



2008 Human Rights Reports: Belize

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

2008 Country Reports on Human Rights Practices

February 25, 2009

Belize is a constitutional parliamentary democracy with an estimated population of 314,300. Prime Minister Dean Barrow's United Democratic Party (UDP) won 25 of the 31 seats in the House of Representatives following generally free and fair multiparty elections held on February 7. While civilian authorities generally maintained effective control of the security forces, there were 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 some cases took steps to prosecute administratively. 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

In August a police constable was charged with murder for fatally shooting a man in the back of the head. The court date originally set for October was postponed twice and remained to be rescheduled.

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 used excessive force.

The politically appointed position of ombudsman that previously received complaints of alleged misconduct and abuse by police remained vacant from February through year's end. Several cases of alleged abuse featured in the press were never reported to the Office of the Ombudsman or to the Police Department's Office of Internal Affairs (OIA) for investigation. The government occasionally 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 year's end the OIA recorded 82 allegations of police violence and 48 complaints of police abuse. The ombudsman received 229 complaints of alleged police abuse in 2007 but suspended taking complaints from February to year's end while the office was vacant.

In February a San Ignacio police corporal was arrested on charges of extortion and unlawful carnal knowledge (sexual relations with a child between 14 and 16 years old) of a 14-year-old girl. The case was heard and adjourned in October.

In March an Orange Walk woman was hospitalized with cuts and bruises to her neck and hands. She stated that two police officers grabbed her outside her home, claiming that she was drunk and disturbing the peace, and then beat her. Only one police officer was investigated and found guilty. He was transferred and was required to pay a fine.

In May a police officer beat a Dangriga hospital patient with a shotgun. At a disciplinary hearing, the court found the supervising officer guilty of one count of prejudice to good order and discipline and one count of neglect of duty. He was demoted and fined. The court criminally charged the second officer with "harm, wounding, and aggravated assault." His trial began on October 22, was adjourned twice, and was scheduled to resume in 2009.

In September 2007 a man claimed that a police corporal used excessive force against him while he was in police custody. On May 13, a court dismissed the case against the corporal for lack of sufficient evidence.

In September 2007 a Dangriga police constable was suspended from duty on charges of raping a 14-year-old girl. The officer's case was postponed and scheduled for trial in the Supreme Court in February 2009.

In October 2007 police shot and killed a San Pedro man, claiming afterward that he had pointed a gun at them. Although ordered by the Director of Public Prosecutions (DPP), a coroner's inquest had not been rescheduled, and the case remained under investigation at year's end.

In December 2007 another San Pedro man claimed that police apprehended him after they planted marijuana in his home. He claimed he was held in a cell, handcuffed, beaten with batons and rubber hoses, and sprayed with pepper spray. A police tribunal investigated five officers, convicted two of using unwarranted personal violence on a person in custody, and fined and severely reprimanded them. The other officers were acquitted and transferred. The victim did not request any court action.

On January 15, a police tribunal dismissed for lack of sufficient evidence a 2006 case in which police allegedly used batons to beat three brothers in their home.

The solicitor general reached a partial settlement with two men from Stann Creek who claimed that Dangriga police tortured them in 2005 with electric shocks and beating. The government paid monetary compensation; there were no reports of disciplinary action. One of the police officers involved was promoted following the filing of the case and was subsequently involved in another instance of misconduct.

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 1,351 inmates, including 30 women and 59 juveniles. Although the prison budget provided \$12 BLZ (\$6.00) per prisoner per day to cover all operating costs, a local nonprofit organization, the Kolbe Foundation, which administered Hattieville, reported that actual costs were \$15 BLZ (\$7.50) per inmate per day. Prison officials reported overcrowding in the two buildings that served as the remand section of the prison.

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 daily reports of inmate-on-inmate abuse, although no killings were reported during the year. 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 National Security supervises the Department of Police and the Department of Immigration. The Customs Department reports to the Ministry of Finance. The Belize Defense Force (BDF), under the Ministry of National Security, 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. BDF soldiers carry out preventive patrols along with the police, primarily in Belize City. The 1,240-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 OIA received and investigated 30 complaints of police corruption. Twenty-one police officers were disciplined for corruption, violence, or abuse, resulting in 10 monetary fines, five reprimands, two severe reprimands, and four dismissals. Thirty-seven cases related to corruption, violence, or abuse remained under investigation.

