



Belize

Country Reports on Human Rights Practices - [2004](#)

Released by the Bureau of Democracy, Human Rights, and Labor
February 28, 2005

Belize is a constitutional parliamentary democracy governed by the Prime Minister, a cabinet of ministers, and a legislative assembly. The Governor General represented Queen Elizabeth II in the largely ceremonial role of Head of State. Prime Minister Said Musa's People's United Party (PUP) held 22 of the 29 seats in the House of Representatives following generally free and fair multiparty elections in March of 2003. The judiciary is independent.

The Police Department has primary responsibility for law enforcement and maintaining order. The Belize Defense Force (BDF) is responsible for external security but, when deemed appropriate by civilian authorities, may be tasked to assist the police department. Armed BDF soldiers routinely accompanied police patrols in Belize City in an attempt to reduce the violent crime rate. The police report to the Minister of Home Affairs, while the BDF report to the Minister of Defence. The civilian authorities maintained effective control of the security forces. Some members of the security forces committed human rights abuses.

The market-based economy was primarily agricultural, although tourism has become the principal source of foreign exchange earnings; the country's population was approximately 273,000. There was a very small industrial sector, comprising limited agribusiness, clothing, and boat manufacturing. The agricultural sector was heavily dependent upon preferential access to export markets for sugar and bananas. Gross domestic product grew at an estimated rate of 4 percent, while inflation was estimated at 3 percent; 45 percent of the population lived in poverty.

The Government generally respected the human rights of its citizens; however, there were problems in some areas. Police allegedly committed unlawful killings. Brutality and excessive use of force by members of the security forces, allegations of arbitrary arrest and detention, and lengthy pretrial detention were problems. Domestic violence and discrimination against women, sexual abuse of children, and employer mistreatment of undocumented foreign workers also were problems. There were reports of trafficking in persons and child labor was prevalent.

RESPECT FOR HUMAN RIGHTS

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

a. Arbitrary or Unlawful Deprivation of Life

There were no politically motivated killings by the Government or its agents; however, the security forces were accused of some unlawful or unwarranted killings.

On February 12, police constable Burton Caliz shot and killed Leroy Pilgrim at the waterside in San Pedro. After stopping and searching Pilgrim, two officers took him to the water to search his boat. Caliz claimed that a struggle over an illegal firearm led to the fatal shooting, but subsequent police investigations found no evidence to support that scenario. On March 29, Caliz was arrested and charged with manslaughter. At year's end, his trial was still pending.

There were no developments in the 2003 manslaughter cases against police constable Sheldon Arzu and BDF private Giovanni Gutierrez. The trial of police constable Sherwood Wade on charges of manslaughter resulted in a hung jury, and a re-trial was pending at year's end. The prosecution dropped charges against police constable Kevin Alvarez in connection with the 2002 shooting death of Albert Pennil.

b. Disappearance

There were no reports of politically motivated disappearances.

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

The Constitution prohibits torture or other inhuman punishment; however, there were numerous reports that police and prison staff used excessive force.

Some of the most common complaints received by the office of the Ombudsman involved alleged misconduct and abuse by police and Department of Corrections personnel. The Ombudsman reported that the number of such reports decreased; however, a number of cases of alleged abuse featured in the press were never reported to the Ombudsman's office. In many cases, the Government ignored reports of abuses; withheld action until the case had faded from the public's attention, at which point no action was taken; or transferred guilty officers to other districts. The Government did take action in a small number of cases. The Ombudsman stated that police use of force was appropriate in the majority of cases he investigated, usually due to the complainant having resisted arrest, even if the level of force used was sometimes excessive.

On March 30, San Ignacio police constable Julio Shal shot and injured Pedro Guzman. Guzman had been detained in connection with a burglary, and was released after 48 hours. The night of Guzman's release an inebriated Shal, in plain clothes, forced Guzman into a car at gunpoint. He proceeded to threaten Guzman with his gun, eventually shooting him in the hand. On March 31, Shal was arrested and charged with attempted murder, use of deadly means of harm, and possession of a firearm while under the influence of alcohol. Shal's trial was ongoing at year's end.

