

**Submission by the United Nations High Commissioner for Refugees**  
**For the Office of the High Commissioner for Human Rights' Compilation Report**  
**Universal Periodic Review: 3rd Cycle, 31st Session**

**BELIZE**

**I. BACKGROUND INFORMATION**

Belize became a party to the *1951 Convention relating to the Status of Refugees* and its *1967 Protocol* in 1990 (hereafter jointly referred to as the *1951 Convention*). Belize acceded to the *1954 Convention relating to the Status of Stateless Persons* in 2006 and the *1961 Convention on the Reduction of Statelessness* in 2015. Belize has no reservations in the aforementioned conventions. Belize is also a party to most other international human rights instruments.

Belize's national *Refugees Act*, Chapter 165 of the *Laws of Belize*, was adopted in 1991. Despite minor revisions, no major substantive changes have been made to the law since then.

Throughout the 1990s, Belize's asylum apparatus (the Refugees Office and the Refugee Eligibility Committee) functioned, along with UNHCR and other partners, to achieve protection and solutions for thousands of refugees fleeing civil wars in Central America. In the late 1990s, after most refugees were either integrated (through regularization and naturalization) or repatriated (after the completion of peace accords), UNHCR closed its office and the Government shut down the two asylum institutions.

In the 2010s, as violence and conflict increasingly affected the countries in the North of Central America resulting in significant displacement, Belize began to witness a corresponding rise in the number of persons from El Salvador, Honduras, and Guatemala seeking the safety of its borders. In accordance with its international responsibilities, Belize re-established the Refugee Eligibility Committee ("REC") in 2015 and the Refugees Department in 2016. The REC began to review individual cases in November 2015 to provide recommendations to the Minister of Immigration on refugee recognitions.

At the end of 2017, a total of 3,125 persons had asylum claims pending with the Refugees Department. Of these applicants, 66% were from El Salvador, 19% from Honduras, 14% from Guatemala, and 1% from other countries. In addition, UNHCR estimated that there were another 2,774 persons of concern in Belize: those who have international protection needs, but were not official asylum-seekers, in some cases due to the time restriction in the law for asylum applications. In February 2018, Belize officially recognized 28 refugees, the first refugee recognitions in over two decades.

With regards to statelessness, despite Belize's welcome accession to both statelessness conventions, the adoption of comprehensive internal legislation establishing a statelessness determination procedure in order to identify and guarantee the rights and protection of stateless persons remains pending.

## II. ACHIEVEMENTS AND POSITIVE DEVELOPMENTS

### **Positive developments linked to 2nd cycle UPR recommendations**

**Linked to 2<sup>nd</sup> cycle UPR recommendation no. 97.31<sup>1</sup>: “Implement legislative provisions to prevent the criminalization of irregular migration and to encourage the use of alternative measures to deprivation of liberty, so that the detention of asylum seekers is established as a measure of last resort, while re-establishing the mechanism to determine refugee status (Uruguay).”** (Emphasis added.)

The recommendation to re-establish the refugee status determination mechanism was accepted by Belize in the 2<sup>nd</sup> cycle in 2013. This has in fact been mostly achieved with the 2015 and 2016 re-initiation of the Refugee Eligibility Committee and Refugees Department, respectively. By the end of 2017, the REC had reviewed nearly 200 cases (affecting over 400 individuals), making recommendations to recognize or deny refugee status. The notification of the first recognized refugees in over 20 years took place in February 2018. UNHCR hopes that refugee recognitions will continue to be made on an ongoing basis.

### **Other positive developments**

In October 2017, Belize became the sixth country to join the Comprehensive Regional Protection and Solutions Framework (CRPSF, or MIRPS in Spanish) – the regional CRRF process response to the displacement situation in the North of Central America. In its national chapter of the MIRPS, Belize committed to a number of further initiatives, including *inter alia*, gathering data about persons under the UNHCR mandate in Belize, improving access to information for these persons, engaging in more capacity building for authorities and public information campaigns for the Belizean public, and improving the refugee status determination process through consideration of joining the regional Quality Assurance Initiative.<sup>2</sup>

## III. KEY PROTECTION ISSUES, CHALLENGES AND RECOMMENDATIONS

### **Challenges linked to outstanding 2<sup>nd</sup> cycle UPR recommendations**

**Issue 1: Ensuring access to asylum and non-*refoulement* of asylum-seekers, including unaccompanied and separated children**

