied for refugee status within the 14-day deadline.

g. Stateless Persons

Not applicable.

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.

During the year the Elections and Boundaries Department conducted a reregistration of the entire electorate. A significant number of citizens claimed they were not allowed to register, and subsequently vote, because they lacked identification documents, which they said the government failed to provide.

Elections and Political Participation

Recent Elections: In the March 2018 municipal elections, the United Democratic Party retained 62 percent of all municipal seats, while the People's United Party increased its share of municipal seats to 38 percent. The results of the San Pedro municipal election were challenged in court by the People's United Party. The court did not find enough evidence to invalidate the results, and the case was dismissed. The law does not allow citizens to hold public office while seeking political office.

Participation of Women and Minorities: No laws limit participation of women or members of minorities 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: two of 31 members of the House of Representatives and three of 13 senators were women.

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 no substantial proof was presented in most cases. In September a foreign law enforcement agency detained the deputy director of the Belize Tax Service Department, Reynaldo Verde, for extortion and attempted extortion of a foreign national investor in Belize. The investor claimed that in 2017, Verde requested BZ\$350,000 (\$175,000) in exchange for erasing the taxes the investor owed to the

government. Verde denied the accusations, and as of year's end he continued detained abroad awaiting a court hearing.

The Senate Select Committee charged with investigating alleged corruption within the Immigration and Nationality Department failed to produce a report and recommendations to the government. Public hearings conducted during the 2017 investigation revealed several instances where high-ranking government officials, including ministers of government, approved the issuance of visas, citizenship, and passports to unqualified individuals. Citizens alleged corruption against the Lands and Surveys Department in the Ministry of Natural Resources for illegally distributing lands to party associates. Despite the accusations of political cronyism, the government insisted it maintained transparency in the distribution of land.

The 2017 case brought by the government against Andre Vega, the son of former deputy prime minister Gaspar Vega, concluded in July with a court ruling that Vega must repay BZ\$400,000 (\$200,000) in compensation he received for wrongfully being awarded a privately owned piece of land. Andre Vega and attorney Sharon Pitts were accused of unjustifiably enriching themselves from questionable land transactions while Gaspar Vega was minister. Pitts entered into mediation with the government in an effort to find an amicable solution to return money made in the scheme.

Financial Disclosure: The law requires public officials to submit annual financial disclosure statements, which the Integrity Commission reviews. At the same time, the constitution allows authorities to prohibit citizens from questioning the validity of such statements. Anyone who does so outside of the rigidly prescribed procedure is subject to a fine of up to BZ\$5,000 (\$2,500), three years' imprisonment, or both. Many public officials did not submit annual financial disclosure statements and suffered no repercussions. In July the Integrity Commission published the names of 32 local government members who failed to file sworn declaration of assets for 2018. In accordance with the law, a report was also sent to the director of public prosecution for further action, but as of year's end, none had been taken. As of September the commission continued to be staffed by only a secretary.

Section 5. Governmental Attitude Regarding 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, although appointed by the government, acts as an independent check on governmental abuses. The Office of the Ombudsman holds a range of procedural and investigative powers, including the right to enter any premise to gather documentation and the right to summon persons. The office operated under significant staffing and financial constraints. The law requires the ombudsman to submit annual reports. The office does not have the power to investigate allegations against the judiciary. While the Office of the Ombudsman has wide investigative powers, it lacks effective enforcement authority; noncompliance by the offices being investigated severely limited its effectiveness.

The Human Rights Commission, an independent, volunteer-based NGO, continued to operate, but only on an ad hoc basis due to funding and staffing limitations. The commission provided human rights training for police recruits, prison officers, and the BDF.

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

Women

Rape and Domestic Violence: The criminal code criminalizes rape of men or women, including spousal rape. The code states that a person convicted of rape shall be sentenced to imprisonment for eight years to life, although sentences were sometimes much lighter. Problems facing the wider justice system generally resulted in poor conviction rates for rape. According to the United Belize Advocacy Movement (UniBAM), 75 percent of sexual abuse crimes were against girls between the ages of 10 and 19.

Domestic violence was often prosecuted with charges such as harm, wounding, grievous harm, rape, and marital rape, but allegations of domestic violence were treated as civil matters. Police, prosecutors, and judges recognized both physical violence and mental injury as evidence of domestic violence. Penalties include fines or imprisonment for violations. The law empowers the Family Court to issue protection orders against accused offenders.

The government directed awareness campaigns against gender-based and domestic violence, a domestic violence hotline, and shelters for victims, and major police stations had designated domestic abuse officers, although these measures were not always effective.

Sexual Harassment: The law provides protection from sexual harassment in the workplace, including provisions against unfair dismissal of a victim of sexual harassment in the workplace. The Women's Department recognizes sexual harassment as a subset of sexual violence, but no cases have ever been brought under the sexual harassment provisions.

Coercion in Population Control: There were no confirmed reports of coerced abortion or involuntary sterilization.

Discrimination: The law provides for the same legal status and rights for women as for men. The law also mandates equal pay for equal work, but the labor commissioner verified that men earned on average BZ\$90 (\$45) more per month than women did because they held higher managerial positions. The law provides generally for the continuity of employment and protection against unfair dismissal, including for sexual harassment in the workplace, pregnancy, or HIV status.