On September 14, the police suspended police constables Clayton Marin and Cyril Wade and charged them with dangerous harm in connection with the beating of Emile Pinelo. While arresting him and later at the police station, Marin and Wade allegedly choked, punched, repeatedly kicked, and beat Pinelo. Police initially denied Pinelo medical care but eventually took him to the hospital where he was treated for multiple injuries, including a broken nose and a head injury. Pinelo suffered massive internal injuries and required emergency surgery to remove 25 inches of his small intestine.

Police superintendent Ewart Itza was acquitted on all charges stemming from a 2003 brutality investigation. Prosecutors appealed his case to the Supreme Court and that appeal was pending at year's end. The Director of Public Prosecutions had no record of charges against police constable Adrian Lopez, who was reportedly charged in December with attempted rape and indecent assault.

Prison conditions were poor, but they improved during the year. The country's only prison, in Hattieville, designed for 500 inmates, held approximately 1,120 male and 40 female prisoners. The prison budget provided only \$6 (Bz\$12) per prisoner per day to cover all operating costs. In the remand section, 220 detainees shared 40 15- by 20-foot cells that were designed to hold 150. The prison had a medical clinic with four beds, a full-time doctor, and two nurses. Prisoners often had to pay for their own treatment and medicine. Under the oversight of the Ministry of Home Affairs, the nonprofit Kolbe Foundation managed Hattieville Prison and concentrated on improving professionalism of prison guards, reducing waste and corruption, and using prison labor on prison infrastructure projects.

There were reports that prison wardens and guards sometimes brutalized troublesome prisoners. A common punishment was placing inmates in a small, unlit, and unventilated punishment cell. Inmates claimed that prison officials sometimes withheld food and water as further punishment.

In addition, prisoners enforced their own code of conduct and attacked prisoners convicted of heinous crimes such as child molestation. Prisoners convicted or accused of such crimes often were housed in the immigration section for their protection.

The prison included a separate facility for women, located 200 yards outside the main compound. Conditions in the women's facility were significantly better than those in the men's compound. The 40 women held there occupied 17 cells. The facility was clean, and inmates had access to limited educational and vocational classes.

Juvenile prisoners lived in a separate, newly built facility outside the main perimeter fence. The youthful offenders program included 16 hours per day of structured schooling, exercise, and vocational training.

Pretrial detainees and immigration violators were held in overcrowded cells separate from convicted criminals. Inmates with mental illnesses were housed in separate cells. First-time offenders were housed in the same building as those who committed capital crimes. Incidents of gang- and drug-related violence in the prison continued. Prison breaks, confiscation of weapons, and reports of beatings also occurred during the year.

The Government permitted prison visits by independent human rights observers, and such visits took place during the year.

d. Arbitrary Arrest or Detention

The Constitution prohibits arbitrary arrest or detention, and the Government generally observed these prohibitions; however, there were occasional accusations of arbitrary arrest and detention.

The 950-member national police force had a hierarchical structure and generally was effective in responding to complaints; however, lack of resources and corruption were problems. Police, who were poorly paid, sometimes succumbed to bribery.

The Police Department's internal affairs and discipline (IAD) section, the Director of Public Prosecutions (DPP), and the Ombudsman's office investigated allegations of police abuses. According to the IAD, there were a number of sanctions against police officers for infractions during the year. Through October, the IAD handled 124 complaints against the police. Eleven police officers were disciplined, three were dismissed, and five were arrested and charged.

Police were required to obtain search or arrest warrants issued by a magistrate, except in cases of hot pursuit, when there was probable cause, or if the presence of a firearm was suspected. Customs officers could search a premise with a writ of assistance issued by the Comptroller of Customs. The law requires police to inform a detainee of the cause of detention and to bring the person before a court to be charged formally within 48 hours of arrest. In practice, authorities normally informed detainees immediately of the charges against them.

Police were required to follow "The Judges' Rules," a code of conduct governing police interaction with arrested persons. In rare instances, entire cases were dismissed when the Judges' Rules were violated. More commonly, a confession obtained through violation of these rules was deemed invalid. Detainees usually were granted timely access to family members and lawyers, although there were occasional complaints that inmates were denied access or a phone call after arrest. Bail was available for all cases except murder and was granted in all but the most serious cases. In cases involving narcotics, police cannot grant bail, but a magistrate's court may do so after a full hearing. Detainees sometimes could not afford bail, and backlogs in the docket often caused considerable delays and postponement of hearings, resulting in an overcrowded prison, and at times prolonged pretrial detention. At year's end, 18 percent of the prison population was in pretrial detention (see Sections 1.c. and 1.e.).

