

BELIZE

20 YEARS  
WORKING  
FOR YOUR  
RIGHTS  
1993 WORLD CONFERENCE  
ON HUMAN RIGHTS

The background of the lower half of the page is a solid teal color. It features several stylized gear graphics in various shades of teal and white. One large gear is white with a teal center and spokes, positioned in the upper right. Other gears in darker and lighter teal are scattered throughout the lower half, some overlapping each other.

**20 YEARS**  
WORKING FOR YOUR RIGHTS:  
**HUMAN RIGHTS  
RECOMMENDATIONS**  
MADE TO BELIZE (2005-2013)



The Office of the High Commissioner for Human Rights (OHCHR) is mandated to promote and protect the enjoyment and full realization, by all people, of all rights established in the Charter of the United Nations and in international human rights laws. OHCHR is guided in its work by the mandate provided by the General Assembly in resolution 48/141, the Charter of the United Nations, the Universal Declaration of Human Rights and subsequent human rights instruments, including the Vienna Declaration and Programme of Action the 1993 World Conference on Human Rights. The mandate includes preventing human rights violations, securing respect for all human rights, promoting international cooperation to protect human rights, coordinating related activities throughout the United Nations. In addition to its mandated responsibilities, the Office leads efforts to integrate a human rights approach within all work carried out by United Nations agencies. OHCHR is funded from the United Nations regular budget and from voluntary contributions from Member States, intergovernmental organizations, foundations and individuals. The Regional Office for Central America of OHCHR is located in Panama City and was established in 2007 to cover Belize, Costa Rica, Nicaragua, El Salvador, Panama and Dominican Republic.

The United Nations has supported the people and government of Belize, through development aid and technical cooperation ensuring respect for human rights. The United Nations System in Belize consists of resident and non-resident agencies, funds and programmes that work closely with government and civil society organizations at both the central and local levels to ensure that international assistance responds to the needs and priorities of the people.

**Office of the High Commissioner for Human Rights, Regional Office for Central America / United Nations system in Belize**

**Compilation:** Carla Covarrubias and Liliana Carmen Reyes  
**Layout:** MOM Co. ([www.mompanama.com](http://www.mompanama.com)), Panama City  
**Print:** Impresos Multiples, El Salvador

This publication or any part thereof may be freely reproduced. Prior permission is not required. Credits must be mentioned. For reproductions kindly share a copy of the product.

BELIZE

20 YEARS

WORKING FOR YOUR RIGHTS:

HUMAN RIGHTS

**RECOMMENDATIONS**

MADE TO BELIZE (2005-2013)

# CONTENTS

## FOREWORD 6

## METHODOLOGY 7

## A. GENERAL FRAMEWORK OF IMPLEMENTATION 9

1. Scope of international obligations 11
  - 1.1 Acceptance of international norms 11
  - 1.2 Reservations 14
  - 1.3 Derogation 15
2. Cooperation with human rights mechanisms and UN institutions 16
  - 2.1 Cooperation with treaty bodies 16
  - 2.2 Cooperation with special procedures 20
  - 2.3 Cooperation with other international mechanisms and institutions 21
3. Legal, institutional and political framework 21
  - 3.1 Constitutional and legislative framework 21
  - 3.2 Institutions & policies 22
4. Human Rights Education and Training 26
5. Other Measures of Implementation 27
  - 5.1 Context, statistics, budget, dissemination, civil society 27

## B. EQUALITY AND NON-DISCRIMINATION 31

6. Non-discrimination 33
7. Racial discrimination 36

## C. CIVIL AND POLITICAL RIGHTS 39

8. Right to physical and moral integrity 41
  - 8.1 Death penalty 41
  - 8.2 Prohibition of Torture and cruel, inhuman or degrading treatment 41
  - 8.3 Prohibition of slavery, trafficking 42
9. Right to liberty and security 45
  - 9.1 Liberty & security of person 45
10. Fundamental Freedoms 46
  - 10.1 Right to freedom of thought, conscience and religion 46
  - 10.2 Right to freedom of opinion and expression 46
11. Administration of justice 47
  - 11.1 Administration of justice & fair trial 47



12. Right to an effective remedy, impunity 48

13. Rights related to name, identity, nationality 49

14. Rights related to marriage and family 51

## D. ECONOMIC, SOCIAL AND CULTURAL RIGHTS 53

15. Right to an adequate standard of living – general 55

16. Human rights & extreme poverty 56

17. Right to just and favourable conditions of work 56

18. Right to health 57

19. Right to education 60

## E. RIGHTS OF SPECIFIC PERSONS OR GROUPS 63

20. Women 65

20.1 Discrimination against women 65

20.2 Gender-based violence against women 67

21. Children 70

21.1 Children: definition; general principles; protection 70

21.2 Children: family environment and alternative care 72

21.3 Children: protection against exploitation 73

21.4 Juvenile justice 74

22. Persons with disabilities 75

23. Members of minorities and indigenous peoples 77

24. Migrants 80

25. Refugees & internally displaced persons (IDPs) 80

## F. COMMENTS AND FOLLOW-UP 81

26. Follow-up treaty bodies 83

## ANNEX 85

- Ratification chart 86

- Reporting status, responses to specific follow-up requests by treaty bodies and cooperation with Special Procedures 87

# FOREWORD

The United Nations System in Belize and the United Nations Office of the High Commissioner for Human Rights (OHCHR) Regional Office for Central America is pleased to present to the people of Belize 20 Years Working for your Rights: Human Rights Recommendations to Belize 2005-2013. This compilation of recommendations to the State of Belize from the United Nations human rights mechanisms emanates from the recommendations of the Committees that have been mandated by the various Conventions which Belize is party to as well as the Universal Periodic Review, and aims at being a tool of constructive dialogue and framework to enhance protection of human rights for all children, women and men of Belize.

The underpinning principles of the United Nations are to respect, promote and protect human rights and provide assistance to States to enable the full enjoyment of all rights, be it civil and political rights, as well as economic, social and cultural rights. This principle also extends to civil society and national institutions and it is with this in mind that the current document is made: to make available information about the content which will in turn promote a wider understanding and help bring the rights home.


Belize is congratulated as a country and people whose core values, as articulated in Horizon 2030 include: respect for the rule of law and promotion of human rights, recognition of its multi-culturalism and collective identity, promotion of people participation in social, economic and political development and gender equity and non-discrimination in access to opportunities.

Belize, as a state party to the core human rights treaties, has made encouraging progress since adopting the Vienna Convention and Plan of Action in 1993, which established the Office of the High Commissioner for Human Rights. Since the opening of its regional office for Central America, OHCHR has supported national efforts in Belize, and we are pleased to be able to launch the fruits of such collaboration today on 10 December 2013, on the eve of the 20th anniversary of the Office globally.

The observations and recommendations contained herein present the progress and challenges in achieving the fulfillment of all human rights for the people of Belize. Human rights achievements are fundamental to all our development efforts. The UN System in Belize is confident that progress will continue and furthered, and looks forward to continue to strengthening ties and synergies over the next 20 years.



CARMEN ROSA VILLA QUINTANA  
REGIONAL REPRESENTATIVE  
OHCHR REGIONAL OFFICE FOR CENTRAL AMERICA



ROBERTO VALENT  
RESIDENT COORDINATOR  
UNITED NATIONS SYSTEM IN BELIZE

# METHODOLOGY

This document is organized thematically on the basis of the categories used in the Universal Human Rights Index (<http://uhri.ohchr.org/>), a database designed to facilitate access to human rights recommendations issued by three key pillars of the UN human rights protection system: the Treaty Bodies established under international human rights treaties (hereinafter “treaty bodies”) as well as the Special Procedures, and the Universal Periodic Review (UPR) of the Human Rights Council.

The present compilation provides the concerns raised and recommendations made to Belize by treaty bodies and UPR from 2005 to 2013 in the form of extracts. The extracts of the UPR are grouped by thematic issues. The concerns and recommendations have been classified according to the following thematic areas:

- A** General Framework of Implementation
- B** Equality and non-discrimination
- C** Civil and political rights
- D** Economic, Social and Cultural Rights
- E** Rights of Specific Persons or Groups
- F** Comments and Follow-Up

The symbol **R** refers to recommendations made by the respective body.

For updated information about the reporting history of Belize, please refer to the Annex. On the following link all the documentation for each review can be consulted:

[http://tbinternet.ohchr.org/\\_layouts/TreatyBodyExternal/Countries.aspx?CountryCode=BLZ&Lang=EN](http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/Countries.aspx?CountryCode=BLZ&Lang=EN)

For information concerning human rights bodies of the United Nations in general, you are invited to consult:

<http://www.ohchr.org/EN/HRBodies/Pages/HumanRightsBodies.aspx>

The recommendations made are notably listed in bold due to the practice of the respective Committees and all extracts are included with the original paragraph number and the year in which the recommendation review took place in which recommendations were issued. In the case of the recommendations emanating from the UPR, the paragraph numbers have also been kept, and so has the name of the country that made the recommendation. The UPR recommendations from the first cycle in 2009 also include in square brackets whether the recommendation was accepted or noted and refers to the follow-up document in which the reference can be found.

The concern and recommendation reflects the view and conclusions of the corresponding human rights body at the time of issuance. The extracts from the human rights bodies have been ordered by dates, as follows:

- Universal Periodic Review 2013 and 2009 (A/HRC/25/13 and A/HRC/12/4, A/HRC/12/4/Add.1, respectively)
- Human Rights Committee 2013 (CCPR/C/BLZ/CO/1)
- Committee on the Elimination of Racial Discrimination (CERD) 2012 (CERD/C/BLZ/CO/1)
- Committee on the Elimination of Discrimination against Women (CEDAW) 2007 (CEDAW/C/BLZ/CO/4)
- Committee on the Rights of the Child (CRC) 2005 (CRC/C/15/Add.252)





A

# GENERAL FRAMEWORK OF IMPLEMENTATION



Old sugar mill in Southern Belize - Credit: Dirk Francisco



# 1. SCOPE OF INTERNATIONAL OBLIGATIONS

## 1.1 Acceptance of international norms

### DRAFT REPORT OF THE WORKING GROUP ON THE UNIVERSAL PERIODIC REVIEW 2013

#### Conclusions and/or recommendations

**98. The following recommendations enjoy the support of Belize which considers that they are in the process of implementation:**

**98.1 Adjust national legislation with a view to incorporating domestically international and regional treaties ratified by the country (Colombia)**

**99. The following recommendations will be examined by Belize which will provide responses in due time, but no later than the 25<sup>th</sup> session of the Human Rights Council in March 2014.**

**99.1. Ratify the International Covenant on Economic, Social and Cultural Rights (Brazil) (Paraguay);**

**99.2. Proceed with ratification of the International Covenant on Economic, Social and Cultural Rights and sign the International Convention for the Protection of All Persons from Enforced Disappearance (France);**

**99.3. Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Montenegro);**

**99.4. Ratify the Optional Protocol to CAT and ICESCR (Maldives);**

**99.5. Consider the possibility of ratifying CPED and ILO Convention No. 169 (Ecuador);**

**99.6. Ratify the 1961 Convention on the Reduction of Statelessness (Paraguay);**

**99.11. Consider ratifying the ICESCR and creating a National Human Rights Institution in accordance with the Paris Principles (Nicaragua);**

**99.24. Abolish the death penalty for all crimes and accede to the Second Optional Protocol to the ICCPR (Australia).**

### REPORT OF THE WORKING GROUP ON THE UNIVERSAL PERIODIC REVIEW 2009

#### Conclusions and recommendations

**67.1. Look into the possible ratification of the United Nations Convention against Corruption (Netherlands);** [Supported- See: 67.1. A/HRC/12/4. See also comments in para. 1, A/HRC/12/ 4/Add.1]

**67.2. Ratify the International Covenant on Economic, Social and Cultural Rights (ICESR) (Turkey), which has been signed but not ratified (Argentina);** [Supported- See: 67.2. A/HRC/12/4. See also comments in para. 2, A/HRC/12/ 4/Add.1]

**67.3. Consider the ratification of the Convention on the Rights of Persons with Disabilities (CPD) (Azerbaijan); accede to CPD and ICESR (Mexico);** [Supported – See: 67.3. A/HRC/12/4. See also comments in para. 2, A/HRC/12/47/Add.1]

**67.4. Accede to ICESR in a timely manner as it was signed in September 2000 (Japan);** [Supported -See: 67.4. A/HRC/12/4. See also comments in para. 4, A/HRC/12/ 4/Add.1]

**67.5. Consider adhering to the Optional Protocols to ICESR and CPD as soon as possible (Argentina, Mexico) as well as the Optional Protocols to ICCPR and to CED (Argentina);** [Supported -See: 67.5. A/HRC/12/4. See also comments in para. 3, A/HRC/12/ 4/Add.1]

**67.6. Accede to the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OP-CAT) (Czech Republic); consider its ratification (United Kingdom, Argentina);** [Supported -See: 67.6. A/HRC/12/4. See also comments in para. 4, A/HRC/12/ 4/Add.1]

**67.7. Work towards completing the process already underway for accession to major international instruments of human rights (Algeria);** [Supported -See: 67.7 A/HRC/12/4. See also comments in para. 5, A/HRC/12/ 4/Add.1]

## **HUMAN RIGHTS COMMITTEE 2013**

### **Positive aspects**

5. The Committee welcomes the ratification by the State party of the following treaties:
  - (a) The Convention on the Rights of Persons with Disabilities, on 2 June 2011;
  - (b) The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, on 14 November 2001;
  - (c) International Convention on the Elimination of All Forms of Racial Discrimination, on 14 November 2001;
  - (d) The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, on 1 December 2003;
  - (e) The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, on 1 December 2003;
  - (f) The Optional Protocol to the Convention on the Elimination of Discrimination against Women, on 9 December 2002.

## **CERD 2012**

### **Positive aspects**

5. The Committee notes with interest that, since the ratification of the International Convention on the Elimination of All Forms of Racial Discrimination, the State party has acceded to or ratified

the following international instruments:

- (a) The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, on 14 November 2001;
- (b) The Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, on 9 December 2002;
- (c) The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, on 1 December 2003;
- (d) The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, on 1 December 2003.

### Ratification of other treaties

15. Bearing in mind the indivisibility of all human rights, the Committee encourages the State party to consider ratifying those international human rights treaties which it has not yet ratified, in particular treaties the provisions of which have a direct relevance to communities that may be the subject of racial discrimination, such as the International Covenant on Economic, Social and Cultural Rights.

### Declaration under article 14 of the Convention

16. The Committee encourages the State party to consider the possibility of making the declaration provided for in article 14 of the Convention.

## CEDAW 2007

### Introduction

4. The Committee notes with satisfaction that the State party ratified the Optional Protocol to the Convention in 2002.

### Principal areas of concern and recommendations

**35. The Committee encourages the State party to remove its declaration under article 10, paragraph 1, of the Optional Protocol to the Convention regarding the competence of the Committee under articles 8 and 9, and to accept, as soon as possible, the amendment to article 20, paragraph 1, of the Convention concerning the meeting time of the Committee.**

**38. The Committee notes that adherence by States to the seven major international human rights instruments<sup>1</sup> enhances the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. Therefore, the Committee encourages the Government of Belize to consider ratifying the treaty to which it is not yet a party, namely the International Covenant on Economic, Social and Cultural Rights.**

<sup>1</sup> *International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of the Child and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.*

## CRC 2005

### Introduction

5. The Committee also welcomes the ratification of a number of international and regional human rights instruments, such as the Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, ILO Convention No. 138 concerning Minimum Age for Admission to Employment, ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and several regional interAmerican conventions relating to the rights of the child.

### Optional Protocols to the Convention

74. The Committee welcomes the ratification by the State party in December 2003 of the Optional Protocols to the Convention on the Rights of the Child on children in armed conflict and on the sale of children, child prostitution and child pornography.

R

**75. In order to be able to examine the implementation of the Optional Protocols, the Committee underlines the importance of a regular and timely reporting practice. The Committee recommends that the State party fully meet its reporting obligations under the Optional Protocols and the Convention.**

## 1.2 Reservations

### HUMAN RIGHTS COMMITTEE 2013

#### Principal subjects of concern and observations

6. The Committee notes that the State party maintains a reservation to article 12, paragraph 2 on the ground that national interests justify the statutory provision requiring persons intending to travel abroad to furnish Tax Clearance Certificates (arts. 2 and 12).

R

**The State party should consider withdrawing its reservation to article 12, paragraph 2.**

8. The Committee regrets that although the State party claims that it accepts the principle of compensation for wrongful imprisonment contained in paragraph 6 of article 14 of the Covenant, it maintains a reservation to this article arguing that problems with the implementation of this right compel it not to apply this principle (art. 2).

