



U.S. DEPARTMENT of STATE

Belize

Country Reports on Human Rights Practices - [2006](#)

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Belize is a constitutional parliamentary democracy with an estimated population of 291,700. 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 2003. While civilian authorities generally maintained effective control of the security forces, there were some instances in which elements of the security forces acted independently of government authority.

The government generally respected the human rights of its citizens. Human rights problems included brutality and the use of excessive force by security forces but in most cases the government took steps to prosecute or punish the abusers. Lengthy pretrial detention remained a problem, as did domestic violence and discrimination against women, as well as sexual abuse of children. Trafficking in persons for sexual and labor exploitation and child labor were problems.

RESPECT FOR HUMAN RIGHTS

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

a. Arbitrary or Unlawful Deprivation of Life

The government and its agents did not commit any politically motivated killings, and there were no instances of government security force members being accused or convicted of unlawful or unwarranted killings during the year. However, some cases of such killings from previous years remained unresolved and others were resolved years later.

After reviewing the August 2005 case in which police constable Randy Sanchez shot and killed Andrew Wallace, the Office of the Director of Public Prosecutions (DPP) determined that the killing was justified since Sanchez was acting in self defense. Sanchez subsequently returned from administrative leave and resumed his police duties.

In 2004 authorities charged police constable Burton Caliz for the killing of Leroy Pilgrim in San Pedro that year. On November 14, the charges were reduced to manslaughter, and the trial was postponed until January 2007.

The DPP appealed the July 2005 sentence of police corporal Sherwood Wade, convicted of manslaughter by negligence for killing Darnell McDonald while off duty in 2003, on the grounds that it was unduly lenient. In June the Court of Appeal overturned the original sentence and fined Wade \$7,500 (\$15,000 BLZ), or nine months in prison if he defaults.

In March the Court of Appeal overturned the convictions of Belize Defense Force (BDF) private Giovanni Gutierrez and police constable Dennis Palacio for the 2002 killing of Aaron Mariano, and ordered a retrial. Subsequently, the deceased's father accepted compensation of \$2,500 (\$5,000 BLZ), and the case was closed.

b. Disappearance

There were no reports of politically motivated disappearances.

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

While the constitution prohibits torture or other inhuman punishment, there were numerous reports that police and prison staff used excessive force. The Office of the Ombudsman received complaints of alleged misconduct and abuse by police and Department of Corrections personnel. Several cases of alleged abuse featured in the press were never reported to the ombudsman or to the Police Department's Office of Internal Affairs (OIA) for investigation. In a number of cases, the government ignored reports of abuses, withheld action until the case had faded from the public's attention, and then failed to take punitive action or transferred accused officers to other districts. During the year the OIA recorded 74 allegations of police violence. In response authorities disciplined 44 police officers, dismissed two, and arrested five who faced criminal charges. The remaining 23 cases were still under investigation. The ombudsman's office received 101 general complaints of police abuse and resolved 96 cases. The ombudsman determined that police use of force was appropriate in the majority of cases investigated, even if the level of force used was sometimes excessive.

On August 23, police beat 61-year-old Elario Elijo when he tried to intervene while police were arresting his son.

On September 19, police allegedly beat Justin Stuart until his ears bled, and tortured him by putting a plastic bag over his head and tightening it around his neck. Stuart also claimed that police kicked him repeatedly in the stomach and one officer tried to kick him in the groin. At year's end OIA was investigating the incident.

On November 5, police allegedly used batons to beat brothers Goldburn Miller, Elbert Anderson, and Ashton Myers in their home. Miller suffered a broken arm, while Elbert Anderson was transported to the local hospital after having a seizure. Authorities detained the three men and charged them with obstruction. The OIA investigated the alleged beatings. Constable Dennison Longworth, charged with using unwarranted personal violence, will face a police disciplinary tribunal.

The OIA investigated the claim by John and Frans Faux that Dangriga police tortured them in July 2005 by means of electric shock and beating. The case file was forwarded to the Solicitor General who represented the police officers in a suit brought by the victims against the government. At year's end the Solicitor General's office was negotiating a settlement with the victims.

On July 17, authorities dismissed charges against police constable Julio Shal in connection with the 2004 shooting injury of Pedro Guzman after Guzman refused to testify.