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary, and the Government generally respected this provision in practice.

Judges hold lifetime appointments (until the mandatory retirement age of 65). There were four Supreme Court justices and 17 magistrates; only 3 magistrates had a legal background. Most judges were members of the civil service and routinely were transferred between court and administrative postings. The Government appointed the DPP for life. The DPP reported no attempted political interference in his job.

The judiciary consists of the alcalde courts (with jurisdiction over small civil claims and minor criminal infractions), the magistrate's courts, the Supreme Court, the Court of Appeals, and a family court that handles cases of child abuse, domestic violence, and child support. The family court is at the same level as the magistrate's courts; however, trials in cases that came before the family court generally were private. The convicted party in family court may appeal to the Supreme Court. Those convicted by either a magistrate's court or the Supreme Court may appeal to the Court of Appeals. In exceptional cases, including those resulting in a capital sentence, the convicted party may make a final appeal to the Privy Council in the United Kingdom. Trial by jury is mandatory in capital cases.

Persons accused of civil or criminal offenses have constitutional rights to presumption of innocence, protection against self-incrimination, defense by counsel, a public trial, and appeal. Defendants have the right to be present at their trial unless the opposing party feared for his or her safety. In such a case, the court granted interim provisions under which both parties were addressed individually during a 5-day period.

Legal counsel for indigent defendants was provided by the State only for capital crimes. Most defendants could not afford an attorney and were convicted at a much higher rate than those with legal representation. The Legal Aid Center's staff attorney handled up to 150 cases a year, leaving the majority of defendants unrepresented. A severe lack of trained personnel constrained the judicial system, and police officers often acted as prosecutors in the magistrate's courts. Although the DPP replaced 11 of the inadequately trained and inexperienced police prosecutors with full-time prosecutors, the new hires often had little legal and prosecutorial background.

There were lengthy trial backlogs in the judicial system. Routine cases without a defense attorney were disposed of within 1 month, but cases involving a serious crime or where there was a defense attorney took more than 1 year. Citing a lack of evidence and uncooperative witnesses, the DPP dismissed a large number of cases. Despite an increase in serious crimes, poor case management, lack of attorney discipline, and several cases that had been ongoing for years, the backlog of cases was shrinking, largely because many cases were simply dismissed. However, other cases were continued repeatedly.

There were no reports of political prisoners.

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

The Constitution prohibits such practices, government authorities generally respected these prohibitions, and violators were subject to legal action. However, some disputes regarding the Government's exercise of eminent domain rights remained unresolved despite pending for years in the courts.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press, and the Government generally respected these rights in practice and did not restrict academic freedom. The Constitution also permits the authorities to make "reasonable provisions" in the interests of defense, public safety, public order, public morality, or public health. These provisions include forbidding any citizen to question the validity of the financial disclosure statements submitted by public officials. Anyone who questioned these statements orally or in writing outside a rigidly prescribed procedure was subject to a fine of up to \$2,500 (Bz\$5,000), or imprisonment of up to 3 years, or both.

A wide range of viewpoints was presented publicly, usually without government interference, in 10 privately owned weekly newspapers, 2 of which were owned by major political parties. There were no daily newspapers. All newspapers are subject to the constraints of libel laws, but these laws have not been invoked in several years. Newspapers were routinely critical of the Government without fear of reprisal.

There were 10 privately owned commercial radio stations and 1 British military station that broadcast news directly from London and other Caribbean nations. Popular radio call-in programs were lively and featured open criticism of, and comments on, government and political matters.

There were two privately owned television stations that produced local news and feature programming. There were also several cable television providers throughout the country that rebroadcast foreign stations. The Belize Broadcasting Authority regulated broadcasting and retained the right to preview certain broadcasts, such as those with political content, and to delete any defamatory or personally libelous material from political broadcasts, a prerogative that has not been exercised in several years.

The Government did not restrict access to the Internet.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of assembly and association, and the Government generally respected these rights in practice. The organizers of public meetings must obtain a permit 36 hours in advance of the meetings; such permits were not denied for political reasons and were granted routinely in practice. Political parties and other groups with political objectives freely held rallies and mass meetings.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government generally respected this right in practice.

For a more detailed discussion, see the [2004 International Religious Freedom Report](#).