R

**The Committee recalls its general comment No. 32 (2007) and reiterates that “it is necessary that States parties enact legislation ensuring that compensation as required by this provision [article 14, paragraph 6] can in fact be paid and that the payment is made within a reasonable period of time”. The State party should consider withdrawing its reservation to article 14, paragraph 6.**

## 1.3 Derogation

### DRAFT REPORT OF THE WORKING GROUP ON THE UNIVERSAL PERIODIC REVIEW 2013

#### Conclusions and/or recommendations

**99. The following recommendations will be examined by Belize which will provide responses in due time, but no later than the 25<sup>th</sup> session of the Human Rights Council in March 2014.**

**99.7. Consider carrying out the relevant legislative reforms in order that the Constitution and secondary legislation clearly and unequivocally safeguard the rights listed in article 4 of the ICCPR in cases of states of exception or national emergency (Mexico);**

**99.8. Ensure that the Constitution and legislation include clear provisions on states of emergency, so as to ensure that none of the rights protected under article 4 of ICCPR are suspended in such circumstances, and that the requirements of such suspension are compatible with the above mentioned Covenant (Uruguay).**

### HUMAN RIGHTS COMMITTEE 2013

#### Principal subjects of concern and observations

14. The Committee notes the State party's explanation in its replies to the list of issues that since provisions on the right to life, the prohibition of torture and freedom of thought, conscience and religion are not listed in article 18(10) of the Constitution as derogable rights in a state of emergency, it follows that these rights are non-derogable in a state of emergency. However, the Committee is concerned at the lack of a clear provision in the Constitution and legislation to dispel any doubts that other rights made non-derogable under the Covenant, including rights protected under articles 8, paragraphs 1 and 2; 11; 15 and 16 of the Covenant, cannot be derogated from during a state of emergency (arts. 2 and 4). The Committee recalls its general comment No. 29 (2001) and notes with concern that section 18(10) of the Constitution of Belize only requires that a derogation is reasonably justifiable in the circumstances of emergency.

**The Committee reiterates its general comment No. 29 (2001) and urges the State party to ensure clarity in its Constitution and legislation governing states of emergency so that all rights protected under article 4 of the Covenant are not derogated from during a state of emergency, and to ensure that the requirements of such derogations are consistent with the Covenant. In this regard the State party should ensure that legislation provides that measures derogating from the State party's obligations under the Covenant may be taken to the extent strictly required by the exigencies of the situation provided that such measures are not inconsistent with the State party's other obligations under international law and do not involve discrimination, solely on the ground of race, colour, sex, language, religion or social origin.**

## 2. COOPERATION WITH HUMAN RIGHTS MECHANISMS AND UN INSTITUTIONS

### DRAFT REPORT OF THE WORKING GROUP ON THE UNIVERSAL PERIODIC REVIEW 2013

**R** Conclusions and/or recommendations

**97. The recommendations formulated during the interactive dialogue / listed below enjoy the support of Belize:**

**97.3. Accelerate, with the cooperation of OHCHR, the internal studies and procedures necessary to establish a National Human Rights Institution in accordance with the Paris Principles (Uruguay).**

### 2.1 Cooperation with treaty bodies

### DRAFT REPORT OF THE WORKING GROUP ON THE UNIVERSAL PERIODIC REVIEW 2013

**R** Conclusions and/or recommendations

**98. The following recommendations enjoy the support of Belize which considers that they are in the process of implementation:**

**98.5. Strengthen the capacities of its reporting system in order to tackle its backlog in reporting to treaty bodies (Slovenia);**

**99. The following recommendations will be examined by Belize which will provide responses in due time, but no later than the 25<sup>th</sup> session of the Human Rights Council in March 2014.**

**99.18. Strengthen efforts to finalize and present pending reports to corresponding treaty bodies and consider extending a standing invitation to the thematic special procedures as part of its comprehensive cooperation with the international system for the protection and promotion of human rights (Mexico).**

### REPORT OF THE WORKING GROUP ON THE UNIVERSAL PERIODIC REVIEW 2009

**R** Conclusions and recommendations

**67.19. Strengthen its efforts with regard to timely reporting to United Nations human rights treaty bodies (Netherlands);** [Supported -See: 67.19. A/HRC/12/4. See also comments in para. 20, A/HRC/12/ 4/Add.1]



**67.20. Continue to implement the recommendations made by the Committee on the Elimination of Discrimination against Women and on a regular basis submit the relevant reports for its consideration (Ukraine);** [Supported -See: 67.20. A/HRC/12/4. See also comments in para. 21, A/HRC/12/ 4/Add.1]

**67.21. Submit its overdue report to the Committee against Torture at the earliest time (Czech Republic);** [Supported -See: 67.21. A/HRC/12/4. See also comments in para. 22, A/HRC/12/47/Add.1]

**67.22. Submit all overdue reports to United Nations human rights convention treaty bodies and answer the questionnaires sent by special procedure mandate holders (Slovenia);** [Supported -See: 67.22. A/HRC/12/4. See also comments in para. 23, A/HRC/12/ 4/Add.1] *Note: No response provided to text in italics.*

**67.23. Continue efforts to submit overdue reports requested by the committees of various international conventions to which Belize is a party, and seek technical assistance for the establishment of these reports (Germany);** [Supported -See: 67.23. A/HRC/12/4. See also comments in para. 20, 24, 25 and 42, A/HRC/12/ 4/Add.1]

## **HUMAN RIGHTS COMMITTEE 2013**

1. In the absence of a report by the State party, the Human Rights Committee considered the situation of civil and political rights under the International Covenant on Civil and Political Rights in Belize at its 2960th meeting (CCPR/C/SR. 2960), held in a public session on 15 March 2013. In accordance with rule 70, paragraph 1, of the Committee's rules of procedure, the failure of a State party to submit its report under article 40 of the Covenant may lead to an examination in a public session of the measures taken by the State party to give effect to the rights recognized in the Covenant and to adopt concluding observations.

### **Introduction**

3. The Covenant came into force for Belize on 9 September 1996. The State party was under an obligation to submit its initial report by 9 October 1997 under article 40, paragraph 1 (a), of the Covenant. The Committee regrets that the State party has failed to honour its reporting obligations under article 40 of the Covenant and that, despite numerous reminders, the State party has not submitted the initial report. This amounts to a breach by the State party of its core obligation under article 40 of the Covenant.

4. The Committee regrets that the State party did not send a delegation, which prevented it from engaging in a constructive dialogue with the authorities of the State party. The Committee is, however, grateful to the State party for sending replies to the Committee's list of issues, which provided some clarification on a number of issues, albeit scanty in their coverage of the issues raised by the Committee.

### **Principal subjects of concern and observations**

28. The Committee requests the State party to submit its initial report by 28 March 2015.

## **CERD 2012**

### **Introduction**

2. The Committee wishes to draw the attention of the State party to the fact that reporting is an obligation under article 9 of the Convention and that non-compliance in this regard creates serious obstacles to the effective functioning of the mechanism set up to monitor the implementation of the Convention.

3. The Committee regrets that the State party has not provided its initial report to the Committee. The Committee recalls that it has postponed many times the consideration of the situation in Belize. Despite a number of reminders, exchanges of letters between the State party and the Committee, as well as two training sessions conducted in the State party by and with the assistance of the Office of the United Nations High Commissioner for Human Rights following a request for technical assistance on reporting, the State party has not provided such a report. In the light of the non-receipt of the report, and noting that the State party did not respond to the invitation to participate in its 2183rd meeting, the Committee considered the situation in the State party under its review procedure established by its decision adopted at its thirty-ninth session in 1991 and developed by its further decisions and established practice, and decided to adopt the following concluding observations under its review procedure.

### **Common core document**

20. Noting that the State party has not yet submitted its core document, the Committee encourages it to do so, in accordance with the harmonized guidelines on reporting under the international human rights treaties, in particular those on the common core document, as adopted by the fifth Inter-Committee Meeting of the human rights treaty bodies held in June 2006 (HRI/GEN.2/Rev.6, chap. I).

### **Preparation and dissemination of the initial report**

21. The Committee urges the State party to initiate the dialogue with the Committee and to provide urgently, and no later than 31 January 2013, information regarding concerns raised and recommendations made in the present concluding observations, and to submit its overdue initial report as soon as possible and no later than 31 January 2013, taking into account the specific reporting guidelines adopted by the Committee during its seventy-first session (CERD/C/2007/1), addressing all points raised in the present concluding observations adopted under the review procedure. The Committee also urges the State party to observe the page limit of 40 pages for treaty-specific reports and 60-80 pages for the common core document (HRI/GEN.2/Rev.6, chap. I, para. 19). The Committee recommends that the State party's future reports be made readily available and accessible to the public at the time of their submission, and that the observations of the Committee with respect to these reports be similarly publicized in the official and other commonly used languages, as appropriate.

## **CEDAW 2007**

### **Introduction**

2. The Committee expresses its appreciation to the State party for its combined third and fourth periodic report, but regrets that it was overdue and did not provide sufficient sex-disaggregated data. The Committee also expresses its appreciation for the written replies to the list of issues and questions raised

by the pre-session working group and for the oral presentation and responses to the questions posed by the Committee.

3. The Committee commends the State party for its delegation, headed by the Minister for Human Development, and for the frank and constructive dialogue held between the delegation and the members of the Committee.

**39. The Committee requests the wide dissemination in Belize of the present concluding comments in order to make the people, including Government officials, politicians, parliamentarians and women's and human rights organizations, aware of the steps that have been taken to ensure de jure and de facto equality of women and of the further steps that are required in that regard. The Committee requests the State party to continue to disseminate widely, in particular to women's and human rights organizations, the Convention, its Optional Protocol, the Committee's general recommendations, the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century".**

**40. The Committee requests the State party to respond to the concerns expressed in the present concluding comments in its next periodic report under article 18 of the Convention. The Committee invites the State party to submit its fifth periodic report, which was due in June 2007, and its sixth periodic report, due in June 2011, in a combined report in 2011.**

## CRC 2005

2. The Committee welcomes the submission of the second periodic report of the State party, as well as the written replies to its list of issues (CRC/C/Q/BLZ/2) and expresses its appreciation for the State party's open and selfcritical reporting approach in identifying a number of areas of concern. It further notes with appreciation the constructive efforts made by the highlevel delegation to provide additional information in the course of the dialogue.

### Dissemination

**77. The Committee further recommends that the second periodic report and the written replies submitted by the State party and related recommendations (concluding observations) it adopted be made widely available in the languages of the country, including through the Internet (but not exclusively), to the public at large, civil society organizations, youth groups, professional groups and children in order to generate debate and awareness of the Convention, its implementation and monitoring.**

### Next report

**78. In the light of the recommendation on reporting periodicity adopted by the Committee and described in the report on its twenty-ninth session (see CRC/C/114, chap. I), the Committee underlines the importance of a reporting practice that is in full compliance with the provisions of article 44 of the Convention. An important aspect of State parties'**

**responsibilities to children under the Convention is ensuring that the Committee has regular opportunities to examine the progress made in the implementation of the Convention. In this regard, regular and timely reporting by States parties is crucial. The Committee recognizes that some State parties experience difficulties in initiating timely and regular reporting. As an exceptional measure, in order to help the State party catch up with its reporting obligations so as to be in full compliance with the Convention, the Committee invites the State party to submit its third and fourth periodic reports in one consolidated report by 1 September 2007, date on which the fourth report is due. The report should not exceed 120 pages (see CRC/C/118). The Committee expects the State party to report every five years thereafter, as foreseen by the Convention.**

## 2.2 Cooperation with special procedures

### DRAFT REPORT OF THE WORKING GROUP ON THE UNIVERSAL PERIODIC REVIEW 2013

R

#### Conclusions and/or recommendations

**99. The following recommendations will be examined by Belize which will provide responses in due time, but no later than the 25<sup>th</sup> session of the Human Rights Council in March 2014.**

**99.18. Strengthen efforts to finalize and present pending reports to corresponding treaty bodies and consider extending a standing invitation to the thematic special procedures as part of its comprehensive cooperation with the international system for the protection and promotion of human rights (Mexico);**

**99.19. Extend a standing invitation to all special procedures (Montenegro);**

**99.20. Issue a standing invitation to the special procedures of the Human Rights Council (France);**

**99.21. Extend an open invitation to the Special Procedures of the Human Rights Council to visit the country, particularly those who are in a position to offer assistance to strengthen measures for the promotion and protection of human rights in Belize (Peru).**

### REPORT OF THE WORKING GROUP ON THE UNIVERSAL PERIODIC REVIEW 2009

R

#### Conclusions and recommendations

**67.24. Consider extending a standing invitation to all special procedures of the Human Rights Council (Latvia);** [Supported -See: 67.24. A/HRC/12/4. See also comments in para. 25, A/HRC/12/ 4/Add.1]

## 2.3 Cooperation with other international mechanisms and institutions

### HUMAN RIGHTS COMMITTEE 2013

#### Principal subjects of concern and observations

26. The Committee reminds the State party of the possibility of soliciting technical cooperation from the appropriate United Nations organs/agencies as well as the Office of the United Nations High Commissioner for Human Rights, to assist it in developing its capacity to meet its reporting obligations under the Covenant.

### CRC 2005

#### Dissemination of the convention

22. (...) **With regard to the dissemination of the Convention, the Committee also recommends that the State party seek technical assistance from, among others, the Office of the United Nations High Commissioner for Human Rights (OHCHR) and UNICEF.**

## 3. LEGAL, INSTITUTIONAL AND POLITICAL FRAMEWORK

### 3.1 Constitutional and legislative framework

### REPORT OF THE WORKING GROUP ON THE UNIVERSAL PERIODIC REVIEW 2009

#### Conclusions and recommendations

**67.30. Review its legislation with a view to prohibiting all forms of corporal punishment of children (Slovenia);** [Supported -See: 67.30. A/HRC/12/4. See also comments in para. 32, A/HRC/12/ 4/Add.1]

**68.7. Abolish corporal punishment for children (Germany);** [See comments in para. 33, A/HRC/12/ 4/Add.1]

## 3.2 Institutions & policies

### DRAFT REPORT OF THE WORKING GROUP ON THE UNIVERSAL PERIODIC REVIEW 2013

R

#### Conclusions and/or recommendations

**97. The recommendations formulated during the interactive dialogue/listed below enjoy the support of Belize:**

**97.1 Endeavour to establish a national human rights institution in line with the Paris Principles (Nigeria);**

**97.2 Step up efforts in seeking assistance towards the establishment of national human rights institution that is in line with the Paris Principles (Philippines);**

**97.4 Continue strengthening its efforts to provide the office of the Ombudsman with sufficient resources to enable it to effectively carry out its tasks (Slovenia);**

**97.5 Provide the Ombudsperson with sufficient resources it needs, as a critical institution to monitor and oversee the respect for human rights (Turkey);**

**97.6 Increase the capacity of the Ombudsman's Office, the Belize Police Department's Professional Standards Board, and other human rights-related institutions through internal efforts and by seeking assistance in these areas from international development partners (United States of America);**

**98. The following recommendations enjoy the support of Belize which considers that they are in the process of implementation:**

**98.2 Provide with financial resources the Office of the Ombudsman created last year (Paraguay);**

**98.24. Continue mainstreaming of promotion and protection of human rights in its development plans (Philippines);**

**98.25. Continue promoting its successful programmes and social policies, with international assistance and cooperation, to advance social development and achieve greater well-being of its population (Venezuela (Bolivarian Republic of));**

**98.26. Continue its momentum on legislations and judiciary reforms toward strengthening the rule of law state, good governance and broader participation of people in socio-economic decision-making processes and human rights protection and promotion in the country (Viet Nam).**

**99. The following recommendations will be examined by Belize which will provide responses in due time, but no later than the 25<sup>th</sup> session of the Human Rights Council in March 2014.**

**99.10 Establish a National Human Rights Institution (Paraguay);**

**99.11 Consider ratifying the ICESCR and creating a National Human Rights Institution in accordance with the Paris Principles (Nicaragua);**

**99.12 Take measures for the establishment of a national institution for the promotion and protection of human rights in accordance with the Paris Principles, in particular with regards to its Constitutional protection (Mexico);**

**99.13 Establish a National Human Rights Institution in line with the Paris Principles and set out a detailed roadmap to this effect so that the Institute may commence its work at the earliest possible opportunity (Germany);**

**99.14 Develop a comprehensive policy for the development of human rights that includes a national human rights institution that allows for the articulation, coordination and implementation of policy in practice (Colombia);**

**99.15. Ensure that the Office of the Ombudsman is in line with the Paris Principle related to the National Institutions for promotion of human rights (France);**

**99.16 Ensure that the Office of the Ombudsman continues to operate at full capacity and is brought into conformity with the Paris Principles (Australia);**

## REPORT OF THE WORKING GROUP ON THE UNIVERSAL PERIODIC REVIEW 2009

### Conclusions and recommendations

**67.10. Consider the possibility of establishing a national human rights institution in conformity with the Paris Principles (Algeria);** [Supported - See: 67.10. A/HRC/12/4. See also comments in para. 10 and 11, A/HRC/12/ 4/Add.1]

**67.11 Conduct a systematic evaluation of the merits of establishing a national human rights (United States)** [Supported - See: 67.12. A/HRC/12/4. See also comments in para. 10 and 11, A/HRC/12/4/Add.1]

**68.4. Establish a national human rights institution in accordance with the Paris Principles (Canada);** [Supported –See para.10, A/HRC/12/ 4/Add.1]

**67.14. Strengthen the office of Ombudsman and the police department’s office of internal affairs in order to improve capacity to hear and investigate complaints (Canada);** [Supported - See: 67.14. A/HRC/12/4. See also comments in para. 14, A/HRC/12/ 4/Add.1]

**67.28. Improve the institutional capacity of the national machinery for the advancement of women, for their active involvement in public life (Azerbaijan);** [Supported - See: 67.28. A/HRC/12/4. See also comments in para. 30, A/HRC/12/ 4/Add.1]

**67.36. Continue its pursuit of assistance from the international community to foster its national human rights capacities (Mexico);** [Supported - See: 67.36. A/HRC/12/4. See also comments in para. 41, A/HRC/12/ 4/Add.1]

**67.12. Provide human rights training with regard to the protection of vulnerable groups, in particular women, children, indigenous peoples and persons of minority sexual orientation or gender identity to law enforcement officials, judicial officers and all State officials (Czech Republic);** [Supported - See: 67.12. A/HRC/12/4. See also comments in para. 12, A/HRC/12/ 4/Add.1]

**67.13. Continue to strengthen its efforts to ensure that all police and security officers receive human rights training (Netherlands); introduce human rights education for all government officials and departments and ensure that a human rights-based approach is mainstreamed across government policy (United Kingdom); deploy further efforts in training security forces in the field of human rights (Italy);** [Supported - See: 67.13. A/HRC/12/4. See also comments in para. 13, A/HRC/12/ 4/Add.1]

**67.16. Strengthen efforts for the full implementation of the National Action Plan for Children (Czech Republic).** [Supported - See: 67.16. A/HRC/12/4. See also comments in para. 16, A/HRC/12/ 4/Add.1]

## HUMAN RIGHTS COMMITTEE 2013

### Principal subjects of concern and observations

9. While welcoming the appointment of an Ombudsperson in December 2012, the Committee is concerned at reports that the Office of the Ombudsperson lacks sufficient human and financial resources. The Committee is concerned that the State party has not yet established a national human rights institution (NHRI) in line with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles) (art. 2).

