



Belize

Country Reports on Human Rights Practices - [2007](#)

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Belize is a constitutional parliamentary democracy with an estimated population of 314,000. 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.

The government generally respected the human rights of its citizens. Human rights problems included brutality and the use of excessive force by security forces, which the government in most cases took steps to prosecute. Lengthy pretrial detention remained a problem. Domestic violence, discrimination against women, sexual abuse of children, trafficking in persons for sexual and labor exploitation, and child labor were also problems.

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 reports that the government or its agents committed arbitrary or unlawful killings during the year.

In January the Supreme Court convicted and sentenced to prison a police constable for a 2004 killing.

b. Disappearance

On May 27, three masked men allegedly kidnapped a politically active former minister of education not far from his home; his captors threatened to kill him if legislation related to a transfer of ownership of the country's monopoly telecommunications company was enacted. Although the legislation passed, the former minister was found bound but unharmed by the roadside two days later. Investigations reportedly did not develop any leads as to the identity of the kidnappers.

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 used excessive force.

The Office of the Ombudsman received complaints of alleged misconduct and abuse by police. 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. Through September the OIA recorded 23 allegations of police violence and 77 complaints of police abuse. In response, authorities suspended 11 police officers pending trial for offenses, while 21 cases remained under investigation. The Office of the Ombudsman received 229 complaints of alleged police abuse during the year and determined that police use of force was appropriate in the majority of cases investigated, even if the level of force used was sometimes excessive.

In August an individual complained to the ombudsman that police tied a rope around his waist and threw him into the sea. He claimed the officers sought to torture him to obtain information about the theft of the minister of home affairs' computers. Also in August, a woman from the same Ladyville district complained to the ombudsman that police beat her son to obtain information in connection with the burglary. After an investigation, the ombudsman closed the cases on the grounds that the evidence provided by the complainants was inconclusive.

On September 17, an individual claimed that a police corporal used excessive force against him while he was in police custody. The accused was released on \$1,000 (BLZ \$2,000) bail, and his court trial commenced on December 17.

An investigation into the August 2006 police beating of a man who intervened while police were arresting his son concluded that the police action was justified.

The September 2006 case in which police allegedly beat and otherwise abused a victim was dismissed after authorities were unable to locate the two key witnesses.

At year's end police disciplinary tribunal proceedings continued in the November 2006 case in which police allegedly used batons to beat three brothers in their home.

The solicitor general's effort to seek a settlement with two men from Stann Creek who claimed that Dangriga police tortured them in 2005 with electric shock and beating remained pending at year's end.

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 1,377 inmates, including 26 women and 35 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 in the two buildings that served as the remand section of the prison. Pretrial detainees were held separately from convicted inmates.

The ombudsman received some complaints that prison authorities brutalized prisoners. 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, which investigated formal complaints regarding prison conditions, reported no cases of abuse or excessive force by prison officials. Isolation in a small unlit, unventilated punishment cell called "supermax" was used to discipline inmates.

There were five reported incidents of inmate-on-inmate abuse with weapons, resulting in the death of one inmate. 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.

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 males, on remand and convicted, lived in a separate facility outside the main perimeter fence.

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, 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 Belize Defense Force (BDF), under the Ministry of Defense, handles external security and also has some responsibilities for domestic security under the Office of the Commissioner of Police to complement mobile and foot patrols. The 988-member national police force responded to complaints. A lack of government resources, low pay for officers, and corruption remained problems. During the year there were no reported cases of impunity for security authorities.

The Police Department's OIA, the Department of Public Prosecutions (DPP), and the Office of the Ombudsman investigated allegations of police abuses. Through September the OIA handled 77 complaints concerning police abuse, including 23 for alleged police violence, resulting in the investigation of 56 cases in which 11 officers were suspended

pending their trials. The OIA also received four complaints of police corruption.

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, and backlogs in the docket often caused considerable delays and postponement of hearings; the result was prison overcrowding and occasionally prolonged pretrial detention. Approximately 5 percent of the prison population was in pretrial detention.

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.

The judiciary consists of the alcalde courts, which have jurisdiction over small civil claims and minor criminal infractions; family courts, which handle cases of child abuse, domestic violence, and child support; magistrates' courts; the Supreme Court, and the Court of Appeals. 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 August 15, the sole staff attorney of the Legal Aid Center handled 189 new 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 magistrates' courts.

Lengthy trial backlogs increased during the year. The DPP cited staffing constraints as the main reason for the growing backlog. The government increased (from five to eight) the number of Supreme Court justices to help address the backlog. 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. The Supreme Court infrequently dismissed cases. The DPP has in the past 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 magistrates' courts have 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 lessened as a result of new rules and the increase in the number of justices.