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for these rights, and the Government generally respected them in practice.

The Constitution prohibits exile, and it was not used.

The law provides for the granting of asylum or refugee status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees or its 1967 Protocol, but the Government has not established a system for providing protection to refugees. Since 1999, the Government has not accepted asylum applications, and there was no legislation that formalized the asylum process. Until the Government closed its Refugee Department in 1999, the U.N. High Commissioner for Refugees (UNHCR) relied upon a local nongovernmental organization (NGO) to monitor the status of asylum seekers and to represent its interests. The Government had no procedure in place to accept or resettle refugees and has not recognized any individual as a refugee since 1997.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens with the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections held on the basis of universal suffrage. All elections were held by secret ballot, and suffrage was universal for citizens age 18 and older. The country is governed by a national assembly with executive direction from a cabinet of ministers headed by Prime Minister Said Musa. The law requires national elections every 5 years. In March 2003, the PUP won re-election, maintaining 22 of 29 seats in the House of Representatives in generally free and fair elections. The opposition United Democratic Party (UDP) gained a seat in an October 2003 by-election, reducing the PUP majority to 21 seats.

Corruption worsened during the year. In July, the media reported on inappropriate investments by the Social Security Board whereby the Government reportedly authorized the use of millions of dollars in public funds to shore up the business interests of

well-connected citizens. Following the revelation, 7 of the 13 cabinet ministers threatened to resign unless the Prime Minister dismissed the Minister of Finance and allowed more cabinet oversight of public finances. The parties reached a compromise solution that included the Prime Minister taking over the Finance portfolio and two of the seven dissenters gaining roles as Ministers of State in the Finance Ministry. On August 28, nearly 10,000 persons marched in protest of the scandal, calling for an independent investigation of the matter. Following weeks of turmoil, the Prime Minister ordered a Senate investigation, which was ongoing at year's end.

Public surveys and Transparency International indicated that community perception of corruption rose. In addition to the Social Security scandal, the Government faced questions over the sale of public lands and assets for significantly less than market value. On April 28, the Printers Association sued the Government for full disclosure on the privatization of the Printing Department, claiming that the Government divested that national asset at far below market value. On October 15, the Court of Appeals upheld a Supreme Court ruling that the Government must turn over the 5-year contract and ordered them to produce an inventory of the assets that were included with the privatization.

The Freedom of Information Act provides for public access to documents of a Ministry or prescribed authority upon written request, although it protects a number of categories, such as documents from the courts or those affecting national security, defense, or foreign relations. The Government must supply, in writing, the reason for any denial of access, the name of the person making the decision, and information on the right to appeal to the Ombudsman. The Ombudsman reported that he had received no such appeals between April 2003 and March.

There were 2 women in the 29-seat House of Representatives, 1 of whom was appointed to serve as Speaker of the House. There were 3 women in the 12-member appointed Senate, and another woman served as president of the Senate. There was one woman in the Cabinet, and five women were chief executive officers of ministries.

There are no laws impeding participation by indigenous persons or minority groups in politics. There were Mestizo, Creole, Maya, and Garifuna representatives in the National Assembly. Voter registration and participation were not tracked by ethnicity; however, there were no complaints or reports of electoral discrimination on the basis of ethnicity.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials usually were cooperative and responsive to their views.

The Human Rights Commission of Belize (HRCB), an NGO affiliated with regional human rights organizations and partly funded by the UNHCR, operated without government restriction on a wide range of issues, including migrant and agricultural workers' rights and cases of alleged police abuse. The HRCB published human rights complaints and urged police and other governmental bodies to act upon them.

In March, the Belize Center for Human Rights Studies opened in Belmopan. The Center was a non-profit educational institution colocated with the University of Belize, with the primary mission of furthering human rights education at the tertiary level, conduct research, and promote discussion of human rights issues.

There is an independent Ombudsman whose role is to act as a check against governmental abuses. The Ombudsman stated in his fourth annual report that he received 244 formal complaints between April 2003 and March. While most complaints were against the Government, a number were against private entities. There were 114 complaints against the Police Department, 35 regarding the Lands Department, 21 against the Department of Corrections, and 19 against the Family Court. The Ombudsman investigated the majority of these cases and published his findings on many of them in the annual reports.