**Linked to 2<sup>nd</sup> cycle UPR recommendation no. 97.31<sup>3</sup>: “Implement legislative provisions to prevent the criminalization of irregular migration and to encourage the use of alternative measures to deprivation of liberty, so that the detention of asylum seekers is established as a measure of last resort, while re-establishing the mechanism to determine refugee status (Uruguay).”**

While Belize has indeed re-established its asylum apparatus and is commended for doing so, several additional measures should be implemented to holistically achieve the level of protection represented by this recommendation. Currently, persons who may be in need of international protection in Belize, but who are outside the asylum system, are susceptible to detention and potential deportation. A primary obstacle to full achievement of this recommendation is that the *Refugees Act* contemplates a 14-day deadline (without

<sup>1</sup> Report of the Working Group on the Universal Periodic Review, Belize, A/HRC/25/13 (Dec. 11, 2013), at para. 97.31.

<sup>2</sup> The Quality Assurance Initiative is an engagement of Governments in the region to guarantee their refugee status determination procedures are in accordance with the highest international protection standards.

<sup>3</sup> *Id.* at para 97.31.

delineated exceptions) that prohibits access to the asylum system to anyone who does not apply within 14 days<sup>4</sup> of entering Belize. The 14-day deadline in the *Refugees Act* has existed since its adoption in 1991; however, it was not strictly implemented until May 2016. As a result, persons who attempt to apply for asylum after 14 days are denied access to the procedure and referred to Immigration.

The Immigration authorities generally attempt to mitigate the harsh effects of this provision in the law by individually considering such persons for a migration option. However, even if a migration solution is suggested, the costs of the alternative migration options are generally prohibitive for most persons under UNHCR's mandate. Moreover, a migration option does not necessarily guarantee non-*refoulement* protection.

Given this situation, persons potentially needing international protection may be vulnerable to being arrested for illegal entry or stay in Belize, detained, and subsequently deported. If persons with a fear of return to their home country are sent back, this could amount to a violation of the fundamental international refugee law principle of non-*refoulement*, as well as its national interpretation in the Belize *Refugees Act* at Section 14(1).<sup>5</sup>

### Recommendations:

UNHCR recommends that the Government of Belize:

- (a) Amend Section 8(1) of the *Refugees Act* to remove the application deadline, which in its current version conflicts with Section 14(1) of the same instrument as well as international law. Should any deadline still be deemed necessary, the Government could provide a longer period to apply for asylum and should incorporate broad exceptions.
- (b) In the interim, Belize should interpret Section 8(1) as allowing an exception for good cause, including *inter alia*, victims of torture or trauma, children, victims of human trafficking, or others who did not know about the 14-day deadline, as well as any *sur place* claimants whose need for asylum arose *after* they were within Belizean territory.
- (c) Ensure that best interest procedures for children in migration and/or asylum procedures are established and enhanced, to guarantee their fundamental rights, in accordance with international obligations and guidance.<sup>6</sup>
- (d) In accordance with, *inter alia*, Article 31(1)<sup>7</sup> of the *1951 Convention*, prevent criminalization, detention, and potential deportation of persons in need of international protection by allowing access to the asylum system for those persons found without status in the territory who have reasonable claims for asylum.

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<sup>4</sup> While the law does not specifically say so, it is understood that the Government has interpreted the clause to mean 14 working days, in which the Refugees Department would be open to asylum applicants. See: Belize *Refugees Act*, Chapter 165, *Laws of Belize*, Rev. Ed. 2000, Section 8(1) which reads:

Any person who is within Belize, whether he has entered Belize lawfully or otherwise, and who wishes to remain within Belize as a refugee in terms of this Act shall within fourteen days of his arrival in Belize apply to the Committee for recognition of his status as a refugee.

<sup>5</sup> *Id.* at Section 14(1) which reads:

- (1) Notwithstanding the provisions of any other law, no person shall be refused entry into Belize, expelled, extradited or returned from Belize to any other country or be subjected to any similar measure if, as a result of such refusal, expulsion, return or other measure, such person is compelled to return to or remain in a country where-
  - (a) he may be subjected to persecution on account of his race, religion, nationality, membership of a particular social group or political opinion; or
  - (b) his life, physical integrity or liberty would be threatened on account of external aggression, occupation, foreign domination or events seriously disrupting public order in a part or the whole of that country.