In March three police officers faced disciplinary charges for planting cocaine in the home of a Taiwanese man and then demanding \$2,000 BLZ (\$1,000) from the man to avoid arrest. None of the officers were criminally charged. Internal police disciplinary action resulted in one fine, one dismissal from the police force, and one case dismissal.

Arrest and Detention

Police must obtain search or arrest warrants issued by a magistrate, except in cases of hot pursuit, when there is probable cause, or when the presence of a firearm is suspected. Customs officers may 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.

The law requires police to follow the "Judges' Rules," a code of conduct governing police interaction with arrested persons. Although cases sometimes 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 telephone call after arrest. Bail was available for all cases except killings 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 217 persons or 16 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 judicial independence. 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.

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. 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 remained during the year. The DPP cited staffing constraints as the main reason for the backlog. Routine cases without a defense attorney were decided within three months, but cases involving a serious crime or in which a defense attorney was present took more than one year. The DPP has dismissed a large number of Supreme Court cases citing uncooperative witnesses and a lack of evidence. Judges were often slow to issue rulings, which in some instances took a year or longer.

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 \$5,000 BLZ (\$2,500). 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 increased during the year due to an increase in the number of cases.

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 \$5,000 BLZ (\$2,500), 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.

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. The International Telecommunication Union reported that in 2007 there were 11 Internet users per 100 inhabitants.

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 members of the Jewish community.

For a more detailed discussion, see the 2008 International Religious Freedom Report at www.state.gov/g/drl/irf.rpt.

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, the UNHCR's implementing partner in the country, assisted with refugee and asylum cases. Individual cases were handled through the Immigration and Nationality Department.

In practice the government provided protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened. Three incidents involving 38 shipwrecked Cubans were reported by the media and confirmed by the government. The Cubans were reportedly en route to the U.S. and received assistance from the Belize National Coast Guard, the Belize National Police, the BDF, and the Immigration and Nationality Department. Their boats were repaired and they continued on their journey.

In August one family from Honduras and in September one family from Guatemala were granted employment and residence permits after stating they were fleeing their home countries after being threatened and targeted by gangs.

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

On February 7, the UDP obtained a parliamentary majority in generally free and fair elections.

There were no women in the 31-seat House of Representatives. There were five women, among them the president, in the 12-member appointed Senate. Mestizo, Creole, Maya, Garifuna, Mennonite, 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. The World Bank's worldwide governance indicators reflected that corruption was a problem.

There were public indications of government corruption under the previous administration during the year. On December 4, the government charged former prime minister Said Musa with a single count of theft in connection with the alleged misappropriation in 2007 of a \$10 million grant from Venezuela earmarked for housing. Musa

allegedly directed the funds be paid to satisfy a government-guaranteed private hospital debt, allegedly without authorization. Musa was granted bail and his trial was scheduled to begin January 2009.

The Prevention of Corruption in Public Life Act requires public officials to submit annual financial statements, which are to be 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 Office of 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.

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. The position remained vacant through year's end.

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. Police and courts enforced statutory rape laws; however, in relation to the number of accusations, convictions were infrequent as the prosecution discontinued cases when complainants were unwilling to proceed or requested no further court action. Through year's end police reported 38 cases of rape and 23 arrests. Through year's end the Supreme Court recorded 12 cases of rape, resulting in no convictions, three acquittals, and nine nolle prosequi decisions.

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. Through September the Ministry of Health reported 1,070 cases of domestic violence recorded by police and health authorities. Domestic violence was most prevalent in the Belize District, which includes Belize City. There were two women's shelters in the country with a total of 18 beds to offer short-term housing.

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

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 participated 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 \$710 BLZ (\$355), compared with \$751 BLZ (\$374.50) 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 children's welfare.

Education is compulsory for children between the ages of five and 14. After finishing primary education, children may enter a secondary school, a government-run apprenticeship program, or a vocational institution. Most students reached fifth grade.

Through September the Epidemiology Unit at the Ministry of Health recorded 37 cases of domestic violence and 19 cases of sexual abuse against children under 15. The police reported 98 cases of unlawful carnal knowledge through year's end. In many cases the government was unable to prosecute individuals for unlawful carnal knowledge and unlawful carnal knowledge because the victims or their families were reluctant to press charges.

