

14th November 2012

Country-of-origin information to support the adjudication of asylum claims from Lesbian, Gay, Bisexual, Transgender and Intersex ('LGBTI') asylum-seekers

Belize

Commissioned by the Office of the United Nations High Commissioner for Refugees (UNHCR), Division of International Protection. Any views expressed in this paper are those of the authors and not necessarily those of UNHCR.

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Explanatory Note

The following non-exhaustive excerpts of COI are from 2007-2012. The COI is presented in reverse chronological order and is cited directly from the original source, including original footnotes. All sources are publicly available and a direct hyperlink has been provided for all sources. The same source of COI may be repeated under more than one issue, if relevant. Only the most recent (2011) annual report from sources has been included and multiple sources documenting the same incidents have not been included. A list of sources consulted is provided, together with a short self-description of less well known sources.

1. The legal position of LGBTI persons in the country concerned including criminalisation

Belize Criminal Code, revised edition 31 December 2000

<http://www.belize-law.org/lawadmin/PDF%20files/cap101.pdf>

2. Rape and Like Crimes

[...] 53. Every person who has carnal intercourse against the order of nature with any person or animal shall be liable to imprisonment for ten years.

Miscellaneous definitions: Unnatural crime [...]

The United Belize Advocacy Movement (UniBAM) and The Heartland Alliance for Human Needs & Human Rights, *Human Rights Violations of Lesbian, Gay, Bisexual, and Transgender (LGBT) People in Belize, Submission to the United Nations Human Rights Committee on Relevant Issues Prior to Reporting (LOIPR) (Belize), August 2012*

<http://www2.ohchr.org/english/bodies/hrc/docs/ngos/LGBTBelize106.pdf>

[...] II. *Substantive Violations of the ICCPR*

State discrimination against sexual minorities in Belize

Article 2(1) and Article 26: Discrimination and unequal treatment of LGBT persons under the law

The Belizean Criminal Code criminalizes private, consensual sex between adult men.¹ Section 53 of the Code describes same-sex sexual relations as an “unnatural crime,”² and makes it a criminal offense to have “carnal intercourse against the order of nature.”³ The penalty for violation of §53 is ten years imprisonment.⁴ The criminalization of sexual relations between men authorizes Belizean law enforcement officials to investigate intimate details regarding private life and to detain homosexual men if they engage in sexual activities that contravene §53. [...]

A corollary to the criminalization of same-sex sexual activity is that the government cannot acknowledge same-sex partnerships (at least between men) without contradicting §53. Thus, as compared to opposite-sex relationships, same-sex relationships are systematically unrecognized and devalued under Belizean law. Of particular concern is that same-sex couples are denied entitlements that are available to unmarried opposite-sex couples. For instance, the Administration of Estates Act governs the transfer of assets upon the death of a person. If a decedent with a partner of the same sex dies intestate, failing to designate beneficiaries in his or her will, the living partner will not receive any part of the estate, regardless of the longevity of the relationship. However, the Act does protect common law husbands and wives who have resided with their partners for five years or more in the same way that it protects lawfully married couples.⁷ [...]

¹ Criminal Code of Belize, Part II, Title VII §53 (2000) available at <http://www.belize-law.org/lawadmin/PDF%20files/cap101.pdf>.

² Id.

³ Id.

⁴ Id.

⁷ Administration of Estates Act of Belize (2000), available at <http://www.belize-law.org/lawadmin/PDF%20files/cap197.pdf>

Freedom House, *Freedom in the World 2012 - Belize*, 8 June 2012

<http://www.freedomhouse.org/report/freedom-world/2012/belize>

[...] Lesbian, gay, bisexual, and transgender (LGBT) persons also face legal and societal discrimination. While female same-sex sexual activity is legal, male same-sex sexual activity is illegal and can result in 10 years imprisonment. The United Belize Advocacy Movement is challenging the constitutionality of this law and is scheduled to go before the Supreme Court in early 2012. [...]

U.S. Department of State, *2011 Country Report on Human Rights Practices- Belize*, 24 May 2012

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?dliid=186492>

[...] *Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity*

The law does not protect sexual orientation or gender identity. The criminal code states that "carnal intercourse" with any person "against the order of nature" shall receive a punishment of 10 years' imprisonment. In practice the law was interpreted as including only sex between men. [...]

UNIBAM challenged the law on "carnal intercourse" as unconstitutional. The case was scheduled to be heard before the Supreme Court on December 4 but was postponed to January 2012. [...]

News 5, *Churches deliver a holy blow to UNIBAM*, 27 April 2012

<http://edition.channel5belize.com/archives/69789>

The United Belize Advocacy Movement (UNIBAM) received a major blow inside the courtroom of Supreme Court Justice Michelle Arana. UNIBAM is challenging Section Fifty-Three of the criminal code, which bars carnal intercourse against the order of nature. The crime is an indictable matter with the possibility of ten years in prison. This morning, a ruling was handed down that struck out UNIBAM as an interested party in the case. The attorneys for the Council of Churches submitted that UNIBAM has no locus standing, and therefore asked for their application to be struck out. In January, the Council of Churches' attorney, Rodwell Williams made the arguments that some expert affidavits were given, contrary to the rules, and without the leave of the court. Outside the Supreme Court another attorney for the Council of Churches, Michel Chebat explained what the ruling means for the interested parties.

Michel Chebat, Attorney for Council of Churches

"The judge handed down her decision today and what she did was she allowed the application by the church interested parties which were twofold. The initial application was to have UNIBAM struck from the case, which was granted and secondly to have the affidavits of the purported experts filed by the claimant for those to be struck out as having not complied with the rules. And so they were both granted. However, the judge has also granted leave for them to re-file in the event they wish to do so."

Jose Sanchez

"How significant is the fact that the UNIBAM has been struck out? What role does that play in the entire case?"

Michel Chebat

"As I said, I don't believe it will stop the case from going forward because there is a second claimant. But in terms of—I suspect—in terms of the bigger picture and appearances, I understand UNIBAM is the umbrella organization, so it may or may not be detrimental to them. I am not sure."

Jose Sanchez

“In terms of your case, where does it go from here? Procedurally, where do you go?”

Michel Chebat

“Our next step is to file our expert witnesses affidavits which will be done within sixty days of today’s date and then we come back to court for a case management at which time the court will set the stage going forward in terms of trial date and so forth.”

Jose Sanchez

“So in essence the victory if there is any is minimal. Would that be correct?”

Michel Chebat

“I would not say minimal. I think the fact that UNIBAM has been removed, may be a significant blow to them and to their financial support because I believe it is through UNIBAM that the financial support is coming for the case. Leave has been granted to all parties to file expert evidence within sixty days.”

Jules Vasquez, 7 News

“Now all your experts except for Mister Henry Lawrence have been accepted. Am I right?”

Michel Chebat

“Yes that is correct; that is correct. All of the affidavits filed on behalf of the Church interested parties have been accepted by the Court except for Mister Lawrence’s.”

In January, attorney for UNIBAM, Lisa Shoman said that it really didn’t matter whether UNIBAM survived as an applicant, because the case would go on. She said, “I rather suspect that at this point, really doesn’t matter how the judge rules and there may very well be an appeal in either case... We’d like to get the matter before the courts; so that we have several options open and we will look at them when that arises.”

UN Human Rights Council, *Report of the Human Rights Council on its twelfth session, 25 February 2010*

<http://www.ohchr.org/EN/HRBodies/UPR/PAGES/BZSession5.aspx>

[...] *Belize*

[...] 3. *General comments made by other relevant stakeholders*

274. The Canadian HIV/AIDS Legal Network expressed its appreciation of Belize’s clear responses to the recommendations. It welcomed Belize’s acceptance of recommendation 12, by which the Government agreed to provide human rights training with regard to the protection of vulnerable groups, including persons of minority sexual orientation or gender identity, to law enforcement officials, judicial officers and all State officials. It regretted, however, that Belize was not yet ready to accept recommendations 9 and 28, which urged the Government to ensure that no one was subject to criminal sanctions for same-sex activity between consenting adults, and to ensure that there was no discrimination on these grounds. It referred to the Human Rights Committee’s ruling in the case of *Toonen v. Australia*, underlining the fact that laws criminalizing same-sex conduct violated the international rights to privacy and non-discrimination, and impeded measures to address HIV and AIDS by driving marginalized communities underground. It thus noted that this was inconsistent with Belize’s acceptance of recommendation 18. [...]

UN Human Rights Council, *Summary prepared by the Office of the High Commissioner for Human Rights, in accordance with paragraph 15(c) of the Annex to Human Rights Council Resolution 5/1 - Belize, 20 February 2009*

http://lib.ohchr.org/HRBodies/UPR/Documents/Session5/BZ/A_HRC_WG6_5_BLZ_3_E.pdf

[...] A. *Scope of international obligations*

1. A joint submission by the United Belize Advocacy Movement and the Sexual Rights Initiative (JS1)² reported Belize has signed the International Covenant on Economic, Social and Cultural Rights on 6 September 2000, but has not ratified the covenant.³

B. Constitutional and legislative framework

2. JS1 reported that the Political Reform Commission Report of 2000 and other State documents mentioned the need to include protection against sexual orientation in Belize's Constitution, acknowledging the issue of freedom from discrimination based on sexual orientation.⁴

3. JS1 recommended the enactment of national legislation to implement the substantive rights set out in international human rights obligations ratified by Belize.⁵ Regarding the issue of sexual minorities, it recommended the creation of a legal framework to safeguard their rights, including through amending the legislation on immigration and rape.⁶ [...]

2. Evidence of the implementation of legal provisions, including police and judicial treatment and punishment of same sex activity

International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA), *Belize country page, Law, undated (accessed 13 November 2012)*

<http://ilga.org/ilga/en/countries/BELIZE/Law>

[...] Were there men in jail or punished for same sex activity in the last twelve months in your country?

N/A [...]

The United Belize Advocacy Movement (UniBAM) and The Heartland Alliance for Human Needs & Human Rights, *Human Rights Violations of Lesbian, Gay, Bisexual, and Transgender (LGBT) People in Belize, Submission to the United Nations Human Rights Committee on Relevant Issues Prior to Reporting (LOIPR) (Belize), August 2012*

<http://www2.ohchr.org/english/bodies/hrc/docs/ngos/LGBTBelize106.pdf>

[...] *II. Substantive Violations of the ICCPR*

State discrimination against sexual minorities in Belize

Article 2(1) and Article 26: Discrimination and unequal treatment of LGBT persons under the law

[...] Regardless of whether §53 is enforced, the law has serious human rights implications for LGBT individuals in Belize. The law unambiguously violates the right to equal treatment under the law⁵ as well as the right to privacy.⁶ In addition, it perpetuates the stigma of sexual

² Sexual Rights Initiative coalition includes: Mulabi – Latin American Space for Sexualities and Rights; Action Canada for Population and Development; Creating Resources for Empowerment and Action-India; the Polish Federation for Women and Family Planning, and others

³ JS1, p.1.

⁴ JS1, p.4.

⁵ JS1, p.1.

⁶ JS1, p.3.