Drug trafficking charges against human rights activist Antionette Moore were dropped in May. The charges against her husband, radio personality Michael Flores, were pending at year's end. Detained and charged in 2003, Flores had been warned by police prior to his arrest to stop his commentary against police brutality.

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The Constitution prohibits discrimination based on race, place of origin, political opinion, color, creed, or sex. The country is multiracial and multiethnic, and discrimination was rare, although ethnic tension, particularly resentment of recently arrived Central American and Asian immigrants, continued to be a problem. There was some societal discrimination against persons with HIV/AIDS, and the Government worked to combat it through the public education efforts of the National AIDS Commission.

Women

Domestic violence against women was a worsening problem. The Family Violence Unit of the police recorded approximately 1,200 instances of domestic violence against women during the year, of which 55 percent came from Belize City. One nine-bed shelter for battered women offered short-term housing. The Belize Organization for Women and Development, an NGO, advised

women on their rights and provided counseling.

Laws prohibit rape, including spousal rape. Despite a 25 percent increase in reported rapes during the year, the number of convictions declined. The police and courts treated rape more seriously than in previous years, but it was still not a priority. The Magistrate's Court reported three convictions for rape and one for attempted rape, with sentences ranging from 10 to 12 years' imprisonment. Arrests and convictions for rape received widespread press coverage. The police and courts enforced statutory rape laws, with 5 convictions.

Adult prostitution is legal; however, the law prohibits loitering for prostitution, operating a brothel, and soliciting for prostitution. The laws, which carry penalties of fines up to \$500 (Bz\$1,000) or 1 year's imprisonment, were enforced weakly. Several prominent brothels operated openly.

The law prohibits sexual harassment, and it was punishable by a fine of up to \$250 (Bz\$500) or imprisonment of up to 3 months. No sexual harassment cases were brought during the year.

Despite constitutional provisions for equality, women faced social and economic prejudice. It was harder for women to find employment, and most employed women were concentrated in female-dominated occupations with low status and wages. There was an unofficial policy of nontolerance toward unwed pregnant teachers, who were often dismissed. In April, Maria Roches won a \$150,000 (Bz\$300,000) lawsuit against a Catholic school that released her from a teaching position after she told management that she was pregnant. In recent years, the proportion of women in higher education increased, and 63 percent of students at the University of Belize were women.

There were no legal impediments to women owning or managing land or other real property. Women were active in all spheres of national life, but relatively few held top managerial positions. The law mandates equal pay for equal work; however, women tended to earn less than men; the median monthly income for a working woman was \$353 (Bz\$706) compared with \$374 (Bz\$748) for a man.

The Women's Department in the Ministry of Human Development, Women and Children, and Civil Society is charged with developing programs to improve the status of women. A number of officially registered women's groups worked closely with various government ministries to promote social awareness programs.

Children

The Government was committed to children's rights and welfare. Education is compulsory for children between the ages of 5 and 15. After children finish their primary education, they may enter a secondary school, the government-run apprenticeship program, or a vocational institution. However, these programs had room for only one-half of the children finishing primary school. Education was nominally free, but school, book, and uniform fees placed education out of reach for many poor children. Approximately 71 percent of school-age children were enrolled in school; the enrollment rate was 96 percent at the elementary level and less than 60 percent at the secondary level. Statistics from 2001 indicated that 81 percent of students reached fifth grade. There were also many truants and dropouts. A 2003 study concluded that girls were victims of discrimination in the schools. Schools often expelled pregnant students, requiring the students to wait 1 year before applying for readmission.

Several government-run clinics provided health care to children. Boys and girls had equal access to such care.

Child abuse was not considered to be widespread or a societal problem; the Family Violence Unit recorded approximately 100 cases of domestic violence against children a year. Sexual abuse of minors, including incest, was a problem. The Families and Children Act allows authorities to remove a child legally from an abusive home environment and requires parents to maintain and support children until they reach the age of 18.

A widespread practice was that of parents selling their female children to an older man, often a friend of the family (see Section 5, Trafficking).

The Family Services Division in the Ministry of Human Development, Women and Children, and Civil Society was devoted primarily to children's issues. The division coordinated programs for children who were victims of domestic violence, advocated remedies in specific cases before the family court, conducted public education campaigns, investigated cases of trafficking in children (see Section 5, Trafficking), and worked with NGOs and UNICEF to promote children's welfare.