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 participating in all spheres of national life and outnumbering men in university classrooms and having higher high school graduation rates, women held relatively few top managerial or government positions.

Children

Birth Registration: Citizenship is derived by birth within the country's territory, regardless of the parents' nationality. Citizenship may also be acquired by descent if at least one parent is a citizen of the country. The standard requirement is for births to be registered no later than a week after birth; registration after a month is considered late and includes a minimal fine. Failure to register does not result in any 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 also had trouble registering for school and often had to move from school to school. The government's Vital Statistics Unit expanded registration of newborns by establishing registration officers at all major hospitals, but due to inadequate

funding and staffing, the offices were open only during the workweek from 8 a.m. to 5 p.m. In 2017 UNICEF began a project to ensure all births in the country are registered.

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

The Family Services Division in the Ministry of Human Development is the government office with the lead responsibility for children's problems. 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 human trafficking in children, and worked with local and international NGOs and UNICEF to promote children's welfare.

Early and Forced Marriage: The legal minimum age to marry is 18, but persons between ages 16 and 18 may marry with the consent of parents, legal guardians, or judicial authority. According to UNICEF, 29 percent of women ages 20 to 49 were married or cohabitating before reaching age 18.

Sexual Exploitation of Children: The law establishes penalties for child prostitution, child pornography, child sexual exploitation, and indecent exhibition of a child. It defines a "child" as anyone younger than age 18. The law stipulates that the offense of child prostitution does not apply to persons exploiting 16- and 17-year-old children through exchanging sexual activity for remuneration, gifts, goods, food, or other benefits.

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 by 12 years' to life imprisonment. Unlawful sexual intercourse with a minor age 14-16 is punishable by five to 10 years' imprisonment.

There were anecdotal reports that boys and girls were exploited through child prostitution, including through the "sugar daddy" syndrome whereby older men provided money to minors, their families, or both for sexual relations. Similarly, there were reports of increasing exploitation of minors, often to meet the demand of foreign sex tourists in tourist-populated areas or where there were transient and

seasonal workers. The law criminalizes the procurement or attempted procurement of “a person” younger than age 18 to engage in prostitution; an offender is liable to 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.

Displaced Children: There were reports of unaccompanied children who were detained by authorities as they made their way to the United States to join their families. Government agencies worked closely with the embassies of the respective children to provide them protection and services.

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>.

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 provide for 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 of persons with disabilities in the public or private sectors.

Mental health provisions and protections generally were poor. Informal government-organized committees for persons with disabilities were tasked with public education and advocating for protections against discrimination. The country does not have a reliable system for identifying persons with disabilities who need services. The Ministry of Education, Culture, Youth, and Sports maintained an educational unit offering limited and segregated education programs within the regular school system. There were two schools and four education centers specializing in working with children with disabilities. Children with disabilities attended mainstream schools through secondary education at a significantly lower rate than other children and were placed with nondisabled peers.

The special envoy for women 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.

In June, Nestor Vasquez, an individual with a mental disability, died after receiving head injuries inflicted by another individual with a mental disability. The men had been placed together in the same holding cell at the Queen Street Police Station in Belize City. Vasquez's attacker had been arrested for attempted murder. The two police officers who failed to intervene faced disciplinary charges and were dismissed from the BPD.

Indigenous People

No separate legal system or laws cover indigenous people, since the government maintains that it treats all citizens the same. Employers, public and private, generally treated indigenous persons 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. During the year the Maya in the southern part of the country and the government continued working on a way to implement a Caribbean Court of Justice consent order on Maya customary land tenure.

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

The law does not prohibit discrimination against lesbian, gay, bisexual, transgender, and intersex (LGBTI) 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 Immigration Act 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. UniBAM stated that discrimination and assault based on these factors were substantially underreported; however, the organization registered six cases of discrimination: two cases involving cyberbullying, one case in which a lesbian woman was denied a protective order, and three complaints of police harassment. UniBAM reported that LGBTI persons between the ages of 14 to 24 faced the most violence in rural communities, especially in very religious parts of the country. UniBAM’s executive director, Caleb Orozco, noted that in these religious communities, police often refused to take reports from survivors.

In July off-duty police officer Ralph Gillett faced discrimination when a woman refused to allow him to sit beside her on public transportation because she believed he was gay. A verbal confrontation ensued, which led to the woman physically attacking Gillett. Responding police officers physically assaulted Gillett by slapping him and placing him in a submission hold. The incident was recorded on video and prompted an investigation by the BPD. Gillett faced BPD disciplinary charges for prejudice of good order and discipline. Special Envoy for Women and Children (and the prime minister’s spouse) Kim Barrow issued a statement asserting “violence of this kind has no place in our society” and underscoring that the BPD should have offered protection and support to Gillett.

According to UniBAM, LGBTI persons continued to be denied medical services and education and encountered family-based violence.