⁵ International Covenant on Civil and Political Rights, G.A. Res. 2200A, 99 U.N.T.S. 171, art. 26 (Dec. 16, 1996) [hereinafter ICCPR].

⁶ ICCPR, art. 17.

minorities within Belize society, and provides pretext for unscrupulous state authorities to engage in blackmail by threatening arrest. LGBT persons face pervasive societal discrimination in areas that directly affect daily life such as employment, housing, health, media, immigration, and family matters. As such, the law serves as a pretext for denying sexual minorities a range of rights to which they are entitled under the ICCPR and other human rights conventions and laws.

- In February of 2011, in the village of Esperanza (Cayo district) four police officers pulled up beside a car that two gay men were driving. The officers kicked the door of the car, insulted the men, and demanded that they both pay \$200 to the police officers or be arrested.

[...] *Article 9 and 10: Arbitrary detention of sexual minorities and mistreatment of detained sexual minorities*

While the criminal prohibition of consensual, same-sex activity remains enforceable, sexual minorities are vulnerable to state authorities using the law as a pretext for infringing on other human rights. In particular, the law has been used to arbitrarily detain individuals based on their sexual orientation or gender identity.

- On the evening of April 30th, 2011 two police officers detained two transgendered patrons at a bar. Immediately upon entering the bar, one of the officers directed derogatory questions towards these individuals such as “are you girls?” and “why are you dressing like that if you are a man?” The police officers physically detained them and, when asked for a reason, answered “because you look suspicious, you confuse me.” During the car ride to the prison, the transgendered individuals were subjected to offensive and humiliating language from the officers, which continued upon arrival at the prison, with one police officer insinuating that these individuals should be murdered and dumped on a nearby highway. Other prison inmates threatened sexual violence against the transgendered individuals, and one was forced to expose herself. They were released the next morning, with no charges brought against them, and have not filed charges out of fear of reprisal. [...]

U.S. Department of State, 2011 Country Report on Human Rights Practices- Belize, 24 May 2012

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?dliid=186492>

[...] *Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity*

[...] The extent of discrimination based on sexual orientation was difficult to ascertain due to lack of reporting instances of discrimination through official channels. [...]

United Belize Advocacy Movement (UNIBAM), the country's sole lesbian, gay, bisexual, and transgender advocacy organization, reported that continuing harassment and insults by the general public and police affected its activities, but its members were reluctant to file complaints. [...]

Antigua Observer (Global Gayz), Local MSM Community Watching Buggery Law Test Case in Belize, 26 September 2011

<http://archive.globalgayz.com/central-america/belize/gay-belize-news-and-reports/#article8>

Interests in Antigua & Barbuda are quietly but keenly monitoring the judicial review of the buggery law in Belize. (Barbuda is an island in the eastern Caribbean, and forms part of the state of Antigua and Barbuda.) Oral arguments in the matter, which was initiated by the United Belize Advocacy Movement (UNIBAM), are scheduled to be heard in early

December, a press release from the Caribbean Vulnerable Communities Coalition (CVC) said.

The press release noted that the leaders of more than 20 Caribbean organisations representing the lesbian, gay, bisexual, and transgender (LGBT) community have pledged support to their Belizean counterparts. More than being an issue in Belize, the regional LGBT community and advocates see it as a test case for the Caribbean, which has anti-sodomy laws.

Tracy Robinson, senior lecturer at the Faculty of Law, UWI, Mona was quoted in the CVC release as saying, “the sodomy or buggery laws undoubtedly affect LGBTs disproportionately, but they also criminalise sexual activities between consenting adults who are heterosexual. Some argue that because the law is rarely enforced against consenting adults it poses little harm. But it has been shown that the continued existence of the laws is used by some to sanction their violence against LGBTs results in LGBT people fearing the police and not reporting serious crimes against them and impedes meaningful access to health care and other services to prevent and treat HIV,” Robinson said. [...]

UN Human Rights Council, *Summary prepared by the Office of the High Commissioner for Human Rights, in accordance with paragraph 15(c) of the Annex to Human Rights Council Resolution 5/1 - Belize, 20 February 2009*

http://lib.ohchr.org/HRBodies/UPR/Documents/Session5/BZ/A_HRC_WG6_5_BLZ_3_E.pdf

3. Administration of justice and the rule of law

[...] 14. According to the JS1 [a joint submission by the United Belize Advocacy Movement and the Sexual Rights Initiative (JS1)²], the United Belize Advocacy Movement had documented several incidents of violence and threats against gay men by the police, adding that when a crime is reported to the police by LGBT persons, victims may experience further stigmatization and discrimination, with their identity becoming the focus of police attention and their complaints ignored and trivialized, in some cases, leading to the arrest of the victim.

[...] *4. Right to privacy, marriage and family life*

15. Belize’s Criminal Code Chapter 101 states in section 53 that “every person who has carnal intercourse against the order of nature with any person or animal shall be liable to imprisonment for 10 years,” as reported by JS1, adding that this disposition criminalizes consensual non-procreative sex, affecting both same-sex and straight relationships, although societal bias would lead to it being enforced only against those who are having same-sex sexual relationships or are perceived to be doing so.²² It recommended the de-criminalization of consensual sexual relations between adults of the same sex by repealing Section 53 of the Belize Criminal Code.²³

[...] *8. Migrants, refugees and asylum-seekers*

24. JS1 indicated that Chapter 156 of the 2000 revised edition of the Immigration Act, under categories of prohibited immigrants includes: “(e) any prostitute or homosexual or any person who may be living on or receiving or may have been living on or receiving the proceeds of prostitution or homosexual behaviour.” Bearing in mind that engaging in sex work is not a crime in Belize, JS1 noted that the law does not explain the means by which it is to be decided which prospective applicants may fall into the abovementioned category. JS1 stated that it would thus be reasonable to suspect that age, sex/gender and the immigration officer’s

² Sexual Rights Initiative coalition includes: Mulabi – Latin American Space for Sexualities and Rights; Action Canada for Population and Development; Creating Resources for Empowerment and Action-India; the Polish Federation for Women and Family Planning, and others

²² JS1, p.2.

²³ JS1, p.3.

gender and sexual stereotypes will play a large part in enforcing that part of the law, making it therefore discriminatory and unfair.⁴² [...]

**The United Belize Advocacy Movement (UNIBAM) and the Sexual Rights Initiative¹,
Report on Belize- 5th Round of the Universal Periodic Review, May 2009**

<http://sexualrightsinitiative.com/wp-content/uploads/Belize-UPR-5.pdf>

[...] *Police brutality*

10. UNIBAM has documented several incidents of violence and threats against gay men, of which we will provide a few examples here:

On September 24, 2008, in the northern part of Belize, a policeman blackmailed a gay man into paying him \$50, plus agreeing to go on a date with the police officer or his partner would be arrested. The man was relieved of his money and never reported his experience to the internal affairs of the police department for he did not believe justice would have been forthcoming.

On 21st January of 2007 a gay man was hurt in the face with a beer bottle by homophobic persons near his house in Belize City. The police intervene, but instead of arresting the perpetrators, they proceeded to insult the victim for his lifestyle.

In May, 2006, two gay men were reportedly assaulted, insulted, beaten and then stripped of their clothes near a public space called Dolphin Park by a police officer. The clothes were not given back to them till reaching the police station a half hour later. One of the victims reported the abuse to the police internal affairs in Belize City, but nothing has come of the case since.

On June 12th, 2007, a British transgender man referred to UNIBAM that his house was broken into on May 26th 2007. He reported the robbery to the San Ignacio Town Police station, located in the Western part of the country. Asked to search for evidence and bring it back to the station, found a knife used in the robbery and did as was told. But an officer, Corporal Sanchez gave the order for him to be detained. The knife was contaminated by one of the officers nullifying the evidence. He had to endure comments like “You have brought disease to us...” or “I’ll make a man of you.. “. He was locked up from 11:00 in the morning till 1:30 in the afternoon at the police station without his diabetic medication until a prisoner yelled that he was ill. The police kept his passport that was only recovered after several days and many visits to the station. [...]

⁴² JS1, p.2.

¹ coalition including Mulabi – Latin American Space for Sexualities and Rights; Action Canada for Population and Development; Creating Resources for Empowerment and Action-India, the Polish Federation for Women and Family Planning, and others

3. Societal attitude to LGBTI persons, evidence of non-state persecution and discrimination

News 5, Ministry of Education recalls manual that had pro-gay remarks, 13 September 2012

<http://edition.channel5belize.com/archives/75834>

A relentless media campaign, launched recently to raise public awareness on the debatable content of the Peace Corps Health and Family Life Manual, has prompted the Ministry of Education to withdraw the publication from primary schools across the country. The handbook, which was first introduced to pastors Luis Wade and Scott Stirm in December 2011, stirred controversy when it was learned that the subject matters being addressed within its pages promoted what Stirm refers to as the 'homosexual agenda'. Since then a ten-member committee was tasked to carefully review the content of the HFLE Manual and compile a report, which was subsequently presented to the Ministry of Education. That report presumably languished on a desktop somewhere within the ministry until earlier this month when Wade and Stirm took to the airwaves to ventilate the dubious text. After much objection from concerned parents, the ministry issued a release on Wednesday stating that the HFLE handbook has been retracted from the education curriculum. News Five spoke with pastors Wade and Stirm today about the manual.

Pastor Luis Wade

"In the first week of December of last year there was a Belize Action 'Take A Stand' rally where we brought together churches from across the nation and several organizations, including representatives from across the political parties to simply highlight the beginning of the LGBT agenda in Belize through the lawsuit. It was at that event that a teacher from Orange Walk brought a copy of the manual to me and said, "Could you please take a look at this," and took me to page sixty-six, I believe it was, where the individual [had] already highlighted two parts that he had some issues with. I looked at it, immediately saw it for what it was and I went up on the podium and I just read briefly from the manuscript."

Pastor Scott Stirm

"It was obvious to us, you could see a homosexual agenda that was in the manual but the general feel and overtone of the whole manual was kind of like stepping on the gas concerning sexual activity and that flies right in the face of some of the policies of the Ministry of Health and some of the others that are saying to discourage sexual activity among young people, particularly adolescents or pre-adolescents and yet here this is geared for standards four, five and six, ages nine to twelve and it's asking questions like: how long should a couple date before having sex? If a guy pays for the date is he entitled to, you know, kissing, touching, having sex? This is to our nine and ten year olds right, and so those kinds of things just immediately started to jump out, as well as at the beginning of the manual it's very strongly the emphasis that they are talking. They are intentionally presenting values that they know are going to fly right in the face of the parents of these children."

Pastor Luis Wade

"I would want to know to know what the people of the nation have to say about that. Whether or not the majority of people within this country are interested in the liberalization of our values. For a critic or an opponent or somebody to simply say, "the world is moving in this particular direction, why don't we just get along?" The world is made up of over two hundred countries and from our experience, as we monitor the world on this particular issue, there are probably seven to ten countries, [including] Australia and Brazil, where this is a very, very hot-button issue. The other countries have made up their minds either for or against and many of them are against."