R

**The State party should provide the Office of the Ombudsman with sufficient financial and human resources. Furthermore, it should report on the measures that it has taken, since its review by the Human Rights Council under the universal periodic review mechanism, to establish a NHRI in accordance with the Paris Principles.**

## CERD 2012

### National human rights institutions

8. The Committee is concerned that the State party has not appointed a new Ombudsman since December 2011. It is also concerned at reports on the lack of independence and the insufficiency of human and financial resources of the Office of the Ombudsman. The Committee is further concerned by the fact the State party has not yet established a national human rights institution in full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles), as recommended by the Working Group on the Universal Periodic Review and agreed to by the State party (art. 2).

R

**The Committee recommends that the State party take appropriate measures to appoint an Ombudsman, to provide the Office of the Ombudsman with sufficient financial and human resources and guarantee its independence. It also recommends that the State party establish a national human rights institution, in full compliance with the Paris Principles.**



## CEDAW 2007

### Positive aspects

5. The Committee commends the State party for the institutional arrangements and framework it has put in place for improved implementation of the Convention, including the National Gender Policy, the Women's Agenda 2003-2008 and the appointment of Women Development Officers in each district.

6. The Committee commends the State party for the law reform process it has undertaken to promote women's rights, which has resulted in the amendment to the Constitution to guarantee gender equality, as well as amendments to the Criminal Code, the Evidence Act, the Wages Council Act, the Married Persons Protection Act, the Supreme Court of Judicature Act and the Administration of Estates Act. It also welcomes the enactment of new legislation, including the Domestic Violence Act of 2007, which will take effect in July 2007, and the Trafficking in Persons (Prohibition) Act of 2003.

7. The Committee notes with satisfaction the goals set in the Women's Agenda 2003-2008 to increase the number of women in the Cabinet, the Senate and the State Boards to 30 per cent, as well as the objective of the Belize Rural Development Programme to increase the number of women and youth participating in development plans and projects by 30 per cent.

**36. The Committee urges the State party to utilize fully, in its implementation of its obligations under the Convention, the Beijing Declaration and Platform for Action, which reinforce the provisions of the Convention, and requests the State party to include information thereon in its next periodic report.**

**37. The Committee emphasizes that full and effective implementation of the Convention is indispensable for achieving the Millennium Development Goals. It calls for the integration of a gender perspective and for the explicit reflection of the provisions of the Convention in all efforts aimed at the achievement of the Goals, and requests the State party to include information thereon in its next periodic report.**

## CRC 2005

### Introduction

4. The Committee welcomes the establishment in 1999 of an independent Ombudsman with investigative powers and the reemergence of the National Committee for Families and Children to monitor the implementation of the Convention.

### National Plan of Action

11. The Committee notes with appreciation the State party's commitment to follow up on the outcome document "A World Fit for Children", adopted by the General Assembly at its special session on children (General Assembly resolution S27/2 of 10 May 2002), by adopting the National Plan of Action for Children and Adolescents in Belize 2004-2015 and by establishing a Monitoring and Evaluation Subcommittee of the National Committee for Families and Children to monitor the progress of the National Plan of Action. With regard to the effective implementation of the Plan of Action, the Committee emphasizes the importance of adequate and timely budgetary allocations.

**R** 12. **The Committee recommends that the State party provide adequate human, financial and technical resources for the full and effective implementation of the National Plan of Action for Children and Adolescents in Belize 20042015. The Committee recommends that the State party take all necessary measures to ensure a rightsbased, open, consultative and participatory process for the implementation of the Plan of Action. The Committee also recommends that the State party involve children and nongovernmental organizations (NGOs) in the implementation of the National Plan of Action and the development of specific indicators for the periodic monitoring and evaluation of the National Plan of Action. The Committee further recommends that the State party continue to seek technical assistance from, among others, the United Nations Children’s Fund (UNICEF) and the World Health Organization (WHO) in the course of the implementation process.**

### Independent monitoring

13. The Committee welcomes the establishment of an independent Ombudsman in 1999, but notes that this body is not properly equipped both in terms of its mandate and its human and financial resources to deal with complaints filed by or on behalf of children. The Committee also welcomes the information that the new National Plan of Action for Children and Adolescents in Belize 20042015 calls for the exploration of the establishment of an ombudsperson for children.

**R** 14. **The Committee recommends that the State party make the exploration mentioned in the previous paragraph a matter of priority in order to establish, as soon as possible, the independent monitoring body in line with the Committee’s general comment No. 2 (2002) either as a separate entity or as a division within the existing ombudsman’s office. It also recommends that the State party ensure that this monitoring body is provided with sufficient human and financial resources to perform its mandate.**

## 4. HUMAN RIGHTS EDUCATION AND TRAINING

### DRAFT REPORT OF THE WORKING GROUP ON THE UNIVERSAL PERIODIC REVIEW 2013

**R** **Conclusions and/or recommendations**

**98. The following recommendations enjoy the support of Belize which considers that they are in the process of implementation:**

**98.3. Include human rights as a subject in the curriculum of educational institutions as well as in plans for training aimed at the security forces (Paraguay);**

**98.4. Expand education and human rights training programmes so that these are included as well in the training for magistrates, judges, lawyers, and eventually in education and in general (Costa Rica);**

## HUMAN RIGHTS COMMITTEE 2013

### Principal subjects of concern and observations

10. While noting the State party's replies to the list of issues that the provisions of the Covenant can be invoked in the courts, the Committee regrets the lack of information on instances when provisions of the Covenant have been invoked or referred to in national courts. The Committee notes that the State party has not enacted enabling legislation to put into effect the provisions of the Covenant, and that there is no specific training for judges, lawyers and law enforcement personnel on the Covenant (art. 2).

**The State party should provide in its initial report information on instances of when and how domestic courts have referred to provisions of the Covenant. It should also undertake specific programmes aimed at providing training and raising awareness of the Covenant among judges, lawyers and prosecutors to ensure that its provisions are taken into account, where appropriate, by national courts.**

## CERD 2012

### Human rights education

14. The Committee is concerned about the absence of human rights education in school curricula as well as in training for law enforcement officials, including on the provisions of the Convention. The Committee is also concerned at the insufficiency of measures taken to promote understanding and tolerance among different ethnic groups (art. 7).

**The Committee recommends that the State party take appropriate measures to ensure that human rights education is included in school curricula and that law enforcement officials at different levels, including police officers, magistrates, judges, lawyers and those working with the Office of the Ombudsman, receive human rights training, including on the provisions of the Convention. It also recommends that the State party increase its efforts to promote understanding and tolerance among different ethnic groups residing in its territory.**

# 5. OTHER MEASURES OF IMPLEMENTATION

## 5.1 Context, statistics, budget, dissemination, civil society

### HUMAN RIGHTS COMMITTEE 2013

#### Principal subjects of concern and observations

27. The State party should widely disseminate the Covenant and the present concluding observations so as to increase awareness among the judicial, legislative and administrative authorities, civil society and

non-governmental organizations operating in the country, as well as the general public. The Committee also requests the State party, when preparing its initial report, to broadly consult with civil society and non-governmental organizations.

## CERD 2012

### Concerns and recommendations

#### Demographic composition of the population

6. The Committee is concerned at the fact it does not have at its disposal comprehensive statistical data on the ethnic composition of the population, including immigrants living in its territory, or on economic and social indicators disaggregated by ethnicity, to enable it to better evaluate the enjoyment of civil and political, economic, social and cultural rights in the State party.

R

**In accordance with paragraphs 10 to 12 of its revised reporting guidelines (CERD/C/2007/1), the Committee recommends that the State party collect and, in its initial report, provide the Committee with reliable and comprehensive statistical data on the ethnic composition of its population, including immigrants, and its economic and social indicators disaggregated by ethnicity and gender, to enable the Committee to better evaluate the enjoyment of civil, political, economic, social and cultural rights of various groups of its population.**

#### Consultation with organizations of civil society

18. The Committee recommends that the State party consult and expand its dialogue with organizations of civil society working in the area of human rights protection, in particular in combating racial discrimination, in connection with the preparation of the initial report.

## CEDAW 2007

9. The Committee regrets that the report does not provide sufficient statistical data, disaggregated by sex, ethnicity and rural and urban areas, on the practical realization of the principle of equality between women and men in all areas covered by the Convention. It is also concerned that the report provides no information on the situation of older and disabled women. The Committee is concerned that the lack of such data is an impediment to evaluating the impact of measures taken by the State party and the results achieved.

R

**10. The Committee calls upon the State party to put in place a comprehensive system of data collection in all areas covered by the Convention so as to assess the actual situation of women and to track trends over time. It also calls upon the State party to monitor, through measurable indicators, the impact of measures taken and progress achieved towards the realization of women's de facto equality. It invites the State party, when necessary, to seek international technical assistance for the development of such data collection and analysis efforts. The Committee requests the State party to include in its next report statistical data and analysis, disaggregated by sex, ethnicity and rural and**

**urban areas, in regard to the provisions of the Convention, indicating the impact of measures taken and of results achieved in the practical realization of women's de facto equality. The Committee also requests that information on the situation of older and disabled women be included in the next report.**

## CRC 2005

### Factors and difficulties impeding the implementation of the Convention

6. The Committee acknowledges that natural disasters caused by several hurricanes in the region during the last few years have given rise to a growing number of economic and social difficulties. Natural disasters have largely devastated some regions of the country and their infrastructure affecting the lives of thousands of children. The Committee further notes that a limited number of human, financial and technical resources have impeded progress towards the full realization of children's rights enshrined in the Convention.

### Allocation of resources

15. While noting the devastation caused by hurricanes and the budgetary burden of reconstruction, the Committee is concerned that there are no budget allocations for children, that the resources in the national budget are insufficient to meet the needs of all children and that there are regional disparities, particularly between urban and rural areas, with regard to a range of social indicators.

**16. In the light of article 4 of the Convention, the Committee urges the State party to allocate considerably more resources to children, in particular to the most vulnerable groups of children, including children with disabilities, children living in extreme poverty, abused and neglected children and children belonging to minorities and indigenous children, such as Maya and Garifuna children. While noting with appreciation the development of an investment project with a component on rightsbased budgeting with the involvement of the Minister of Finance, the National Human Development Advisory Committee and the National Committee for Families and Children, the Committee recommends that the State party expedite this process as much as possible and ensure its effective implementation. The Committee also recommends that the State party prioritize budgetary allocations to the implementation of the economic, social and cultural rights of children to the maximum extent of available resources. In order to be able to evaluate the impact of expenditure on children, the Committee recommends that the State party identify the yearly budgetary amount and proportion spent on persons under 18 years of age.**

### Data collection

17. The Committee takes note of the establishment, in 1996, of the Social Indicators Committee, which supervises the national social sector statistics and monitors the quality of such statistics. However, the Committee regrets the lack of adequate resources allocated to the Social Indicators Committee and the interruptions in its work. The Committee is concerned at the insufficient data in some areas covered by the Convention, including children with disabilities, migrant children, children living in extreme poverty, abused and neglected children, children within the justice system, children belonging to minorities and indigenous children.

R

**18. The Committee reiterates its previous recommendation on the adequate data collection mechanism and recommends that the State party strengthen its system for collecting data and formulating indicators in collaboration with the Monitoring and Evaluation Subcommittee of the National Committee for Families and Children as a basis to assess progress achieved in the realization of children's rights and to help design policies to implement the Convention. The data should cover all children below the age of 18 years and be disaggregated by sex and by group of children who are in need of special protection. The Committee recommends that the State party allocate adequate human, financial and other resources to the Social Indicators Committee in order to develop indicators to effectively monitor progress achieved in the implementation of the Convention and seek assistance from international agencies and NGOs.**

### Cooperation with NGOs

19. While noting with appreciation the State party's efforts to strengthen cooperation with NGOs, the Committee is concerned that the State party has shifted some of its responsibilities and duties with regard to the implementation of some provisions of the Convention to NGOs without providing them with adequate resources, policies and guidelines.

R

**20. The Committee reiterates the State party's primary obligations with regard to the implementation of the Convention and recommends that the State party continue its efforts to strengthen cooperation with NGOs and to involve them systematically at all stages in the implementation of the Convention as well as in policy formulation. The Committee recommends that the State party provide NGOs with adequate financial and other resources when they are involved in discharging governmental responsibilities and duties with regard to the implementation of the Convention.**

### Dissemination of the Convention

21. While noting the efforts of the State party in disseminating information about the principles and provisions of the Convention and welcoming the inclusion of the Convention in the primary school curriculum, the Committee expresses its concern that the Convention is not disseminated at all levels of society and is not translated into all languages spoken in the country. In addition, the Committee notes that the training and retraining of professionals working with and for children is not systematic.

R

**22. The Committee recommends that the State party develop creative and childfriendly methods to promote the Convention. It further encourages the State party to make the Convention available in the different languages spoken in the country, including indigenous and minority languages. The Committee recommends further systematic training of professional groups working with and for children, such as judges, lawyers, law enforcement officials, teachers, school administrators and health personnel. (...)**

B

# NON-DISCRIMINATION



Seagulls and fisherman sea side - Credit: Dirk Francisco





## 6. NON-DISCRIMINATION

### DRAFT REPORT OF THE WORKING GROUP ON THE UNIVERSAL PERIODIC REVIEW 2013

#### *Conclusions and/or recommendations*

**97. The recommendations formulated during the interactive dialogue/listed below enjoy the support of Belize:**

**97.7. Guarantee the right of everyone to equality before the law, equal protection of the law, and non-discrimination, in conformity with the international commitments undertaken by Belize (France);**

**97.8. Inform the ILO about progress made by Belize in the implementation of its National Policy on Gender (Paraguay);**

**98. The following recommendations enjoy the support of Belize which considers that they are in the process of implementation:**

**98.6. Continue its efforts to reduce stigma and discrimination through education and awareness raising campaigns (Indonesia);**

**98.7. Continue its efforts aimed at implementing the national policy of gender equality adopted by the Government in March 2013 (Algeria);**

**98.8. Continue efforts to combat discrimination suffered by the most vulnerable groups of the population, such as persons with disabilities, with HIV/AIDS or indigenous peoples (Argentina);**

**98.15. Continue its efforts to protect and promote the enjoyment of human rights of the older persons (Singapore);**

**99. The following recommendations will be examined by Belize which will provide responses in due time, but no later than the 25<sup>th</sup> session of the Human Rights Council in March 2014.**

**99.9. Adjust immigration laws to international standards to which Belize is a party, to avoid discrimination against vulnerable groups in particular persons with cognitive disabilities and LGBT (Colombia);**

**99.17. Provide state authorities, including law enforcement and judicial officials, with human rights training for the protection of women and members of minority groups, such as lesbian, gay, bisexual, and transgender persons (United States of America);**

**99.28. Ensure the prohibition of discrimination on the grounds of sexual orientation and gender identity (Netherlands);**

**99.29. Take all necessary measures to guarantee the human rights of LGBT individuals and that they do not face persecution of any kind (Brazil);**

R

**99.30. Consider the possibility of adopting the necessary measures to eliminate all discriminatory treatment and criminalization based on sexual orientation (Argentina);**

**99.31. Review the Constitution and legislation, in order to explicitly prohibit discrimination on the basis of sexual orientation or gender identity (Uruguay);**

**99.32. Review and adapt its Constitution and laws to ensure that discrimination on grounds of sexual orientation and gender identity is prohibited (Germany);**

**99.33. Review its Constitution and legislation to ensure that discrimination on the basis of sexual orientation and gender identity is prohibited (Norway);**

**99.34. Ensure its Criminal Code provisions do not criminalize individuals based on sexual orientation (Canada);**

**99.35. Amend legislation in order to combat discrimination and hostility toward LGBT groups (Spain);**

**99.36. Repeal all provisions that may lead to discrimination on the grounds of sexual orientation or gender identity and respect fundamental freedoms of all the citizens (France);**

**99.37. Eliminate provisions that favour discriminatory practices against persons based on their sexual orientation and gender identity (Chile);**

**99.38. Take steps to remove domestic legislation that outlaws same sex activity between consenting adults, and develop policies to address discrimination against LGBT people (United Kingdom of Great Britain and Northern Ireland);**

**99.39. Reform existing laws that can be used to discriminate against lesbian, gay, bisexual, and transgender persons, including the provision of “unnatural crime” laws prohibiting “carnal intercourse against the order of nature” (United States of America);**

## REPORT OF THE WORKING GROUP ON THE UNIVERSAL PERIODIC REVIEW 2009

### R

#### Conclusions and recommendations

**67.18. Further strengthen activities to prevent the spread of HIV and stigmatization and discrimination against people living with HIV (Ukraine);** [Supported -See: 67.18. A/HRC/12/4. See also comments in para. 18, A/HRC/12/ 4/Add.1]

**67.27. Continue to address the persisting gender inequality in the country (United Kingdom);** [Supported -See: 67.27. A/HRC/12/4. See also comments in para. 29, A/HRC/12/ 4/Add.1]

## HUMAN RIGHTS COMMITTEE 2013

### Principal subjects of concern and observations

11. The Committee regrets the lack of information regarding the extent to which the State party's legislation prohibits discrimination on the basis of language, religion, opinion, social origin, property, birth or other status as provided for in article 2 of the Covenant (arts. 2 and 26).