Former police constable Cyril Wade was convicted and sentenced to five years' imprisonment in connection with the beating of Emile Pinelo. After Wade appealed, the Court of Appeal reaffirmed his conviction in October.

After a court acquitted police superintendent Ewart Itza of all charges stemming from a 2003 brutality investigation, the DPP filed an appeal, and a retrial was ordered. Itza, who retired from the police force in 2004, was charged with false imprisonment, and his trial was tentatively scheduled for January 2007.

Prison and Detention Center Conditions

Prison conditions were poor and did not meet international standards. The country's only prison, Hattieville Central Prison, which was designed for 1,200 inmates, held 1,411 inmates, including 33 women and 79 adolescents. Whereas the prison budget provided six dollars (\$12 BLZ) per prisoner per day to cover all operating costs, a local nonprofit organization, the Kolbe Foundation, which administered Hattieville Central Prison under a Ministry of Home Affairs contract, reported that actual costs were \$7.50 (\$15 BLZ) per inmate per day. Prison officials reported overcrowding, with over 330 inmates in the two buildings that served as the remand section of the prison. Adult remanded prisoners were held separately from convicted inmates.

During the year there were reports that prison authorities brutalized troublesome prisoners, including placing inmates in a small, unlit, and unventilated punishment cell called "supermax." Inmates claimed that prison officials sometimes withheld food and water as further punishment, conducted strip searches and beatings, and extorted money for transfers to better conditions.

The Kolbe Foundation investigated reports of abuse or excessive force by prison officials. In February Lisa Lauriano and Bernadine Reid reported that nine prison officials tortured them using stun guns. The Kolbe Foundation's Board of Directors, prison management, and the ombudsman launched separate investigations. The board and prison management determined that the two inmates had a history of unruly behavior and assault and often had to be physically restrained to prevent them from harming others. The ombudsman's investigation determined that the punishment was excessive and the officers involved should be punished; however, no further action was taken.

Matters of inmate-on-inmate abuse were directly turned over to police. Prisoners convicted or accused of certain serious crimes such as child molestation were often held in the remand section of the Hattieville prison for their protection.

During the year the Kolbe Foundation established a three-month drug rehabilitation program. Inmates who participated in the program were housed separately from the general prison population in Hattieville's newly constructed Drug Rehabilitation Center. The first "class" of 51 inmates graduated on July 1, and a new class of 100 started the program on July 17.

The government's Women's Department provided counseling and educational services for female inmates. 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 government does not incarcerate female juveniles charged or convicted of crimes, but places them in the care of the government social services authorities. During the year there were no female juveniles in the custody of the social services authorities. Juvenile male prisoners, on remand and convicted, lived in a separate facility outside the main perimeter fence. The youth facility employed seven staff, including two teachers and one counselor.

The government permitted visits by independent human rights observers, although none took place during the year.

d. Arbitrary Arrest or Detention

Although the constitution and law prohibit arbitrary arrest and detention; however, there were occasional accusations of arbitrary arrest and detention.

Role of the Police and Security Apparatus

National and local police under the Office of the Commissioner of Police maintain internal security. The Ministry of Home Affairs supervises the Department of Police and the Department of Immigration and Customs, which also has national security responsibilities. The BDF, under the Ministry of Defense, handles external security and also has some domestic security responsibilities and supplied approximately 80 soldiers daily to the Office of the Commissioner of Police. The 1,014-member national police force has a hierarchical structure and generally responded to complaints. A lack of government resources, including low pay for officers as well as corruption, remained problems. During the year there were no reported cases of impunity for security authorities.

The Police Department's OIA, the DPP, and the Office of the Ombudsman investigated allegations of police abuses. The OIA handled a total of 235 complaints, including 62 for alleged brutality by the police resulting in the arrests, dismissals, or disciplining of 51 officers. Similarly, the OIA received 29 complaints of police corruption. Authorities disciplined and dismissed 19 police officers and arrested five who faced criminal charges. The five remaining complaints were withdrawn by the complainants. Although the total number of complaints increased by 78 percent between 2005 and 2006, complaints of police abuse decreased by 84 percent.