Pastor Scott Stirm

“We’re grateful that there was a concession from the Ministry of Education on the removing of this manual and secondly, all we did was inform the people. I believe that is a very loud statement that when people start to see it for themselves, people are saying, “no we don’t want this!” So within a matter of days we had almost a thousand downloads of the manual from the Plus TV website.”

Pastor Luis Wade

“We have a responsibility to inform the people that a value that we hold highly, collectively, is being violated by a few, and I think that [that] is what this is all about. It is not about the church or Christians pushing their will on a people but simply the church telling the people that a value that we hold collectively is being violated by a few.”

Pastor Scott Stirm

“That was early December we got the manual, by the end of January we had a collective report that had been pulled together by ten different professionals and we submitted that to the Ministry of Education, the prime minister, the teachers union and so [on]. Again, I am grateful that there was a concession. I am still concerned of the fact that the whole thing was approved in the first place because that didn’t happen without approval. Maybe somebody just browsed it in that vetting process, I don’t know but we didn’t browse it. We went after every detail and it was horrendous what’s in there.”

The Ministry of Education in a press release says that the delay in taking a decision on the publication was because of the general elections.

The United Belize Advocacy Movement (UniBAM) and The Heartland Alliance for Human Needs & Human Rights, *Human Rights Violations of Lesbian, Gay, Bisexual, and Transgender (LGBT) People in Belize, Submission to the United Nations Human Rights Committee on Relevant Issues Prior to Reporting (LOIPR) (Belize), August 2012*

<http://www2.ohchr.org/english/bodies/hrc/docs/ngos/LGBTBelize106.pdf>

[...] *II. Substantive Violations of the ICCPR*

Failure to protect the human rights of sexual minorities in Belize

Article 2 and Article 26: Hate Speech against LGBT persons

[...] The policies instituted by the Belizean government, particularly the criminalization of same-sex sexual conduct, have reinforced the general stigmatization of sexual minorities within Belizean society. State authorities have done little to reverse this trend. Currently, there is a constitutional challenge against §53 of the Criminal Code pending with Belize’s Supreme Court.¹⁰ The case has ignited widespread debate within Belize, and a number of mass media mediums in Belize publish and disseminate hate speech, spread misinformation about homosexuality, and incite discrimination against LGBT persons. [...]

- Amandala, a very widely circulated tabloid newspaper, has printed a number of biased, homophobic articles regarding homosexuality and the effort to overturn §53. Below are a small sample of these articles:
 - An editorial in the newspaper claimed “in reality it is the [homosexual community] against the people of Belize. If their suit succeeds, the people lose; and if it fails, the people win...the people are never wrong and, it is the people who support the law which makes homosexual acts criminal.”¹²
 - The Editor-in-Chief, Russell Velloso, wrote in Amandala column “this particular column is not for the faint-hearted. I am going to deal with homosexuals, and I’ll use

¹⁰ *Caleb Orosco v. The Attorney General of Belize*

¹² “Ideas and Opinions – UniBam v. People of Belize,” 21 October 2011, available at <http://www.amandala.com.bz/index.php?id=11808>.

strong language...homosexuals prey on young children, and teenaged boys...I can think of no more obscene, disgusting, evil, wicked and perverted act that one man could do to another...Good Belizeans, don't just sit there and do nothing. Get up and help fight this evil in our midst. The homosexuals are serious, very serious. We have to be just as serious, very serious, in fighting this scourge of wickedness."¹³

- In another column, Vellos wrote "I've got news for these homos. I won't budge a millimeter from my stand against them. They can call me anything they like... theirs will still be a nasty, despicable, God-forbidden way of life until the heavens crumble, and even afterward... An individual wrote me a very short note in support of my previous article, and his remark against homosexuals was, "not even my dogs do this!"¹⁴
- Vellos also wrote "They're after the kids. The UK approved same-sex marriage years ago; now they're having court battles to lower the 'age of consent.' ...This proves that they're after the kids. Homosexuals cannot reproduce; therefore, they must recruit."¹⁵
- The Star News published an article titled "Belizean stand up and say 'no' to the homosexual agenda" in which it states that "It has been established that this is an imported agenda – an international agenda – brought in from beyond our national borders."¹⁶
- Many comments in the comments section of these articles, as well as articles and stories that are unbiased or in favor of changing §53, are extremely hateful.
 - "First of all lets all be proud as belizean but lets not be proud on those \$#!% they trying to bring to our beloved country, belize it or not they will die one by one if gay rights are being ... believe me they will die just like how jamaica do with them. SO SAY NO TO ALL GAYS AND NO TO UNIBAM LET THEM BURN!!!"¹⁷
 - "no, no, no to goddarned homosexuals. Get scarce or better yet disappear. Zero tolerance to this attitude or actions. I will not state any reason simply NO!"¹⁸
 - "pack dem up and the rest of nasty people and n drop dem out a sea pas the reef.....and let the sharks eat their body parts that they don't know how to use."¹⁹

[...] *Article 2, Article 7, Article 9 and Article 26: Violence towards LGBT persons*

Sexual minorities in Belize live in the midst of hostile societal conditions, and continue to be victims of violent physical attacks and sexual assault, which are often not reported to or investigated by the police.

- In 2004, a transgendered individual was walking in the village of San Jose, in the Orange Walk district of Belize when a group of young men began throwing bottles at her. She reported the assault to the local police, who laughed at her and failed to take the incident seriously.
- In 2005, a transgendered individual in Guinea Grass village, in the Orange Walk district of Belize, was raped by a man she knew. She did not report the sexual assault to her local police or tell her family out of fear of disgracing herself and her family.

¹³ "Of this and that," 17 November 2011, available at <http://amandala.com.bz/index.php?id=11907>.

¹⁴ "Of this and that," 17 November 2011, available at <http://amandala.com.bz/index.php?id=1193>

¹⁵ "Decriminalizing homosexuality will have dire ripple effects: churches," 25 November 2011, available at <http://www.amandala.com.bz/index.php?id=11929>

¹⁶ "Belizean stand up and say 'no' to the homosexual agenda," 19 June 2011, available at <http://belizenews.com/thestar/cayostar277.pdf>

¹⁷ "UniBAM gets boots from Obama," 7 December 2011, available at <http://edition.channel5belize.com/archives/64205>.

¹⁸ "1st Round of Churches v. UniBAM misfires," 29 November 2011, available at <http://edition.channel5belize.com/archives/63728>.

¹⁹ "Churches hold discussion on UniBAM," 22 November 2011, available at <http://edition.channel5belize.com/archives/63599>

- In 2010, a transgendered individual in Guinea Grass village, in the Orange Walk district of Belize was raped by a drunken man wielding a machete. She did not report the sexual assault to her local police or tell her family for fear of disgracing herself and her family.
- On February 8th, 2012 a Caleb Orozco, a well-known Belizean gay rights activist and human rights defender that has been leading the challenge against §53, was assaulted when he was walking down the street. The men yelled anti-gay slurs at him, and one man threw a beer bottle in his face causing bruises and damage to two of his teeth. Though he filed a report to the police, no investigations of the incident have been initiated.

Many victims of these attacks do not seek recourse because of the law criminalizing same-sex activity, as well as the fear of reprisal and general societal hostility towards them. Those that do report these incidents are often ignored by state authorities or subjected to more anti-gay hostility. [...]

7 News, *Dialog On LBGT Issues*, 24 July 2012

<http://www.7newsbelize.com/sstory.php?nid=23029&frmsrch=1>

The public awareness of the issues related to gay men has probably never been so prominent in the national discourse.

But, UNIBAM wants to push it further along and it joined with other advocate organizations in a Dialog to increase the visibility of homophobia, discrimination and understanding of gender based violence while also framing a background document for the development of an Anti-Discrimination Legislation.

Caleb Orozco told us more:

"What's happening here is that we are looking at the issue of gender base violence, homophobia and LBGT human rights. Because we recognize that it's little discuss, little understood and so our work around this issue is about understanding and consciousness that it does exist and there is a link between the 3 issues."

"Whether its sexual abuse, physical abuse and discrimination - all those persons who experience it belong to a family and that family has a mother and a father. When you look at the issues from a family perspective it's a son or a daughter being impacted. More precisely discrimination in our mind happens differently for males versus females. For males the issue might be direct insults, threats and ridicule. For women in the LBGT community it might be intense sexual harassment and mixed around the idea that if they have sex with a straight man their lesbianism would go away. These issues which not only impact psyche of the individual but it impact psyche of the family because then families are between whether to support a love one or to argue against the individual they claim they love, life and forgetting the love and the dignity of that person is the most important thing of all."

"We are hoping to start a conversation not only with our supporters but we start a conversation with an organization about the intensity of their position. At the end of the day I believe religion speaks the love but that love somehow has been lost along the way with the intensification of homophobic remarks that are being made using the bible. Beyond that we are hoping that people recognize that discrimination isn't just a LBGT issue, it's a family issue, it's an everyone issue. We experience it different and what we are looking is to broaden that understanding and seeks the legislative framework necessary for that recognition to occur."

Over 40 persons attended this morning's seminar that was held at the Radisson.

7 News, UNIBAM Says 17 Gay Men Killed Since 1997, 19 June 2012

<http://www.7newsbelize.com/sstory.php?nid=22740&frmsrch=1>

As you saw in our story, Caleb Orozco of UNIBAM fame was a part of today's protest march. He was there along with a few other NGO's - but UNIBAM is not just another NGO: It's the organization that specifically defends the rights of Lesbian, Bi-sexual, Gay, and Transgender persons - known collectively as LBGT.

We asked Orozco why they joined in the Dr. Garcia protest:..

Jules Vasquez

"Why are you participating in this event?"

Caleb Orozco

"One of the cases that my organization has always been concern with is crime as it relates as how it impacts LBGT persons in this country. One of the things that has never been discuss in terms of the crime and violence is that gay people as always been a part of the victim who had suffered intensely violent situation."

Jules Vasquez

"All these are known problems you could call in to any talk show and speak about these."

Caleb Orozco

"Well, I don't count talk shows, I appear on them. But more precisely really this is a human element - this is a humanity issue and I don't think any Belizean in this country would disagree that perpetrating violence on any one person is just violence."

Jules Vasquez

"I didn't see you marching when they had the march for the little girl who was killed or other activities for anti-violence. I didn't know UNIBAM - apart of its charter is anti-violence."

Caleb Orozco

"True enough but what you don't know is much of our imploratory participation has been behind the scenes. Believe it or not we've been tracking violence embattling the LBGT population since 1997 and what we know for sure through searching newspaper clippings that there have been 17 violent deaths against gay men in particular."

Marion Ali, LOVE NEWS

"Do you link Dr. Garcia to that?"

Caleb Orozco

"The question whether he is or not we haven't come to that conclusion on that just yet."

Jules Vasquez

"It is your opinion that there is a serial killer or somebody who ritualistically kills gay men out there?"

Caleb Orozco

"We know of 4 of the crimes that have been committed over the years is that there are common patterns."