**The State party should provide such information and, if necessary, bring its legislation in line with the scope of articles 2 and 26 of the Covenant.**

13. The Committee takes note that certain individuals in the State party have instituted proceedings challenging the constitutionality of section 53 of the Criminal Code, which prohibits same sex relations, and of section 5(1)(e) of the Immigrations Act, which includes homosexuals on the list of prohibited persons for purposes of immigration. The Committee further notes that as such these matters are sub-judice. However, it is concerned that the State party lacks any constitutional or statutory provision expressly prohibiting discrimination on grounds of sexual orientation or gender identity. The Committee is further concerned at reports of violence against lesbian, gay, bisexual, and transgender (LGBT) persons (arts. 2, 12 and 26).

**The State party should review its Constitution and legislation to ensure that discrimination on grounds of sexual orientation and gender identity are prohibited. The Committee further urges the State party to include in its initial report information on the outcome of the case challenging the constitutionality of section 53 of the Criminal Code and section 5(1)(e) of the Immigration Act. The State party should also ensure that cases of violence against LGBT persons are thoroughly investigated and that the perpetrators are prosecuted, and if convicted, punished with appropriate sanctions, and that the victims are adequately compensated.**

## CERD 2012

### Positive aspects

4. The Committee notes the adoption by the State party of a Constitution which includes some provisions on the protection of human rights and prohibits discrimination on the grounds of race, colour and place of origin.

11. The Committee is concerned at the discrimination, exclusion and poverty faced by the Maya population and by some people of African descent preventing them from fully enjoying their economic, social and cultural rights on equal footing with the rest of the population, in particular with regard to the labour market, housing, health care and education (art. 2, 5).

**Bearing in mind its general recommendations No. 23 (1993), No. 32 (2009) and No. 34 (2011), the Committee recommends that the State party take concrete steps, including special measures, to guarantee the enjoyment by Maya and some people of African descent of access to the labour market, housing and health care, and to combat the poverty they face. The State party should develop bilingual intercultural education to favour the integration of such ethnic groups.**

**CRC 2005****General principles****Non-discrimination**

25. While appreciating that some measures have been taken to promote the principle of nondiscrimination against children, such as the enactment in 1998 of the Families and Children Act, which guarantees that all children are of equal status in the application of the Belizean legislation, the Committee is concerned at the persistent discrimination faced by girls, children with disabilities, migrant children, children living in poverty, children belonging to minorities, indigenous children, children infected with or affected by HIV/AIDS, children living in rural areas, and pregnant students and teenage mothers in schools.

R

**26. In the light of article 2 of the Convention, the Committee recommends that the State party increase its efforts to adopt appropriate legislation, to ensure the implementation of existing laws guaranteeing the principle of nondiscrimination, and to adopt a proactive and comprehensive strategy to eliminate discrimination on any grounds and more so against all vulnerable groups of children.**

**7. RACIAL DISCRIMINATION****DRAFT REPORT OF THE WORKING GROUP ON THE UNIVERSAL PERIODIC REVIEW 2013**

R

**Conclusions and/or recommendations**

**97. The recommendations formulated during the interactive dialogue/listed below enjoy the support of Belize:**

**97.9. Adopt legislation and policy measures prohibiting racial discrimination (Norway);**

**CERD 2012****Direct and indirect discrimination**

7. The Committee takes note that the State prohibits discrimination and provides for equal treatment, on the grounds of race, place of origin and colour, in the preamble and articles 3 and 16 of its Constitution. However, the Committee is concerned at the lack of comprehensive anti-discrimination legislation which prohibits racial discrimination in various areas of life and which guarantees equal treatment to all persons in the State party, including immigrants. The Committee is also concerned at the lack of policy measures, in particular special measures for the most disadvantaged and marginalized ethnic groups, aimed at ensuring the enjoyment by all without discrimination of the rights set forth in the Convention (arts. 1, 2).

R

**The Committee recommends that the State party adopt comprehensive anti-discrimination legislation prohibiting racial discrimination in the enjoyment of human rights and protecting all persons living in the territory of the State party. The Committee**

**also recommends that the State party adopt policy measures, including special measures for the most disadvantaged and marginalized ethnic groups, in order to guarantee for all without discrimination, enjoyment of the rights in the Convention, in line with its general recommendation No. 32 (2009) on the meaning and scope of special measures in the International Convention on the Elimination of All Forms of Racial Discrimination.**

### Incidence of racist and xenophobic stereotypes

9. The Committee is concerned at information received about incitement to racial discrimination and hatred against mestizo and Maya, perceived by other groups as monopolizing positions and lands in the State party. It is also concerned at the lack of a legislation in the State party which gives full effect to the provisions of article 4 of the Convention (art. 2, 4).

**The Committee draws the State party's attention to its general recommendations Nos. 1 (1972) on State parties' obligations, 7 (1985) on implementation of article 4 and 15 (1993) on article 4, according to which the provisions of article 4 are mandatory, and emphasizes the preventive nature of legislation expressly prohibiting incitement to racial discrimination and the dissemination of ideas based on racial superiority. The Committee recommends that the State party adopt legislation which gives full effect to the provisions of article 4 of the Convention. It also recommends that the State party take necessary steps to combat and punish incitement to racial discrimination and hatred against some ethnic groups (mestizo and Maya) as well as the dissemination of ideas based on racial superiority.**

### Follow-up to Durban Declaration and Programme of Action

17. In the light of its general recommendation No. 33 (2009) on follow-up to the Durban Review Conference, the Committee recommends that the State party give effect to the Durban Declaration and Programme of Action, adopted in September 2001 by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, taking into account the Outcome Document of the Durban Review Conference, held in Geneva in April 2009, when implementing the Convention in its domestic legal order. The Committee requests that the State party include in its next periodic report specific information on action plans and other measures taken to implement the Durban Declaration and Programme of Action at the national level.

## CRC 2005

### General principles

### Non-discrimination

**27. The Committee requests that specific information be included in the next periodic report on the measures and programmes relevant to the Convention undertaken by the State party to follow up on the Declaration and Programme of Action adopted at the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, with due regard to the Committee's general comment No. 1 on the aims of education (2001).**



C

# CIVIL AND POLITICAL RIGHTS



Belize Supreme Court, Belize City - Credit: Dirk Francisco





## 8. RIGHT TO PHYSICAL AND MORAL INTEGRITY

### 8.1 Death penalty

#### DRAFT REPORT OF THE WORKING GROUP ON THE UNIVERSAL PERIODIC REVIEW 2013

##### Conclusions and/or recommendations R

**99. The following recommendations will be examined by Belize which will provide responses in due time, but no later than the 25<sup>th</sup> session of the Human Rights Council in March 2014.**

**99.22. Take steps towards the abolition of the death penalty (Norway);**

**99.23. Abolish the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (France);**

**99.25 Undertake a public consultation on the complete abolition of the death penalty (United Kingdom of Great Britain and Northern Ireland).**

### 8.2 Prohibition of Torture and cruel, inhuman or degrading treatment

#### DRAFT REPORT OF THE WORKING GROUP ON THE UNIVERSAL PERIODIC REVIEW 2013

##### Conclusions and/or recommendations R

**99. The following recommendations will be examined by Belize which will provide responses in due time, but no later than the 25<sup>th</sup> session of the Human Rights Council in March 2014.**

**99.26. Amend the relevant provisions of the Criminal Code in order to achieve the full prohibition of all forms of corporal punishment, including at home (Slovenia);**

#### HUMAN RIGHTS COMMITTEE 2013

##### Principal subjects of concern and observations

18. While welcoming the enactment of the Education and Training Act of 2010, which prohibits corporal punishment in schools, the Committee remains concerned that corporal punishment remains lawful under the Criminal Code. The Committee regrets the State party's response in the replies to the list of issues, that there has never been an initiative to repeal the provision in the Criminal Code which permits corporal punishment (arts. 7 and 24).

R

**The State party should take practical steps to put an end to corporal punishment in all settings. In this regard, the State party should repeal the provisions of the Criminal Code, which permit the use of corporal punishment. The State party should act vigorously to prevent any use of corporal punishment under the Criminal Code as a form of punishment for criminal offences until it repeals the provisions in the Criminal Code.**

## **CRC 2005**

40. While noting the awarenessraising campaigns and the promotion of alternative methods of discipline, the Committee reiterates its deep concern that corporal punishment is still frequently practised in the family, in schools and in other institutions, that domestic legislation does not prohibit the use of corporal punishment and that the provisions of the Criminal Code and the Education Act legitimize the use of it.

R

**41. The Committee, reiterating its previous recommendation, urges the State party:**

- (b) To extend and strengthen public education and social mobilization campaigns on alternative nonviolent forms of discipline and childrearing, with the participation of children, in order to change public attitudes to corporal punishment and to strengthen its cooperation with the NGOs in this respect;**
- (c) To seek international technical assistance from, among others, UNICEF in this regard.**

## 8.3 Prohibition of slavery, trafficking

### **DRAFT REPORT OF THE WORKING GROUP ON THE UNIVERSAL PERIODIC REVIEW 2013**

R

**Conclusions and/or recommendations**

**97. The recommendations formulated during the interactive dialogue/listed below enjoy the support of Belize:**

**97.16. Intensify efforts to combat human trafficking (Nigeria);**

**97.17. Strengthen measures to combat trafficking in persons in legislation and in practice (Costa Rica);**

**97.18. Strengthen measures against trafficking in persons by effectively implementing the Trafficking in Persons Prohibition Act, and investigating, prosecuting and punishing those responsible, as well as ensuring respect for victims' right to asylum (Ireland);**

## HUMAN RIGHTS COMMITTEE 2013

### Principal subjects of concern and observations

17. While welcoming the enactment of the Trafficking in Persons Prohibition Act of 2013, which repealed the Trafficking Persons Prohibition Act of 2009, with a view to introducing stiffer penalties for trafficking in persons and related offences, the Committee remains concerned at the prevalence of trafficking in persons and that the State party remains both a country of destination and transit. The Committee is also concerned at the lack of disaggregated data on the progress made to combat trafficking in persons, and the lack of information on training programmes for judicial officers and law enforcement personnel on trafficking in persons since the Covenant came in force for the State party (art. 8).

**The State party should provide data on the magnitude of the problem of human trafficking in the State party which should be disaggregated by age, sex and ethnic origin, and should also focus on trafficking flows from, to and in transit through its territory. The State party should train its police officers, border personnel, judges, lawyers and other relevant personnel in order to raise awareness of this phenomenon and the rights of victims. Furthermore, the State party should ensure that all perpetrators of trafficking in persons are investigated, prosecuted, and if convicted, adequately sanctioned, and should guarantee that adequate protection, reparation and compensation are provided to the victims.**

## CERD 2012

### Trafficking in persons

12. The Committee is concerned that the State party remains a country of departure, transit and arrival of traffic in persons, despite the Anti-Trafficking Act of 2003 adopted by the State party and awareness-raising campaigns conducted and assistance measures to victims (art. 5).

**The Committee recommends that the State party strengthen measures to combat trafficking in persons in its territory, including by effectively implementing its Trafficking Act of 2003, investigate, prosecute and punish those responsible, and offer appropriate protection to victims. It should also reinforce its cooperation with neighbouring countries.**

## CEDAW 2007

21. While the Committee notes the enactment of the Trafficking in Persons (Prohibition) Act in 2003, the Committee is concerned that Belize is becoming a destination country for trafficked women from El Salvador, Guatemala, Honduras and Nicaragua. The Committee is also concerned about the lack of information regarding the extent of trafficking and exploitation of prostitution in the country, and the potential negative impact that increased tourism could have on the incidence of prostitution and trafficking.

**22. The Committee calls upon the State party to ensure that legislation on trafficking is fully enforced. It recommends that the State party address the root cause of trafficking and exploitation of prostitution by increasing its efforts to improve the economic situation**

**of women, thereby eliminating their vulnerability to exploitation and traffickers, and take measures for the rehabilitation and social integration of women and girls who are victims of trafficking and exploitation of prostitution. It recommends that the State party further strengthen bilateral, subregional and multilateral cooperation to combat trafficking. The Committee recommends that the State party closely monitor the impact of increased tourism on prostitution and enhance related prevention measures.**

## **CRC 2005**

### **Sexual exploitation, child pornography and trafficking**

67. The Committee welcomes the adoption in 2003 of the Trafficking in Persons (Prohibition) Act, which provides special protection for children, and the subsequent establishment of a special Task Force to give greater effect to the implementation of the Act, and notes the State party's efforts to combat sexual exploitation of children, for instance, through the "Stamp Out Child Abuse" campaign. Notwithstanding these positive steps taken by the State party, the Committee is concerned about the sexual exploitation of children, child pornography and trafficking of children in Belize and draws attention to the existing risk factors, such as the growing tourism.

68. The Committee also notes with concern that the sex offence legislation of the State party is discriminatory, leaving boys without equal legal protection from sexual assault and abuse. Furthermore, the reported cases of the so-called "sugar daddies", adult men having sexual liaison with girls and providing both girls and their families with monetary and material benefits in exchange for sex, give rise to serious concerns.

**R**

**69. The Committee recommends that the State party continue and strengthen its efforts:**

- (a) To conduct a comprehensive study to assess the causes, nature and extent of trafficking and commercial sexual exploitation of children;**
- (b) To take all necessary measures to effectively prevent, and protect all children from, trafficking, sexual exploitation and child pornography, including through implementing the Trafficking in Persons (Prohibition) Act, and to provide the recently established Task Force with adequate financial, human and technical resources;**
- (c) To develop adequate systems of prevention and early detection and investigation of cases of sexual exploitation and ensure that perpetrators are prosecuted;**
- (d) To provide adequate programmes of assistance and reintegration for sexually exploited and/or trafficked children in accordance with the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children;**
- (e) To critically review its sex offence legislation in order to ensure equal legal protection from sexual assault and abuse for girls and boys;**
- (f) To pay particular attention to the phenomenon of the so-called "sugar daddies" and existing risk factors, such as the growing tourism in the region, and to take all necessary preventive measures, in close cooperation with the tourism industry, in this respect;**
- (g) To introduce awarenessraising campaigns for children, parents and other caregivers, in order to prevent trafficking, sexual exploitation and pornography involving children, and to strengthen its cooperation with NGOs in this respect.**

## 9. RIGHT TO LIBERTY AND SECURITY

### 9.1 Liberty & security of person

#### DRAFT REPORT OF THE WORKING GROUP ON THE UNIVERSAL PERIODIC REVIEW 2013

##### Conclusions and/or recommendations

**98. The following recommendations enjoy the support of Belize which considers that they are in the process of implementation:**

**98.9. Address the excessive use of force by law-enforcement officers by ensuring public agents are held to account for allegations' of misconduct, abuse and violence (Australia);**

#### REPORT OF THE WORKING GROUP ON THE UNIVERSAL PERIODIC REVIEW 2009

##### Conclusions and recommendations

**67.9. Fully implement the Domestic Violence Act (Slovenia);** [Supported -See: 67.9. A/HRC/12/4. See also comments in para. 7, A/HRC/12/ 4/Add.1]

**67.29. Consider the adoption of measures commensurate with international standards on the subject and the launching of public campaigns about non-violent forms of discipline (Argentina);** [Supported - See: 67.29. A/HRC/12/4. See also comments in para. 31, A/HRC/12/47/Add.1]

#### HUMAN RIGHTS COMMITTEE 2013

##### Principal subjects of concern and observations

19. The Committee is concerned at reports that excessive use of force by law enforcement officers is widespread in the State party. The Committee notes the existence of the Professional Standards Branch which is mandated under section 24(i) of the Police Act to investigate complaints from aggrieved citizens who allege unlawful conduct and violations by law enforcement personnel. However, the Committee is concerned at reports that the Professional Standards Branch lacks adequate resources and that it refuses to investigate cases that come to its attention without an official complaint by the victim. The Committee is also concerned at reports that the Independent Complaints Commission is not functional. The Committee is further concerned at the lack of information on allegations of torture and/or ill-treatment in places of deprivation of liberty, particularly committed in juvenile facilities (arts. 2, 7 and 9).

