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resolution 16/21**

Belize

The present report is a compilation of the information contained in the reports of treaty bodies and special procedures, including observations and comments by the State concerned, and of the Office of the High Commissioner for Human Rights (OHCHR), and in other relevant official United Nations documents. It is presented in a summarized manner due to word-limit constraints. For the full text, please refer to the document referenced. This report does not contain any opinions, views or suggestions on the part of OHCHR other than those contained in public reports and statements issued by the Office. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. Information included herein has been systematically referenced in endnotes. The report has been prepared taking into consideration the periodicity of the review and developments during that period.

I. Background and framework

A. Scope of international obligations¹

International human rights treaties²

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified/not accepted</i>
<i>Ratification, accession or succession</i>	ICERD (2001)	CRPD (2011)	ICCPR-OP 2
	ICESCR (signature only, 2000)		OP-CAT CPED
	ICCPR (1996)		
	CEDAW (1990)		
	CAT (1986)		
	CRC (1990)		
	OP-CRC-AC (2003)		
	OP-CRC-SC (2003)		
	ICRMW (2001)		
<i>Reservations, declarations and/or understandings</i>	ICCPR (reservations, art. 12, para. 2, art. 14, para. 3(d), art. 14, para. 6 (2001))		
<i>Complaint procedures, inquiry and urgent action³</i>	CAT, art. 20 (1986)		ICERD, art. 14 OP-ICESCR ICCPR, art. 41 ICCPR-OP 1 OP-CEDAW, art. 8 CAT, arts. 21 and 22 OP-CRC-IC ICRMW, arts. 76 and 77 OP-CRPD CPED

Other main relevant international instruments

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified</i>
<i>Ratification, accession or succession</i>	Convention on the Prevention and Punishment of the Crime of Genocide		1961 Convention on the Reduction of Statelessness
	Rome Statute of the International		ILO Conventions No.

<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified</i>
Criminal Court Palermo Protocol ⁴ Conventions on refugees and stateless persons ⁵ Geneva Conventions of 12 August 1949 and Additional Protocols I, II and III ⁶ ILO fundamental conventions ⁷ UNESCO Convention against Discrimination in Education		169 and No. 189 ⁸

1. In 2012, the Committee on the Elimination of Racial Discrimination (CERD) encouraged Belize to consider ratifying ICESCR.⁹
2. In 2013, the Human Rights Committee urged Belize to consider withdrawing its reservation to article 14, para. 3(d) and article 14, para. 6 of ICCPR.¹⁰
3. CERD encouraged Belize to consider making the declaration provided for in article 14 of ICERD.¹¹
4. The Office of the United Nations High Commissioner for Refugees (UNHCR) recommended that Belize accede to the 1961 Convention on the Reduction of Statelessness.¹²
5. The United Nations Educational, Scientific and Cultural Organization (UNESCO) recommended that, in accordance with article 7 of the UNESCO Convention against Discrimination in Education, Belize submit a report on the legislative and administrative provisions it had adopted and other action it had taken for its application.¹³

B. Constitutional and legislative framework

6. CERD noted the adoption of the Constitution which included some provisions on the protection of human rights and prohibited discrimination on the grounds of race, colour and place of origin.¹⁴

C. Institutional and human rights infrastructure and policy measures

7. While welcoming the appointment of an Ombudsperson in December 2012, the Human Rights Committee urged Belize to provide this Office with sufficient resources.¹⁵ CERD made similar recommendations.¹⁶
8. CERD also recommended that Belize establish a national human rights institution in full compliance with the Paris Principles.¹⁷
9. The United Nations Country Team (UNCT) reported that Belize had created a number of institutions tasked with promoting and advocating for the protection of human rights. However, they did not have constitutional protection and could be removed by the passage of ordinary legislation by Parliament. UNCT also noted that the Government had indicated resource limitations related to setting up and maintaining a human rights institution in line with the Paris Principles.¹⁸

10. CERD recommended that Belize ensure that human rights education was included in school curriculums and that law enforcement officials at different levels, including police officers, magistrates, judges, lawyers and those working with the Office of the Ombudsman, received human rights training.¹⁹

II. Cooperation with human rights mechanisms

A. Cooperation with treaty bodies²⁰

11. CERD and the Human Rights Committee regretted that Belize had not provided its initial reports to these Committees.²¹ CERD recalled that, despite a number of reminders, Belize had not provided a report and that it had postponed many times the consideration of the situation in Belize. Furthermore, CERD indicated that Belize had not responded to the invitation to attend the meeting to consider its implementation of ICERD.²² UNCT noted that CERD had considered Belize in the absence of a report and a delegation.²³ The Human Rights Committee also regretted that Belize had not sent a delegation, which prevented the Committee from engaging in a constructive dialogue with the authorities.²⁴ UNCT expressed concern at the lack of timely reporting to treaty bodies.²⁵

12. UNCT indicated that challenges and capacity gaps of the reporting system included a lack of clarity of mandates of relevant ministries in regard to human rights convention reporting; insufficient mainstreaming of respective conventions into the ministries; insufficient number of staff; lack of human rights training for staff at relevant ministries; frequent data limitations; and lack of public awareness of their fundamental human rights.²⁶