Arrest and Detention

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 when the presence of a firearm was suspected. Customs officers could search a premise with a writ of assistance issued by the Office of the Comptroller of Customs. The law requires police to inform a detainee (in writing) of the cause of detention within 48 hours of arrest and to bring the person before a magistrate to be charged within a reasonable time (normally 24 hours). In practice arresting police 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. Although cases were sometimes 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 killing and generally was granted. In cases involving narcotics, the law does not permit police to grant bail, but a magistrate's court may do so after a full hearing.

Detainees sometimes could not afford bail; backlogs in the docket often caused considerable delays and postponement of hearings, resulting in an overcrowded prison and at times prolonged pretrial detention. By year's end approximately 24 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. The constitution is the supreme law of the land and persons have the right to bring legal actions for alleged violations of rights protected under the constitution, regardless of whether there is also implementing legislation.

Judges hold appointments until a mandatory retirement age of 65; however, the constitution allows extending a judge's tenure to age 75. There were five Supreme Court justices and 18 magistrates. Only eight magistrates had a legal training. Most judges were members of the civil service and routinely were transferred between judicial and administrative postings. The government appoints the DPP for life.

The judiciary consists of the alcalde courts, which have 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. Family court trials generally were private. The defendants 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.

Trial Procedures

The law provides for the right to a fair trial, and an independent judiciary generally enforced this right. The law extends the following rights to persons accused of civil or criminal offenses: presumption of innocence, protection against self-incrimination, defense by counsel only in capital cases, a public trial, and appeal. Defendants have the right to be present at their trial unless the court determines that the opposing party has a substantiated fear for safety, and in those cases, the court can grant interim provisions that both parties be addressed individually during a five-day period.

The government provided legal counsel for indigent defendants only in capital murder cases. Most defendants could not afford an attorney, and there was a higher rate of conviction of defendants without legal representation. From January through June, the sole staff attorney of the Legal Aid Center handled approximately 200 cases (including criminal, civil, administrative, and family court cases), but many defendants remained unrepresented. A severe lack of trained personnel constrained the judicial system, and very junior counsels or police officers often acted as prosecutors in the magistrate's courts.

Lengthy trial backlogs continued in the judicial system and increased during the year. The government cited staffing constraints as the main reason for the growing backlog. During the year the government took a number of remedial steps, including increasing the number of Supreme Court justices, recruiting five additional crown counsels, and simplifying the civil procedures rules. Routine cases without a defense attorney were decided within one month, but cases involving a serious crime or in which a defense attorney was present took more than one year. As in the previous year, the DPP dismissed a large number of cases, citing uncooperative witnesses and a lack of evidence.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

Most civil suits are heard in the Supreme Court, however, the Magistrate's Court has jurisdiction over civil cases involving sums of less than \$2,500 (\$5,000 BLZ). In addition to civil cases, the Supreme Court has jurisdiction over cases involving human rights issues. The backlog of civil cases in the Supreme Court remained a problem. To address the backlog, the Attorney General's Office in early December appointed two temporary judges from other courts.

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

The constitution prohibits such practices, and government authorities generally respected these prohibitions in practice.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The law provides for freedom of speech and of the press, and the government generally respected these rights in practice. The constitution, however, permits authorities to forbid any citizen to question the validity of financial disclosure statements submitted by public officials. Anyone who questions these statements orally or in writing outside a rigidly prescribed procedure is subject to a fine of up to \$2,500 (\$5,000 BLZ), imprisonment of up to three years, or both. There were no reports that this prohibition was used during the year.

The independent media presented a range of viewpoints without restriction, and the international media operated freely. All newspapers were subject to libel laws that were enforced during the year.

The Belize Broadcasting Authority regulated broadcasting and had the right to preview certain broadcasts, such as those with political content, and to delete any defamatory or libelous material from political broadcasts. This right was not exercised during the year.

Internet Freedom

There were no government restrictions on access to the Internet or reports that the government monitored e-mail or Internet chatrooms. Individuals and groups could engage in the peaceful expression of views via the Internet, including by electronic mail. Lack of infrastructure, as well as high cost, limited public access to the Internet.