**The State party should take concrete steps to prevent the excessive use of force by law enforcement officers by ensuring that they comply with the 1990 United Nations' Basic Principles on the Use of Force and Firearms by Law Enforcement Officials . It should also take appropriate measures to ensure that the Independent Complaints Commission is functional, and that the Professional Standards Branch is adequately resourced to**

**ensure that they effectively carry out investigations of alleged misconduct by police officers. In this connection, the State party should ensure that law enforcement personnel continue to receive training on the prevention of torture and ill-treatment by integrating the 1990 Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol) in all training programmes for law enforcement officials. The State party should also ensure that allegations of torture and ill-treatment are effectively investigated and that alleged perpetrators are prosecuted and, if convicted, punished with appropriate sanctions, and that the victims are adequately compensated. The State party should also provide information on allegations of use of torture and/or ill-treatment in places of deprivation of liberty, including juvenile detention facilities.**

## 10. FUNDAMENTAL FREEDOMS

### 10.1 Right to freedom of thought, conscience and religion

#### CRC 2005

##### **Freedom of thought, conscience and religion**

36. With respect to the right of the child to freedom of thought, conscience and religion, the Committee notes that new information has not been provided since the initial report submitted by the State party.

R

**37. The Committee requests that the State party provide concrete, updated and detailed information, in the next periodic report, on the implementation of article 14 of the Convention on the right of the child to freedom of thought, conscience and religion and on religious intolerance at schools.**

### 10.2 Right to freedom of opinion and expression

#### HUMAN RIGHTS COMMITTEE 2013

##### **Principal subjects of concern and observations**

21. While noting that section 12(1) of the State party's Constitution protects freedom of expression, the Committee regrets the lack of information on the impact of the State party's libel laws on the freedom of expression (art. 19).

R

**The State party should provide information in its initial report on the impact of its libel laws on freedom of expression.**

## CRC 2005

### Freedom of expression and of peaceful assembly

38. The Committee is concerned about the limitations on the exercise of the right to freedom of expression by children. The Committee notes with concern the violent incidents during a peaceful student demonstration against a rise in bus fares, which took place in the village of Benque Viejo del Carmen on 24 April 2002, and the reported disproportionate use of force by the police authorities.

**39. The Committee recommends that the State party encourage and facilitate the exercise by children of their right to freedom of expression, including their right to freedom of association and of peaceful assembly, so that they can freely discuss, participate and express their views and opinions on all matters affecting them.**

## 11. ADMINISTRATION OF JUSTICE

### 11.1 Administration of justice & fair trial

#### REPORT OF THE WORKING GROUP ON THE UNIVERSAL PERIODIC REVIEW 2009

##### Conclusions and recommendations

**67.31. Investigate duly and promptly allegations of misconduct, abuse and violence by public agents and take adequate action against those responsible for such crimes (Italy);** [Supported -See: 67.31. A/HRC/12/4. See also comments in para. 34, A/HRC/12/4/Add.1 ]

## HUMAN RIGHTS COMMITTEE 2013

### Principal subjects of concern and observations

7. The Committee regrets that the State party continues to maintain a reservation to article 14, paragraph 3(d) of the Covenant because the State party cannot fully guarantee the implementation of the right to free legal assistance. The Committee is concerned that the lack of free legal assistance affects the delivery of justice particularly the juvenile justice system (arts. 2, 14 and 24).

**The Committee recalls its general comment No. 32 (2007) on the right to equality before courts and tribunals and to a fair trial, and reiterates that “article 14, paragraph 3 (d) guarantees the right to have legal assistance assigned to accused persons whenever the interests of justice so require”. The Committee notes that a blanket reservation to article 14, paragraph 3(d) has the effect of depriving accused persons of the minimum guarantees set thereunder when the interests of justice may require that such persons be provided with legal assistance The State party should consider withdrawing its**

**reservation. In the meantime, the State party should give urgent priority to providing legal representation to juveniles facing imprisonment in order to meet its obligations under article 24.**

20. The Committee is concerned at reports of inordinate delays in the delivery of justice and the acknowledgment by the State party's judiciary that delays are attributable to lack of adequate resources provided to the judiciary (art. 14).

R

**The State party should provide adequate resources to the judiciary to ensure that the delivery of justice is expedited. Furthermore, the State party should provide information in its initial report on the efficiency of the measures taken by the State party to deal with delays in the delivery of justice particularly those related to management of cases and ensuring efficiency in the Registries of the State party's courts.**

## 12. RIGHT TO AN EFFECTIVE REMEDY, IMPUNITY

### CERD 2012

#### **Legal remedies for victims of racial discrimination**

13. The Committee is concerned that the State party has not adopted concrete and effective judicial and other remedies for cases of racial discrimination that give full effect to the provisions of article 6 of the Convention. The Committee regrets the lack of information on cases of racial discrimination brought before domestic courts or tribunals and reparation provided to the victims (art. 6).

R

**Referring to its general recommendation No. 31 (2005) on the prevention of racial discrimination in the administration and functioning of the criminal justice system, the Committee recalls that the absence of complaints or judicial proceedings brought by victims of racial discrimination may reflect the non-existence of relevant legislation, lack of awareness of available remedies, fear of social disapproval or unwillingness on the part of the responsible authorities to institute legal proceedings. It recommends that the State party adopt effective legal remedies for victims of racial discrimination and provide the Committee with information on cases of racial discrimination brought before domestic courts and tribunals, judgments and sentences handed down and reparation provided to victims. The Committee asks the State party to ensure that its domestic legislation contains appropriate provisions and inform the public of all the available legal remedies in the area of racial discrimination.**



## 13. RIGHTS RELATED TO NAME, IDENTITY, NATIONALITY

### DRAFT REPORT OF THE WORKING GROUP ON THE UNIVERSAL PERIODIC REVIEW 2013

#### Conclusions and/or recommendations

**97. The recommendations formulated during the interactive dialogue/listed below enjoy the support of Belize:**

**97.20. Consider further expanding its birth registration programme towards achieving universal birth registration coverage (Philippines);**

### HUMAN RIGHTS COMMITTEE 2013

#### Principal subjects of concern and observations

22. While taking note of the efforts by the State party to improve birth registration such as the establishment of points of registration at major hospitals, the Committee remains concerned at reports of shortcomings and cumbersome steps for birth registration such that most children in the State party remain without birth registration certificates. The Committee is concerned at the lack of information on how the failure to register and obtain birth certificates affects claims for nationality and social benefits (art. 24).

**The State party should strengthen its efforts to realize birth registration and the provision of birth certificates for all children, particularly in the rural areas, through appropriate interventions such as awareness-raising programmes on the need to register births and to simplify procedures for registration. The State party should provide information in its initial report on the impact of the lack of birth certificates on claims to nationality and access to social benefits.**

### CEDAW 2007

#### Principal areas of concern and recommendations

33. The Committee notes with concern the large number of children, especially girl children, who do not have birth registration documents and who consequently cannot claim nationality and social benefits in the State party.

**34. The Committee calls upon the State party to expedite and facilitate the process of registration of children without documentation and issue them with birth certificates and identity documents.**

**CRC 2005****Civil rights and freedoms****Birth registration**

32. While noting the provisions of the Registration of Births and Deaths Act (chapter 157 of the Laws of Belize), which requires registering the birth of children, the Committee remains concerned about the shortcomings in the implementation of this Act and the concrete shortcomings in the birth registration system. The birth registration system should be equally accessible to all parents in the whole territory of the State party. The Committee is also concerned about the unregistered children in the State party and the consequences of nonregistration on access by children to education, health and other services.

R

**33. The Committee recommends that the State party implement an efficient and at all stages freeofcharge birth registration system, which covers its territory fully, including through introducing mobile birth registration units and awarenessraising campaigns to reach the most remote areas of its territory. The Committee requests the State party to pay particular attention to the need for improved access to an early birth registration by immigrant parents and parents whose children were born out of wedlock. In addition, the Committee recommends that the State party establish cooperation between the birth registration authority and maternity clinics and hospitals, midwives and traditional birth attendants in order to achieve better birth registration coverage in the country. Meanwhile, children whose births have not been registered and who are without official documentation should be allowed to access basic services, such as health and education, while waiting to be properly registered.**

**Nationality**

34. The Committee notes with appreciation the efforts made by the State party, such as the amendments to the Belizean Nationality Act and the Immigration Act as well as the encouraging results of the Amnesty Programme conducted in 1999 which provided undocumented individuals and families with the opportunity to legalize their status, to better safeguard the right of the child to require a nationality. Notwithstanding the positive steps taken by the State party, the Committee is concerned at the high number of immigrant children without any legal status or documentation residing in the territory of the State party.

R

**35. The Committee recommends that the State party continue its efforts to promote and facilitate the proper registration of all undocumented immigrant children and provide them with the legal status they need.**

## 14. RIGHTS RELATED TO MARRIAGE AND FAMILY

### DRAFT REPORT OF THE WORKING GROUP ON THE UNIVERSAL PERIODIC REVIEW 2013

#### Conclusions and/or recommendations

**99. The following recommendations will be examined by Belize which will provide responses in due time, but no later than the 25<sup>th</sup> session of the Human Rights Council in March 2014.**

**99.40. Take timely and concrete measures such as raising the minimum legal age of marriage to 18 years in order to prevent children from becoming victims of child early and forced marriage (Netherlands);**

**99.41. Take steps to reduce the incidence of child, early and forced marriage, including by amending legislation where necessary to bring it into conformity with international obligations (Canada);**

### CRC 2005

#### Follow-up measures undertaken and progress achieved by the State party

3. The Committee takes note of the adoption of several laws aimed at protecting and promoting the rights of the child, inter alia, the adoption, in 1998, of the Families and Children Act, which reformed and consolidated the legislation relating to families and children, and its amendment in 1999, as well as many other laws and rules, for example on nationality, social security, trafficking in persons, etc.

#### Legislation

9. The Committee appreciates the State party's ongoing efforts to bring its domestic law into conformity with the provisions and principles of the Convention, resulting in recent legislative reforms and amendments, proposals to reform the Criminal Code and the Evidence Act and the review of the laws of Belize completed in 2003 by the National Committee for Families and Children, which will be used as the basis for further reforms.

**10. The Committee recommends that the State party continue to strengthen its efforts to ensure full conformity of its domestic law with the Convention, e.g. by enacting one comprehensive children's code.**

#### Definition of the child

23. The Committee is deeply concerned about the practice of early marriages and the low minimum age for marriage (14 years), criminal liability (7 years), admission to hazardous work (14 years) and to parttime work (12 years). With regard to the age limit for sexual consent (16 years; females only), the Committee is concerned that persons under 18 years are not allowed to have any medical counselling, including counselling on reproductive health, without parental consent. The Committee welcomes the information from the Government's delegation that efforts are being made to improve the situation.

R

**24. The Committee recommends that the State party continue and strengthen its efforts:**

- (a) To raise the minimum age of criminal responsibility to an internationally acceptable level;**
- (b) To raise the minimum age for admission to hazardous work to 18 years;**
- (c) To raise the minimum legal age of marriage for both girls and boys and to undertake awarenessraising campaigns concerning the many very negative consequences resulting from early marriages in order to reduce and prevent this practice;**
- (d) To regulate the possibility for children of a certain age to seek and receive legal and medical counselling without parental consent;**
- (e) To make all provisions for minimum ages more consistent with the provisions and principles of the Convention**

## CEDAW 2007

### Principal areas of concern and recommendations

31. The Committee is concerned that, with the consent of the parents, the legal age of marriage is 16 years. The Committee also notes with concern that a man who has sexual relations with a girl under the age of 16 can, with the consent of her parents, marry her without being prosecuted for carnal knowledge.

R

**32. The Committee calls upon the State party to raise the minimum age of marriage to 18 years, in accordance with article 16, paragraph 2, of the Convention, general recommendation 21 and the Convention on the Rights of the Child.**

D

## ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Boy sewing - Credit: Anna Hoare/UNICEF



## 15. RIGHT TO AN ADEQUATE STANDARD OF LIVING – GENERAL

### DRAFT REPORT OF THE WORKING GROUP ON THE UNIVERSAL PERIODIC REVIEW 2013

#### Conclusions and/or recommendations

**97. The recommendations formulated during the interactive dialogue/listed below enjoy the support of country Belize:**

**97.33. Step up the implementation of the current national strategies and action plans, with more priorities to address the challenges of poverty reduction, food security, education, health care, gender equality and social welfare (Viet Nam).**

### REPORT OF THE WORKING GROUP ON THE UNIVERSAL PERIODIC REVIEW 2009

#### Conclusions and recommendations

**67.25.** Give priority to the improvement of the situation of certain vulnerable groups, especially women and children (Algeria); **[Supported -See: 67.25. A/HRC/12/4. See also comments in para. 26, A/HRC/12/ 4/Add.1]**

**67.26.** Take further steps to guarantee the right of children to an adequate standard of living and ensure that children from economically disadvantaged backgrounds are not exploited or abused (Turkey); **[Supported -See: 67.26. A/HRC/12/4. See also comments in para. 27, A/HRC/12/4/ Add.1]**

**67.32.** Step up programmes aimed at eradicating poverty and improving social indicators, including in health and education (Algeria); **[Supported -See: 67.32. A/HRC/12/4. See also comments in para. 36, A/HRC/12/ 4/Add.1]**

### CRC 2005

#### Adequate standard of living

58. The Committee is concerned at the persistent high rate of children living in poverty, especially in rural areas. It notes the development and implementation of the National Poverty Reduction Strategy. The Committee also notes with appreciation the State party's efforts to facilitate access to nutrition, including through implementing a Food and Nutrition Security Policy for Belize and the feeding programmes of primary schools.

**59. The Committee recommends that the State party take all necessary measures to provide support and material assistance to economically disadvantaged families and to guarantee the right of children to an adequate standard of living. The Committee also recommends that the State party evaluate the impact of the Poverty Reduction Strategy**

**on children and adolescents. The Committee further recommends that the State party increase its efforts to develop and implement the Food and Nutrition Security Policy for Belize and continue to implement the feeding programmes in primary schools.**

## 16. HUMAN RIGHTS AND EXTREME POVERTY

### DRAFT REPORT OF THE WORKING GROUP ON THE UNIVERSAL PERIODIC REVIEW 2013

#### **R** Conclusions and/or recommendations

**97. The recommendations formulated during the interactive dialogue/listed below enjoy the support of Belize:**

**97.24. Re-double its efforts in reducing and eliminating the incidence of poverty, particularly in the impoverished areas, in line with its revised National Poverty Elimination Strategy and Action (Malaysia);**

**97.32. Strengthen measures aimed at ensuring development in a manner that is resistant to risks (Cuba).**

**98. The following recommendations enjoy the support of Belize which considers that they are in the process of implementation:**

**98.16. Continue developing current projects aimed at reducing poverty (Cuba);**

**98.17. Continue to implement its poverty reduction strategy and improve its maternal and infantile health care (China);**

## 17. RIGHT TO JUST AND FAVOURABLE CONDITIONS OF WORK

### REPORT OF THE WORKING GROUP ON THE UNIVERSAL PERIODIC REVIEW 2009

#### **R** Conclusions and recommendations

**67.34. Take targeted measures or affirmative action, where necessary, to ensure active participation of women in the labour market and to close the wage gap between women and men (Turkey);** [Supported -See: 67.34. A/HRC/12/4. See also comments in para. 38, A/HRC/12/ 4/Add.1]



**CEDAW 2007****Principal areas of concern and recommendations**

25. The Committee expresses concern about the situation of women in the labour market, which is characterized by levels of female unemployment at twice the rate of men, inadequate employment opportunities for women, the concentration of women in low-paid sectors of public employment and the consistent wage gap between women and men. It is concerned about the lack of enforcement of labour laws regarding discrimination in the private sector. The Committee notes with concern the absence of a system of maternity leave with pay or with comparable social benefits for all women as required by article 11, paragraph 2 (b), of the Convention. The Committee is further concerned that, while legislation governing sexual harassment is in place, women do not utilize the law to address incidents of sexual harassment in the workplace.

**26. The Committee urges the State party to fully implement article 11 of the Convention. It encourages the State party to implement measures to encourage and support women's entrepreneurship, including by raising awareness and providing access to credit. The Committee recommends that efforts be strengthened to eliminate occupational segregation, both horizontal and vertical, and to adopt measures to narrow and close the wage gap between women and men by applying job-evaluation schemes in the public sector connected with a wage increase in female-dominated sectors. The Committee urges the State party to take further appropriate measures to introduce maternity leave with pay or with comparable social benefits for all women, in line with article 11, paragraph 2 (b), of the Convention. It encourages the State party to ensure full compliance with its labour laws, including by the private sector. It also urges the State party to implement its laws on sexual harassment, raise awareness for women and men workers and ensure that women take advantage of the laws' protective provisions. The Committee invites the State party to monitor the impact of measures taken and trends over time.**

**18. RIGHT TO HEALTH****DRAFT REPORT OF THE WORKING GROUP ON THE UNIVERSAL PERIODIC REVIEW 2013****Conclusions and/or recommendations**

**97. The recommendations formulated during the interactive dialogue/listed below enjoy the support of Belize:**

**97.25. Widely expand access to health services for all, especially for marginalized groups and indigenous peoples (Thailand);**

**97.26. Step up efforts to provide information and education on sexually transmitted diseases to its population, as well as to combat stigma against people living with HIV/AIDS (Thailand);**

**98. The following recommendations enjoy the support of Belize which considers that they are in the process of implementation:**

**98.18. Continue its efforts in tackling HIV/AIDS (Singapore);**

**REPORT OF THE WORKING GROUP ON THE UNIVERSAL PERIODIC REVIEW 2009**

**R Conclusions and/or recommendations**

**67.15.** Consider the possibility of eliminating the required parents' consent for HIV testing for minors under the age of 16 (Argentina); **[Supported -See: 67.15. A/HRC/12/4. See also comments in para. 15, A/HRC/12/47/Add.1]**

**67.33.** Take further concrete measures to enhance women's access to health care, in particular sexual and reproductive services, as recommended by the Committee on the Elimination of Discrimination against Women, among others (Netherlands); **[Supported -See: 67.33. A/HRC/12/4. See also comments in para. 37, A/HRC/12/4/Add.1]**

**CEDAW 2007**

**Principal areas of concerns and recommendations**

**R** 27. The Committee expresses its concern about the inadequate recognition and protection of the reproductive health and rights of women in Belize. The Committee is concerned about the high maternal mortality rates. It is further concerned about the number of deaths resulting from induced abortions. The Committee further reiterates its concern about the high rate of teenage pregnancies, which present a significant obstacle to girls' educational opportunities and economic empowerment. The Committee expresses its concern about the high rates of HIV/AIDS among women and girls, and notes that HIV/AIDS-related illnesses are the leading cause of death among women between the ages of 15 and 49.