1. Reporting status

<i>Treaty body</i>	<i>Concluding observations included in previous review</i>	<i>Latest report submitted since previous review</i>	<i>Latest concluding observations</i>	<i>Reporting status</i>
CERD	--	--	August 2012 (in the absence of report)	Initial report due in 2013 (overdue since 2006)
HR Committee	--	--	March 2013 (in the absence of report)	Initial report due in 2015 (overdue since 1997)
CEDAW	July 2007			Fifth and sixth reports overdue since 2011
CAT	--	--	--	Revised and initial report overdue since 1992 ²⁷
CRC	March 2005	--	--	Combined reports overdue since 2007/initial reports to OP-CRC-AC and OP-CRC- SC overdue since 2006
CRPD	--	--	--	Initial report due since July 2013
CMW	--	--	--	Initial report overdue since 2004

2. Responses to specific follow-up requests by treaty bodies*Concluding observations*

<i>Treaty body</i>	<i>Due in</i>	<i>Subject matter</i>	<i>Submitted in</i>
CERD	2013	Incident of racist and xenophobic stereotypes; situation of indigenous peoples; trafficking in persons ²⁸	--

B. Cooperation with special procedures²⁹

	<i>Status during previous cycle</i>	<i>Current status</i>
<i>Standing invitation</i>	No	No
<i>Responses to letters of allegations and urgent appeals</i>	During the period under review, three communications were sent. There were no replies to these communications.	

C. Cooperation with the Office of the High Commissioner for Human Rights

13. The OHCHR Regional Office for Central America in Panama covered six countries, including Belize.³⁰

14. The Regional Office for Central America worked with the Resident Coordinator/UNCT, Government and stakeholders in relation to the preparation of the second national report to the Working Group on the Universal Periodic Review (UPR). In 2012, the Regional Office for Central America held an information sharing session on the second cycle of the UPR. An OHCHR (Regional Office for Central America and UPR Section) technical assistance mission was carried out in December 2012 to encourage early preparations by the Government, stakeholders and the UNCT. In 2009 and 2011, other training activities on treaty bodies had also taken place, including specific training on CERD.³¹

III. Implementation of international human rights obligations

A. Equality and non-discrimination

15. In 2012, the ILO Committee of Experts on the Application of Conventions and Recommendations (ILO Committee of Experts) requested Belize to provide information on any evolution in the adoption of the National Gender Policy, revised in 2010, its implementation and impact.³² UNCT also recommended its approval.³³

16. CERD recommended that Belize adopt legislation prohibiting racial discrimination. It also recommended that Belize adopt policy measures, including special measures for the most disadvantaged and marginalized ethnic groups, in order to guarantee enjoyment of the rights in ICERD for all without discrimination.³⁴

17. CERD was concerned by information received about incitement to racial discrimination and hatred against Mestizos and Mayans, perceived by other groups to monopolize positions and lands. It recommended that Belize combat and punish incitement to racial discrimination and hatred against some ethnic groups, as well as dissemination of ideas based on racial superiority. It also recommended that Belize adopt legislation which gave full effect to article 4 of ICERD.³⁵

18. CERD recommended that Belize adopt effective legal remedies for victims of racial discrimination.³⁶

19. The Belize United Nations Development Assistance Framework (UNDAF) 2013–2016 and UNICEF (United Nations Children’s Fund) indicated that stigma surrounding HIV/AIDS needed to be confronted.³⁷ UNCT and UNICEF recommended that Belize develop and implement public awareness campaigns in multiple languages that seek to reduce stigma related to mental health, disabilities and HIV/AIDS.³⁸

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

20. The Human Rights Committee noted Belize’s explanation that since provisions on the right to life, the prohibition of torture, and freedom of thought, conscience and religion, were not listed in article 18, para. 10 of the Constitution as derogable rights in a state of emergency, it followed that these rights were non-derogable in a state of emergency. However, the Human Rights Committee was concerned by the lack of a clear provision in

the Constitution and legislation to dispel any doubts that other rights made non-derogable under ICCPR, including rights protected under article 8, paras. 1 and 2, and articles 11, 15 and 16 of ICCPR, could not be derogated from during a state of emergency.³⁹

21. The Human Rights Committee urged Belize to ensure clarity in its Constitution and legislation governing states of emergency so that all rights protected under article 4 of ICCPR were not derogated from during a state of emergency, and to ensure that the requirements of such derogations were consistent with ICCPR.⁴⁰

22. The Human Rights Committee was concerned by reports that excessive use of force by law enforcement officials was widespread. It was concerned by reports that the Professional Standards Branch, mandated to investigate complaints from aggrieved citizens who alleged unlawful conduct and violations by law enforcement personnel, lacked adequate resources and that it refused to investigate cases that came to its attention in the absence of an official complaint by the victim. It was also concerned by reports that the Independent Complaints Commission was not functional.⁴¹

23. The Human Rights Committee urged Belize to ensure that law enforcement officials comply with the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (1990); integrate the 1999 Istanbul Protocol into all training programmes for law enforcement officials; enable the Independent Complaints Commission and the Professional Standards Branch to carry out investigations on alleged misconduct by police officers; investigate allegations of torture and ill-treatment; prosecute and punish the perpetrators; and compensate the victims adequately.⁴²