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 were active and expressed a wide variety of viewpoints without restriction. 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.

Unknown assailants attacked two reporters at their homes soon after the reporters spoke out against corruption; police investigated but made no arrests.

Internet Freedom

There were no government restrictions on access to the Internet or reports that the government monitored e-mail or Internet chat rooms. Individuals and groups could engage in the peaceful expression of views via the Internet, including by e-mail. Lack of infrastructure and high costs 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.

In May thousands of demonstrators gathered in Belmopan to protest a government guarantee of a firm's private debt. Although the demonstration began peacefully, the crowd began throwing rocks and other items at the police, and the riot squad responded with the use of tear gas and rubber bullets. Authorities reported no serious injuries and arrested several protesters.

c. Freedom of Religion

The constitution provides for freedom of religion, and the government generally respected this right in practice. The law provides for students from kindergarten through sixth grade to receive up to one class period per week of religious instruction. However, parents may object to and students may abstain from attending religious observances.

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 [2007 International Religious Freedom Report](#).

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The constitution provides for freedom of movement within the country, foreign travel, emigration, and repatriation, and the government generally respected these rights in practice. The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.

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. The nongovernmental organization (NGO) Help For Progress, UNHCR's implementing partner in the country, assisted with some refugee cases. The country has an asylum process, with individual cases handled through the Immigration Department.

In practice the government provided protection against refoulement, the return of persons to a country where there is reason to believe they feared persecution. The Immigration Department attempted to repatriate a small number of undocumented foreigners (including some Cubans who were in detention in 2006) but was not successful in all cases. For instance, several of the Cubans could not obtain travel documents from the Cuban government and were thus unable to be returned to their home country. These individuals were documented and released; only two of the eight continued to report regularly to the Immigration Department, while the whereabouts of the others were unknown.

The government had no formal procedure in place to accept or resettle refugees. UNHCR reported the naturalization in early 2006 of 131 long-staying refugees originally processed through a central refugee desk prior to 1999.

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

The constitution provides citizens 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 renewed its parliamentary majority 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 five women in the 12-member appointed Senate. 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

The law provides criminal penalties for official corruption; however, there have been no successful prosecutions for official corruption, and officials engaged in corrupt practices with impunity. The World Bank's worldwide governance indicators reflect that corruption was a serious problem.

There were public indications of government corruption during the year. Commissions appointed by the prime minister in 2006 investigated the Social Security Board (SSB) and the Development Finance Corporation (DFC). The DFC authorized the use of millions of dollars in public, domestic, and international loan funds to assist inappropriately the business interests of certain citizens. The SSB investigation resulted in resignations and firing of key personnel; although the commission also pledged to forward a copy of its report to the DPP for a determination of criminal charges, no charges were filed by year's end. A report by one of the co-chairs of the commission investigating the DFC was released to the public in July. The report indicated that several board members handled the institution as an extension of their own private businesses and that wrongdoing did occur. One of the businessmen involved contended that the report was not valid because only half of the commission endorsed it. A final resolution remained pending at year's end.

Under the Prevention of Corruption in Public Life Act, public officials are required to submit annual financial statements, reviewed by the Integrity Commission.

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 one complaint of denial of access of information. The ministry stated and the ombudsman confirmed that the requested document was confidential; however, the case was resolved after the parties referenced in the document agreed to its release.

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 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 eighth annual report, the ombudsman reported receiving 327 formal complaints (mostly against government agencies), including 101 against the Police Department, 20 against the Lands Department, 12 against magistrates' courts, 17 against the family court, and 15 against the Department of Corrections. The ombudsman investigated 90 percent of these cases, despite having limited resources to conduct investigations. According to the ombudsman, most cases were investigated and closed without involving any other authorities. Information on the outcome of cases was unavailable.

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 criminalizes rape, including spousal rape. The Criminal Code states that persons convicted of rape or marital rape shall be sentenced to not less than eight years' and up to life imprisonment. 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 18 rape cases resulting in three convictions, seven acquittals, and eight cases that the prosecution discontinued because complainants were unwilling to proceed or requested no further court action.

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 June, the Ministry of Health recorded 455 cases of domestic violence, of which 385 were cases of violence against women and 67 were sexual abuse. Domestic violence was most prevalent in the Belize District, which includes Belize City. There was one shelter for battered women; it contained nine beds and offered short-term housing.

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 magistrates' 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 \$355 (\$710 BLZ), compared with \$374.50 (\$751 BLZ) for a man based on the 2007 Belize Labor Force Survey.

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 2006 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. The Epidemiology Unit at the Ministry of Health recorded seven cases of domestic violence against children under 14 and seven cases of sexual abuse against minors from January to June. UNICEF indicated that in 2006 the Department of Human Services received 316 reports of sexual abuse against children. 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. UNICEF expressed concern about the criminal justice response to cases, as many of the perpetrators were not prosecuted and many cases were withdrawn due to lack of evidence and poor quality investigations. Many parents sold their daughters as child brides, often to a family friend.