**28. The Committee urges the State party to take concrete measures to enhance women's access to health care, in particular to sexual and reproductive health services, in accordance with article 12 of the Convention and the Committee's general recommendation 24, on women and health, and to ensure a reduction in the maternal mortality rate. The Committee recommends that the State party consider reviewing the laws relating to abortion with a view to removing punitive provisions imposed on women who have abortions and providing them with access to quality services for the management of complications arising from unsafe abortions, in accordance with the Committee's general recommendation 24 and the Beijing Declaration and Platform for Action, and to reducing the number of deaths resulting from induced abortions. It also recommends that the State party enhance sex education and availability of contraceptives so as to prevent women from having to resort to unsafe abortions. The Committee recommends that the State party give priority attention to the situation of adolescents and that it provide sex education, targeted at girls and boys, with special attention to the prevention of early pregnancies and sexually transmitted diseases. The Committee recommends that the State party step up its efforts to prevent and combat HIV/AIDS and improve the dissemination of information about the risks and ways of transmission. It also recommends that the State party include a gender perspective in its policies and programmes on HIV/AIDS.**

**CRC 2005****Health and health services**

52. The Committee welcomes the revised and expanded Care and Growth Chart, which provides a detailed and personal health and development record for all children under 5 years of age. While noting with appreciation the State party's efforts to improve the primary health care, including the establishment of the National Health Insurance Scheme and the School Health and Physical Education Services (SHAPES) programme, the Committee is nevertheless concerned at the regional disparities in accessibility to health services, the high number of infant deaths and regional differences in this respect, and the situation of malnutrition among infants and children. The Committee is also concerned at the lack of access to safe drinking water and sanitation in the rural and most remote areas. Furthermore, the Committee reiterates its concern at the low prevalence of breastfeeding.

**53. The Committee recommends that the State party:**

- (a) Prioritize the allocations of financial and human resources to the health sector in order to ensure an equal access to quality health care by children in all areas of the country and to strengthen its efforts to implement the National Health Insurance Scheme;**
- (b) Continue its efforts to improve prenatal care, including training programmes for midwives and traditional birth attendants, and take all necessary measures to reduce infant mortality rates, especially in rural areas;**
- (c) Improve the nutritional status of infants and children, inter alia, through the SHAPES programme;**
- (d) Ensure access to safe drinking water and sanitation in all areas of the country;**
- (e) Strengthen its efforts to implement the National Breastfeeding Policy, adopted in 1998, and encourage exclusive breastfeeding for six months after birth with the addition of an appropriate infant diet thereafter;**
- (f) Seek international assistance, including from UNICEF and WHO, to that effect.**

**Adolescent health**

54. While welcoming the reproductive health policy, the Committee is still concerned at the high rates of teenage pregnancies. The Committee is also concerned at the high incidence of substance abuse among adolescents.

**55. In the light of the Committee's general comment No. 4 (2003) on adolescent health and development in the context of the Convention on the Rights of the Child (CRC/GC/2003/4), the Committee recommends that the State party strengthen its efforts to implement the Sexual and Reproductive Health Policy and to ensure access to reproductive health services for all adolescents. The Committee also recommends that the State party provide adolescents with accurate and objective information on the harmful consequences of drug and alcohol abuse and increase the availability and accessibility of counselling and support services in this respect. Furthermore, the Committee recommends that the State party collect adequate data on substance abuse among children and adolescents.**

## HIV/AIDS

56. The Committee welcomes the National Strategy on HIV/AIDS and free and universal access to voluntary testing, counselling and antiretroviral drugs. Nevertheless, it remains deeply concerned at the very high incidence of HIV/AIDS in the State party and the adverse consequences suffered by children infected with or affected by HIV/AIDS. The Committee notes with concern the limited availability of preventive programmes and awarenessraising campaigns on HIV/AIDS. The Committee notes that the State party has conducted a rapid assessment of the situation of orphans and vulnerable children in 2004.

R

**57. With reference to the need to implement the Committee's general comment No. 3 (2003) on HIV/AIDS and the rights of the child (CRC/GC/2003/3) and the Guidelines on HIV/AIDS and Human Rights (E/CN.4/1997/37, annex I), the Committee recommends, in particular, that the State party:**

- (a) Strengthen its efforts to combat HIV/AIDS, including through preventive programmes and awarenessraising campaigns, and to prevent discrimination against children infected with and affected by HIV/AIDS;**
- (b) Undertake a comprehensive study to assess the prevalence of HIV/AIDS, including the number of children infected with and affected by HIV/AIDS, and devise a comprehensive national plan of action for orphans and vulnerable children, including children infected with and affected by HIV/AIDS, using to the extent possible the results of this study and the rapid assessment of the situation of orphans and vulnerable children conducted in 2004;**
- (c) Ensure access to child-sensitive and confidential counselling without parental consent when such counselling is required by a child;**
- (d) Continue to strengthen its efforts to prevent mother-to-child transmission of HIV;**
- (e) Seek international assistance from, among others, UNAIDS and UNICEF, to that effect.**

## 19. RIGHT TO EDUCATION

### DRAFT REPORT OF THE WORKING GROUP ON THE UNIVERSAL PERIODIC REVIEW 2013

R

#### Conclusions and/or recommendations

**97. The recommendations formulated during the interactive dialogue/listed below enjoy the support of country Belize:**

**97.27. Increase efforts to avoid school drop out by pregnant adolescents, through the creation of programmes that would allow for their return to school in optimal conditions for their development and that of their children (Spain);**

**98. The following recommendations enjoy the support of Belize which considers that they are in the process of implementation:**

**98.19. Continue its efforts in improving the quality of education at all levels as well as in increasing the student's enrolment in secondary education (Malaysia);**

**98.20. Continue implementing programmes aimed at guaranteeing quality education to all the population, with an emphasis on access, school enrolment and decreasing school drop outs (Cuba);**

## HUMAN RIGHTS COMMITTEE 2013

### Principal subjects of concern and observations

23. The Committee is concerned at the high dropout rates of pregnant teenage girls from school and the poor return rates after pregnancy. The Committee is concerned at the lack of data on the State party's efforts to improve this situation (art. 24).

**The State party should enhance its efforts to raise awareness on the importance of women and girls' education. In this regard, the State party should adopt specific measures aimed at reducing the school dropout rates of teenage pregnant girls and at encouraging pregnant teenage girls to continue school after giving birth. The State party should also provide statistical data on this phenomenon in its initial report, particularly focusing on efforts undertaken to improve the situation at the primary and secondary levels of the education system.**

## CEDAW 2007

### Principal areas of concern and recommendations

23. The Committee is concerned about the persistence of social barriers that impede women's education and are reflected in the early dropout rate of girls from school and the lack of measures to ensure that teenage mothers stay in or return to school. The Committee reiterates its concern about the influence of the church on girls' and young women's right to education. In that regard, the Committee repeats its concern that schools remain free to expel girls because of pregnancy, that only a few secondary schools allow girls to continue their education after pregnancy and that schools are allowed to dismiss unwed teachers who become pregnant. It is also concerned that insufficient efforts are being made to encourage girls and young women to enter traditionally male-dominated fields of study.

**24. The Committee recommends that the State party implement measures to ensure equal rights of girls and young women to all levels of education, to retain girls in school and to put in place monitoring mechanisms to track girls' access to and achievement levels in education. The Committee recommends that the State party put in place measures, including monitoring mechanisms and sanctions, to ensure that pregnant students stay in school during pregnancy and return after childbirth. The Committee calls on the State party to formulate the necessary legislative and policy measures to ensure de facto adherence to article 10 of the Convention throughout the entire educational system. It also encourages the State party to actively promote the diversification of educational and professional choices for women and men and offer incentives for young women to enter traditionally male-dominated fields of study.**

**CRC 2005****Education, leisure and cultural activities****Education, including vocational training and guidance**

60. The Committee expresses its concern at the high rate of illiteracy and regional disparities in this respect. While the Committee takes note of a 10-year Education Sector Strategy with an overall objective of achieving universal educational access for children between the ages of 3 and 16 years, it remains concerned about the fact that parents are sometimes charged additional fees, thereby creating financial obstacles to many children and denying them access to education in primary and particularly in secondary schools. The Committee notes the State party's efforts to reduce the high rate of school dropouts, but regrets the deficiencies in the implementation of these initiatives.

61. The Committee is concerned at the discrepancies in the implementation of national policies and principles on education in public and private schools, including the church-based schools. With respect to the treatment of pregnant students and teenage mothers in schools, the Committee expresses its grave concern that the State party does not have a policy to prevent and combat the school-based practices of educational exclusion of these students. The Committee is also concerned about the quality of education and the insufficient teacher training, particularly in the most remote areas of the country.

**R**

**62. The Committee recommends that the State party allocate adequate financial, technical and human resources in order:**

- (a) Urgently to take all necessary measures to further reduce the illiteracy rates in the country;**
- (b) To progressively ensure that all children, without any distinction as to gender or ethnic origin, from all areas of the country, have equal access to compulsory and free quality primary education, without any financial obstacles;**
- (c) To conduct a study to assess the causes, nature and extent of school dropouts and to strengthen its efforts to adopt and implement effective measures to prevent and reduce school dropout rates;**
- (d) To pay special attention to the needs of children belonging to vulnerable groups, including girls, migrant children, working children, children living in poverty, children deprived of their liberty, children belonging to minorities and indigenous children, in order to safeguard their right to education at all levels;**
- (e) To address the educational needs of pregnant students and teenage mothers in schools and to introduce a national policy on equal treatment of all students in respect of their right to education at all levels;**
- (f) To provide schoolchildren with adequate psychological counselling services;**
- (g) To improve the quality of education throughout the country in order to ensure that it is in conformity with the aims set out in article 29 of the Convention, taking into account the Committee's general comment No. 1 (2001) on the aims of education;**
- (h) To provide appropriate training to teachers at all levels of education;**
- (i) To seek assistance from the United Nations Educational, Scientific and Cultural Organization, UNICEF and other relevant agencies engaged in the field of education.**

E

# RIGHTS OF SPECIFIC PERSONS OR GROUPS

Two Mayan girls - Credit: Dirk Francisco





## 20. WOMEN

### 20.1 Discrimination against women

#### DRAFT REPORT OF THE WORKING GROUP ON THE UNIVERSAL PERIODIC REVIEW 2013

##### Conclusions and/or recommendations R

**97. The recommendations formulated during the interactive dialogue/listed below enjoy the support of country Belize:**

**97.21. Ensure the effective implementation of inclusive policies on the issue of gender to foster the participation of women in the economic and political life of the country, with concrete measures and an adequate timetable for compliance (Spain);**

**97.22. Strengthen mechanisms to promote the full and effective participation of women in different spheres, thus guaranteeing their effective incorporation into public life (Ecuador);**

**97.23. Make efforts to support a system of quotas to promote the participation of women in political and public life and in decision-making posts in all spheres of life. Additionally, make efforts to reduce or eliminate wage differences between men and women (Honduras);**

#### HUMAN RIGHTS COMMITTEE 2013

##### Principal subjects of concern and observations

12. The Committee regrets the persisting wage gaps between women and men. The Committee also regrets the lack of information on whether temporary special measures to improve the participation of women in politics will be undertaken despite the recommendations by the Political Reform Commission made in 2000 not to support temporary special measures such as quotas. The Committee also expresses concern about the lack of information on measures to promote women's representation in decision-making positions, particularly in the private and public sector (arts. 3 and 26).

**The Committee urges the State party to adopt a comprehensive and integrated approach to its policies to ensure that gender mainstreaming is practised at all levels. In this regard, the State party should take concrete measures to close the wage gap between men and women. It should further improve the participation of women in public and political life as well as decision-making positions in all spheres of life through, inter alia, the introduction of temporary special measures.** R

## CEDAW 2007

### Principal areas of concern and recommendations

11. The Committee is concerned that there is inadequate enforcement of laws and insufficient implementation of the provisions of the Convention and policies and programmes for the advancement of women by the State party. The Committee is concerned that the Convention and existing laws, policies and programmes are not sufficiently known in the State party. It is also concerned about the lack of access to justice for women.

R

**12. The Committee urges the State party to strengthen enforcement of its laws and recommends that the State party elaborate a comprehensive operational plan for the effective implementation of the Convention and of its policies and programmes for the advancement of women. The Committee calls on the State party to intensify its efforts to raise awareness about the Convention and about laws, policies and programmes that are designed to enhance women's enjoyment of their rights. The Committee encourages the State party to eliminate impediments women may face in gaining access to justice and to enhance women's legal literacy, awareness of their rights and capacity to effectively claim them.**

13. The Committee is concerned about the weak institutional capacity of the national machinery for the advancement of women, i.e., the Women's Department in the Ministry of Human Development, which is under-resourced and understaffed and does not have the capacity or authority to work effectively for the full implementation of the Convention and to coordinate the use of the gender mainstreaming strategy across all sectors of Government. The Committee is concerned about the scarcity of personnel at the district level to promote gender equality. It remains concerned about the absence of mechanisms to monitor implementation of the Convention and evaluate the impact of laws, policies and programmes on the achievement of women's equality. The Committee is concerned that, owing to excessive dependence on short-term external funding and development aid, the national machinery for the advancement of women has not achieved a sufficient degree of sustainability and professional efficiency in its work.

R

**14. The Committee calls on the State party to give priority to the strengthening of the national machinery for the advancement of women and to provide it with the authority, decision-making power and human and financial resources necessary to work effectively for the promotion of women's equality, coordinate the use of the gender mainstreaming strategy across all sectors of Government and ensure that such efforts are results-oriented and sustainable in the long term. The Committee recommends that the national machinery for the advancement of women be strengthened at district levels by forming multidisciplinary teams for implementation of the Convention, including in the area of violence against women. The Committee further recommends that the State party put in place effective mechanisms and systems to monitor implementation of the Convention and evaluate the impact of its laws, policies and programmes in terms of achieving the goal of gender equality, within clear timetables.**

17. The Committee remains concerned about the low rate of representation of women in public life and in elected bodies. The Committee notes with concern that the Political Reform Commission recommended against the adoption of a quota system for the appointment of women to public bodies in 2000 and that the State party does not support the use of quotas or targets to accelerate the achievement of de facto equality between women and men in all areas of the Convention.

**18. The Committee urges the State party to effectively use temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25, in order to accelerate the realization of women's de facto equality with men in all areas. The Committee draws the State party's attention to the fact that a purely formal or programmatic approach is not sufficient to achieve women's de facto equality with men, and that the application of temporary special measures is part of a necessary strategy towards the accelerated achievement of substantive equality for women in all areas covered by the Convention. The Committee encourages the State party to establish a legislative basis for the use of temporary special measures, either in the Constitution or in other appropriate legislation. It urges the State party to establish concrete goals, such as quotas and timetables, to accelerate achievement of substantive equality between women and men for each area of the Convention.**

29. The Committee is especially concerned about the precarious situation of women in rural areas, who are disproportionately affected by poverty, who have limited access to adequate health services, education, clean water and credit facilities, and who also lack access to justice. The Committee notes with concern that women living in rural areas may not benefit fully and equally from the State party's legislative and policy framework for the promotion of gender equality and that the majority of support systems are located in the cities. It is also concerned about the lack of adequate sex-disaggregated data, which continues to be a major obstacle in determining the overall position of rural women.

