

# **BELIZE 2022 HUMAN RIGHTS REPORT**

## **EXECUTIVE SUMMARY**

Belize is a constitutional parliamentary democracy. In the most recent national election, held in 2020, the People's United Party won 26 of 31 seats in the National Assembly and selected John Briceno as prime minister. King Charles III is the head of state and is represented by a governor general. In May 2021, Froyla T'zalam assumed the post of governor general following the retirement of Sir Colville Young.

The Ministry of Home Affairs and New Growth Industries has responsibility for law enforcement and maintenance of order. The Belize Police Department is primarily responsible for internal security, including police and prisons. The Ministry of National Defence and Border Security, responsible for oversight of the military and the Coast Guard, 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 reports that members of the security forces committed some abuses.

Significant human rights issues included credible reports of: abuse and inhuman treatment by security and prison officers; arbitrary arrest and detentions; refoulement of refugees to a country where they would face threats to their lives and freedom; serious corruption by government officials; and substantial barriers to accessing sexual and reproductive health services.

The government took steps 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.































**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. Local NGOs continued to be concerned 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.

According to some NGOs, women from socially conservative communities seeking tubal ligation sought the permission of the husband for cultural and religious reasons. Emergency contraception was not always available as part of methods for family planning.

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. Sexual and reproductive health services were not made available to persons under the age of 18 at public clinics without the consent of a parent or guardian.

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, and some reports indicated women earned 55 percent that of men. Although there are no restrictions on women working in industries such as mining, construction, factories, energy, water, and transportation, the percentage of women employed in these sectors remained low. 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, they held relatively few top managerial or government positions.

## **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. According to the most recent census (2010), the population was approximately 47 percent Hispanic, 26 percent of African descent, and 16.5 percent Indigenous. The remainder was 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 persons, since the government maintains that it treats all citizens equally. Both public and private employers generally treated Indigenous persons equally with members of other ethnic groups

for employment and other purposes.

The Maya Leaders' Alliance continued a dialogue with the government and monitored development in the Toledo District with the goal of implementing the 2015 Caribbean Court of Justice consent order on Maya customary land tenure. In January, the Maya Leaders' Alliance (MLA) and the Toledo Alcalde Association (TAA) criticized how the government was implementing the court order. The two Maya organizations described the government's decision as one-sided, citing they were not consulted regarding the Free, Prior, and Informed Consent protocol before the government submitted it to the court. According to Commissioner of Indigenous Peoples' Affairs Gregory Choc, the government had consulted "extensively, respectfully, and equally" with the Maya communities and organizations stipulated in the court order. He maintained the MLA and TAA were unfairly claiming to be the sole representatives of all 41 Maya villages in the southern region of the country.

In February, villagers of the Maya community of Indian Creek raised concerns upon learning that the conservation NGO Flora and Fauna International had purchased 12,871 acres of land the villagers considered communal. The government responded that it was working to put in place the legislative and administrative framework that the Caribbean Court of Justice consent ruling had directed to find peaceful solutions to the matter and requested patience from Maya communities. Later in March, residents of the same community protested the use of their football field for the landing of a helicopter carrying Great Britain's Prince William and Princess Catherine. Maya villagers complained they had not been consulted by the authorities and were threatened by government agents with arrest if they disrupted the royal activity. The royal couple intended to visit a cocoa chocolate farm located in the community. As a result of the community's objections, the itinerary was changed.

Also in February, residents of the Garifuna community of Barranco protested government logging permits that it claimed were issued without community consultation or consent. The villagers were angered because the concessions were

issued to individuals who were not from the community, while villagers' request for logging access had been denied. In response, Minister of Sustainable Development Climate Change and Disaster Risk Management Orlando Habet stated the government was attempting to regulate the issuance of permits because in the past these were sold to companies without major benefits to the community.

## **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. Birth registration was provided on a nondiscriminatory basis. 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 small fine. Failure to register does not result in denial of public service, but it hinders 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.