Following up on his comments, the pro-gay rights We Are One In Dignity and Human Rights Campaign issued a statement today saying, quote, "The We Are One In Dignity and Human Rights Campaign expresses its indignation against the unprosecuted crimes being perpetrated in our country against those vulnerable to violence, such as women, children, and sexual minorities, and LBGT persons."

U.S. Department of State, 2011 Country Report on Human Rights Practices- Belize, 24 May 2012

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?dliid=186492>

[...] *Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity*

[...] The extent of discrimination based on sexual orientation was difficult to ascertain due to lack of reporting instances of discrimination through official channels. [...]

United Belize Advocacy Movement (UNIBAM), the country's sole lesbian, gay, bisexual, and transgender advocacy organization, reported that continuing harassment and insults by the general public and police affected its activities, but its members were reluctant to file complaints. There were no gay pride marches organized during the year due to UNIBAM membership concerns over the public's possible adverse reaction. [...]

ILGA, Belize: Gay Rights Activist Caleb Stoned With Beer Pint, 8 March 2012

<http://ilga.org/ilga/en/article/nr2PDcr1t3>

Fuente: NewsBelize

President of UNIBAM and gay rights activist Caleb Orozco was physically assaulted this evening. The incident happened around 4:30 in the George Street area.

After shouting gay slurs at him, one of the young men then rode up and hurled a beer bottle at him, resulting in a bruise to his face and damage to two of his teeth.

When we spoke with Orozco this evening, he told us he saw the incident coming after he noticed the man conversing with another.

Orozco has given the police a statement, but so far no one has been arrested. He also told 7news that before the incident occurred, he was walking on Euphrates Avenue when he was threatened by two men who told him not to walk on their street.

UNAIDS Caribbean, Advocate's attack underlines need for equal protection, 13 February 2012

<http://unaids-caribbean.org/node/198>

With intimidation, insults and assault, a couple of unidentified men have brought into focus the vulnerability and inequity endured by sexual minorities in Belize.

Caleb Orozco, Executive Director of the United Belize Advocacy Movement (UNIBAM), alleges that last Wednesday he was followed and threatened before an assailant hurled a beer bottle at his face, hitting his jaw and damaging two of his teeth. Orozco is at the forefront of a constitutional challenge to Belize's colonial era laws regarding sex between men. But while he may be more visible than most, harassment is a shared experience for many gay, lesbian, bisexual and transgender (GLBT) persons. Last year the advocate opened up about his experience of attacks through the years, stressing that that verbal and physical abuse were daily features of life for him and for many others. [...]

News 5, UNIBAM launches "We are one" wristband campaign, 27 January 2012

<http://edition.channel5belize.com/archives/66159>

United Belize Advocacy Movement (UNIBAM) came to prominence in mid 2011 when, under the leadership of Caleb Orozco, it launched a constitutional challenge against the Government of Belize. Through its challenge, UNIBAM is asking the Supreme Court to declare section fifty-three of the Criminal Code to be unconstitutional since it criminalizes same-sex relationships. While that matter will be taken up before the courts in the weeks to come, UNIBAM has embarked on an awareness campaign to promote its call for equal rights. The organization plans to do so through the widespread distribution of a wristband with a very distinct message. This morning at the Radisson, before a host of partner NGOs, UNIBAM launched its new media crusade in an effort to garner much needed support. It's a single public service announcement that they believe will change the hearts and minds of the

Belizean public. News Five's Isani Cayetano was there when the wristbands were being distributed.

Isani Cayetano, Reporting

"We are one in dignity and rights" is a universal mantra that signifies equality among men and women regardless of gender, creed, and sexual orientation. That's the profound message that wearing this multicolored wristband is intended to send to the Belizean public. The group behind this initiative, the United Belize Advocacy Movement which supports the cause of the lesbian, gay, bisexual and transgender community, has quickly become arguably the most controversial organization to champion social change within an otherwise homophobic society. Leading the charge is UNIBAM's president Caleb Orosco.

Caleb Orosco, President, UNIBAM

"The context of the campaign, "We are one in dignity and rights," is related to our need to address some of the vile and flammatory language that has been used in the media for the past year and a half. It is to remind people that as individual human beings, individual dignity and rights do not change. We may disagree with many, many things, but we all have the same expectations about the treatment of dignity and rights. That is the context of the campaign itself." [...]

News 5, VIP says Peace Corp promoting gay issue in schools, 13 December 2011

<http://edition.channel5belize.com/archives/64449>

The Church's holy war against UNIBAM is yet to begin in the Supreme Court but in addition to a strong ally in the government, the moral battle is getting support from a third independent party. The Vision Inspired by the People is against the UNIBAM agenda and the party members became outraged when they found out that a school manual had activities that showed sympathy for sexual alternative lifestyles. According to VIP Chairman, Robert 'Bobby' Lopez, it wants the Ministry of Education to recall Peace Corps HFLE manuals that are currently used in some primary schools. Lopez told News Five via phone that the Peace Corp propagates teachings that are contrary to Belizean family values and are an affront to our cultural beliefs and morals.

Via Phone: Robert A. Lopez, VIP Chairman

"There is one that is talking about gender. So you put students together of the same sex. So our question is what happens if a child does not want to be with the same sex? Where do you put that child? And then they are asked to write down what body parts they like about somebody with the same sex. And then they compare those notes and then they change the roles. So our point is there are several subtle activities. I think there was one I read where girls are asked to open their feet and hold a mirror or something. You know I think those kinda thing being taught at the primary school to us. It's a subtle way of eroding what we in Belize have know to be the traditional role of man, the woman and the role of the family and VIP is very committed to protecting, preserving and promoting the traditional family unit which we feel is one of the pillars of national development. So as we peruse this book, there are several areas of activities that we think is obviously part of the LBGT agenda in starting to get children at a very young age—I believe this is being applied to four, five, and six—in starting to accept themselves that if they have that tendency towards being a little more attracted to the same sex; it's ok. Society really defines the gender and it's ok to feel good with yourself if you have that inclination and what have you. We think that this manual should have been more vetted by the ministry per say. It seems from the minister's comment to one media that he knew nothing of it and we find that a little alarming. And so we are saying let's recall this thing; let's remove it." [...]

News 5, Churches ‘Take A Stand’ Rally against UNIBAM, 5 December 2011

<http://edition.channel5belize.com/archives/64069>

Emotions are running high on both sides of the fence locally as Caleb Orozco on behalf of UNIBAM is challenging Section 53 of the Criminal Code, but the Churches are opposed to that and have been organizing country wide. On Saturday, in down town Belize City, a rally was held, the numbers were not as high but the message was passionate. News Five’s Andrea Polanco reports.

Andrea Polanco, Reporting

On Saturday morning, hundreds of Christians, of all ages, from across the country congregated at Battlefield Park for the ‘Take A Stand’ Rally. On December ninth the preliminary hearing for Caleb Orozco’s UNIBAM versus the Attorney General, will take place in the Supreme Court. Pastor Scott Stirm says they are sending out a resounding ‘no’ to UNIBAM’s call for the decriminalization of homosexuality in Belize.

Pastor Scott Stirm, Belize Action

“We realize that what takes place in the court room is not dependable on what takes place out here. We recognize that whatever happens in Belize should start and end with Belizeans. We are on the list of eight countries to topple their agenda. This was started by the Human Dignity Trust and pushed by international attorneys, but when they pack and leave, we will be left to deal with the consequences of that. If that becomes legal then they have license to be able to go into the high school to be able to teach this and to be able to move forward. Number two, our attorneys plus a number of other attorneys have identified to us that section fifty three is one of the only laws that is there to protect young boys in situations of sexual abuse. If a male violates a female, our criminal code defines that as rape and if a male violates a male that is not defined as rape. Section fifty three is one of the only laws that is there to protect our young males. And if you change section fifty three our young boys are gonna become prey and that’s part of the whole agenda. All you have to do is to look at the countries where the first step was made and then the law of precedence, once you change this one, this one is next and once you change that one, this one is next and the homosexuals deny that. But we know beyond the shadow of a doubt that that is their agenda. They’ve already told us that we are going for same sex marriage and we are going to be able adopt children.”

This high profile case has attracted international attention, but most importantly, it has brought together leaders from around the country:

Simeon Lopez, Mayor, Belmopan

“I want to publicly, publicly acknowledge, that I as the Mayor of the City of Belmopan, stand with you all against this agenda of the UNIBAM people.”

Julius Espot, National Campaign Manager, P.U.P.

“I am here today representing the Leader of the Opposition of the People’s United Party, Hon. Francis Fonseca. And this is the official position of the People’s United Party. The P.U.P. doesn’t support the efforts of the Human Dignity Trust and UNIBAM to strike down or amend section fifty 53 of the criminal code of Belize.”

Anthony ‘Boots’ Martinez, Minister of Works

“I am here as the son of God. I am not here before you as a minister of Government. When the time comes for me to use that hat to fight to spread the word and to fight in what I believe is wrong, I will do. Ladies and Gentlemen, my message is simple and clear. From when I was small I know that God mek wah man and ih mek wah gal. From I small when yuh reach a certain age, certain things inside ah yuh tell mi that I want wah gialfriend.”

Henry Gordon, Senator of the Churches

“This one is the Bible, this one is the constitution and I want to remind you that this one stands on this one. Never forget that. The constitution stands on the Bible. The Bible is the word of God. I want to point out a few things to you because what we are looking at here is

not only an attack on the Bible but an attack on God. I want us to understand a couple of things; the Constitution begins by saying, “Where as the people of Belize affirm that the nation of Belize be founded upon principles which acknowledge the supremacy of God.”

And central to the discussion is the procreation of life. The church says that the agenda of UNIBAM is anti-life. Homosexuality doesn’t foster the concept of ‘family’ as defined in the Bible:

Reverend Eugene Crawford, President, Evangelical Association of Churches

“This is really a family focus; today we are highlighting the beauty and responsibility. It is God who said who said in the beginning in Genesis 2:24 that therefore shall a man leave his mother and father and cling to his wife and they become one flesh. It is God who said that; God addressed the emotion of loneliness that Adam was expressing and says, I make a mate for you and therefore he made a woman.”

Simeon Lopez

“We are in our forty-second year of marriage. In other words we have gone through more than forty-one already and we have been together for all of those years. Oh there was little ups and downs like any other family, but if UNIBAM gets its agenda then very rarely will you see a couple like this standing up here. You will see a couple of a different manner.”

Canon Leroy Flowers

“Now a part of that agenda, as we saw the Mayor’s grandchild, and I am thinking of my eight children and nine grandchildren, that I see everyday. I thought it means that if the other agenda is affirmed, we are not going to see that. Your sons will not be able to bring home their grandchildren to you.”

In his words to the gathering, Canon Flowers told the audience that it is paramount to remain steadfast in what they believe:

Canon Leroy Flowers

“We must not be confused, we must not be side-tracked, we must focus that it is because of Calvary, we have life; and therefore we can stand on our principles, regardless of what is said. Now, we need to be mindful that many aspersions and bricks and blocks will be thrown at us but if we keep focusing and that is what our agenda must be. Now, just across from where we are standing will be the litigation of this case. Regardless of the outcome, number one, we as a church should know where we stand and regardless of what the courts rule, we should know what we are about and what we are to do. Number two; let us not judge the judges, so that we will not call that they be burned to the stakes in the event that they rule against us. Let us therefore take a stand but let us focus on what that stand is, it is about bringing men and women, boys and girls to a saving grace, in Jesus Christ our Lord. Have a good day Belize, and let us continue to stand honestly, without fear or favour. We don’t need to allow them to allow us to become like them in our behavior.”