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events.

b. Freedom of Peaceful Assembly and Association

The law provides for freedom of assembly and association, and the government generally respected these rights in practice.

c. Freedom of Religion

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

Societal Abuses and Discrimination

There were no reports of societal abuses or discrimination, including anti-Semitic acts. There were fewer than 10 persons in the Jewish community.

For a more detailed discussion, see the [2006 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 forced internal or external exile of citizens, and there were no reports that the government used it.

Protection of Refugees

The law provides for the granting of asylum or refugee status in accordance with the 1951 UN Convention relating to the Status of refugees and its 1967 protocol, but the government has not established a system for providing protection to refugees. Since 1999 the government had not accepted asylum applications, and there was no legislation that formalized the asylum process. The government had no procedure in place to accept or resettle refugees.

In February a Somali asylum seeker arrived in the country and, in an effort to reach the UNHCR office in Mexico City, attempted to cross the northern border with Mexico where he was detained by immigration authorities. Help for Progress, UNHCR's NGO implementing partner in the country, had access to the asylum seeker while he was in detention. On May 19, UNHCR learned that the asylum seeker had been released from prison and was escorted to the western border of the country. His whereabouts were unknown at year's end.

UNHCR was seeking clarification from the government as to whether there were any persons in need of international protection among the small number of undocumented foreigners (including some Cubans) in detention in the country.

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 by secret ballot and on the basis of universal suffrage for all citizens age 18 and older.

Elections and Political Participation

In 2003 the PUP won reelection in generally free and fair elections.

There were two women in the 29-seat House of Representatives, one of whom was appointed to serve as Speaker of the House, and two women in the 12-member appointed Senate. In October the opposition UDP replaced three of its senators, bringing the total number of women in the Senate to three. There was one woman in the cabinet, and six women were chief executive officers of ministries. Among the country's ethnic groups, Mestizo, Creole, Maya, Garifuna, and other minority and immigrant groups were represented in the National Assembly and at the highest levels of government.

Governmental Corruption and Transparency

Public surveys and the NGO Transparency International indicated that perceptions of serious corruption increased compared with 2005. Evidence of government corruption was revealed during the year. The prime minister appointed commissions to investigate the Social Security Board (SSB) and Development Finance Corporation (DFC), which was accused of allegedly authorizing the use of millions of dollars in public, domestic, and international loan funds to inappropriately assist the business interests of certain citizens. In July the Senate committee tasked with investigating the SSB issued a highly critical 124-page report which resulted in the resignation of the SSB chairman, Yasin Shoman and the firing of the SSB chief executive officer, Narda Garcia. The committee also pledged to forward a copy of its report to the DPP for a determination of criminal charges, but no charges had been filed by year's end. In August the commission of inquiry investigating the DFC began its public hearings. The hearings were postponed due to the illness, and subsequent death, of the commission's chairman and had not resumed at year's end.

The law 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 related to national security, defense, or foreign relations. The government must supply to the ombudsman a written reason for any denial of access, the name of the person making the decision, and information on the right to appeal. The ombudsman's office reported that it had not received any such appeals during the year.

Section 4 Government 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 often were cooperative and responsive to their views.

The ombudsman, although appointed by the government, acts as an independent check on governmental abuses. In his seventh annual report, the ombudsman reported receiving 345 formal complaints (mostly against government agencies), including 101 against the Police Department, 10 against the Lands Department, 18 against Magistrates Court, 15 against the family court, 20 against the Department of Corrections, and two against the Belize City Council. The ombudsman investigated 90 percent of these cases, despite being allocated limited resources to conduct investigations. According to the ombudsman, most cases were investigated and closed without involving any other authorities.

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The constitution prohibits discrimination based on race, gender, disability, language, or social status, and the government effectively enforced these prohibitions.

Women

The law prohibits domestic violence and contains penalties, including imprisonment for violations, depending on the crime. The law empowers the family court to issue protection orders against accused offenders. Domestic violence against women remained a significant

problem. Between January and September, the Ministry of Health recorded 710 cases of domestic violence of which 624 were cases of violence against women. Approximately 45 percent of the cases (324) arose in the Belize District, which includes Belize City. Only 112 of the 710 cases were reported to the police. There was one shelter for battered women; it contained nine beds and offered short-term housing.