<sup>6</sup> See, General Comment No. 14 on the right of the child to have his or her best interests taken as a primary consideration, CRC /C/GC/14, 29 May 2013; *Advisory Opinion OC-21/14, "Rights and Guarantees of Children in the Context of Migration and/or in Need of International Protection"*, OC-21/14, Inter-American Court of Human Rights, 19 August 2014; and Joint General Comment No. 4 of the Committee on the Protection of the Rights of all Migrant Workers and their Families and No. 23 of the Committee on the Rights of the Child on State obligations regarding the human rights of children in the context of international migration in countries of origin, transit, destination and return, CMW/C/GC/4-CRC/C/GC/23, 16 November 2017.

<sup>7</sup> Convention relating to the Status of Refugees, July 28, 1951, at Art. 31(1) ("The Contracting States shall not impose penalties, on account of their illegal entry or presence, on refugees who, coming directly from a territory where their life or freedom was threatened in the sense of article 1, enter or are present in their territory without authorization, provided they present themselves without delay to the authorities and show good cause for their illegal entry or presence.")

- (e) Engage in comprehensive outreach and public information campaigns to ensure that all persons in need of protection are made aware of their right to apply for asylum.

## **Issue 2: Access to asylum for victims of human trafficking—and other vulnerable persons—with international protection needs**

**Linked to 2<sup>nd</sup> cycle UPR recommendation no. 97.18<sup>8</sup>:** “Strengthen measures against trafficking in persons by effectively implementing the Trafficking in Persons Prohibition Act, and investigating, prosecuting and punishing those responsible, as well as ensuring respect for victims’ right to asylum (Ireland).”

Efforts should be made to ensure that any individuals suspected of being victims of human trafficking are screened for international protection needs. Given the levels of violence in the countries of origin and the typical profiles of the types of persons at risk, additional care should be taken to refrain from inadvertently deporting any person in need of international protection to a situation of potential persecution. Any victims of human trafficking could be refugees if there is a well-founded fear of persecution by the traffickers, family, authorities, or community members in the country of origin.<sup>9</sup> Shifting from a prosecution-focused approach to one that also incorporates a holistic protection-focused view of the victims is critical.

While this recommendation focuses on victims of human trafficking, it could be read to also incorporate greater need for protection of vulnerable persons generally and to ensure access to asylum for all persons in need of international protection.

### **Recommendations:**

UNHCR recommends that the Government of Belize:

- (a) Incorporate a protection-sensitive approach to potential victims of human trafficking (and other vulnerable persons)—particularly those from the North of Central America—by ensuring access to psychosocial support and screening for protection needs; if victims indicate having a fear of return to their home countries, they should be allowed access to the asylum system, with an exemption from any application deadline.

## **Additional protection challenges**

### **Issue 3: Lengthy asylum adjudication process**

At the end of 2017, Belize counted over 3,000 persons as asylum-seekers. Some of them have had their cases reviewed and are expecting final decisions in the near future. In fact, the 28 first refugees were recognized in February 2018. However, the majority remain pending the completion of the refugee status determination process. The Refugees Department has just one dedicated Eligibility Officer to review the cases and the Refugee Eligibility Committee, a nine-member group, is only able to review a limited number of cases at its monthly meetings.

A full review of the refugee status determination process would be helpful to analyze the areas of the process where it would be possible to streamline and strengthen procedures in order to provide an even more efficient refugee status determination, which also guarantees fairness and full access to due process rights.

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<sup>8</sup> Report of the Working Group on the Universal Periodic Review, Belize, A/HRC/25/13 (December 11, 2013), at para. 97.31.

<sup>9</sup> See Guidelines on International Protection No.7: The application of Article 1A(2) of the 1951 Convention and/or Protocol relating to the Status of Refugees to victims of trafficking and persons at risk of being trafficked, UNHCR, 7 April 2006.

**Recommendations:**

UNHCR recommends that the Government of Belize:

- (a) Conduct a comprehensive and technical quality review of the asylum adjudication process, preferably under the existing regional Quality Assurance Initiative, and incorporate the relevant recommendations;
- (b) Consider allotting additional financial and human support to the Refugees Department to increase the staffing and allow for asylum claims to be more quickly adjudicated;
- (c) Consider whether other legal avenues may exist to assess larger numbers of asylum applicants for refugee status, permanent residency or another similar status, including persons who came to Belize before the country's asylum process was re-established.