Trafficking in Persons

The law prohibits trafficking in persons; however, there were reports that persons were trafficked within and to the country, mainly from neighboring countries.

The law prohibits all forms of trafficking in persons; offenses are punishable by fines of up to \$5,000 (Bz \$10,000) and imprisonment of up to 8 years.

Two persons were convicted of trafficking in persons. On April 14, the proprietor of an Orange Walk bar pled guilty to one count of trafficking. She was fined \$1,000 (Bz \$2,000) or, in default, 1 year in prison. On May 14, a foreign retiree was sentenced to 2 years in prison after he pled guilty to trafficking in persons. There were no convictions on the trafficking charges stemming from the August 2003 raid of 42 brothels. There were no new developments in the trafficking cases against two male foreigners who were arrested in October 2003. In January, prosecutors dropped the carnal knowledge charges against John Majarrez, which dated from his arrest in 2002.

There were no authoritative estimates on the extent of trafficking. Women and girls were trafficked to the country from neighboring countries primarily for prostitution and nude dancing. Victims generally lived in squalid conditions in the bars where they worked. Some bar owners held their passports and work permits, but most victims had access to their own money. Agents of the bars and brothels were hired to lure women and girls to the country, and they or taxi drivers along the border delivered the unsuspecting victims to brothels.

There were reports of persons trafficked for labor purposes. There were instances of Chinese migrants being forced to work in local (Chinese-owned) sweatshops. Members of the East Indian community also imported employees from India in effect as bonded labor, holding their passports and paying less than minimum wage.

The National Committee for Families and Children reported instances of minors engaged in prostitution with older men, in some cases of their own volition, in others arranged by their family. These girls were typically of high-school age, but some as young as 13 were reported, and came from economically disadvantaged families. They provided sexual favors to an older man in return for clothing, jewelry, or school fees and books. In a limited number of cases, government attempts to prosecute the men for unlawful carnal knowledge were stymied by the unwillingness of the girls' families to press charges.

The law also provides for limited victims' assistance, although, in practice, government resources were too limited to provide meaningful aid to victims. Under the law, non-citizen victims willing to assist in prosecuting traffickers are eligible for residency status.

In 2003, the Government formed a National Task Force to combat human trafficking, comprising multiple ministries, NGOs, diplomatic representatives, police, immigration, and prosecution personnel. The task force established a protocol for investigating and handling trafficking cases under the new law.

Persons with Disabilities

There was no discrimination against persons with disabilities in employment, education, access to health care, or in the provision of other state services. The law neither provides specifically for accessibility for persons with disabilities nor prohibits job discrimination against them. In 2001, the Government transferred responsibility for disability service provision to private companies and NGOs, such as the Belize Association of and for Persons with Disabilities and the Belize Center for the Visually Impaired. Children with disabilities had access to government special education facilities, although the requirements to enter such programs were strict.

Indigenous People

Among the country's indigenous people, the Mopan and Ke'kchi were grouped under the general term Maya, although their leaders stated that they should be identified as the Masenal, meaning "common people." The Maya sought official recognition of their communal claims to land, but the Government was reluctant to single out one ethnic group for special consideration. The Government designated 77,000 acres for 9 separate Mayan reserves; however, Mayan leaders claimed an ancestral right to a total of 500,000 acres. The Maya formed cultural councils and other groups to advance their interests, sometimes with the collaboration of NGOs concerned with environmental and indigenous issues.

In August, the mayor of Belmopan sent a letter to the Prime Minister requesting help dismantling illegal Mayan communities on the outskirts of the city and relocating the inhabitants. The mayor's plan led to a September protest by indigenous peoples and reignited the debate over land for the Maya.

At year's end, the Government had not responded to the 2003 Inter-American Commission on Human Rights (IACHR) report recommending that it recognize the Mayan right to traditionally occupied communal property and demarcate such property before taking any further actions on disputed land. In November, the IACHR rebuked the Government for not acting on the recommendations.

Section 6 Worker Rights

a. The Right of Association

By law and in practice, workers generally were free to establish and join trade unions. Eight independent unions, whose members constituted approximately 11 percent of the labor force, represented a cross-section of workers, including most civil service employees. The Ministry of Labor recognizes unions after they file with the Registrar's Office. The National Trade Union

Congress of Belize accepted only unions that held free, annual elections of officers. Both law and precedent effectively protect unions against dissolution or suspension by administrative authority.