24. UNCT reported that Belize had approved the National Gender-Based Violence Plan of Action 2010–2013. Furthermore, in order to improve the implementation of the new Domestic Violence Act of 2007, Belize had developed a domestic violence protocol and a sexual violence protocol for police officers dealing with victims of these crimes. However, challenges remained in providing adequate shelter facilities for victims of domestic violence and addressing corruption and/or neglect in the police force that could hamper timely investigation of domestic violence crimes.⁴³

25. The Human Rights Committee was concerned by the continuing reports of violence against women and urged Belize to investigate all cases of domestic violence and marital rape thoroughly, punish the perpetrators and ensure compensation.⁴⁴

26. UNCT indicated that many children were routinely exposed to violence linked to inappropriate disciplinary methods or domestic violence in the home. There was concern that this routine and systematized violence would condition children to regard violence as an acceptable means of resolving conflict.⁴⁵

27. The Human Rights Committee and UNCT noted the enactment of the 2010 Education and Training Act that prohibited corporal punishment in schools.⁴⁶ The Human Rights Committee was concerned, however, that corporal punishment remained lawful under the Criminal Code. It urged Belize to repeal relevant provisions of the Criminal Code, and, in the meantime, to treat such acts as a criminal offence.⁴⁷

28. UNCT stated that child labour continued to be a problem. The National Child Labour Policy was being implemented, but with over 41 per cent of the population living below the poverty line, it had had a limited impact.⁴⁸ In 2010, the ILO Committee of Experts expressed concern at indications that the worst forms of child labour continued, and urged Belize to redouble its efforts to ensure the protection of young persons under 18 years of age against these worst forms, particularly trafficking, commercial sexual exploitation and engagement in hazardous work.⁴⁹ The ILO Committee of Experts also requested Belize to combat child labour, paying particular attention to rural areas.⁵⁰

29. CERD was concerned that Belize remained a country of departure, transit and arrival of trafficked persons, despite the 2003 Trafficking in Persons Prohibition Act, awareness-raising campaigns and assistance measures to victims. It recommended that Belize strengthen measures to combat trafficking in persons, including by effectively implementing the Trafficking in Persons Prohibition Act; investigate, prosecute and punish those responsible; and protect victims. Belize should also reinforce its cooperation with neighbouring countries.⁵¹ The Human Rights Committee and UNCT made similar recommendations.⁵²

30. UNHCR recommended that Belize adopt measures to establish appropriate mechanisms aimed at early identification, referral, assistance and support for victims of trafficking, and establish an effective referral system to ensure that the victims' right to seek and be granted asylum was fully and duly respected.⁵³

31. UNCT noted that there had been persistent reports of commercial sexual exploitation of children. In 2012, the Government had enacted revisions to the Trafficking in Persons Prohibition Act to include offences to specifically criminalize the commercial sexual exploitation of children.⁵⁴ In 2011, the ILO Committee of Experts urged Belize to take the necessary measures to ensure that thorough investigations and robust prosecutions were carried out for those engaged in the trafficking of children and that sufficiently effective and dissuasive sanctions were imposed.⁵⁵

32. In 2012, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Special Rapporteur on the situation of human rights defenders sent a joint communication about an alleged attack against a lesbian, gay, bisexual and transgender (LGBT) activist. According to the information received, on 8 February 2012, the President of the United Belize Advocacy Movement (UniBAM), an organization working for the rights of LGBT persons, was attacked on George Street in Belize City. It was reported that unidentified men had shouted anti-gay slurs at him and then had thrown a beer bottle at him which had struck him in the face.⁵⁶ The Human Rights Committee was concerned by reports of violence against LGBT persons and urged Belize to ensure that cases of violence against LGBT persons were thoroughly investigated, the perpetrators prosecuted and the victims adequately compensated.⁵⁷

C. Administration of justice, including impunity, and the rule of law

33. The Human Rights Committee was concerned by reports of inordinate delays in the delivery of justice and the acknowledgment by Belize's judiciary that delays were attributable to the lack of resources provided to the judiciary.⁵⁸

34. UNCT indicated that the Government had commissioned an assessment of the police department with a view to addressing corruption and institutional abuse. The resulting Crooks Report had made recommendations for the strengthening of the Internal Affairs Division, including referrals of all complaints by the public against police officers to the Office of the Ombudsman. Belize had committed to the restructuring of the police department in line with the recommendations of this report.⁵⁹

35. UNCT stated that there was a high and rising crime and murder rate, combined with understaffed and poorly resourced police and justice administration institutions. Overall, the conviction rate for murder cases was below 10 per cent, indicating serious policing and judicial weaknesses. High levels of impunity and low conviction rates had been attributed to poor investigation; poor case preparation; poor communication between the police and the courts; irresponsible media reporting; allegations of corruption among magistrates and solicitors; and allegations of political interference in cases.⁶⁰ UNCT recommended that

Belize improve the capacity of the police to investigate crimes and support reforms to the magistracy to protect the independence of the judiciary.⁶¹

36. UNCT reported that free legal representation was only available for capital offences. It had not been extended to other serious crimes or to issues affecting the rights of women, indigenous peoples or minorities. Those persons still faced challenges in securing adequate legal representation to defend their human rights. In addition, securing legal advice was also problematic as the only legal aid centre offering free legal advice or information was in Belize City.⁶²