**Issue 4: Asylum Seekers' Lack of Access to Legal Work Authorization**

While recognized refugees in Belize do have the right to work (see Section 13(c) of the *Refugees Act*<sup>10</sup>), asylum seekers are not guaranteed this right. While it is not prohibited in the national legislation, there is currently no way for an asylum-seeker to access work authorization without being compelled to withdraw from the asylum process. Combined with the lengthy asylum adjudication process and the need to find some way to support themselves and their families in Belize, this situation has relegated asylum seekers to a precarious situation. The lack of work permits adds to their vulnerability to exploitation or abuse, and the resulting destitution in some cases inhibits access to full health care, education (especially at the high school and university levels), and other rights that have costs associated with them.

**Recommendations:**

UNHCR recommends that the Government of Belize:

- (a) Grant asylum-seekers the ability to apply for a work permit, ideally with a fee waiver or significantly reduced fees, so they can sustain themselves and their families.
- (b) Engage asylum-seekers in State-sponsored education and skills training programs to ensure they are able to more quickly become self-sufficient and resilient, thus helping to facilitate available sustainable solutions, while contributing to Belize and its economy.

**UNHCR**  
**March 2018**

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<sup>10</sup> Belize Refugees Act, Section 13(c) ("Subject to the provisions of this Act, every recognized refugee within Belize... (c) shall be afforded a reasonable opportunity to work and contribute to the development of Belize.")

## ANNEX

### Excerpts of relevant Recommendations from the 2nd cycle Universal Periodic Review, Concluding Observations from UN Treaty Bodies and Recommendations of Special Procedures mandate holders

## BELIZE

We would like to bring your attention to the following excerpts from the 2nd cycle UPR recommendations, UN Treaty Monitoring Bodies' Concluding Observations, and recommendations from UN Special Procedures mandate holders' reports relating to issues of interest and persons of concern to UNHCR with regards to BELIZE.

### I. Universal Periodic Review (Second Cycle – 2013)

Recommendation <sup>11</sup>	Recommending State/s	Position <sup>12</sup>
<b>Accession to international instruments</b>		
99.6. Ratify the 1961 Convention on the Reduction of Statelessness.	Paraguay	Supported
<b>Detention of refugees and asylum-seekers</b>		
97.31. Implement legislative provisions to prevent the criminalization of irregular migration and to encourage the use of alternative measures to deprivation of liberty, so that the detention of asylum seekers is established as a measure of last resort, while re-establishing the mechanism to determine refugee status.	Uruguay	Supported
<b>Access to nationality and birth registration</b>		
97.20. Consider further expanding its birth registration programme towards achieving universal birth registration coverage.	Philippines	Supported
<b>Trafficking and access to asylum</b>		
97.18. Strengthen measures against trafficking in persons by effectively implementing the Trafficking in Persons Prohibition Act, and investigating, prosecuting and punishing those responsible, as well as ensuring respect for victims' right to asylum.	Ireland	Supported
97.16. Intensify efforts to combat human trafficking.	Nigeria	Supported
97.17. Strengthen measures to combat trafficking in persons in legislation and in practice.	Costa Rica	Supported
<b>Children</b>		
97.14. Strengthen measures aimed at eradicating child labour.	Ecuador	Supported
97.15. Redouble efforts to protect young people under 18 years, especially young women, against the worst forms of labour, including trafficking, sexual exploitation and hazardous work.	Honduras	Supported
98.20. Continue implementing programmes aimed at guaranteeing quality education to all the population, with an emphasis on access, school enrolment and decreasing school drop outs.	Cuba	Supported <sup>13</sup>

<sup>11</sup> All recommendations made to Belize during its 2nd cycle UPR can be found in: "Report of the Working Group on the Universal Periodic Review of Belize" (11 December 2013), A/HRC/25/13, available at: <http://www.ohchr.org/EN/HRBodies/UPR/Pages/BZIndex.aspx>.

<sup>12</sup> Belize's views and replies, in English, can be found in: *Addendum* (6 March 2014), A/HRC/25/13/Add.1, available at: <http://www.ohchr.org/EN/HRBodies/UPR/Pages/BZIndex.aspx>.