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. The UN Children's Fund (UNICEF) expressed concern about the criminal justice system's 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.

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 \$10,000 BLZ (\$5,000) and imprisonment of up to five years. There were reports that persons were trafficked within, to, and through 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. However, the Ministry of Foreign Affairs, working with the Ministry of Human Development, indicated 70 victims of trafficking in persons were identified through year's end. Sixty-five of the victims comprised one trafficking case. There were reports that women were trafficked to the country from neighboring countries such as Guatemala, Honduras, and El Salvador, primarily for prostitution and nude dancing. NGOs reported that persons in the commercial sex trade appeared to be 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.

The government's National Committee for Families and Children and UNICEF reported that underage girls from economically disadvantaged backgrounds often provided sexual favors to older men, "sugar daddies," in exchange for clothing, jewelry, school fees, or books, at the urging of their families.

There was evidence of persons trafficked for labor purposes. Two cases reported in the media involved Indian nationals mistreating shop employees and withholding passports of five employees. In August authorities charged a Chinese company contracted to build a hydrodam with five counts of withholding travel documents. The Immigration and Nationality Department provided temporary residence permits to allow several of the victims, who had been trafficked from Nepal, to stay in the country. The judge dismissed the court case based on procedural issues including presentation of evidence and sequencing of witnesses. The director of public prosecutions appealed the decision in October, and the appeal awaited further trial in the Supreme Court.

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

There were no successful prosecutions against traffickers during the year. Two 2007 cases involving trafficking or related offenses appeared before the magistrates' courts during the year. A police raid on a brothel in 2007 resulted in one charge of human trafficking for a Corozal bar owner after a 16-year-old Central American woman was found working as a prostitute. The case was dismissed in October when Department of Human Services staff interviewed the victim and found the woman worked willingly for the bar owner.

In February 2007 two police officers were charged with human trafficking after eight illegal immigrants were found in a van driven by one of the officers. A police disciplinary panel dismissed the officers in 2007, and a court dismissed their criminal case in June after the DPP determined the charges were incorrect; subsequent prosecution for alien smuggling was barred by expiration of the statute of limitations.

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.

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.

The State Department's annual Trafficking in Persons Report can be found at www.state.gov/t/tip.

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 were 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.

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 comprised 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, which comprised the Toledo Maya Cultural Council, the Kekchi Council of Belize, the Toledo Alcaldes Association, and the Toledo Maya Women's Council, monitored 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 were incidents of discrimination based on sexual orientation, but determination of its extent was difficult to ascertain.

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 under the Ministry of Human Development and through the Pan-American Social Marketing Organization.

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 union must be certified by a tripartite body comprising three members each from an established trade union, the business community, and government, in order to represent workers. Both law and precedent effectively protect unions against dissolution or suspension by administrative authority.

The law permits unions to strike and does not generally require notice before a strike. However, this right is not extended to 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, and which must provide 21 days' notice to strike. The law also empowers the government to refer a dispute to compulsory arbitration in order to prevent or terminate a strike.

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 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 (EPZs), where employer collectives and associations have not agreed to 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.

There are no special laws or exemptions from the regular labor laws in the country's 63 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; the Ministry of Labor in consultation with UNICEF and other stakeholders worked to add more specificity to the regulations. 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 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 and banana 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 and in commercial sexual activities. Children were frequently observed selling fruit and baked goods along the country's northern and southern highways. Children also were observed crossing into the country from Guatemala on a daily basis to work as street vendors in the urban centers of the Cayo district. 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.

e. Acceptable Conditions of Work

The national minimum wage varies according to the type of work in which the employee is engaged. The minimum wages for various sectors were established based on a survey of various domestic businesses, resulting in an average that was reviewed and approved by the cabinet. The survey was conducted in 2006 by the wages council which consists of representatives of government, employers, and unions. For those in agriculture and agroindustry, the hourly minimum wage was \$2.50 BLZ (\$1.25); for manual and domestic workers, it was \$3.00 BLZ (\$1.50). 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 due to limited resources. 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 have the legal right to leave a dangerous workplace situation without jeopardy to continued employment and did so in practice.