37. The Human Rights Committee stated that Belize should give urgent priority to providing legal representation to juveniles facing imprisonment in order to meet its obligation under article 24 of ICCPR.⁶³

38. UNCT stated that Belize was not a signatory to the United Nations Convention against Corruption. Despite efforts made by the Government to strengthen the accountability framework to implement the Inter-American Convention against Corruption, UNCT remained concerned that the lack of an adequate administrative and legal machinery to strengthen ethics and prevent corruption remained a weak feature in Belize.⁶⁴

D. Right to privacy, marriage and family life

39. The Human Rights Committee urged Belize to carry out birth registration and provide birth certificates for all children, particularly in rural areas, through appropriate interventions such as awareness-raising programmes and simplifying procedures for registration.⁶⁵ UNHCR made a similar recommendation.⁶⁶

40. UNHCR noted that Belize had not yet enacted enabling legislation which would determine whether individuals were stateless and grant them legal status. UNHCR recommended that Belize implement a statelessness determination procedure, according to the 1954 Convention relating to the Status of Stateless Persons.⁶⁷

41. The Human Rights Committee took note that certain individuals in Belize had instituted proceedings challenging the constitutionality of section 53 of the Criminal Code, which prohibited same-sex relations, and of section 5(1)(e) of the Immigration Act, which included homosexuals on the list of prohibited persons for purposes of immigration. The Human Rights Committee was concerned that Belize lacked any constitutional or statutory provision expressly prohibiting discrimination on grounds of sexual orientation or gender identity.⁶⁸ The Human Rights Committee urged Belize to review its Constitution and legislation to ensure that discrimination on grounds of sexual orientation and gender identity was prohibited.⁶⁹

E. Freedom of expression and right to participate in public and political life

42. UNESCO stated that criminal defamation was still prosecutable under the Libel and Defamation Act of 2000⁷⁰ and recommended that Belize decriminalize defamation in accordance with international standards.⁷¹

43. UNESCO indicated that the Government might impose a fine of up to US\$2,500 and up to three years in prison for those questioning the financial disclosures of public officials. The Belize Broadcasting Authority had the right to preview broadcasts with political content and remove material it deemed libelous.⁷²

44. UNESCO reported that media self-regulatory mechanisms⁷³ were not developed in Belize,⁷⁴ and recommended that Belize develop them.⁷⁵

45. UNCT stated that there was only one woman serving as an elected member of the national Parliament and two appointed, non-elected female ministers in the new Cabinet; of the sixteen Chief Executive Officers in Government, six were female. Women experienced many cultural, structural and financial barriers to engaging in national political leadership. There was still no quota system to fast-track the political participation of women.⁷⁶ The Human Rights Committee urged Belize to improve the participation of women in public and political life as well as in decision-making positions in all spheres of life through, inter alia, the introduction of temporary special measures.⁷⁷

F. Right to work and to just and favourable conditions of work

46. In 2012, the ILO Committee of Experts once again asked Belize to indicate the specific measures taken or envisaged to address the gender pay gap, including the measures to increase the representation of women in middle- and higher-income levels, and the results achieved.⁷⁸ The Human Rights Committee urged Belize to take concrete measures to close the wage gap between men and women.⁷⁹

G. Right to social security and to an adequate standard of living

47. Belize UNDAF 2013–2016 indicated that poverty was a complex and multifaceted outcome of a wide range of controllable and uncontrollable variables, including global economic recessions, periodic natural disasters, unequal access to economic and educational resources, health protective assets and less than meaningful civil society and political engagement.⁸⁰ Poverty was also consistently being identified as a key cause for crime and violence. Unemployment, marginalization, poor education, poor housing and living conditions, and entrenched cultural norms regarding gender roles played important symbiotic roles in generating and sustaining impoverishment.⁸¹

48. Belize UNDAF 2013–2016 indicated that there was a need to enhance national capacity for the formulation, monitoring and evaluation of national social policies that were evidence-based and designed to improve the overall quality of life for all Belizeans and particularly the social well-being of the most vulnerable populations, including children, the impoverished and minorities.⁸²

49. UNCT noted that an Older Persons Act, which sought to secure the protection of the human rights of older persons and the creation of conditions of economic security for them, had been pending before Parliament. The majority of older persons live with family members and with an overall poverty rate of 41 per cent. The majority of older persons lived within poor family homes and therefore continued to face hardship.⁸³

50. UNCT stated that, in 2009, the Government had launched the National Poverty Elimination Strategy 2009–2013, which identified indigenous peoples as the most vulnerable to poverty, and outlined specific strategies to address poverty. However, the outcome of the Strategy had yet to be assessed.⁸⁴

51. UNCT reported that existing government programmes to address food security and poverty issues that included safety net measures had proved inadequate to address the immense challenges and vulnerabilities faced by the population.⁸⁵

52. UNICEF noted Belize's vulnerability to hurricanes and storms and recommended increased enforcement of water, sanitation, and related infrastructure requirements to ensure the availability of potable water.⁸⁶