<sup>13</sup> *Addendum*: "This recommendation is supported by the government of Belize, which considers it is already in the process of implementation."

99.40. Take timely and concrete measures such as raising the minimum legal age of marriage to 18 years in order to prevent children from becoming victims of child early and forced marriage.	Netherlands	Noted
<b>Discrimination</b>		
97.7. Guarantee the right of everyone to equality before the law, equal protection of the law, and non-discrimination, in conformity with the international commitments undertaken by Belize.	France	Supported
97.9. Adopt legislation and policy measures prohibiting racial discrimination.	Norway	Supported
99.9. Adjust immigration laws to international standards to which Belize is a party, to avoid discrimination against vulnerable groups in particular persons with cognitive disabilities and LGBT.	Colombia	Noted
99.29. Take all necessary measures to guarantee the human rights of LGBT individuals and that they do not face persecution of any kind.	Brazil	Noted
99.30. Consider the possibility of adopting the necessary measures to eliminate all discriminatory treatment and criminalization based on sexual orientation.	Argentina	Noted
99.31. Review the Constitution and legislation, in order to explicitly prohibit discrimination on the basis of sexual orientation or gender identity.	Uruguay	Noted
99.34. Ensure its Criminal Code provisions do not criminalize individuals based on sexual orientation.	Canada	Noted
99.35. Amend legislation in order to combat discrimination and hostility toward LGBT groups.	Spain	Noted

## **II. Treaty Bodies**

### **Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families**

Concluding Observations, (26 September 2014), [CMW/C/BLZ/CO/1](#)

#### **Positive Aspects**

[...]

- (b) The Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, on 14 September 2006;
- (c) The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, on 1 December 2003;
- (d) The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, on 1 December 2003;
- (e) The United Nations Convention against Transnational Organized Crime, on 26 September 2003;
- (f) The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Woman and Children, supplementing the United Nations Convention against Transnational Organized Crime, on 26 September 2003;

[...]

#### **Data collection**

14. The Committee is concerned at the lack of available official statistical data on migration, including irregular migrants and victims of trafficking, disaggregated by sex, age, nationality and migration status. The Committee is also concerned at the State party's failure to establish the origin, transit and destination of migration flows in the country, as no comprehensive database on migration is currently in place or envisaged in that regard.

15. The Committee recommends that the State party create a centralized and comprehensive database on migration which should cover all aspects of the Convention. The database should include qualitative and statistical data, disaggregated by sex, age, nationality and migration status, so as to facilitate the adoption of measures for effectively implementing the provisions of the Convention. The State party should ensure that the database is adequately resourced and functioning, and should seek to cooperate with its consular and diplomatic representation abroad in order to compile data on migration and, among other measures, endeavour to systematically evaluate the situation of irregular migrants and victims of trafficking in the State party.

#### **Human rights of all migrant workers and members of their families (arts. 8–35)**

26. The Committee is particularly concerned:

- (a) At the criminalization of irregular migrants arising from certain provisions of the law, such as those contained in sections 32.3, 33.4 and 34.1, 2 and 3 of the Immigration Act (2000);
- (b) At the treatment of undocumented migrants as criminal offenders and the period of time that they are detained in prison before being returned to their countries of origin;
- (c) At the detention, including indefinite detention, of migrant workers along with convicts under inhumane conditions and without basic assistance, including the possibility of seeking and establishing contact with lawyers and family relatives;
- (d) That children under 18 years of age, as well as unaccompanied minors, are held in detention facilities for committing infractions listed under the Immigration Act, before being deported.

27. The Committee recalls that irregular entrance into a country or expiration of authorization to stay is an administrative infraction, not a criminal offence. Consequently, such situation cannot imply a punitive sanction. The Committee recalls that children should never be detained on the basis of their or their parents' immigration status, and urges the State party to:

- (a) Remove from the its legislation any provision that considers any irregular immigration situation as a criminal offence;
- (b) Take all appropriate measures to ensure that administrative detention of migrant workers and members of their families on the basis of their migration status is an exceptional measure only for the shortest time possible, and adopted in the framework of a process that includes all due process guarantees;
- (c) Adopt, by law and in practice, alternative measures to detention of migrant workers and members of their families;
- (d) Ensure that migrant workers and members of their families held in detention centres have access to legal aid and consular services, that they are held in humane conditions, and that their treatment is otherwise in full compliance with articles 16 and 17 of the Convention;
- (e) Cease the detention and expulsion of migrant children on the basis of their migration status, and ensure that the best interest of the child and the principle of non-discrimination are taken as primary considerations.