The law prohibits rape, including spousal rape. The Criminal Code states that persons convicted of rape or marital rape shall be sentenced to a prison term of not less than eight years, but which may extend to imprisonment for life. In practice, however, sentences were often much lighter. In a number of instances, the DPP dropped the charges if the accusing party did not testify at trial. Arrests and convictions for rape received widespread press coverage. Police and courts enforced statutory rape laws; however, in relation to the number of accusations, convictions were infrequent. During the year the Supreme Court tried 45 rape cases resulting in four convictions with sentences varying between nine and 18 years' imprisonment. The defendant appealed one case and was subsequently acquitted. Another four cases resulted in acquittals, while 12 cases were pending trial at years' end. The DPP withdrew 25 cases.

The law does not explicitly address adult prostitution; therefore, the government did not use law enforcement resources to combat prostitution. Loitering for the purposes of prostitution, operating a brothel, and sexual solicitation are illegal.

Under the Sexual Harassment Act, the magistrate's courts deal with sexual harassment complaints. There are no criminal penalties for sexual harassment, and no sexual harassment cases were brought during the year.

Despite legal provisions for gender equality, the media continued to report that women faced social and economic discrimination. 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 held relatively few top managerial positions. Although the law mandates equal pay for equal work, women tended to earn less than men. The median monthly income for a working woman was \$381 (\$763 BLZ), compared with \$418 (\$836 BLZ) for a man.

The Women's Department under the Ministry of Human Development, Women and Children, and Civil Society is responsible for developing programs to improve the status of women. A number of officially registered women's groups also 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 five and 15. After finishing primary education, children may enter a secondary school, a government-run apprenticeship program, or a vocational institution. These programs, however, had spaces for only half of the children completing primary school. Education was nominally free, but school, book, and uniform fees placed education out of reach for many poor children. According to a UN Children's Fund (UNICEF) survey, the primary school attendance rate was 90 percent while the secondary school attendance rate was 38 percent. The majority of students reached fifth grade. Schools expelled pregnant students, who then had to wait a year before applying for readmission.

Several government-run clinics provided health care to children, with boys and girls having equal access to such care.

Child abuse was not considered to be widespread or a societal problem. However, the Toledo area reportedly had high incidence of child labor and sexual abuse of children (see section 6.d.). The Family Violence Unit recorded 80 cases of domestic violence against children and 19 cases of sexual abuse against minors. 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. Many parents sold their daughters as child brides to men, often a friend of the family (see section 5, Trafficking).

On April 24, authorities arrested the parents of an 11-year-old female rape victim and a 13-year-old female rape victim for allegedly kidnapping the suspected rapists. The father of one of the rape victims spent two days in police custody and 20 days in jail. On August 4, authorities charged the two victims with kidnapping, denied them bail, and remanded them for eight days to a youth hostel. Charges against the female victims were eventually withdrawn, as were kidnapping charges against their fathers after one of the complainants and her family left the country. No charges were filed against the alleged rapists.

Child labor was a problem (see section 6.d.).

The Family Services Division in the Ministry of Human Development, Women and Children, and Civil Society was the government office devoted 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 local and international NGOs and UNICEF to promote children's welfare.

Trafficking in Persons

The law prohibits trafficking in persons, which is punishable by fines of up to \$5,000 (\$10,000 BLZ) and imprisonment of up to five years. There were reports that persons were trafficked within and to the country, mainly from neighboring countries.

There were no reliable estimates of the extent of trafficking. There were reports that women were trafficked to the country from neighboring countries primarily for prostitution and nude dancing. NGOs that worked with commercial sex workers reported that most prostitutes were in the country (and in their current occupation) by choice, usually at the suggestion of a friend or family member who was also engaged in

commercial sex work. Victims generally lived in squalid conditions in the bars where they worked. Some bar owners reportedly confiscated victims' passports.

There were reports of persons trafficked for labor purposes, including instances of Chinese immigrants being forced to work in local Chinese-owned sweatshops and of children working in activities such as shining shoes or selling newspapers at kiosks (see section 6.d.). Members of the East Indian community also trafficked persons from India as bonded laborers, holding their passports and paying less than minimum wage.