Galvanized in a common belief, echoing messages ‘say not to the changing of section 53 of our constitution,’ the Christians at the rally waved their banners and joined in a praise and worship, chanting down the agenda of United Belize Advocacy Movement:

Reverend Eugene Crawford

“God will give the victory. We are serving a God of victory and today, praise God, let us raise our voices and give God thanks, Hallelujah; we are moving on to Victory in Jesus’ name.”

The Guardian (Global Gayz), *Global campaign to decriminalise homosexuality to kick off in Belize court, 16 November 2011*

<http://www.guardian.co.uk/world/2011/nov/16/global-campaign-decriminalise-homosexuality-belize-court>

A new British legal rights group will this week kick off a global campaign to decriminalise homosexuality in scores of countries across the world when it embarks on a first test case in the courts of Belize.

The Human Dignity Trust (HDT), which launched its campaign in London on Thursday, is targeting the 80-odd states where consensual sexual activity between adults of the same gender is outlawed. More than half are Commonwealth countries which inherited their regulations from British colonial rule. In some like Uganda, Kenya, Cameroon and Ghana the laws are seen by some as justification for violent attacks on gay and lesbian people.

Lord Goldsmith, the former attorney general, will be among the team of lawyers fighting to overturn section 53 of Belize's criminal code, which enacts that: "Every person who has carnal intercourse against the order of nature with any person or animal shall be liable to imprisonment for 10 years."

The hearing, scheduled to begin on 5 December, has been brought by the gay Belizean activist Caleb Orozco. It is shaping up to be a constitutional legal clash with international political dimensions.

Belize's evangelical, Anglican and Catholic churches have united to oppose the application. They are expected to set out their objections in a pre-hearing review on Friday and seek to introduce evidence that homosexuality can be "cured".

In a joint statement earlier this summer, the churches in Belize declared: "In every country that has granted a new 'right' to homosexual behaviour, activists have promoted and steadily expanded this 'right' to trump universally recognised rights to religious freedom and expression."

Announcing that they have also retained a high-powered legal team, the Catholic bishop Dorick Wright, the Anglican bishop Philip Wright and the evangelical Rev Eugene Crawford said: "The people of Belize will not surrender our constitution, our moral foundations, and our way of life to predatory foreign interests." [...]

7 News, *The Homosexuality Debate in Belize: Should the state legislate morality? 28 July 2011*

<http://www.7newsbelize.com/sstory.php?nid=20218&frmsrch=1>

Homosexuality has always been one of those things that everyone accepts is part of the Belizean society but no one addresses publicly, least of all on a legal or policy level. But the case of the United Belize Advocacy Movement versus the Attorney General of Belize, which is asking for the decriminalization of sodomy, has changed all that. In the build up to the trial, the issue is being discussed in detail in churches, at work, on the streets and in homes across the country. Tonight 7 News correspondent Janelle Chanona presents part one of a documentary on the Belizean reality of homosexuality.

Dean Barrow, Prime Minister of Belize, May 13th 2011

"I would limit myself to saying that the government as a government has taken the position that it needs to argue for the constitutionality of the law that is in place that's being challenged and so I would not go beyond that official position. I am not prepared to comment on my own physiological conviction or lack thereof. That is the official position of the government. This is one time when it might be wise for me to say nothing more."

Pastor Scott Stirm, Jubilee Ministries, Belmopan

"By natural law they cannot reproduce. Therefore they must recruit and I want to say this in the strongest terms possible. That's what this is all about. This is their evangelistic campaign."

Martha Carillo, Regional Discrimination Unit, PANCAP, CARICOM

"It is not about changing people's values, even to seek acceptance. I think the bottom line is that people need to be respected and we cannot have laws that disrespect the human rights of individuals."

Johnny Briceno, Leader of the Opposition

"The party does not have a position as yet and we'll certainly have to discuss as a party before we have a position."

Pastor Louis Wade Junior, Talk Show Host, Christian Youth Motivational Speaker

"We love people. We love these people. We love all people. It is the behavior that we have a problem with."

Caleb Orozco, Executive President, United Belize Advocacy Movement

"I am willing to sacrifice whatever it takes to enforce my right and my freedom and to meet the needs of my wellbeing as a human being."

Janelle Chanona (stand-up)

"The subject of sex is typically an uncomfortable topic for Belizeans. But the debate over whether the laws should be changed to decriminalize sodomy in this country has ignited fiery reactions from both supporters and opponents."

As it currently stands, the Criminal Code of Belize states that "Every person who has carnal knowledge against the order of nature with any person or animal shall be liable for imprisonment for ten years." But in early 2011, Caleb Orozco, the Executive President of the United Belize Advocacy Movement (UNIBAM) filed for judicial review of the law, contending that the words "any person or" should be removed because they are a violation of his Constitutional right to sexual freedom.

Caleb Orozco, Executive Director, UNIBAM

"The case is personal and it's about reminding the system that my human rights isn't about picking and choosing which you'll support and which you will ignore. My human rights is total. It's not to be mandated by the church because the church does not govern this country. Period."

If the law is changed, Belize would be only the second Caribbean country to decriminalize sodomy...Bahamas being the first. In May, that possible outcome prompted the Belize Council of Churches, which represents the major Christian denominations of Belize, as well as the Belize Association of Evangelical Churches to join the case as interested parties. The religious leaders insist Belize's very soul is at stake.

Bishop Dorrick Wright, Bishop, Roman Catholic Diocese of Belize

"We have the story from the old testament of Sodom and Gomorrah, God destroyed a whole country, a whole place because of this same reason. I am not certain if he will do this to the United States where it seems to be popular and getting very common, but I don't think we have to follow what the United States does and I think we should think for ourselves and see what would be the evil outcome of this whole thing if we get into changing the laws of our country to permit same sex marriage and children must be taught that this is an acceptable way of life and you know its just down right wrong."

Pastor Louis Wade Junior, Talk Show Host/Motivational Speaker

"Mark my words, it starts with one lawsuit, when this lawsuit is over, if they get their way, the next set of lawsuits will be against the social security board and other large organizations, insurance companies that must give compensation not only a person but also to their spouse. The third set of litigation is going to be church and religious denominations across the nation

when they refuse to marry homosexual couples. And then the final set of mass litigation will be against people who stand up and say that this kind of practice is wrong."

Pastor Scott Stirm, Jubilee Ministries, Belmopan

"Presently in the United Kingdom, there are lawsuits trying to lower the age of consent. That proves to me, the agenda. They are after the children, they are recruiting campaigns and it's for people that have, I would say, demented sexual practices and they want to go after the kids. That is happening globally, all over the world. It's called the child sex trade and this is another expression of that same exact agenda. They want to go to younger and younger ages. And again, these are the things that cause us to stand up and rise with a lion's roar and say "no way", we will not allow this to happen, not only our watch."

Both Wade and his Christian colleague Pastor Scott Stirm insist that no one is born gay and maintain Belize's laws should uphold rights, not choices.

Pastor Scott Stirm, Jubilee Ministries

"It's a learnt behavior...it's something people pick up along the way. But I have ministered to I would say countless people, particularly in sexual abuse situations and the majority of them have been sexually abused. When you understand clinical homosexual behavior and clinical homosexual foundations, the absence of the fatherly role plays a huge factor. So you have people that have classic foundations for homosexuality. But then you have other people that just pick up from basic influence of perversion or exposing to pornography and the power of suggestion and things like that."

Louis Wade, Jr., Christian Youth Motivation Speaker, Talk Show Host

"If they are born that way, it will be found in their genes. Where is the gene? I have met ex-gays and ex-lesbians but I have never met ex-blacks person, this is not a civil rights issue."

Similarly strong sentiments were also voiced in February 1998 when the cruise ship the MS Leeward docked in Belize carrying eight hundred and sixty gay men onboard. For Orozco, that incident and his own experiences highlights that he is living in a homophobic society, which is why the majority of Belizean men who have sex with men live secret lives.

Caleb Orozco, Executive President, UNIBAM

"Some of the things they say were like faggot, bonfire, they basically use a lot of the Jamaican dancehall slangs to let me know where my place is and that's rather frustrating because all I was doing was going to buy condense milk. I don't believe that I deserve to be treated like that especially if I'm not looking at you or harassing you in any way."

"I need my freedom to be honest with people. I perpetuate my own discrimination or my own experience of homophobia by remaining silent."

Martha Carillo, Technical Associate, Regional Stigma and Discrimination Unit, PANCAP, CARICOM

"Very few people will come to a workshop, very few people will access services at a health centre if they know the minute they step in they are going to be ridiculed or they are going to be treated any less than anybody else."

Martha Carillo is Technical Associate of the PANCAP Regional Stigma and Discrimination Unit. Carillo recently concluded a baseline study on stigma and discrimination with various focus groups, the media, the police, the Belize Defence Force and the religious community about populations such as men who have sex with men.

Martha Carillo, Technical Associate, Stigma and Discrimination Unit, PANCAP

"The preliminary findings are indicating that stigma and discrimination are very much alive in Belize and it is coming from sectors that make it even more scarier for all of us. Because you would think that some of these would be sectors that would be embracing, loving, protecting, providing security and the experiences that have been shared with us indicate to us that we really are living in a critical situation and something needs to be done. And if we

have laws, practices and policies that are contributing to this then it needs to be addressed in a very frank and genuine manner."

Ivan Cruikshank, Policy and Advocacy Coordinator, Caribbean Vulnerable Communities Coalition

"The most effect response to address HIV and AIDS has to be addressing the social and legal environment, within the country."

According to Ivan Cruickshank, Policy and Advocacy Coordinator of the Caribbean Vulnerable Communities Coalition, countries with high HIV prevalence rates, like Belize, should be supporting every effort to eradicate stigma and discrimination to curb the spread of the disease.

Ivan Cruikshank

"At all levels we are saying to policy makers, review your existing legal and policy environment so that people feel that this is a space that they can come forward and engage with the health care system...that's a big issue for us."

Maurice Tomlinson, AIDS Free World

"This is about bringing everybody to the table, not leaving anybody out. Because when you exclude people, that is when you provide an opportunity for harm and hate and disease to spread. And these diseases don't generally stay within the vulnerable groups."

Pastor Louis Wade Junior

"It is a lie. The evidence shows for example in Belize that HIV and AIDs is driven not by the homosexual community but by the heterosexual community. That is well defined in Belize. It is also well defined throughout the Caribbean."

The pastors refute the argument that laws criminalizing sodomy have a direct relation to HIV prevalence rates.

Louis Wade

"I am talking about statistics in European, in England, in Canada, in the United States, in Sweden. These are places where homosexuals have the most freedom in the world, MSM - they have the most freedom, this is where they are not in the closet. Yet the statistics are showing that the HIV rate continues to rise in their circles."