H. Right to health

53. UNCT noted that access to health services/facilities for most of the population was inadequate and that there was an acute shortage of primary care nurses and overreliance on foreign health-care workers, which in turn was related to other issues such as language barriers, high rotation of staff and greater demand for monitoring and evaluation of the quality health services.⁸⁷

54. Belize UNDAF 2013–2016 indicated that health indicators showed improved life expectancy and infant mortality rates. However, the prevalence of chronic undernutrition among children under five years of age (especially indigenous children) remained a challenge.⁸⁸

55. UNCT noted that chronic diabetes and cardiovascular disease were leading causes of mortality, overtaking the traditional infectious diseases such as malaria, tuberculosis and dengue. These emerging health risks were related to a cluster of risk factors connected to inappropriate diet, lack of exercise and an inadequate living environment. Road accidents were deemed a major cause of mortality, pointing to the quality of the roads and to minimal enforcement of safety regulations.⁸⁹

56. UNCT indicated that data for 2010 had revealed that HIV infections had decreased for the second year in a row. However, the key age groups affected remained those between 20 and 49 years of age, with the highest number in those aged 25–29 years. There were persistent problems associated with poor knowledge of transmission methods and negative growth in behavioural change and attitudes, especially in adolescent female populations and populations with high risk sexual activity.⁹⁰

57. UNCT stated that appropriate and adequate access to sexual and reproductive health information and services remained a challenge for adolescents due to the legal barriers to the provision of such services to them. The Government had undertaken assessment of the legal barriers to the elimination of parental consent and developed a Sexual and Reproductive Health Rights Bill to close this gap.⁹¹

I. Right to education

58. UNCT noted a decline in gross enrolment and net enrolment rates at the primary school level. The gross enrolment rate as of 2009 was only 95.1 per cent and the net enrolment rate was 83.7 per cent. The national primary school completion rate was only 37 per cent. As a result, Belize was not on track to meet Millennium Development Goal (MDG) targets for primary enrolment and completion.⁹² There had also been increasing levels of repetition and poor academic performance, indicating policy and quality problems within the education system as a whole. The education system was an aggregate of education subsystems with no coordinating mechanism and varying management policies and strategies and quality of teaching staff.⁹³

59. UNCT stated that the government initiatives to increase the enrolment of girls in primary and secondary school had resulted in Belize successfully achieving the MDG indicator on gender parity in primary and secondary education. However, there was geographic disparity, and rural women and girls were often constrained from completing their education due to cultural norms.⁹⁴ The Human Rights Committee urged Belize to raise awareness on the importance of women's and girls' education, and to adopt specific measures aimed at reducing the school dropout rates of pregnant teenage girls and at encouraging them to continue school after giving birth.⁹⁵

J. Cultural rights

60. UNCT indicated that, although the education system was multicultural, this was not addressed adequately by teacher training and the educational curriculums. Students whose mother tongue was not English were at a disadvantage. Indigenous, minority and migrant children already affected by other human rights disparities, such as poverty, racism and discrimination, were most affected.⁹⁶

61. UNCT stated that efforts had nonetheless been made to improve access to education for indigenous peoples. The Government had intercultural bilingual education strategies in some indigenous communities to increase enrolment and improve academic outcomes for children in these communities.⁹⁷

K. Persons with disabilities

62. UNCT stated that, although the Government had ratified CRPD, it had not yet been incorporated it into national legislation and no government department had been assigned the mandate to implement the rights contained therein. Specific services for the treatment and rehabilitation of persons with disabilities continued to be provided by non-governmental organizations rather than government agencies, which had limited the scope and resources available for the provision of such services.⁹⁸

63. The Human Rights Committee was concerned that persons found to be suffering from mental disabilities under any law in force were disqualified from registering to vote and voting. It urged Belize to revise its legislation to ensure that it did not discriminate against persons with mental intellectual or psychosocial disabilities by denying them the right to vote on bases that were disproportionate or that had no reasonable and objective relationship to their ability to vote.⁹⁹

L. Minorities and indigenous peoples

64. UNCT indicated that the Government had made little progress in advancing the allocation of 500,000 acres of disputed traditional Mayan lands, in line with the 2004 decision of the Inter-American Commission of Human Rights in favour of Mayan property rights. The 2007 and 2010 Supreme Court decisions had affirmed constitutional protection for ancestral land rights for 38 villages in southern Belize. However, to date, only some 77,000 acres had been designated. There were claims that a recent government decision to give concessions to a petroleum company for oil exploration within traditional Mayan lands had been granted without the consent of the Mayan indigenous communities required by the United Nations Declaration on the Rights of Indigenous Peoples.¹⁰⁰

65. The Human Rights Committee was concerned by reports regarding the refusal by Belize to comply with court orders following the 2004 decision of the Inter-American Human Rights Commission and the 2007 and 2010 decisions of the Supreme Court of Belize. It regretted reports that Belize continued to grant concessions to companies involved in logging, oil drilling, seismic surveys and road infrastructure projects in Mayan territories, thereby affecting the rights of the Mayan peoples to practice their culture on their traditional lands.¹⁰¹ The Human Rights Committee urged Belize to desist from issuing new concessions for logging, parcelling for private leasing, oil drilling, seismic surveys and road infrastructure projects in Mayan territories without the free, prior and informed consent of the relevant Mayan community.¹⁰² CERD made similar recommendations.¹⁰³