The Constitution prohibits anti-union discrimination. In a report released July 14, however, the International Confederation of Free Trade Unions (ICFTU) encouraged the Government to take measures to protect workers from anti-union discrimination, particularly in the banana sector and the export processing zones. The report stated that the fine of \$125 (Bz\$250) did not dissuade acts of anti-union discrimination. According to the Trade Unions and Employers Organizations Act, any worker who is a victim of anti-union discrimination can seek redress in the Supreme Court with allowable judgments of up to \$2,500 (Bz\$5,000). Some employers blocked union organization by firing key union sympathizers, usually on grounds purportedly unrelated to union activities. Effective redress was extremely difficult to obtain in such situations. A worker could file a complaint with the Labor Department, but, in practice, it was difficult to prove that a termination was due to union activity.

b. The Right to Organize and Bargain Collectively

The law provides for collective bargaining, and unions practiced it freely. Employers and unions set wages in free negotiations, or, more commonly, employers simply established them. The Labor Commissioner or his representative acted as a mediator in deadlocked collective bargaining negotiations between labor and management, offering nonbinding counsel to both sides. Should either union or management choose not to accept the Commissioner's decision, both are entitled to a legal hearing.

Unions may organize freely, but the law does not require employers to recognize a union as a bargaining agent if there is no union that covers more than 50 percent of the workers.

The law permits unions to strike and does not require them to give notice before going on strike. However, this right is limited for public sector workers in areas designated as "essential services," which are broadly defined and include postal, sanitary, health and other services as well as services in which petroleum products are sold. The Essential Services Act also empowers the Government to refer a dispute to compulsory arbitration to prohibit or terminate a strike.

There are no special laws or exemptions from the regular labor laws in the country's 4 general and 26 special export processing zones (EPZs). There were no unions in the EPZs.

c. Prohibition of Forced or Compulsory Labor

The Government prohibits forced or bonded labor, including by children; however, there were reports that such practices occurred (see Section 5).

d. Prohibition of Child Labor and Minimum Age for Employment

The Labor Act prohibits all employment of children under age 12 and prohibits employment of children between the ages of 12 and 14 before the end of school hours on official school days. However, there was a tradition of children's employment on family farms and in family-run businesses, which the law allows. The minimum age for employment was 17 years for work near hazardous machinery. Inspectors from the Departments of Labor and Education are responsible for enforcing these regulations.

In its July report, the ICFTU stated that child labor was prevalent, particularly in family farms and businesses, and that child labor laws were not well-enforced. In 2003, the Central Statistical Office (CSO) estimated that 6 percent of children between the ages of 5 and 17 were working, half of them in hazardous work. The CSO study did not include the sizeable undocumented population, many of whom were not in school. In rural regions, children worked on family plots and businesses after school, on weekends, and during vacations and were involved in the citrus, banana, and sugar industries as field workers. In urban areas, children shined shoes, sold food, crafts, and other small items, and worked in markets. Teenage girls, some of whom were trafficked from neighboring countries, worked as domestic servants, and some were rumored to work as bar maids and prostitutes (see Section 5, Trafficking).

e. Acceptable Conditions of Work

The minimum wage was \$1.12 (Bz\$2.25), except for domestic workers in private households, shop assistants in stores where liquor was not consumed, and in export industries, where it was \$1.00 (Bz\$2.00) per hour. The minimum wage law did not cover workers paid on a piecework basis. The Ministry of Labor was charged with enforcing the minimum wage, which generally was respected in practice. The national minimum wage did not provide a decent standard of living for a worker and family.

The law sets the workweek at no more than 6 days or 45 hours. It requires payment for overtime work, 13 public holidays, an annual vacation of 2 weeks, and sick leave for up to 16 days. An employee is eligible for severance pay after being employed continuously for at least 5 years.

The exploitation of undocumented Central American workers, particularly young service workers and agricultural workers, continued to be a problem.

A patchwork of health and safety regulations covered numerous industries, and the Ministry of Labor enforced these regulations to varying degrees. The Government committed its limited inspection and investigative resources principally to urban and more accessible rural areas where labor, health, and safety complaints were registered. Workers had the legal right to remove themselves from a dangerous workplace situation without jeopardy to continued employment, and they were able to exercise this right in practice.