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, 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, for purposes of forced labor and commercial sexual exploitation.

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 persons engaged in commercial sex 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 was evidence 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.

On January 11, a court dismissed on grounds of insufficient evidence all charges of trafficking against an Indian businessman arrested in June 2006 on charges of withholding his employees' travel documents. Witnesses for the prosecution were uncooperative and failed to testify.

In December 2006 the Corozal Magistrate Court dismissed a 2006 case involving the alleged trafficking of a 19-year-old Guatemalan woman. The victim and witnesses had left the country and could not be located.

The government's National Committee for Families and Children reported instances of minors engaged in prostitution with older males. 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.

There were no successful prosecutions against traffickers during the year, although three police officers were charged with human trafficking in February after eight illegal immigrants were found in a van driven by one of the officers. Disciplinary hearings exonerated one of the officers but found the other two guilty and recommended their dismissals; a criminal trial of the two was pending at year's end.

In many cases, the government was unable to prosecute individuals for unlawful carnal knowledge because the victims or their families were reluctant to press charges. The Supreme Court recorded 29 cases of carnal knowledge of a female child resulting in six convictions, four acquittals, and 19 nolle prosequi decisions, as well as 15 cases of unlawful carnal knowledge resulting in no convictions, two acquittals, one dismissed case, and 12 nolle prosequi decisions.

On April 24, the San Ignacio Magistrate's Court dismissed the 2005 case of a mother charged with forcing her 12-year-old daughter to have sexual intercourse with clients.

UNICEF has also observed children crossing into Belize from Guatemala on a daily basis to work as street vendors in the

urban centers of the Cayo district; often children had been told by their parents not to return until all goods were sold.

The law provides for limited victims' assistance, although in practice government resources were insufficient to provide meaningful aid to victims. Noncitizen victims willing to assist in prosecuting traffickers are legally eligible for residency status, and legal status was provided to two victims during the year.

The government's Anti-Trafficking in Persons Committee, led by the Ministry of Human Development and including representatives of various other ministries, departments, and NGOs, is the lead entity in combating trafficking.

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.

CARE Belize reported a case involving a four-year-old girl with spina bifida who was refused entry into three different schools because they were not equipped to handle her special needs. After publication of several news articles, the child received an invitation to attend a school with a special education section.

Informal government-organized committees for persons with disabilities were tasked with public education and enforcing protection. Private companies and NGOs, such as the Parents Association for Children with Special Needs and the Belize Council for the Visually Impaired, provided services to persons with disabilities. The Ministry of Education maintained an educational unit offering limited special education programs within the regular school system.

National/Racial/Ethnic Minorities

Ethnic tension, particularly resentment of recently arrived Central American and Asian immigrants, continued to be a problem resulting in discrimination characterized largely by verbal mistreatment.

Indigenous People

The country's pluralistic society comprises several ethnic minorities and indigenous Mayan groups. Among the country's indigenous population, the Mopan and Kekchi 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 comprises the Toledo Maya Cultural Council, the Kekchi 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

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. There were incidents of discrimination based on sexual orientation, but determination of its extent was difficult to ascertain.

Section 6 Worker Rights

a. The Right of Association

By law and in practice, workers generally were free to establish and join trade unions. Eleven 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. 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. In practice there was antiunion discrimination on the banana plantations and in the export processing zones, where employers do not recognize unions. While an aggrieved employee can seek redress from the courts, 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, and fines imposed on employers in cases of antiunion discrimination were too low to discourage employers from such practices.

One union activist was terminated shortly after arguing on behalf of three employees who were allegedly fired without following collective bargaining procedures. After a lengthy court trial, she was ordered reinstated to her company. However, she resigned several months later citing harassment related to her union responsibilities.

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.

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

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. The law permits children 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.

Child labor was a particular problem in family-related commercial activities. 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. A 2003 International Labor Organization study estimated that 6 percent of children between the ages of five and 17 were working, with 69 percent engaged in hazardous work.

There were no government-sponsored child labor prevention programs. The Department of Labor coordinated with police and social services authorities to provide health and other services to undocumented foreign children who worked.

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 EPZs and for "bona fide students," the hourly minimum wage is \$1.25 (\$2.50 BLZ); for manual and domestic workers, it is \$1.50 (\$3.00 BLZ). The minimum wage law did not cover workers paid on a piecework basis. The national minimum wage did not provide a decent standard of living for a worker and family. The Ministry of Labor was charged with enforcing the minimum wage, which generally was respected in practice.

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 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.