66. In 2012, in the framework of its Early Warning and Urgent Action Procedure, CERD was concerned by the absence of measures by Belize, such as consultation with the

Maya people, in order to delimitate, demarcate and title the customary title of the Maya villages of Belize.¹⁰⁴

67. CERD recommended that Belize take steps, including special measures, to guarantee to Maya indigenous peoples and some people of African descent access to the labour market, housing and health care, and to combat the poverty and exclusion they face. Belize should develop intercultural bilingual education to facilitate the integration of such ethnic groups.¹⁰⁵

M. Migrants, refugees and asylum seekers

68. UNCT stated that intercepted undocumented migrants, including potential asylum seekers, convicted of illegal entry were incarcerated together with serious criminal offenders. Those from outside the region continued to be incarcerated, as legislation allowed for their indefinite detention even after sentences for illegal entry were completed, until the Government found means to repatriate them to their countries of origin.¹⁰⁶

69. UNHCR indicated that female migrants in the border areas were particularly vulnerable to sexual exploitation and other violations of their rights.¹⁰⁷ UNCT was concerned by the vulnerabilities experienced by migrant children, many of whom were located in ad hoc communities of undocumented persons in the agricultural belts and alongside border communities. Some of these children were born in Belize but, due to their parents being undocumented, had not been registered and so could not access appropriate health, education or other services. UNCT called on Belize to prioritize a situational analysis of migrants and develop a suitable migration policy that adequately addressed migrant children.¹⁰⁸

70. UNHCR recommended that Belize ensure that screening mechanisms were in place to identify persons who might be in need of international protection among those that were intercepted as undocumented migrants, so as not to penalize them merely on account of their irregular entry and/or stay in the country.¹⁰⁹

71. UNHCR recommended that persons in need of international protection, if detained, be placed in a facility separate from persons convicted of common crimes.¹¹⁰

72. UNHCR recommended that Belize consider alternatives to detention to ensure that the detention of asylum seekers was used only as a last resort, and, where necessary, for as short a period as possible.¹¹¹

73. UNHCR indicated that Belize's Refugee Eligibility Committee in charge of conducting refugee status determination had not met since 1997. UNHCR was concerned that, in the absence of a functioning asylum system, persons in need of international protection might not be identified and be exposed to *refoulement* and recommended that Belize reinstitute the Refugee Eligibility Committee as early as possible.¹¹² The Human Rights Committee expressed similar concerns and urged Belize to re-establish a mechanism for refugee status determination and observe its obligation to respect the principle of *non-refoulement*.¹¹³

N. Right to development and environmental issues

74. UNCT stated that the impact of repeated exposure to small- and medium-sized storms and climate-related events had contributed to increased vulnerabilities and reduced adaptation capacities of people, particularly those in the small rural and coastal communities of the country. These, compounded with economic challenges in the national and global arenas, had exacerbated poverty levels and other development challenges in

these areas, in particular, but also in the country in general. Many coastal areas exposed to hurricane hazard risks, such as Belize City, generated economic outputs from tourism. Crops were also destroyed during hurricanes, and Belize might be vulnerable to several diseases, as well as hunger and food scarcity resulting from hurricane events. While building standards were improving, they remained relatively poor, contributing to increased infrastructure vulnerabilities during hurricanes and related risks.¹¹⁴

75. UNCT indicated that the Government had adopted several policies to address environmental vulnerability but noted the lack of a stated gender policy or sex-disaggregated data, which would allow for analysis of the populations most at risk, including greater knowledge of their capacities to mitigate impacts from disasters.¹¹⁵

Notes

¹ Unless indicated otherwise, the status of ratifications of instruments listed in the table may be found in the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://treaties.un.org/>. Please also refer to the United Nations compilation on Belize from the previous cycle (A/HRC/WG.6/5/BLZ/2).

² The following abbreviations have been used for this document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
OP-CRC-IC	Optional Protocol to CRC on a communications procedure
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD
CPED	International Convention for the Protection of All Persons from Enforced Disappearance

³ Individual complaints: ICCPR-OP 1, art. 1; OP-CEDAW, art. 1; OP-CRPD, art. 1; OP-ICESCR, art. 1; OP-CRC-IC, art. 5; ICERD, art. 14; CAT, art. 22; ICRMW, art. 77; and CPED, art. 31. Inquiry procedure: OP-CEDAW, art. 8; CAT, art. 20; CPED, art. 33; OP-CRPD, art. 6; OP-ICESCR, art. 11; and OP-CRC-IC, art. 13. Inter-State complaints: ICCPR, art. 41; ICRMW, art. 76; CPED, art. 32; CAT, art. 21; OP-ICESCR, art. 10; and OP-CRC-IC, art. 12. Urgent action: CPED, art. 30.

⁴ Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

⁵ 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 1954 Convention relating to the Status of Stateless Persons.

⁶ Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of

Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Geneva Convention relative to the Treatment of Prisoners of War (Third Convention); Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see Federal Department of Foreign Affairs of Switzerland, at www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html.