HIV and AIDS Social Stigma

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

The law provides for the protection of workers against unfair dismissal, including for HIV status. The government provided free antiretroviral medication and other medical services to persons with HIV registered in the public-health system; however, the government sometimes had insufficient supplies of medication.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

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

The law allows authorities to refer disputes involving public- and private-sector employees who provide “essential services” to compulsory arbitration, prohibit strikes, and terminate actions. The postal service, monetary and financial services, civil aviation, petroleum sector, port authority personnel (stevedores and pilots), and security services are deemed essential services by local laws, beyond the International Labor Organization definition of essential services. There were no reports of antiunion discrimination, but there were some reports workers were intimidated into either not joining a union or dropping union membership if they had joined. In July, 125 employees of the Karl Heusner Memorial Hospital (KMH), the country’s only referral hospital, walked out after learning the institution had no pension program for employees. The KMH Workers’ Union stated the policy contradicted the law governing their employment and sought a legal opinion on the matter. On another matter, in September the union demanded that the hospital authority remove its director of medical services for arbitrarily withholding overtime payments to medical officers for two months. The union threatened to commence legal action if the director was not removed.

In August, Belize Water Service Limited (BWSL) signed a collective bargaining agreement for 295 employees that sought to promote efficient, safe, and effective working practices between the company and the union. BWSL, the only water and sewage utility for the country, is government owned.

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

The Labor Department was hampered by factors such as a shortage of vehicles and fuel in its efforts to monitor compliance, particularly in rural areas. There were complaints of administrative or judicial delays relating to labor complaints and disputes. Penalties were insufficient to deter violations.

Antiunion discrimination and other forms of employer interference in union functions sometimes occurred, and on several occasions, unions threatened or carried out strikes. NGOs working in migrant communities 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 were denied 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 include penalties sufficient to deter violations, although the government did not effectively enforce the law. Resources and inspections to deter violations were limited. The government reportedly investigated three forced labor cases; it did not identify any forced labor victims during the year.

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 in the service sector, including restaurants and shops, particularly among the South Asian and Chinese communities.

The International Labor Organization expressed concern that the Trade Unions Act allows the sanction of compulsory labor to be imposed as a punishment for breaches of labor discipline or for peaceful participation in strikes.

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 years old generally, with the exception of work in wholesale or retail trade or business, for which the minimum age is 12. "Light work," which is not defined in the law, is allowed for children ages 12 to 13. Children ages 14-18 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 age 14 are explicitly permitted to work in "industrial undertakings," which include mining, manufacturing, and construction. Children younger than age 16 are excluded from work in factories, and those younger than age 18 are excluded from working at night or 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. National legislation does not address a situation in which child labor is contracted between a parent and the employer. The National Child Labor Policy distinguishes between children engaged in work that is beneficial to their development and those engaged in the worst forms of child labor. The policy identifies children involved in the worst forms of child labor as those engaged in hazardous work, human trafficking and child slavery, commercial sexual activities, and illicit activities.

The Labor Department has primary responsibility for implementing labor policies and enforcing labor laws, but it was not effective in enforcing 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 sufficient to deter violations. There is also a National Child Labor Committee under the National Committee for Families and Children, a statutory interagency group that advocates for policies and legislation to protect children and eliminate child labor.

Some children were vulnerable to forced labor, particularly in the agricultural and service sectors. Commercial sexual exploitation of children occurred (see section 6, Children). According to the most recent data available from the Statistical Institute of Belize from 2013, 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>, and the Department of Labor's *List of Goods Produced by Child Labor or Forced Labor* at www.dol.gov/agencies/ilab/reports/child-labor/list-of-goods.

d. Discrimination with Respect to Employment and Occupation

The law and regulations prohibit discrimination with respect to employment on the basis of race, sex, gender, language, HIV-positive status or other communicable diseases, or social status. The government did not effectively enforce those laws and regulations. The law does not explicitly prohibit discrimination in employment with respect to disability, sexual orientation, or gender identity. There were reports discrimination in employment and occupation occurred with respect to sexual orientation. One NGO reported that members of the LGBTI 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.

e. Acceptable Conditions of Work

The national minimum wage was above the poverty-limit income level, according to statistics from 2009, the most recent year for which statistics were available. 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' paid annual holiday. Additionally, there are 13 days designated as public and bank holidays. Employees who work on public and bank holidays are entitled to pay at time-and-a-half, except for Good Friday and Christmas, which are paid at twice the normal rate.

Several different health and safety regulations cover numerous industries. The regulations, which apply to all sectors, provide that the employer must take "reasonable care" for the safety of employees in the course of their employment. The regulations further provide that every employer who provides or arranges accommodation for workers to reside at or in the vicinity of a place of employment shall provide and maintain sufficient and hygienic housing accommodations, a sufficient supply of wholesome water, and sufficient and proper sanitary

arrangements. In September, two men died after falling 40 feet from scaffolding while placing insulation in a public sporting facility. Four other men also fell but survived. The men, who were not provided harnesses, fell when the scaffold they were working on collapsed due to the condition of the wood.

The Ministry of Labor did not always effectively enforce minimum wage and health and safety regulations. 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 very high and thus not sufficient to deter violations. In 2017 a labor tribunal was established, but it was unclear how many cases the tribunal had heard.

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.

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