**30. The Committee urges the State party to give full attention to the needs of rural women and to ensure that all policies and programmes aimed at promoting gender equality, including those relating to health, education, clean water and access to justice and to credit reach the rural areas and are fully implemented at the district level. It recommends that clear benchmarks and timetables be set and that implementation of the measures targeting rural women be effectively monitored. The Committee requests the State party to provide in its next report information on the measures undertaken to empower and improve the situation of rural women.**

## 20.2 Gender-based violence against women

### DRAFT REPORT OF THE WORKING GROUP ON THE UNIVERSAL PERIODIC REVIEW 2013

#### Conclusions and/or recommendations

**97. The recommendations formulated during the interactive dialogue/listed below enjoy the support of country Belize:**

**97.10. Investigate all cases of violence against women, punish the perpetrators and ensure that victims receive the necessary support and compensation (Ireland);**

**97.11. Investigate the cases of domestic violence that continue to be reported and ensure perpetrators are punished (Maldives);**

**97.12. That the Unit on Family Violence and other competent bodies improve search and data collection systems, in order to accurately quantify the magnitude of the problem, its causes and consequences (Spain);**

**97.13. Redouble efforts to combat violence against women and the worst forms of child labour, and provide shelter services to victims of these crimes (Peru);**

**98. The following recommendations enjoy the support of Belize which considers that they are in the process of implementation:**

**98.10. Continue to work to combat violence against women (France);**

**98.11. Ensure the implementation of the National Gender-Based Violence Action Plan and put a halt on gender-based violence (Indonesia);**

**98.12. Take measures to actively track the implementation and results of the Domestic Violence Act and the National Gender-based Violence Action Plan and to publicly report on these efforts to reduce violence, especially against women and girls (Canada);**

**98.13. Adopt protocols on domestic and sexual violence for police agents (Paraguay);**

**98.14. Continue to strengthen norms, programmes and administrative measures aimed at combating all forms of violence against women and children, including educational and prevention plans (Chile);**

## **HUMAN RIGHTS COMMITTEE 2013**

### **Principal subjects of concern and observations**

15. While taking note of the efforts by the State party to combat violence against women including domestic violence such as the enactment of the Domestic Violence Act which came into force in 2007, and the establishment of a Family Violence Unit, the Committee notes with concern the continuing reports of violence against women. The Committee also regrets the lack of information and statistical data on all types of violence against women and of the steps taken to assess the effectiveness of measures undertaken to combat violence against women including domestic violence (arts. 3 and 7).

**R**

**The State party should adopt a comprehensive approach to preventing and addressing gender-based violence in all its forms and manifestations. In this regard, the State party should continue to improve its research and data collection methods and systems, such as the Gender-Based Violence Surveillance System, in order to establish the extent of the problem, its causes and consequences on women. The State party should ensure that cases of domestic violence and marital rape are thoroughly investigated and that the perpetrators are prosecuted, and if convicted, punished with appropriate sanctions, and the victims adequately compensated.**

**CEDAW 2007****Principal areas of concern and recommendations**

19. While welcoming the new Domestic Violence Act, which takes effect in July 2007, the Committee is concerned about the continued prevalence of violence against women and the lack of social awareness about it in the country. The Committee is concerned that women victims of violence are advised to return to their abusive partners by authority figures, including the police and magistrates. It is concerned about the limited progress made in the State party in preventing and eliminating violence against women, reflected in a lack of prosecutions and convictions and lack of access to justice for women, particularly in the rural areas. The Committee is further concerned that despite the criminalization of marital rape, there are apparently no prosecutions for that crime in the State party. It regrets the lack of information and statistical data on all types of violence against women and of steps taken to assess the effectiveness of measures undertaken to address violence against women.

**20. The Committee urges the State party to place high priority on implementing a comprehensive approach to addressing all forms of violence against women, including through the effective enforcement and monitoring of the Domestic Violence Act. It also urges the State party to raise public awareness, through media and educational programmes, that all forms of violence against women, including domestic violence and marital rape, are unacceptable and prohibited by law. The Committee calls upon the State party to provide training on the new Act to the judiciary, law enforcement officials, legal professionals, social workers and health providers and to fully sensitize them to all forms of violence against women so as to ensure that the perpetrators of violence are effectively prosecuted and punished with the required seriousness and speed. The Committee further recommends that the State party seek to increase the number of female judges and law enforcement officials as a means to encourage women to report cases of violence. It calls on the State party to establish support measures for victims of domestic violence, including increasing the number of shelters and legal, medical and psychological support. The Committee encourages the State party to make full use of the Committee's general recommendation 19 in its efforts to address violence against women. The Committee urges the State party to establish a centralized system to gather data on the prevalence and incidence of violence against women and to include such data, as well as information about the impact of measures taken, in its next periodic report.**

R

## 21. CHILDREN

### 21.1 Children: definition; general principles; protection

#### REPORT OF THE WORKING GROUP ON THE UNIVERSAL PERIODIC REVIEW 2009

##### R Conclusions and recommendations

**67.17. Rectify possible shortcomings in the registration procedure for all new born children (Czech Republic);** [Supported -See: 67.17. A/HRC/12/4. See also comments in para. 17, A/HRC/12/ 4/Add.1]

#### CRC 2005

##### Best interests of the child

28. In light of article 3 of the Convention, the Committee emphasizes the general principle of the Convention according to which the best interests of the child shall be a primary consideration in all actions concerning children. The Committee is of the view that this principle is not fully reflected in the State party's legislation, policies and programmes at the national and local levels.

**29. While acknowledging that the principle of the best interests of the child is included in some laws, e.g. in the Families and Children Act (chapter 173 of the Laws of Belize), the Committee recommends that the State party review its legislation and administrative measures to ensure that article 3 of the Convention is duly reflected therein and that this general principle is taken into account when judicial, administrative, policy, or other decisions are made.**

##### Respect for the views of the child

30. Despite some good examples of the implementation of article 12 of the Convention and of child participation, the Committee is concerned at the persistence of traditional and authoritarian attitudes in the State party which limit children's right to participate in matters affecting them and to express their views freely.

**31. The Committee recommends that the State party strengthen its efforts to promote respect for the views of all children, especially girls, and to facilitate their participation in all matters affecting them within the family, schools and other institutions. Furthermore, the Committee recommends that the State party introduce public awarenessraising campaigns and education programmes for parents to change the traditional authoritarian attitudes and practices and to strengthen children's participation in all spheres of life. The Committee also recommends that the State party seek international assistance from, among others, UNICEF and other agencies.**

## Adoption

46. The Committee welcomes the efforts of the State party to improve the practice of foster care, to facilitate adoption, to give preference to domestic over intercountry adoption and to prevent the abuse of adoption, for instance, through trafficking and sale of children. The Committee regrets that the State party has not ratified the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption of 1993.

**47. The Committee recommends that the State party continue and strengthen its efforts to improve and promote foster care and domestic adoption, ensure that its laws, regulations and practices regarding domestic and intercountry adoptions are in full compliance with article 21 of the Convention, and ratify the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption of 1993.**

## CRC 2005

### Abuse and neglect, maltreatment and violence

48. While noting the State party's efforts to combat violence against children and child abuse, including through the Families and Children (Child Abuse) (Reporting) Regulations, the Committee remains gravely concerned at the generally violent environment in which Belizean children are living and at the growing number of cases of murders, abductions, violence in the streets, domestic violence and sexual abuse of minors, especially girls.

**49. The Committee recommends that the State party take all necessary measures:**

- (a) To effectively implement the Families and Children (Child Abuse) (Reporting) Regulations and conduct timely and adequate investigations of cases of child abuse and violence in order to bring perpetrators to justice;**
- (b) To introduce awarenessraising campaigns, with the involvement of children themselves, in order to prevent all forms of violence against children and to combat child abuse, including sexual child abuse, and to change public attitudes and prevailing cultural practices in this respect;**
- (c) To ensure due adherence to all relevant protocols, policies and procedures regarding the management of child abuse cases;**
- (d) To ensure that child victims of violence and abuse have access to “onestop service” and adequate counselling and multidisciplinary assistance with recovery and reintegration.**

### Education, leisure and cultural activities

63. While acknowledging that some improvements have been achieved, the Committee shares the State party's concern at the insufficient number of cultural and recreational activities and facilities for children.

**64. In the light of the recommendations adopted by the Committee at its day of general discussion on “Implementing child rights in early childhood” (See CRC/C/143,**

**paras. 532563), the Committee recommends that the State party increase its efforts to promote and protect the right of the child to rest, leisure and cultural and recreational activities. The Committee requests the State party to provide in its next periodic report adequate information on the implementation of article 31 of the Convention.**

## 21.2 Children: family environment and alternative care

### CRC 2005

#### Parental responsibilities

42. While noting the State party's efforts to support parents and to develop their parental skills, inter alia, through the Community and Parenting Empowerment Project (COMPAR), the Committee expresses serious concern about the provisions of the Certified Institution (Children's Reformation) Act on "uncontrollable behaviour" according to which parents are able to seek institutional care, primarily within the Youth Hostel, for a child beyond parental control.

R

**43. The Committee urges the State party to provide parents and children with adequate knowledge, skills and support services and to review its legislation, practices and services with a view to eliminating the concept and expression of "uncontrollable behaviour" of children and to gradually preparing for "deinstitutionalization".**

#### Recovery of maintenance

44. The Committee is concerned that recovery of maintenance is not sufficiently ensured in practice. It is concerned at the actual implementation and, in some cases, the absence of bilateral agreements for reciprocal enforcement of maintenance orders. The Committee also notes with concern that children of unmarried parents do not have equal right to maintenance as those of married parents.

R

**45. In the light of article 27, paragraph 4, of the Convention, the Committee recommends that the State party take further measures to ensure the full implementation of legislation on the payment of maintenance as well as to ensure equal right to the recovery of maintenance for all children, irrespective of their parent's marital status. The Committee also recommends that the State party effectively implement and conclude bilateral agreements for reciprocal enforcement of maintenance orders and reconsider establishing a fund to provide support to parents waiting for the decision regarding the maintenance of their child.**



## 21.3 Children: protection against exploitation

### DRAFT REPORT OF THE WORKING GROUP ON THE UNIVERSAL PERIODIC REVIEW 2013

#### Conclusions and/or recommendations

R

**97. The recommendations formulated during the interactive dialogue/listed below enjoy the support of country Belize:**

**97.14. Strengthen measures aimed at eradicating child labour (Ecuador);**

**97.15. Redouble efforts to protect young people under 18 years, especially young women, against the worst forms of labour, including trafficking, sexual exploitation and hazardous work (Honduras).**

### CRC 2005

#### Special protection measures

##### Economic exploitation

65. The Committee welcomes the ILOfunded pilot project to address child labour problems, but remains concerned at the high rate of working children in Belize and the negative consequences resulting from the exploitation of child labour, such as school dropouts and the negative effects on health caused by harmful and hazardous work. The Committee notes with particular concern the high number of child rural workers and regrets the lack of adequate data on child labour in the country.

**66. In the light of ILO Conventions No. 138 concerning Minimum Age for Admission to Employment and No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour and the relevant provisions of the Convention on the Rights of the Child, the Committee recommends that the State party ensure the full implementation of the child labour provisions, including the provision of nonformal education and training, in order to ensure the development of children to their full potential; take all necessary measures to prevent child labour, including in rural areas, inter alia, by extending the ILOfunded project to those parts of the country, as well as to urban areas; and improve the monitoring of child labour in the country. The Committee encourages the State party to strengthen its cooperation with ILO and its International Programme on the Elimination of Child Labour (IPEC) in this respect.**

R

## 21.4 Juvenile justice

### DRAFT REPORT OF THE WORKING GROUP ON THE UNIVERSAL PERIODIC REVIEW 2013

R

#### Conclusions and/or recommendations

**97. The recommendations formulated during the interactive dialogue/listed below enjoy the support of country Belize:**

**97.19. Implement a system of administration of juvenile justice that fully integrates in its legislation, policies and practices the provisions and principles of the Convention on the Rights of the Child (CRC) (in particular articles 37, 39 and 49) as well as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (Beijing Rules), United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines), United Nations Rules for the Protection of Juveniles Deprived of their Liberty and the Vienna Guidelines for Action on Children in the Criminal Justice System (Uruguay);**

**99. The following recommendations will be examined by Belize which will provide responses in due time, but no later than the 25<sup>th</sup> session of the Human Rights Council in March 2014.**

**99.27 Raise the age of criminal responsibility so that it is in line with the international commitments undertaken by Belize (France);**

### CRC 2005

#### Juvenile justice

70. While noting with appreciation the establishment of the Community Rehabilitation Department in 2001, the Committee reiterates its serious concern at the low minimum legal age of criminal responsibility and the large number of children in detention. The Committee notes the improvements made in the Family Court of Belize, but notes that a juvenile court only exists in Belize City, while juveniles living in other districts are tried in magistrate's courts. The Committee shares the State party's concern that the districtbased magistrate's courts continue to fall short of being child-sensitive and adequately trained to be sensitive enough to the provisions of the Convention. With respect to domestic legislation for the administration of juvenile justice, including alternative forms of punishment, the Committee expresses its concern about the deficiencies in the implementation of the said provisions. The Committee is deeply concerned about the fact that children as young as 9 years of age can be sentenced to life imprisonment without provision for parole. Furthermore, the Committee is concerned about the inadequate conditions of the Boot Camp detention unit at the Hattieville Prison.

R

**71. The Committee recommends that the State party establish a system of juvenile justice that fully integrates into its legislation, policies and practice the provisions and principles of the Convention, in particular articles 37, 39 and 40, and other relevant international standards in this area, such as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines), the United Nations Rules**

**for the Protection of Juveniles Deprived of Their Liberty and the Vienna Guidelines for Action on Children in the Criminal Justice System, in the light of the Day of General Discussion on the Administration of Juvenile Justice, held by the Committee in 1995. In this regard, the State party is recommended to take measures, in particular:**

- (a) To establish juvenile courts staffed with appropriately trained professional staff in each district of the country;**
- (b) To raise the minimum age of criminal responsibility to an internationally accepted level;**
- (c) As regards life imprisonment of children without provision for parole, to urgently review its domestic legislation, particularly the provisions of the Indictable Procedures Act (chapter 96 of the Laws of Belize) and the Court of Appeal Act (chapter 90 of the Laws of Belize), in order to bring its domestic laws into full conformity with the provisions and principles of the Convention;**
- (d) To ensure that detained persons under the age of 18, including in pretrial detention, are always separated from adults, and that deprivation of liberty is used only as a measure of last resort, for the shortest period of time and in appropriate conditions;**
- (e) In cases where deprivation of liberty is unavoidable and used as a last resort, to improve procedures of arrest and conditions of detention and establish special units within the police for the handling of cases of juveniles in conflict with the law;**
- (f) To seek technical assistance from, among others, OHCHR, the United Nations Office on Drugs and Crime and UNICEF.**

## 22. PERSONS WITH DISABILITIES

### DRAFT REPORT OF THE WORKING GROUP ON THE UNIVERSAL PERIODIC REVIEW 2013

#### Conclusions and/or recommendations

**97. The recommendations formulated during the interactive dialogue / listed below enjoy the support of Belize:**

**97.28. Strengthen its efforts to promote and protect the rights of persons with disabilities (Trinidad and Tobago);**

**97.29. Assign a government department the mandate of promoting and protecting the rights of disabled persons (Nigeria);**

**97.30. Incorporate in its legislation and take positive measures to implement the rights contained in the Convention on the Rights of Persons with Disabilities (Maldives);**

**98. The following recommendations enjoy the support of Belize which considers that they are in the process of implementation:**

**98.21. Ensure that persons with disabilities have the right to enrol in the electoral census and vote (Honduras);**

R

## HUMAN RIGHTS COMMITTEE 2013

### Principal subjects of concern and observations

24. The Committee is concerned that persons found to be suffering from mental disabilities under any law in force in the State party are disqualified from voting and registering to vote (arts. 25 and 26)

R

**The State party should revise its legislation to ensure that it does not discriminate against persons with mental intellectual or psychosocial disabilities by denying them the right to vote on bases that are disproportionate or that have no reasonable and objective relationship to their ability to vote, taking account of article 25 of the Covenant, and article 29 of the Convention on the Rights of Persons with Disabilities.**

## CRC 2005

### Basic health and welfare

#### Children with disabilities

50. The Committee expresses grave concern about the situation of children with disabilities and regrets that de facto discrimination against them still exists. The Committee notes with concern the lack of specific legislation which would ensure full and equal participation in social life, including access to social and health services, education, training, information and communication, rehabilitation, recreation and care, for children with disabilities. The Committee is concerned about the lack of basic services supporting children with disabilities and of adequate financial and human resources partially caused by the closing of the Disability Services Division, resulting in a situation in which the nongovernmental organization CAREBelize can only provide very limited services for children with disabilities. Furthermore, the Committee expresses its concern about the lack of statistical data on children with disabilities.