Pastor Scott Stirm, Jubilee Ministries

"At a United Nations level, they have an agenda, they are people in there that that have an agenda and they are pushing that agenda and one of the things that is fueling some of this in Belize is the financial aid that comes from the European Union is coming with stipulations that you must change these laws or we are going to cut you off financially, 'you won't get any more assistance from us' and so that's one of the factors when we talk about why are people hemming and hawing over this issue, it's because there's big bucks behind it."

Caleb Orozco

"They are free to form an opinion; an opinion does not provide the basis for reality. It simply offers an expression or description of an issue. Period."

"Cultural attitude isn't going to change because of one judgment...because of the misrepresentation of the facts and the fear mongering being sold by the religious politicians. There will be years and years around what really is sexual orientation and to an extent, gender identity and what does that actually mean for the individual."

Janelle Chanona (stand-up)

"In the months leading up to this trial, proponents and opponents of this issue will no doubt campaign heavily in their efforts to help you answer the fundamental question of this case: "Should the state legislate morality?" Because make no mistake, whatever decision is handed down in the courtroom, keeping the status quo or changing attitudes towards sexual minorities will be decided on in the court of public opinion. Reporting for 7News I am Janelle Chanona."

The case of Caleb Orozco versus the Attorney General of Belize is scheduled to go to trial in December 2011. UNIBAM's legal team includes former Attorney General of the United Kingdom Lord Peter Goldsmith, former Attorney General of Belize Godfrey Smith and Senior Counsel Lisa Shoman. The churches have retained Senior Counsels Rodwell Williams and Eamon Courtenay as well as Jackie Marshallek, Christopher Coye and Michel Chebat.

UN Human Rights Council, Summary prepared by the Office of the High Commissioner for Human Rights, in accordance with paragraph 15(c) of the Annex to Human Rights Council Resolution 5/1 - Belize, 20 February 2009

http://lib.ohchr.org/HRBodies/UPR/Documents/Session5/BZ/A_HRC_WG6_5_BLZ_3_E.pdf

[...] II. PROMOTION AND PROTECTION OF HUMAN RIGHTS ON THE GROUND

Implementation of international human rights obligations

1. Equality and non discrimination

7. JS1 [a joint submission by the United Belize Advocacy Movement and the Sexual Rights Initiative (JS1)²] indicated that prejudice and social stigma are a part of the daily experience of young gay and transgender persons in the education system, a situation which would also affect people living with HIV/AIDS. It also indicated that many lesbian, gay, bisexual, and transgender/transsexual (LGBT) persons face tremendous psychological and emotional problems, prejudice and marginalization from society, their families and communities when they reveal their sexual orientation or gender identity.¹⁰ JS1 recommended opening a dialogue on culture and human rights to guarantee that no human rights violations will be perpetrated against anyone –including LGBT persons– under the name of culture or tradition.¹¹ [...]

Global Gayz, Gay Life in Belize 2009, 2 June 2009

<http://www.globalgayz.com/central-america/belize/gay-life-in-belize-2/>

By Richard Ammon and Colette

GlobalGayz received a vociferous message a while ago from an irate, outspoken and well-written lesbian protesting that Belize was poorly represented on our site. Previous to her message there was little of ‘inside’ value we could find on the Internet about LGBT life in Belize.

However, that shortcoming has now been repaired thanks to some thoughtful comments from Colette who lives with her partner Maya (and their dogs, chickens and occasional wild animals) in a mid-sized holiday town called San Pedro on the Caribbean Coast of Belize, close to the largest coral reef in the Northern Hemisphere. Needless to say it’s a popular tourist destination in the winter season. [...]

Belize is made up of many cultures, Mestizo, Creole, Garifuna, Maya, Mennonite, Chinese, Indian, Arabic, immigrants from other Central American countries and a smattering of international expats. It is an English speaking, Catholic country with strong indigenous religious traditions that are not all conventional; these older cultures bring with them concepts of magic and ritual.

Because of this tapestry of lifestyle, Belizeans are incredibly tolerant, laid back, friendly and welcoming. They may follow extremely strict structures within their own culture but tend not

² Sexual Rights Initiative coalition includes: Mulabi – Latin American Space for Sexualities and Rights; Action Canada for Population and Development; Creating Resources for Empowerment and Action-India; the Polish Federation for Women and Family Planning, and others

¹⁰ JS1, p.3.

¹¹ JS1, p.3.

to impose their beliefs and values on others. There is, though, a great deal of machismo and in many cases a woman's worth is based upon her ability to reproduce. Everywhere we went on the mainland we were asked how many children we had and looked upon with pity when we said we had none.

Most people assumed we were sisters or friends. In some parts of the country it would never have even crossed their mind that we were married, although there are many women living together as companions all over the country. The concept of lesbianism on the mainland is not well understood in most parts of the country and most people refer to partners as 'friends'.

That said, in most of the areas we visited we met numerous young gay people although they were not out within their own communities. While it might be OK for outsiders to be gay and be tolerated, it would not be accepted too well by one of their own. And this is probably no different than many parts of the world. Some parents are accepting, some are not. Some communities have come to accept and embrace their gay members and some have not. That is why young gay people, as in many countries, tend to leave their original community and head for larger towns.

Why San Pedro? Firstly we just loved the beauty of the place, but we also discovered that gay and lesbian people were living openly and happily throughout the community. Many prominent businesses were owned or managed by gay people, some important local politicians were gay, there were gay teachers in schools and gay journalists and nobody seemed to have an issue. This continues today; here are gay owned resorts here and I cannot think of a single business that does not welcome gay customers.

Attitudes in Ambergris are a bit mellower and more aware than on the mainland, most likely due to foreign tourism. But there are parts of Belize where male homosexuality is frowned upon. These areas tend to be influenced by American Evangelical Missionaries or by Jamaican Dancehall culture. Nevertheless, we have many male and female gay friends and acquaintances who have both traveled and lived all over Belize and had fewer problems than they had back home in North America or Europe. [...]

As in many conservative places in the world, same-sex female relationships are more accepted than are male relationships. That said, we see male gay tourists wandering around all the time enjoying the country and not experiencing any problems at all. As mentioned earlier, it is a lot more acceptable to be a gay outsider. I certainly wouldn't want to come out in my high school here and I doubt many can or do.

Many gay male Belizeans marry and have children and then go on to have same sex relationships later in life. The 'sweetheart' culture also exists here, with one man married to one woman officially but acting as spouse and parent to more than one family. This also occurs amongst gay men who are married with children.

Belize will welcome you as a gay or lesbian tourist, but don't expect to find a 'scene'. Expect to be welcomed, treated with respect and kindness by everyone you meet. There are many places on the Internet to find gay-friendly accommodation but feel free to book into any resort in the country and feel welcome. [...]

Follow-up Questions

In response to this engaging commentary, GlobalGayz asked some follow-up questions: [...]

GG: If a native son or daughter was found to be gay what might be the worst response from their family? The best of course would be acceptance. What is the level of homophobia there? Would a family member be at risk of harm? Have you heard for any gay person being harmed or threatened?

C: There is every extreme I am sure when families have gay children. In rural areas, I have heard terrible stories about young people being beaten for being suspected to be gay or lesbian. But kids are still beaten in schools here and they are beaten for all sorts of things by

their parents. I've not been around someone through the process of coming out to their family, so I can't really give you any personal observations. But I would say in rural areas on the mainland the fear of homophobia would be greatest, but you have to remember that this is a country where schools and even police training centres have been shut down for 'demon possession' within the last year.

So it is really hard to even try to culturally compare things like homophobia in a culture so different to those that we are familiar with. In a place where people can be frightened to death by a curse, things are very different.

There have been unexplained murders that may have been homophobic, but almost all serious crime happens in Belize City, which statistically is one of the most violent places anywhere. People get shot and killed there on a daily basis, so if someone is killed who happens to be gay, it could be homophobic but probably is more likely to be drug or gang related. Fortunately murder in San Pedro is very very rare and in most cases it is drug related or a crime of passion. [...]

4. Homophobia and transphobia in government institutions (including but not limited to government statements, state owned media, prisons, education, health system)

News 5, Ministry of Education recalls manual that had pro-gay remarks, 13 September 2012

<http://edition.channel5belize.com/archives/75834>

A relentless media campaign, launched recently to raise public awareness on the debatable content of the Peace Corps Health and Family Life Manual, has prompted the Ministry of Education to withdraw the publication from primary schools across the country. The handbook, which was first introduced to pastors Luis Wade and Scott Stirm in December 2011, stirred controversy when it was learned that the subject matters being addressed within its pages promoted what Stirm refers to as the 'homosexual agenda'. Since then a ten-member committee was tasked to carefully review the content of the HFLE Manual and compile a report, which was subsequently presented to the Ministry of Education. That report presumably languished on a desktop somewhere within the ministry until earlier this month when Wade and Stirm took to the airwaves to ventilate the dubious text. After much objection from concerned parents, the ministry issued a release on Wednesday stating that the HFLE handbook has been retracted from the education curriculum. [...]

The United Belize Advocacy Movement (UniBAM) and The Heartland Alliance for Human Needs & Human Rights, *Human Rights Violations of Lesbian, Gay, Bisexual, and Transgender (LGBT) People in Belize, Submission to the United Nations Human Rights Committee on Relevant Issues Prior to Reporting (LOIPR) (Belize), August 2012*

<http://www2.ohchr.org/english/bodies/hrc/docs/ngos/LGBTBelize106.pdf>

[...] II. *Substantive Violations of the ICCPR*

State discrimination against sexual minorities in Belize

[...] *Article 12 and Article 13: Discrimination against LGBT immigrants*

Section 5(1)(e) Belize's Immigration Act includes "homosexuals" as "prohibited persons" for immigration purposes.⁸ Sexual minorities that are foreign nationals may be denied entry into Belize or deported after entry. On its face, the law is discriminatory as sexual orientation and gender identity may be invoked as the sole reason for prohibiting entry into Belize. The law has also been used by immigration officers, who are granted wide discretionary decision-making power in individual immigration cases, to intimidate sexual minorities seeking entry into Belize. The restriction, and its enforcement, is particularly problematic in regard to those seeking asylum or refugee status due to persecution in their country of origin. Sexual minorities from many parts of the world have a well-founded fear of torture, inhuman or degrading treatment or punishment, and even death. Refoulement back to country of origin – as Belize's Immigration Act would require – could result in numerous human rights violations, including the prohibition of torture and the right to life.