**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.

In April, a mother was charged for harming her age seven son with a knife that injured his hand and left eye. The boy told authorities that his mother struck him several times to the face with a knife and since the attack he had pain in the left eye and partial loss of vision. In court the woman said she "spanked" her son because he caused his baby brother to fall from the bed. The court ordered the mother to stay away from her son and placed the boy in the care of the father. In July, an age 12 girl told police that she was walking home when she was grabbed by two men and taken to an abandoned building. According to the girl, one of the men raped her while the other stood guard at the doorway. Authorities were investigating the

case.

**Education:** Education is free from ages five to 14, extending only to the first two years of secondary level education.

In June, a boy, age five, was prevented from enrolling in preschool because of his hair style. His father, Kevin Pollard, said the school administration told him they could not accept his son because of his hair style. Pollard claimed it was discrimination against his son for being Rastafarian. According to the school administration, the problem was not the child's religion or hair, but rather that the school had no more classroom space. Pollard tried enrolling his son at another public church-run school, but according to the father, his son was also rejected.

In August, four high school boys were denied access to Bishop Martin High School, a Catholic secondary school, because of their long hair. The Ministry of Education immediately demanded that the school reinstate the students and declared that "equal protection should be given to children regardless of their social status and that a just system should be ensured to provide for education and health on the basis of equality." After a discussion with parents and governmental officials, the administration allowed the four boys to return to school.

**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 cohabiting 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 children ages 16 and 17 to engage in consensual, noncommercial sexual activity. NGOs and experts noted this provision makes children vulnerable to commercial sexual exploitation.

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

There were anecdotal reports that boys and girls were victims of trafficking, including through "sugar daddy" arrangements whereby older men provided money to minors, the families of minors, or both, in exchange for sexual relations with the minors. Similarly, there were reports of increased child trafficking in tourist areas or where there were transient and seasonal workers, often to meet the demand of foreign sex tourists. The law criminalizes the procurement or attempted procurement of persons younger than 18 to engage in commercial sex and stipulates a sentence of up 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.

## **Antisemitism**

The Jewish population was small, and there were no reports of antisemitic acts.

## **Trafficking in Persons**

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

## **Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics**

**Criminalization:** There are no laws criminalizing consensual same-sex sexual conduct between adults. The constitution prohibits discrimination based on sex, which was interpreted to include sexual orientation by the judiciary. The law

prohibits “homosexual” individuals from entering the country, but immigration authorities did not enforce the law.

**Violence against LGBTQI+ Persons:** The NGO Promoting Empowerment Through Awareness for Lesbians and Bisexual Women (PETAL) registered 150 complaints of human rights abuses against lesbian and bisexual women as of August. According to PETAL, the abuses included employment dismissal, employment denial, refusal of authorities to register and investigate abuses, unlawful home eviction, grievous harm on lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) persons, and cyberbullying because of the individuals’ gender identity.

The LGBTQI+ advocacy NGO UniBAM said that assault and discrimination based on sexual orientation and gender identity were substantially underreported due to the victim’s fear of further victimization by authorities and members of the public. UniBAM’s director noted that in communities with strong religious affiliations, police often refused to take reports from LGBTQI+ victims who experienced discrimination. UniBAM and PETAL noted that LGBTQI+ persons were at times denied medical services and education and encountered family-based violence.

In June, a lesbian woman complained to PETAL that the BPD had refused to investigate incidences of vandalization and damage to her property because of her sexual orientation. According to the woman, over a three-month period prior to registering the complaint, her home was vandalized, her clothing was destroyed, and her electronics and appliances were damaged. She claimed threatening messages were left on the walls inside her house. When she reported the disturbances to police, officers refused to file her complaint because she could not identify a perpetrator.

**Discrimination:** 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 generally provides for the protection of all citizens from any type of discrimination. The extent of

discrimination based on sexual orientation, gender identity, or sex characteristics was difficult to ascertain due to a lack of official reporting.