- ⁷ International Labour Organization Convention No. 29 concerning Forced or Compulsory Labour; Convention No. 87 concerning Freedom of Association and Protection of the Right to Organise; Convention No. 98 concerning the Application of the Principles of the Right to Organise and to Bargain Collectively; Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; Convention No. 105 concerning the Abolition of Forced Labour; Convention No. 111 concerning Discrimination in Respect of Employment and Occupation; Convention No. 138 concerning Minimum Age for Admission to Employment; Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.
- ⁸ International Labour Organization Convention No. 169, concerning Indigenous and Tribal Peoples in Independent Countries, and Convention No. 189 concerning Decent Work for Domestic Workers.
- ⁹ Concluding observations of the Committee on the Elimination of Racial Discrimination, CERD/C/BLZ/CO/1, para. 15.
- ¹⁰ Concluding observations of the Human Rights Committee, CCPR/C/BLZ/CO/1, paras. 7–8.
- ¹¹ CERD/C/BLZ/CO/1, para. 16.
- ¹² UNHCR submission to the UPR on Belize, p. 6.
- ¹³ UNESCO submission to the UPR on Belize, para. 42.
- ¹⁴ CERD/C/BLZ/CO/1, para. 4.
- ¹⁵ CCPR/C/BLZ/CO/1, para. 9.
- ¹⁶ CERD/C/BLZ/CO/1, para. 8.
- ¹⁷ Ibid.
- ¹⁸ UNCT submission to the UPR on Belize, pp. 3–4.
- ¹⁹ CERD/C/BLZ/CO/1, para. 14.
- ²⁰ The following abbreviations have been used for this document:
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| CERD | Committee on the Elimination of Racial Discrimination |
| HR Committee | Human Rights Committee |
| CEDAW | Committee on the Elimination of Discrimination against Women |
| CAT | Committee against Torture |
| CRC | Committee on the Rights of the Child |
| CRPD | Committee on the Rights of Persons with Disabilities |
| CMW | Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families |
- ²¹ CERD/C/BLZ/CO/1, para. 3; CCPR/C/BLZ/CO/1, para. 3.
- ²² CERD/C/BLZ/CO/1, para. 3.
- ²³ UNCT submission to the UPR on Belize, p. 6.
- ²⁴ CCPR/C/BLZ/CO/1, para. 4.
- ²⁵ UNCT submission to the UPR on Belize, p. 5.
- ²⁶ Ibid., pp. 5–6.
- ²⁷ Belize submitted the initial report in 1991. However, the Committee requested a more detailed and revised report, and postponed further consideration of the initial report until the Committee's next session, when the revised report would be available (CAT/C/SR.156).
- ²⁸ CERD/C/BLZ/CO/1, para. 19.
- ²⁹ For the titles of special procedures, see www.ohchr.org/EN/HRBodies/SP/Pages/Themes.aspx and www.ohchr.org/EN/HRBodies/SP/Pages/Countries.aspx.
- ³⁰ OHCHR Management Plan 2012-2013, p. 161.
- ³¹ UNCT submission to the UPR on Belize, p. 7.

- ³² ILO Committee of Experts, Direct Request (CEACR) – adopted 2012, published 102nd ILC session (2013) – C111 – Discrimination (Employment and Occupation) Convention, 1958 (No. 111) Belize (Ratification: 1999): available at http://www.ilo.org/dyn/normle/en/f?p=1000:13100:0::NO::P13100_COMMENT_ID:3087631.
- ³³ UNCT submission to the UPR on Belize, p. 30.
- ³⁴ CERD/C/BLZ/CO/1, para. 7.
- ³⁵ Ibid., para. 9.
- ³⁶ Ibid., para. 13.
- ³⁷ Belize UNDAF 2013–2016, Belize City, 2012, p. 7. UNICEF, *Executive Summary of Children and Women in Belize 2011: An Ecological Review*, Belize City, 2011, p. 4, available at http://www.unicef.org/sitan/files/SitAn_Belize_ExSum_July_2011.pdf.
- ³⁸ UNCT submission to the UPR on Belize, p.18. UNICEF, *Executive Summary of Children and Women in Belize 2011*, p. 12.
- ³⁹ CCPR/C/BLZ/CO/1, para. 14.
- ⁴⁰ Ibid.
- ⁴¹ Ibid., para. 19.
- ⁴² Ibid.
- ⁴³ UNCT submission to the UPR on Belize, p. 10.
- ⁴⁴ CCPR/C/BLZ/CO/1, para. 15.
- ⁴⁵ UNCT submission to the UPR on Belize, p. 8.
- ⁴⁶ CCPR/C/BLZ/CO/1, para. 18. UNCT submission to the UPR on Belize, p. 2.
- ⁴⁷ CCPR/C/BLZ/CO/1, para. 18.
- ⁴⁸ UNCT submission to the UPR on Belize, para. ii, p. 26.
- ⁴⁹ ILO Committee of Experts, Direct Request (CEACR) – adopted 2010, published 100th ILC session (2011) – C182 – Worst Forms of Child Labour Convention, 1999 (No. 182) Belize (Ratification: 2000): available at http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO::P13100_COMMENT_ID:2334198
- ⁵⁰ ILO Committee of Experts, Direct Request (CEACR) – adopted 2010, published 100th ILC session (2011) – C138 – Minimum Age Convention, 1973 (No. 138) Belize (Ratification: 2000): available at http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:2334188:NO.
- ⁵¹ CERD/C/BLZ/CO/1, para. 12.
- ⁵² CCPR/C/BLZ/CO/1, advance unedited version, para. 17. UNCT submission to the UPR on Belize, p. 15.
- ⁵³ UNHCR submission to the UPR on Belize, p 5.
- ⁵⁴ UNCT submission to the UPR on Belize, p. 15.
- ⁵⁵ ILO Committee of Experts, Direct Request (CEACR) – adopted 2010, published 100th ILC session (2011) – C182 – Worst Forms of Child Labour Convention, 1999 (No. 182) Belize (Ratification: 2000): available at http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO::P13100_COMMENT_ID:2334198
- ⁵⁶ A/HRC/20/30, p. 61.
- ⁵⁷ CCPR/C/BLZ/CO/1, para. 13.
- ⁵⁸ Ibid., para. 20.
- ⁵⁹ UNCT submission to the UPR on Belize, pp.10–11.
- ⁶⁰ Ibid., p. 11.
- ⁶¹ Ibid., p. 29.
- ⁶² Ibid., p. 11.
- ⁶³ CCPR/C/BLZ/CO/1, para. 7.
- ⁶⁴ UNCT submission to the UPR on Belize, p. 1.
- ⁶⁵ CCPR/C/BLZ/CO/1, para. 22.
- ⁶⁶ UNHCR submission to the UPR on Belize, p. 5.
- ⁶⁷ Ibid.
- ⁶⁸ CCPR/C/BLZ/CO/1, para. 13.
- ⁶⁹ Ibid.
- ⁷⁰ UNESCO submission to the UPR on Belize, para. 27.
- ⁷¹ Ibid., para. 45.
- ⁷² Ibid., para. 28.