- On November 16th, 2011, two female foreign nationals that had the same address and were travelling together- Xenia Paz Bardalez of Honduras and Yolanda Pineda Castillo of Mexico - were detained at the Belizean border. Ms. Castillo had lost her passport and thus was attempting to cross with other legitimate legal documents. After ascertaining that the women were not relatives (and presuming they were in a relationship), the immigration officials seized their immigration documents, and detained them without any expressed reason. During the detention, one of the women was subject to derogatory comments and sexual advances from an officer. The women were not released and given back their documents until they paid an extortion of 10,000 Mexican pesos. One immigration officer, Eneida Morales, asserted that the two women were detained because "the Honduran national could not be trusted."⁹

[...] *Failure to protect the human rights of sexual minorities in Belize*

Article 2 and Article 26: Hate Speech against LGBT persons

The policies instituted by the Belizean government, particularly the criminalization of same-sex sexual conduct, have reinforced the general stigmatization of sexual minorities within Belizean society. State authorities have done little to reverse this trend. Currently, there is a constitutional challenge against §53 of the Criminal Code pending with Belize's Supreme Court.¹⁰ The case has ignited widespread debate within Belize, and a number of mass media mediums in Belize publish and disseminate hate speech, spread misinformation about homosexuality, and incite discrimination against LGBT persons.

The Belizean government has not taken any measures to curb this incendiary and violent speech. There have been no public education or awareness campaigns to promote the full enjoyment of human rights, regardless of sexual orientation or gender identity. Additionally, no government officials have publicly condemned or sought to prevent these hateful comments. In fact, one public official, the Minister of Human Development, Social Transformation and Poverty Alleviation Minister Anthony "Boots" Martinez, stated publicly on television "my position is that God never placed anything on me for me to look at a man and jump on a man...I'll fight tooth and nail to keep that law."¹¹ [...]

⁸ Immigration Act of Belize (2000) Article 5(1)(e). available at <http://www.belize-law.org/lawadmin/PDF%20files/cap156.pdf>

⁹ "Women claim wrongdoing by immigration officers," 8 December 2011, available at <http://www.lovefm.com/ndisplay.php?nid=15209&fromsrch=1>

¹⁰ *Caleb Orosco v. The Attorney General of Belize*

¹¹ "Minister Anthony Boots Martinez appears on Rise and Shine," 8 June 2011, available at <http://www.plustvbelize.com/News/NewsDetails/tabid/63/ArticleId/226/Min-Anthony-Boots-Martinez-appears-on-Rise-and-Shine.aspx>.

UN Human Rights Council, *Summary prepared by the Office of the High Commissioner for Human Rights, in accordance with paragraph 15(c) of the Annex to Human Rights Council Resolution 5/1 - Belize, 20 February 2009*

http://lib.ohchr.org/HRBodies/UPR/Documents/Session5/BZ/A_HRC_WG6_5_BLZ_3_E.pdf

[...] *D. Policy measures*

6. JS1 [a joint submission by the United Belize Advocacy Movement and the Sexual Rights Initiative (JS1)²] indicated that the criminalization of the legal status of consensual same-sex relationships does not allow for the sustained public education campaigns that would help reduce societal biases.⁹ [...]

II. PROMOTION AND PROTECTION OF HUMAN RIGHTS ON THE GROUND

Implementation of international human rights obligations

1. Equality and non discrimination

[...] 8. JS1 also reported that there is no legal framework that protects the rights of people living with HIV/AIDS, although there is a fairly widespread and institutional awareness of the problems faced by such persons. According to JS1, issues of lack of access to testing, lapses in confidentiality and discrimination within the health service sector against young people, men who have sex with men and transgender persons, have all contributed to sustained restrictions in access to care for people living with HIV/AIDS. It further noted that parts of the media continue to present HIV/AIDS as a homosexual disease.¹² JS1 recommended the promulgation of a legal framework with enforcement powers to protect people living with HIV/AIDS from discrimination in all areas, including in the health service, schools and workplaces.¹³ [...]

2. Right to life, liberty and security of the person

[...] 12. JS1 indicated that the International Centre for Prison Studies ranks Belize as having the 12th-highest prison-to-public ratio in the world, with about 461 inmates per 100,000 inhabitants. It reported that the only existing prison in Belize is run by the Kolbe Foundation, a Christian institution that receives Government funding for this task. JS1 further indicated that the institution's opposition to the use of condoms, and Section 53 of the Belize Criminal Code that would make a prison official who distributes condoms to prisoners an accessory to a crime, makes HIV/AIDS prevention in jails extremely difficult.¹⁷ JS1 recommended the implementation of an HIV/AIDS/sexually-transmitted infections prevention program for those deprived of their liberty, including sensitivity and awareness workshops, free distribution of condoms and voluntary counselling and training (VCT).¹⁸ JS1 reported that the overall prevalence rate of HIV/AIDS in Belize is 2.4 per cent compared to the 4.5 per cent for the prison population, according to research done in 2005.¹⁹ [...]

4. Right to privacy, marriage and family life

[...] 16. JS1 reported that people younger than 16 cannot access HIV/AIDS VCT services without parental consent. This would violate the right to privacy and in the end the right to health of young people, particularly of those having same-sex relationships and young woman having premarital sex, as they might choose not to access the services in order to avoid being punished by their parents if they reveal their sexual behaviour.²⁴ JS1

² Sexual Rights Initiative coalition includes: Mulabi – Latin American Space for Sexualities and Rights; Action Canada for Population and Development; Creating Resources for Empowerment and Action-India; the Polish Federation for Women and Family Planning, and others

⁹ JS1, p.4.

¹² JS1, p.4.

¹³ JS1, p.4.

¹⁷ JS1, p.4.

¹⁸ JS1, p.4.

¹⁹ JS1, p.4.

²⁴ JS1, p.4

recommended the requirement of parental consent for providing counselling and testing services to people less than 16 years of age be eliminated.²⁵ [...]

International Treatment Preparedness Coalition, *Missing the Target 4: Time is Running Out to End AIDS –Treatment and Prevention for All!* 18 July 2007

<http://www.itpcglobal.org/atomic-documents/11057/20000/report4.pdf>

[...] *BELIZE*

By Caleb Orozco, President, United Belize Advocacy Movement

As of December 2006, a total of 3,805 HIV cases have been reported in Belize. According to UNAIDS, the adult HIV prevalence rate stands at about 2.4% and the epidemic has become generalized. Data from the National AIDS Coordinator indicate that 494 PLWHA were receiving ART as of December. The health care system offers seven different first-line regimens for adults as well as an additional one, containing Kaletra, for children who have developed drug resistance. With the assistance of money from a Global Fund grant, HIV treatment services are available free of charge.

The Ministry of Health reports that in 2006, 93% of HIV-positive pregnant women received single doses of nevirapine as PMTCT therapy. That year, however, guidelines were changed and nevirapine was phased out in favour of a regimen of zidovudine and lamivudine to begin at 14th week of pregnancy.

HIV prevalence is thought to be higher than average among many vulnerable groups such as inmates (calculated as 4.9%). Comparable data for sex workers and MSM are incomplete. Government officials do not collect data on these groups and consequently give low priority to reducing the social stigma and discrimination that limits their access to key health services. There are too many stop gap strategies currently in place that inadequately provide HIV prevention and treatment information to vulnerable groups in the public health system. [...]

5. State willingness and ability to provide effective protection to LGBTI persons; (particularly police attitude to LGBTI persons, investigations into crimes perpetrated against LGBTI persons)

The United Belize Advocacy Movement (UniBAM) and The Heartland Alliance for Human Needs & Human Rights, *Human Rights Violations of Lesbian, Gay, Bisexual, and Transgender (LGBT) People in Belize, Submission to the United Nations Human Rights Committee on Relevant Issues Prior to Reporting (LOIPR) (Belize), August 2012*

<http://www2.ohchr.org/english/bodies/hrc/docs/ngos/LGBTBelize106.pdf>

[...] *II. Substantive Violations of the ICCPR*

[...] *Failure to protect the human rights of sexual minorities in Belize*

Article 2 and Article 26: Hate Speech against LGBT persons

The policies instituted by the Belizean government, particularly the criminalization of same-sex sexual conduct, have reinforced the general stigmatization of sexual minorities within Belizean society. State authorities have done little to reverse this trend. Currently, there is a constitutional challenge against §53 of the Criminal Code pending with Belize's Supreme

²⁵ JS1, p.4

Court.¹⁰ The case has ignited widespread debate within Belize, and a number of mass media mediums in Belize publish and disseminate hate speech, spread misinformation about homosexuality, and incite discrimination against LGBT persons.

The Belizean government has not taken any measures to curb this incendiary and violent speech. There have been no public education or awareness campaigns to promote the full enjoyment of human rights, regardless of sexual orientation or gender identity. Additionally, no government officials have publicly condemned or sought to prevent these hateful comments. [...]

Article 2, Article 7, Article 9 and Article 26: Violence towards LGBT persons

Sexual minorities in Belize live in the midst of hostile societal conditions, and continue to be victims of violent physical attacks and sexual assault, which are often not reported to or investigated by the police.

- In 2004, a transgendered individual was walking in the village of San Jose, in the Orange Walk district of Belize when a group of young men began throwing bottles at her. She reported the assault to the local police, who laughed at her and failed to take the incident seriously. [...]
- On February 8th, 2012 a Caleb Orozco, a well-known Belizean gay rights activist and human rights defender that has been leading the challenge against §53, was assaulted when he was walking down the street. The men yelled anti-gay slurs at him, and one man threw a beer bottle in his face causing bruises and damage to two of his teeth. Though he filed a report to the police, no investigations of the incident have been initiated.

Many victims of these attacks do not seek recourse because of the law criminalizing same-sex activity, as well as the fear of reprisal and general societal hostility towards them. Those that do report these incidents are often ignored by state authorities or subjected to more anti-gay hostility. These individuals are being denied their right to effective remedies and recourse by Belize because of its failure to investigate these crimes, and hold the perpetrators accountable. Additionally, government has not provided police trainings nor instituted policies that would address this issue. [...]

Pink News, *Feature: Decriminalising homosexuality in Belize, 6 July 2012*

<http://www.pinknews.co.uk/2012/07/06/feature-decriminalising-homosexuality-in-belize/>

Caleb Orozco is the executive president of the United Belize Advocacy Movement, UNIBAM, and is part of a constitutional challenge to overturn the law in Belize which criminalises homosexuality. Visiting London, he briefed PinkNews.co.uk on the case. [...]

Under Belize's Criminal Code, gays face a penalty of up to ten years' imprisonment.

How is the law used?

“What I do know personally,” Orozco says, “is that the law has been used to intimidate, to blackmail, to harass. That comes to us from the community itself.”

Orozco describes the law itself as a “psychological barrier” and reported cases of rape in which the victims, men or transgender people, would not report the crime to the police. [...]

UNAIDS Caribbean, *Advocate's attack underlines need for equal protection, 13 February 2012*

<http://unaids-caribbean.org/node/198>

With intimidation, insults and assault, a couple of unidentified men have brought into focus the vulnerability and inequity endured by sexual minorities in Belize.

¹⁰ *Caleb Orozco v. The Attorney General of Belize*

Caleb Orozco, Executive Director of the United Belize Advocacy Movement (UNIBAM), alleges that last Wednesday he was followed and threatened before an assailant hurled a beer bottle at his face, hitting his jaw and damaging two of his teeth. Orozco is at the forefront of a constitutional challenge to Belize's colonial era laws regarding sex between men. But while he may be more visible than most, harassment is a shared experience for many gay, lesbian, bisexual and transgender (GLBT) persons.