R

**51. The Committee urges the State party, taking into account the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96 of 20 December 1993, annex) and the recommendations adopted by the Committee at its day of general discussion on “The rights of children with disabilities” (see CRC/C/69, paras. 310-339):**

- (a) To enact special legislation dealing exclusively with disability issues, including access to social and health services, rehabilitation, support services, physical environment, information and communication, education, recreation and sports, in order to achieve the objectives of full participation and equality for children with disabilities;**
- (b) To initiate and plan a comprehensive national policy for children with disabilities and to allocate the necessary financial and human resources to implement the plan;**
- (c) To consider the establishment of a national focal point on disability issues to strengthen coordination between governmental and nongovernmental actors;**
- (d) To integrate education for children with disabilities into national educational planning and curriculum and to include children with disabilities in the mainstream school system to the extent possible, including by providing the necessary financial and human resources for the training of teachers;**

- (e) **To disseminate information concerning the rights and potential of children with disabilities and to raise public awareness of disability;**
- (f) **To collect adequate statistical data on children with disabilities, allowing for disaggregated analysis of the problems facing children with disabilities;**
- (g) **To seek international assistance from, among others, UNICEF and WHO in this respect.**

## 23. MEMBERS OF MINORITIES AND INDIGENOUS PEOPLES

### DRAFT REPORT OF THE WORKING GROUP ON THE UNIVERSAL PERIODIC REVIEW 2013

#### Conclusions and/or recommendations

**98. The following recommendations enjoy the support of Belize which considers that they are in the process of implementation:**

**98.22. Continue in its endeavours in consistently addressing the issues affecting indigenous peoples (Trinidad and Tobago);**

**98.23. Monitor continuously the extractive activities of oil companies in Mayan territory, which must always respect Human Rights (Spain);**

**99. The following recommendations will be examined by Belize which will provide responses in due time, but no later than the 25<sup>th</sup> session of the Human Rights Council in March 2014.**

**99.42. Adopt concrete measures, including special measures, such as acceding to ILO Convention No. 169, so that the Mayan indigenous peoples and certain persons of African-decent have access to the labour market, housing and healthcare as well as combating poverty, exclusion and the discrimination they suffer from. Design intercultural and bilingual educational programmes to promote the integration of these ethnic groups (Honduras);**

**99.43. Encourage greater participation of indigenous peoples through the elaboration of a law regulating the right of these peoples to prior consultation (Peru);**

**99.44. Refrain from issuing new concessions for projects in Mayan territories without the free, prior and informed consent of the relevant Mayan community (Norway);**

### REPORT OF THE WORKING GROUP ON THE UNIVERSAL PERIODIC REVIEW 2009

#### Conclusions and recommendations

**67.8. Implement the recommendations of the Committee on the Rights of the Child to prioritize effective measures to reduce poverty among indigenous and minority children**

**(Canada);** [Supported -See: 67.8. A/HRC/12/4 . See also comments in para. 19, A/HRC/12/ 4/ Add.1]

**67.35. Redouble its efforts in favor of the respect of the rights of indigenous peoples, in line with the provisions of the United Nations Declaration on the Rights of Indigenous Peoples (Mexico);** [Supported -See: 67.35. A/HRC/12/4. See also comments in para. 40, A/HRC/12/ 4/Add.1]

## HUMAN RIGHTS COMMITTEE 2013

### Principal subjects of concern and observations

25. The Committee is concerned at reports regarding the refusal by the State party to comply with court orders following the decision of the Inter- American Human Rights Commission of 12 October 2004 and the decisions of the Supreme Court of Belize of 18 October 2007 and 28 June 2010 restraining the State party from issuing concessions for resource exploitation and parcelling for private leasing of Mayan land. The Committee regrets reports that the State party continues to grant concessions to companies involved in logging, oil drilling, seismic surveys and road infrastructure projects in Mayan territories thereby affecting the rights of the Mayan peoples to practice their culture on their traditional lands (arts. 14 and 27).

R

**The State party should provide information on allegations that it has not been complying with decisions of the Supreme Court with regard to Mayan land. The State party should desist from issuing new concessions for logging, parcelling for private leasing, oil drilling, seismic surveys and road infrastructure projects in Mayan territories without the free, prior, and informed consent of the relevant Mayan community.**

## CERD 2012

### Situation of indigenous communities

10. The Committee is concerned at the fact that the State party has not yet recognized the land rights of Maya people, in particular those living in the Toledo district, and continues to grant leases and oil concessions over their traditional lands without their prior, free and informed consent despite the rulings of the Supreme Court of the State party and the recommendations of the Inter-American Commission on Human Rights (art. 5).

R

**Recalling its general recommendation No. 23 (1993) on the rights of indigenous peoples, the Committee recommends that the State party recognize the rights of Maya indigenous people, in particular of the Toledo district, to their traditional lands, and stop granting leases and oil concessions without obtaining the prior, free and informed consent of Maya people, in full compliance with the ruling of the Supreme Court and the recommendations of the Inter-American Commission on Human Rights.**

## CEDAW 2007

### Principal areas of concern and recommendations

15. The Committee is concerned that the widespread poverty among women — the poverty rate stands at 33.5 per cent — is among the causes of the violation of women's rights and discrimination against them, particularly in the rural areas and among Mayan women. It is concerned that there has been no evaluation of several multimillion-dollar projects designed to combat poverty in the rural areas since 1996. The Committee is concerned at the large number of women who are heads of household and who are particularly vulnerable to poverty.

**16. The Committee urges the State party to make the promotion of gender equality an explicit component of all its national development strategies, policies and programmes, in particular those aimed at poverty alleviation and sustainable development. The Committee also invites the State party to place emphasis on the promotion and protection of women's human rights in all development cooperation programmes with international organizations and bilateral donors so as to address the socio-economic causes of discrimination against women. The Committee recommends that the State party put in place evaluation and monitoring mechanisms to assess the impact of its poverty reduction strategies on women, including those in the rural areas, and provide information in its next report. It calls on the State party to pay special attention, and provide targeted support, to women heads of household in all its poverty-eradication efforts, including in the rural areas and among Mayan women.**

## CRC 2005

### Children belonging to minorities and indigenous peoples

72. With regard to children belonging to minorities and indigenous peoples, such as Maya and Garifuna children, the Committee is concerned about the widespread poverty among them and the limited enjoyment of their rights, particularly concerning their access to social and health services and education. The Committee notes with concern that it is generally difficult for girls belonging to minorities and indigenous peoples to be heard in society and that their right to participate and to be heard in proceedings affecting them is often limited.

**73. The Committee recommends that the State party strengthen its efforts to improve the equal enjoyment of all rights of children belonging to minorities and indigenous peoples, in particular, by prioritizing effective measures to reduce poverty among them. The Committee also recommends that the State party take measures to promote respect for the views of children, especially girls, belonging to minorities and indigenous peoples and facilitate their participation in all matters affecting them.**

## 24. MIGRANTS

### DRAFT REPORT OF THE WORKING GROUP ON THE UNIVERSAL PERIODIC REVIEW 2013

R

#### **Conclusions and/or recommendations**

**97. The recommendations formulated during the interactive dialogue / listed below enjoy the support of Belize:**

**97.31. Implement legislative provisions to prevent the criminalization of irregular migration and to encourage the use of alternative measures to deprivation of liberty, so that the detention of asylum seekers is established as a measure of last resort, while re-establishing the mechanism to determine refugee status (Uruguay).**

## 25. REFUGEES & INTERNALLY DISPLACED PERSONS (IDPs)

### HUMAN RIGHTS COMMITTEE 2013

#### **Principal subjects of concern and observations**

16. The Committee is concerned at reports that the Eligibility Committee that was mandated to conduct refugee status determination (RSD) is non-operational and that the last RSD exercise was conducted in 1997. The Committee is concerned that as a result of the non-existence of an asylum screening system and the alleged reluctance by authorities of the State party to consider claims for protection, persons facing a real risk of treatment inconsistent with articles 6 and 7 of the Covenant are in danger of refoulement (arts. 6, 7 and 13).

R

**The State party should re-establish a mechanism for refugee status determination. The State party should observe its obligation to respect the principle of non-refoulement.**



F

# COMMENTS AND FOLLOW-UP

*Belizean man paddling in open sea - Credit: Dirk Fransisca*



## 26. FOLLOW-UP TREATY BODIES

### CERD 2012

#### Paragraphs of particular importance

19. The Committee also wishes to draw the attention of the State party to the particular importance of recommendations in paragraphs 9, 10 and 11 above and requests the State party to provide detailed information in its initial report on concrete measures taken to implement these recommendations.

### CEDAW 2007

#### Principal areas of concern and recommendations

**8. While recalling the State party's obligation to implement systematically and continuously all provisions of the Convention, the Committee views the concerns and recommendations identified in the present concluding comments as requiring the State party's priority attention between the present time and the time of submission of the next periodic report. Consequently, the Committee calls upon the State party to focus on those areas in its implementation activities and to report on the action taken and the results achieved in its next periodic report. It calls upon the State party to submit the present concluding comments to all relevant ministries and to its parliament so as to ensure their full implementation.**

### CRC 2005

#### Principal subjects of concern and recommendations

#### General measures of implementation

#### The Committee's previous recommendations

7. The Committee notes with satisfaction that various concerns and recommendations (CRC/C/15/Add.99) made upon the consideration of the State party's initial report (CRC/C/3/Add.46) have been addressed through legislative measures and policies. However, some of the concerns it had expressed and recommendations it had made regarding, inter alia, the need to bring domestic legislation into full conformity with the principles and provisions of the Convention (paras. 7 and 14), the priority of adequate budgetary allocations to ensure implementation of the economic, social and cultural rights of children (para. 12), the equal access to birth registration (para. 18), the prohibition of corporal punishment (para. 19), the protection against domestic violence, ill-treatment and sexual abuse (para. 22), the equal enjoyment of all human rights by children with disabilities (para. 26), the legal minimum age of criminal responsibility (para. 30) have not been sufficiently addressed.

R

**8. The Committee urges the State party to make every effort to address the recommendations in the concluding observations on the initial report that have not yet been implemented, and to address the list of concerns contained in the present concluding observations on the second periodic report.**

**Follow up**

**76. The Committee recommends that the State party take all appropriate measures to ensure the full implementation of the present recommendations, inter alia, by transmitting them to members of the Council of Ministers or the cabinet or a similar body, the Parliament, provincial or State Governments and Parliaments, where applicable, for appropriate consideration and further action.**



ANNEX



Aerial photo of Belize City - Credit: Dirk Francisco

# Ratification chart

## Scope of international obligations<sup>i</sup>

### International human rights treaties<sup>ii</sup>

	RATIFICATION STATUS	NOT RATIFIED/NOT ACCEPTED
RATIFICATION, ACCESSION OR SUCCESSION	ICERD (2001) ICESCR (signature only, 2000) ICCPR (1996) CEDAW (1990) CAT (1986) CRC (1990) OP-CRC-AC (2003) OP-CRC-SC (2003) ICRMW (2001) CRPD (2011)	ICCPR-OP 2 OP-CAT CPED
RESERVATIONS, DECLARATIONS AND/OR UNDERSTANDINGS	ICCPR (reservations, art. 12, para. 2, art. 14, para. 3(d), art. 14, para. 6 (2001))	
COMPLAINT PROCEDURES, INQUIRY AND <sup>iii</sup> URGENT ACTION	CAT, art. 20 (1986)	ICERD, art. 14 OP-ICESCR ICCPR, art. 41 ICCPR-OP 1 OP-CEDAW, art. 8 CAT, arts. 21 and 22 OP-CRC-IC ICRMW, arts. 76 and 77 OP-CRPD CPED

### Other main relevant international instruments

	RATIFICATION STATUS	NOT RATIFIED
RATIFICATION, ACCESSION OR SUCCESSION	Convention on the Prevention and Punishment of the Crime of Genocide Rome Statute of the International Criminal Court Palermo Protocol <sup>iv</sup> Conventions on refugees and stateless persons <sup>v</sup> Geneva Conventions of 12 August 1949 and Additional Protocols I, II and III <sup>vi</sup> ILO fundamental conventions <sup>vii</sup> UNESCO Convention against Discrimination in Education CRPD (2011)	1961 Convention on the Reduction of Statelessness ILO Conventions No. 169 and No. 189 <sup>viii</sup>

## Reporting status, responses to specific follow-up requests by treaty bodies and cooperation with Special Procedures

### Reporting status to treaty bodies

TREATY BODY	LATEST CONCLUDING OBSERVATIONS	REPORTING STATUS
<i>CERD</i>	August 2012 (in the absence of report)	Initial report due in 2013 (overdue since 2006)
<i>HR COMMITTEE</i>	March 2013 (in the absence of report)	Initial report due in 2015 (overdue since 1997)
<i>CEDAW</i>	July 2007	Fifth and sixth reports overdue since 2011
<i>CAT</i>	--	Revised and initial report overdue since 1992 <sup>ix</sup>
<i>CRC</i>	March 2005	Combined reports overdue since 2007/initial reports to OP-CRC-AC and OP-CRC-SC overdue since 2006
<i>CRPD</i>	--	Initial report due since July 2013
<i>CMW</i>	--	Initial report overdue since 2004

### Responses to specific follow-up requests by treaty bodies

#### Concluding observations

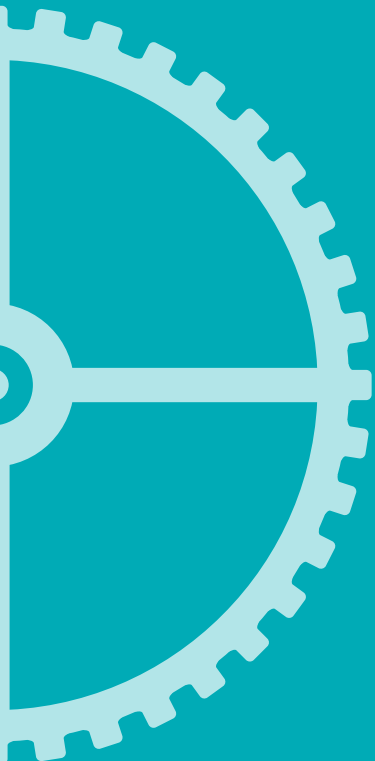
TREATY BODY	DUE IN	SUBJECT MATTER	SUBMITTED IN
<i>CERD</i>	2013	Incident of racist and xenophobic stereotypes; situation of indigenous peoples; trafficking in persons <sup>x</sup>	--

## Cooperation with special procedures <sup>xi</sup>

TREATY BODY	STATUS
STANDING INVITATION	No
INVITATIONS TO SPECIAL PROCEDURES MANDATE HOLDERS	The United Nations Special Rapporteur on Trafficking in Persons, Especially Women and Children was invited to visit Belize from 12 to 16 December 2013.

- i Unless indicated otherwise, the status of ratifications of instruments listed in the table may be found in the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://treaties.un.org/>. Please also refer to the United Nations compilation on Belize from the previous UPR cycle (A/HRC/WG.6/5/BLZ/2).
- ii The following abbreviations have been used for this document:
- |            |   |
|------------|---|
| ICERD      | International Convention on the Elimination of All Forms of Racial Discrimination                             |
| ICESCR     | International Covenant on Economic, Social and Cultural Rights  |
| OP-ICESCR  | Optional Protocol to ICESCR   |
| ICCPR      | International Covenant on Civil and Political Rights  |
| ICCPR-OP 1 | Optional Protocol to ICCPR  |
| ICCPR-OP 2 | Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty                               |
| CEDAW      | Convention on the Elimination of All Forms of Discrimination against Women                                    |
| OP-CEDAW   | Optional Protocol to CEDAW  |
| CAT        | Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment                      |
| OP-CAT     | Optional Protocol to CAT  |
| CRC        | Convention on the Rights of the Child   |
| OP-CRC-AC  | Optional Protocol to CRC on the involvement of children in armed conflict                                     |
| OP-CRC-SC  | Optional Protocol to CRC on the sale of children, child prostitution and child pornography                    |
| OP-CRC-IC  | Optional Protocol to CRC on a communications procedure  |
| ICRMW      | International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families |
| CRPD       | Convention on the Rights of Persons with Disabilities   |
| OP-CRPD    | Optional Protocol to CRPD   |
| CPED       | International Convention for the Protection of All Persons from Enforced Disappearance                        |
- iii Individual complaints: ICCPR-OP 1, art. 1; OP-CEDAW, art. 1; OP-CRPD, art. 1; OP-ICESCR, art. 1; OP-CRC-IC, art. 5; ICERD, art. 14; CAT, art. 22; ICRMW, art. 77; and CPED, art. 31. Inquiry procedure: OP-CEDAW, art. 8; CAT, art. 20; CPED, art. 33; OP-CRPD, art. 6; OP-ICESCR, art. 11; and OP-CRC-IC, art. 13. Inter-State complaints: ICCPR, art. 41; ICRMW, art. 76; CPED, art. 32; CAT, art. 21; OP-ICESCR, art. 10; and OP-CRC-IC, art. 12. Urgent action: CPED, art. 30.
- iv Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.
- v 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 1954 Convention relating to the Status of Stateless Persons.
- vi Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Geneva Convention relative to the Treatment of Prisoners of War (Third Convention); Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see Federal Department of Foreign Affairs of Switzerland, at [www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html](http://www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html).
- vii International Labour Organization Convention No. 29 concerning Forced or Compulsory Labour; Convention No. 87 concerning Freedom of Association and Protection of the Right to Organise; Convention No. 98 concerning the Application of the Principles of the Right to Organise and to Bargain Collectively; Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; Convention No. 105 concerning the Abolition of Forced Labour; Convention No. 111 concerning Discrimination in Respect of Employment and Occupation; Convention No. 138 concerning Minimum Age for Admission to Employment; Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.
- viii International Labour Organization Convention No. 169, concerning Indigenous and Tribal Peoples in Independent Countries, and Convention No. 189 concerning Decent Work for Domestic Workers.
- ix Belize submitted the initial report in 1991. However, the Committee requested a more detailed and revised report, and postponed further consideration of the initial report until the Committee's next session, when the revised report would be available (CAT/C/SR.156).
- x CERD/C/BLZ/CO/1, para. 19.
- xi For the titles of special procedures, see [www.ohchr.org/EN/HRBodies/SP/Pages/Themes.aspx](http://www.ohchr.org/EN/HRBodies/SP/Pages/Themes.aspx) and [www.ohchr.org/EN/HRBodies/SP/Pages/Countries.aspx](http://www.ohchr.org/EN/HRBodies/SP/Pages/Countries.aspx).





**OHCHR Regional Office for Central America**

UN House, Building No. 128, 3rd floor  
City of Knowledge, Clayton  
P.O. Box 0816-01941  
Panama City, Panama  
pregionaloffice@ohchr.org

[www.oacnudh.org](http://www.oacnudh.org) / [www.ohchr.org](http://www.ohchr.org)

**United Nations in Belize**

Resident Coordinator's Office  
P.O. Box 53  
3rd Floor Lawrence Nicholas Building  
South Ring Road  
Belmopan, Belize

[www.bz.one.un.org](http://www.bz.one.un.org)