- ⁷³ With regard to media self-regulatory mechanisms, please see the following UNESCO site:
<http://www.unesco.org/new/en/communication-and-information/freedom-of-expression/professional-journalistic-standards-and-code-of-ethics/key-concepts/#bookmark1>
- ⁷⁴ UNESCO submission to the UPR on Belize, para. 29.
- ⁷⁵ *Ibid.*, para. 46.
- ⁷⁶ UNCT submission to the UPR on Belize, pp. 4–5.
- ⁷⁷ CCPR/C/BLZ/CO/1, para. 12.
- ⁷⁸ ILO Committee of Experts, Direct Request (CEACR) – adopted 2012, published 102nd ILC session (2013) – C100 – Equal Remuneration Convention, 1951 (No. 100) Belize (Ratification: 1999): available at
http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3086997:NO.
- ⁷⁹ CCPR/C/BLZ/CO/1, para. 12.
- ⁸⁰ Belize UNDAF 2013–2016, p. 6.
- ⁸¹ *Ibid.*, p. 7.
- ⁸² *Ibid.*, p. 8.
- ⁸³ UNCT submission to the UPR on Belize, para. d, p. 28.
- ⁸⁴ *Ibid.*, p.21.
- ⁸⁵ *Ibid.*
- ⁸⁶ UNICEF, *Executive Summary of Children and Women in Belize 2011*, pp. 8 and 17.
- ⁸⁷ UNCT submission to the UPR on Belize, p.17.
- ⁸⁸ Belize UNDAF 2013–2016, p. 7.
- ⁸⁹ UNCT submission to the UPR on Belize, p. 17.
- ⁹⁰ *Ibid.*, p. 16.
- ⁹¹ *Ibid.*, p. 12.
- ⁹² *Ibid.*, p. 19.
- ⁹³ *Ibid.*
- ⁹⁴ *Ibid.*, p. 9.
- ⁹⁵ CCPR/C/BLZ/CO/1, para. 23.
- ⁹⁶ UNCT submission to the UPR on Belize, p.19.
- ⁹⁷ *Ibid.*, p. 20.
- ⁹⁸ *Ibid.*
- ⁹⁹ CCPR/C/BLZ/CO/1, para. 24.
- ¹⁰⁰ UNCT submission to the UPR on Belize, p. 22.
- ¹⁰¹ CCPR/C/BLZ/CO/1, para. 25.
- ¹⁰² *Ibid.*
- ¹⁰³ CERD/C/BLZ/CO/1, 29 August 2012, para. 10.
- ¹⁰⁴ Letter 9 March 2012, from CERD to the Permanent Mission of Belize, in the framework of the Early Warning and urgent Action Procedure, available at http://www2.ohchr.org/english/bodies/cerd/docs/CERD_Belize.pdf.
- ¹⁰⁵ CERD/C/BLZ/CO/1, para. 11.
- ¹⁰⁶ UNCT submission to the UPR on Belize, p. 23.
- ¹⁰⁷ UNHCR submission to the UPR on Belize, p. 2.
- ¹⁰⁸ UNCT submission to the UPR on Belize, p. 23.
- ¹⁰⁹ UNHCR submission to the UPR on Belize, p. 4.
- ¹¹⁰ *Ibid.*
- ¹¹¹ *Ibid.*
- ¹¹² *Ibid.*, pp. 1 and 3.
- ¹¹³ CCPR/C/BLZ/CO/1, para. 16.
- ¹¹⁴ UNCT submission to the UPR on Belize, p. 24.
- ¹¹⁵ *Ibid.*