Last year the advocate opened up about his experience of attacks through the years, stressing that that verbal and physical abuse were daily features of life for him and for many others. Moreover, Orozco maintained that there is a low degree of trust that the protective services would respond to, investigate and follow through on reports made by sexual minorities. At first reluctant to file a report, Orozco was eventually convinced to do so and a statement was taken by the police. Up to this point no arrests have been made. [...]

The United Belize Advocacy Movement (UNIBAM) and the Sexual Rights Initiative¹, Report on Belize- 5th Round of the Universal Periodic Review, May 2009

<http://sexualrightsinitiative.com/wp-content/uploads/Belize-UPR-5.pdf>

[...] *Police brutality*

On 21st January of 2007 a gay man was hurt in the face with a beer bottle by homophobic persons near his house in Belize City. The police intervene, but instead of arresting the perpetrators, they proceeded to insult the victim for his lifestyle.

In May, 2006, two gay men were reportedly assaulted, insulted, beaten and then stripped of their clothes near a public space called Dolphin Park by a police officer. The clothes were not given back to them till reaching the police station a half hour later. One of the victims reported the abuse to the police internal affairs in Belize City, but nothing has come of the case since. [...]

On June 12th, 2007, a British transgender man referred to UNIBAM that his house was broken into on May 26th 2007. He reported the robbery to the San Ignacio Town Police station, located in the Western part of the country. Asked to search for evidence and bring it back to the station, found a knife used in the robbery and did as was told. But an officer, Corporal Sanchez gave the order for him to be detained. The knife was contaminated by one of the officers nullifying the evidence. He had to endure comments like "You have brought disease to us..." or "I'll make a man of you.. ". He was locked up from 11:00 in the morning till 1:30 in the afternoon at the police station without his diabetic medication until a prisoner yelled that he was ill. The police kept his passport that was only recovered after several days and many visits to the station.

11. As the last example shows, if a crime is committed and reported to the police, victims may experience further stigmatisation and discrimination. Their identity becomes the focus of police attention and their complaint is –in the best case- ignored, laughed and trivialized; in the worse case, the victim him/herself is arrested, as in the example. Largely, these incidents remain invisible because they go unreported as victims feel ashamed and, for well-founded reasons, do not trust the police. Also, the existence of Section 53 provides the police for an excellent excuse to harass, threaten and extort homosexual and trans people, and allows for these incidents to go unreported, uninvestigated and unpunished.

12. On the issue of how they address sexual minorities, inadequate training exists to preventing human rights abuses by individual officers. However, the media has played a role in sensitising citizens on human rights abuses and that has led to the Police taking corrective

¹ coalition including Mulabi – Latin American Space for Sexualities and Rights; Action Canada for Population and Development; Creating Resources for Empowerment and Action-India, the Polish Federation for Women and Family Planning, and others

measures in their actions to protect public safety. This applies to police brutality in general. Whenever the media highlighted abuses, the Police Department responded publicly. But brutality continues and it mostly affects the Creole population and young people. We have insufficient documentation on brutality against sexual minorities as to the extent of abuse or ill-treatment that exists. [...]

UN Human Rights Council, *Summary prepared by the Office of the High Commissioner for Human Rights, in accordance with paragraph 15(c) of the Annex to Human Rights Council Resolution 5/1 - Belize, 20 February 2009*

http://lib.ohchr.org/HRBodies/UPR/Documents/Session5/BZ/A_HRC_WG6_5_BLZ_3_E.pdf

[...] 3. *Administration of justice and the rule of law*

[...] 14. According to the JS1 [a joint submission by the United Belize Advocacy Movement and the Sexual Rights Initiative (JS1)²], the United Belize Advocacy Movement had documented several incidents of violence and threats against gay men by the police, adding that when a crime is reported to the police by LGBT persons, victims may experience further stigmatization and discrimination, with their identity becoming the focus of police attention and their complaints ignored and trivialized, in some cases, leading to the arrest of the victim. These incidents largely remain invisible because they go unreported as victims feel ashamed and do not trust the police.²¹ JS1 recommended the education and sensitization of members of the police on their obligations in terms of non-discriminatory treatment towards LGBT persons and persons living with HIV/AIDS, as well as to investigate and, when needed, punish, discriminatory and abusive behaviour on the part of police officers towards LGBT persons and persons living with HIV/AIDS. [...]

6. (Limitations in) access to social and economic rights for LGBTI persons

The United Belize Advocacy Movement (UniBAM) and The Heartland Alliance for Human Needs & Human Rights, *Human Rights Violations of Lesbian, Gay, Bisexual, and Transgender (LGBT) People in Belize, Submission to the United Nations Human Rights Committee on Relevant Issues Prior to Reporting (LOIPR) (Belize), August 2012*

<http://www2.ohchr.org/english/bodies/hrc/docs/ngos/LGBTBelize106.pdf>

[...] II. *Substantive Violations of the ICCPR*

[...] *Failure to protect the human rights of sexual minorities in Belize*

Article 19 and Article 22: Freedom of Expression

The stigmatization of LGBT people has led to discrimination based on gender identity, dress, bodily characteristics, and other forms of protected expression.

- On October 1st and 5th of 2009, a 19-year-old transgendered student, Jose Garcia, in Camalote, Young Bank was formally threatened on multiple occasions with dismissal from the Belmopan Baptiste School of Adult Continuing Education because, according to

² Sexual Rights Initiative coalition includes: Mulabi – Latin American Space for Sexualities and Rights; Action Canada for Population and Development; Creating Resources for Empowerment and Action-India; the Polish Federation for Women and Family Planning, and others

²¹ JS1, p.2,3

the school, he “acts like a girl,” “dresses effeminately,” and “uses the female bathroom.”
[...]

UN Human Rights Council, *Summary prepared by the Office of the High Commissioner for Human Rights, in accordance with paragraph 15(c) of the Annex to Human Rights Council Resolution 5/1 - Belize, 20 February 2009*

http://lib.ohchr.org/HRBodies/UPR/Documents/Session5/BZ/A_HRC_WG6_5_BLZ_3_E.pdf

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² Sexual Rights Initiative coalition includes: Mulabi – Latin American Space for Sexualities and Rights; Action Canada for Population and Development; Creating Resources for Empowerment and Action-India; the Polish Federation for Women and Family Planning, and others

¹² JS1, p.4.

¹³ JS1, p.4.

Sources consulted (including descriptions of lesser known sources)

Amnesty International (no Belize country page)

www.amnesty.org

Caribbean Vulnerable Communities (CVC): “CVC seeks to develop a cohesive and coordinated strategy to support work in the Caribbean with and on behalf of populations vulnerable to HIV and the stigma and discrimination associated with it”

<http://www.cvcoalition.org/>

ECOI

www.ecoi.net

The Global Forum on MSM and HIV: “The MSMGF is a coalition of advocates working to ensure an effective response to HIV among MSM. Our coalition includes a wide range of people, including HIV-positive and HIV negative gay men directly affected by the HIV epidemic, and other experts in health, human rights, research, and policy work. What we share is our willingness to step forward and act to address the lack of HIV responses targeted to MSM, end AIDS, and promote health and rights for all. We also share a particular concern for the health and rights of gay men/MSM who: are living with HIV; are young; are from low and middle income countries; are poor; are migrant; belong to racial/ethnic minority or indigenous communities; engage in sex work; use drugs; and/or identify as transgender”

<http://www.msmsgf.org/>

Global Gayz.com, Belize page: “GlobalGayz is a gay-owned charitable travel and culture website focused on les-bi-gay-trans life in countries around the world. It is based on actual visits to far and near countries. Presented here are Stories, Links, News Reports and Photo Galleries for more than 190 countries”

<http://www.globalgayz.com/central-america/belize/>

The Heartland Alliance for Human Needs & Human Rights: “Heartland Alliance helps people living in poverty or danger improve their lives and realize their human rights. Through our diverse programs, we serve people in the toughest of circumstances and that are the hardest to reach, including survivors of violence, torture, and war and people living in extreme hardship or poverty. We use our 120 years of expertise in the trenches providing solutions to societal problems to improve government policies and help other communities regionally and globally”.

<http://www.heartlandalliance.org/>

Human Rights Watch (no Belize country page)

www.hrw.org

International Day Against Homophobia and Transphobia (IDAHO): “Following other initiatives such as the National Day Against Homophobia created in 2003 in the Quebec province of Canada by the Fondation Emergence and celebrated in June, Louis-Georges Tin, a French university lecturer, campaigner for Black and LGBT Rights and chief editor of the «Dictionary of Homophobia», launched in August 2004 an initiative to create an International Day Against Homophobia that is global in scope. He launched an appeal « For a universal recognition of the International Day Against

Homophobia » (IDAHO) and proposed that this day be fixed on May 17th, to commemorate the World Health Organisation's decision to remove homosexuality from the list of mental disorders. [...] The IDAHO Committee's objective is to make the International Day Against Homophobia and Transphobia a global awareness and mobilization moment that represents a useful opportunity for everyone to take action at all levels."

<http://www.dayagainsthomophobia.org/-IDAHO-english,41->

International Gay and Lesbian Human Rights Commission, Belize page

<http://www.iglhrc.org/cgi-bin/iowa/region/89.html>

International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA), Belize page

<http://ilga.org/ilga/en/countries/BELIZE/Law>

LGBT Asylum News (blog): "This website was established in January 2008 to help save 19yo gay Iranian Mehdi Kazemi from deportation to execution by the British government [...] We document the situations in countries from which LGBT people are fleeing hoping for a safe haven and the problems they can face from the asylum system in many countries".

<http://madikazemi.blogspot.co.uk>

News 5: "News 5 Live is the flagship news program of Great Belize Television, Channel 5 ever since its premiere on December 5, 1991. The news is produced for broadcast every night from Monday to Friday. Great Belize Television has become Belize's leading television station and foremost provider of local and regional programming. Operating with a staff of 30, the station has gained an international reputation for producing high quality work".

<http://edition.channel5belize.com/>

Pink News: "Pink News covers religion, politics, entertainment, finance, and community news for the gay, lesbian, bisexual and transgendered community in the UK and worldwide. Founded to produce broadsheet quality journalism for the LGBT community, we cover politics to theology in an intelligent manner"

<http://www.pinknews.co.uk/>

Reliefweb

www.reliefweb.int

Sexual Rights Initiative: "The Sexual Rights Initiative (SRI) is a coalition of organizations from Canada, Poland, India, Egypt, Argentina and South Africa that work together to advance human rights related to sexuality at the United Nations".

<http://sexualrightsinitiative.com/>

United Belize Advocacy Movement (UniBAM) (website no longer active, previously available at www.unibam.org. According to the U.S. Department of State, UNIBAM is "the country's sole lesbian, gay, bisexual, and transgender advocacy organization")

UNAIDS

<http://www.unaids.org>

UNHCR Refworld

<http://www.unhcr.org>

7 News Belize: “This Internet version of 7 News is a verbatim transcript of our evening television news script”.

<http://www.7newsbelize.com/sstory.php?nid=21705>