In January, the LGBTQI+ community expressed outrage regarding the creation of a religious affairs portfolio under the government's Ministry of Constitutional and Political Affairs. After the portfolio's creation, Henry Charles Usher, Minister of Public Service, Constitutional and Political Reform, and Religious Affairs, stated that he wished to "merge the public service with the Christian fundamentals and principles upon which the country is based." The initiative was commended by the National Evangelical Association of Belize, which called the move "appropriate and fitting for the betterment of all Belizeans." According to human rights activist Caleb Orozco, the idea risked governance being influenced by Christian morality and not guided by human rights and dignity. Human rights-focused civil society groups such as the National AIDS Commission, Human Rights Commission of Belize, and National Women's Commission, also raised concerns.

**Availability of Legal Gender Recognition:** Legal gender recognition was not available.

**Involuntary or Coercive Medical or Psychological Practices Specifically Targeting LGBTQI+ Individuals:** There were no reported involuntary or coercive medical or psychological practices specifically targeting LGBTQI+ individuals.

**Restrictions of Freedom of Expression, Association, or Peaceful Assembly:** There were no restrictions on freedom of expression, association, or peaceful assembly regarding LGBTQI+ issues, including the ability of LGBTQI+ organizations to legally register or convene events.

## **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. 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, 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.

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.

## **Other Societal Violence or Discrimination**

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.

## **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 and dissolution or suspension of unions by administrative authority, and it requires reinstatement of workers fired for union activity.

The unions, under their umbrella organizations the National Trade Union Congress of Belize (NTUCB) and the Civil Society Steering Group, are represented in the legislature by a senator whom the two entities designate. 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.

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, although it did not apply the law for reinstatement of workers dismissed for union activity. The government did not effectively enforce it in the large informal sector due to a lack of registration from employers. There were complaints of administrative and judicial delays relating to labor complaints and disputes. Penalties were less than other similar civil rights violations. Penalties were rarely applied against violators.

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. 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 and working in the country on temporary work permits.

In February, the government compensated Port of Belize Limited stevedores with 1.5 million Belize dollars (\$750,000) due to the privatization of the company in 2002. The stevedores claimed the privatization had led to lost earnings and held numerous strikes regarding this matter over the last 20 years.

In August, nurses, doctors, and other medical personnel held demonstrations across the country to highlight limited hospital resources, staffing shortages, and the government's failure to honor overtime salaries. Minister of Health and Wellness Kevin Bernard "sympathized" with the protesting health-care providers and met with their representatives to find a solution. The government compromised and

paid public health-care workers the money owed and committed to continue a dialogue to address other concerns raised during the demonstrations. Medical personnel returned to work the following day.

## **b. Prohibition of Forced or Compulsory Labor**

The constitution prohibits and criminalizes 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**

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, nationality, religion, or social status. The government did not effectively enforce the law. The law does not explicitly prohibit discrimination in employment with respect to age, disability, sexual orientation, or gender identity. Penalties were commensurate with penalties related to civil rights but had never been applied against violators.

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 noted 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). Women earned 55 percent on average as that of men. There were sector-imposed restrictions on women working in certain industries, including mining, construction, factories, energy, water, and transportation.

#### **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 July, the normal worker week for government officials was restored to 40 hours, after having been reduced in 2021 due to a 10 percent salary cut.

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.

**Occupational Safety and Health:** The country does not have a specific Occupational Safety and Health (OSH) law, but the Factories Act and the Labour Act contain provisions in relation to occupation, safety, and health in the

workplace. OSH 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. OSH experts identified unsafe conditions and developed and implemented safety regulations. There were no major work accidents during the year.

**Wage, Hour, and OSH Enforcement:** The Ministry of Labor did not consistently enforce minimum wage, hour, and health and safety (OSH) 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 less than those for similar crimes. Penalties were rarely applied to violators.

**Informal Sector:** The International Monetary Fund in 2015 estimated the informal economy generated 47 percent of GDP. 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. The basic rights of part-time workers and workers in the informal economy were protected by labor laws, but those who were not registered in the social security system were not afforded social protection by government entities.

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 informal workers continued to be denied labor rights.