During the year the government improved its efforts to identify trafficking victims by increasing the number of investigations and raids on suspected brothels. In August the government reported that it conducted six unannounced raids over a 60-day period, which resulted in the identification of seven trafficking victims. The government reported no arrests as a result of these raids.

In June police arrested Jitendra Chawla (also known as Jack Charles), an Indian businessman, and charged him with withholding his employees' travel documents; the case was pending at year's end.

In July authorities arrested Amparo Zetina and charged her with trafficking in persons. Amabilia Esquivel, a 19-year-old Guatemalan woman, reported that she had been hired to work in Zetina's restaurant, but after arriving in the country she was repeatedly asked to sexually satisfy male patrons. When she declined, Zetina withheld her pay. Esquivel claimed that when she went to a friend for help, she was ambushed and beaten by people believed to be acting on Zetina's behalf. The case was adjourned until January 2007.

The government's National Committee for Families and Children reported instances of minors engaged in prostitution with older male clientele, in some cases of their own volition, in others arranged by their family. Although the girls were typically of high-school age, some were as young as 12 and many came from economically disadvantaged families in which their mothers also were victims of the same abuse. The girls often provided sexual favors to older men in exchange for clothing, jewelry, or school fees and books. In many cases, the government was not able to prosecute individuals for unlawful carnal knowledge because the victims or their families were reluctant to press charges.

The February 2005 case of a Salvadoran national and mother of a 12-year-old girl, charged with abetting carnal knowledge, as well as the cases of three other persons held on related charges were pending at year's end.

The December 2005 police case of Petronila Urratio, charged with forcing her 12-year-old daughter to have sexual intercourse with clients, was set for preliminary inquiry before the San Ignacio Magistrate's Court on January 25, 2007.

In the December 2005 case in which a Salvadoran national, Santos Martinez, took a 12-year-old girl to El Salvador for the purpose of sexual exploitation, Salvadoran authorities detained Martinez, but it was unknown whether Belizean authorities applied for his extradition.

The law also provides for limited victims' assistance, although in practice there were insufficient government resources to provide meaningful aid to victims. Noncitizen victims willing to assist in prosecuting traffickers are legally eligible for residency status.

The Trafficking in Persons Committee, under the Ministry of Home Affairs, is the official government agency responsible for combating trafficking.

The government's newly revitalized Antitrafficking Committee, made up of NGOs, Ministry of Human Development, social workers, and police, provided training programs for police, immigration officials, and social workers.

Persons with Disabilities

Although the law does not expressly prohibit discrimination against persons with physical and mental disabilities, the constitution provides for the protection of all citizens from any type of discrimination. The law does not provide for accessibility for persons with disabilities. There are two schools--the Cayo Deaf Institute in Central Farm and the Stella Maris School for disabled children in Belize City--and four special education centers (located in Corozal, Punta Gorda, Orange Walk, and Dangriga) for children with disabilities. During the year there were no reports of discrimination against persons with disabilities in employment, education, access to health care, and other state services. The government-operated Committee for those with Disabilities is tasked with enforcing protection and public education.

Private companies and NGOs, such as the Belize Association of and for Persons with Disabilities and the Belize Center for the Visually Impaired, provided services to persons with disabilities. The Ministry of Education maintained an educational unit offering limited special education programs with strict entry requirements, within the regular school system.

Indigenous People

The country is a pluralistic society comprising several ethnic minorities and indigenous Mayan groups. Among the country's indigenous population, the Mopan and Ke'kchi historically were characterized under the general term Maya, although self-proclaimed leaders more recently asserted that they should be identified as the Masenal ("common people"). The Maya Leaders' Alliance (MLA), which comprised the Toledo Maya Cultural Council, the Q'eqch' Council of Belize, the Toledo Alcaldes Association, and the Toledo Maya Women's Council, monitors development in the Toledo District with the goal of protecting Mayan land and culture. While there were legal disputes concerning land development, there were no reports of governmental violations of civil or political rights.

Other Societal Abuses and Discrimination

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 (NAC) under the Ministry of Human Development and through the Pan-American Social Marketing Organization, which received foreign government assistance. In December 2005 the country adopted a national HIV/AIDS policy that promotes voluntary counseling and testing. Shortly thereafter, the BDF announced its intent to implement a policy requiring HIV testing for all new recruits. After the NAC expressed concern that BDF's policy was inconsistent with national policy, the NAC undertook a dialogue with BDF to synchronize BDF's HIV testing requirements with the national policy. No agreement had been reached by the end of the year.

Section 6 Worker Rights

a. The Right of Association

By law and in practice, workers generally were free to establish and join trade unions. Nine independent unions, whose members constituted approximately 7 percent of the labor force, represented a cross-section of workers, including most civil service employees. The Ministry of Labor recognizes a union after it has registered with the registrar's office. The National Trade Union Congress of Belize only recognized unions that held free annual elections of officers. Both law and precedent effectively protect unions against dissolution or suspension by administrative authority.

The law prohibits antiunion discrimination but does not require reinstatement of employees fired for union organizing activities. However, an aggrieved employee can seek such redress from the courts. In practice, effective redress for workers dismissed for union organizing was extremely difficult to obtain. Although workers are able to file complaints with the Labor Department, it was difficult for workers filing complaints 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. Although employers and unions can set wages in free negotiations, more commonly employers simply established them. The labor commissioner or his representative has the authority to act as a mediator in deadlocked collective bargaining negotiations between labor and management, offering nonbinding counsel to both sides. If either union or management chooses not to accept the commissioner's decision, both may request a legal hearing.

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

The law permits unions to strike and does not require notice before a strike. However, this right is not extended to public sector workers in areas designated as "essential services," which is broadly defined and includes postal, sanitary, health, and other services, as well as services in which petroleum products are sold. The law also empowers the government to refer a dispute to compulsory arbitration in order to prohibit or terminate a strike.

In July 80 percent of the DFC workforce went on a one-day strike to protest the government's decision to recommend that the DFC Board of Directors forgive \$3.2 million (\$6.4 million BLZ) in outstanding student loans. Their main concerns were that the government failed to consult the union before making the recommendation, that the loan forgiveness packages were not properly executed, and that the program included persons capable of paying off their loans. In the end, the government made no attempt to address the employees' concerns.

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

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory 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

Child labor was a particular problem in family-related commercial activities. The law prohibits the employment of children under age 12 and the employment of children between the ages of 12 and 14 before the end of school hours on official school days. While the law does not expressly provide for a maximum number of weekly hours of work that can be performed by persons under 18 years of age, it generally limits work hours for all persons to 45 hours per week. The law expressly prohibits children from working overtime. By law, children are permitted to work on family farms and in family-run businesses. The minimum age for employment involving hazardous machinery is 17 years. There were ambiguities in the legal definition of child labor in relation to light work, hazardous work, and artistic performance. Inspectors from the Departments of Labor and Education are responsible for enforcing these regulations, but there were no updated reports on whether child labor laws were well enforced during the year.

In 2003 the Central Statistical Office issued the findings of an ILO study that estimated that 6 percent of children between the ages of five and 17 were working, with 69 percent engaged in hazardous work. The study did not include the sizeable population of undocumented

minors, many of whom were not in school. The Department of Labor coordinated with police and social services authorities to provide health and other services to undocumented foreign children who worked.

Children in rural areas 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. Children in urban areas shined shoes, sold food, crafts, and other small items, and worked in markets. Adolescent girls, some of whom were trafficked within the country and to and from neighboring countries, worked as domestic servants, while some worked in commercial sexual activities (see section 5). There were no government-sponsored child labor prevention programs.

e. Acceptable Conditions of Work

The national minimum wage varies according to the type of work in which the employee is engaged. For those in agriculture, agro-industry, or the economic processing zones and for "bona fide students," hourly minimum wage is one dollar (\$2.00 BLZ); for manual and domestic workers, it is \$1.12 (\$2.25 BLZ). 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 six days or 45 hours and requires premium payment for overtime work. The exploitation of undocumented Central American workers, particularly young service workers and agricultural workers, continued to be a problem.

Several different health and safety regulations covered numerous industries, and the Ministry of Labor set and 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 leave a dangerous workplace situation without jeopardy to continued employment, and did so in practice.