28. The Committee is also concerned about provisions in the Immigration Act (2000) that allow for the collective expulsion of irregular migrants.

29. The Committee urges the State party to:

- (a) Ensure that collective expulsions are prohibited by law and that each case is examined and decided individually;
- (b) Ensure that expulsions may only be carried out following a decision by a



competent authority, in accordance with the law, and that the decision and the stated reasons are communicated to the migrant worker concerned in a language that he or she understands, and in writing;

- (c) Take appropriate steps to inform migrant workers and members of their families of their rights in a deportation procedure, to submit evidence as to why they should not be expelled and to have their case reviewed by a competent authority, including a competent Court of Justice;
- (d) Ensure migrant workers and members of their families their right to seek a stay of the expulsion decision, pending review by a competent authority;
- (e) Ensure that migrant workers and members of their families are given the opportunity to settle claims for wages and other entitlements due, as well as any pending liabilities.

30. The Committee is concerned about the situation of people requiring international protection, and notes that the Refugee Eligibility Committee has been inactive since 1997, which has a negative impact on all persons in need of humanitarian protection and assistance, including the fulfilment of the non-refoulement principle.

31. **The Committee recommends that the State party take all necessary measures to put in place a legal framework for expulsion procedures, in accordance with the provisions of the Convention and the Committee's general comment No. 2 on the rights of migrant workers in an irregular situation and members of their families, with regard to the fulfilment of the non-refoulement principle.**

32. The Committee notes that nationality in the State party is based on jus soli, whereby every child born in the territory of the State party automatically becomes a national of the country. However, the Committee remains concerned at persistent challenges in accessing birth registration, including by children of irregular migrants, particularly in rural areas, which greatly impairs their right to access social services.

33. **The Committee recommends that the State party take steps to make birth registration procedures more efficient and provide birth certificates for all children born in the State party, in accordance with article 29 of the Convention. The Committee further recommends that the State party carry out awareness-raising campaigns, particularly for vulnerable populations and in rural areas.**

### **III. Special Procedures Mandate Holders**

#### **Report of the Special Rapporteur trafficking in persons, especially women and children, on her mission to Belize**

Addendum: Mission to Belize (27 August 2014) [A/HRC/26/37/Add.6](#)

### **Conclusions and recommendations**

#### **A. Conclusions**

79. However, efforts at addressing trafficking in persons in Belize remain at their infant stage and numerous problems subsist. The lack of capacity and willingness to identify victims or potential victims of trafficking, especially those in mixed migration situations, has been exacerbated by the indiscriminate criminalization of irregular migrants which has contributed to driving the phenomenon of human trafficking further underground. Despite the existing standard operating procedure and the indicator cards carried by police and immigration agents, the identification rate

remains very low. That is reflected in the prosecution rate of trafficking cases, which is also very low.

81. In Belize, irregular migrants are imprisoned with common criminals and some are held for indefinite periods of time. The practice of criminalizing irregular migrants is against international human rights standards and practices, especially given the inhumane conditions of detention and the absence of basic assistance, including in establishing contacts with families, embassies and lawyers. It is also worrisome that persons from the Central American subregion are incarcerated for such immigration offences when they could easily be sent back to their respective countries. It is particularly disquieting that children under 18 years of age, and unaccompanied minors, are also punished for breach of immigration laws and kept in prison.

85. The corruption and involvement of law enforcement agents, especially immigration and police officers, in criminal activities, including trafficking in persons offences, are highly detrimental to their critical role in identifying and investigating potential cases of trafficking in persons and rescuing victims.

## **B. Recommendations**

### **1. International framework**

88. Ratify, without delay ILO Convention No. 189 concerning Decent Work for Domestic Workers.

89. Take proactive measures to establish bilateral agreements with countries of origin, especially those within the subregion of Central America, to address the issue of irregular migration, safe returns and greatly enhance safe migration options. Cooperation should be established with the governments and embassies of other countries, especially China and India, to combat migrant smuggling and trafficking in persons, including for labour exploitation.

### **2. National framework**

90. Reconsider the restrictive immigration policy that further compounds the problem of human trafficking and undermines efforts to combat and prevent human trafficking. Urgently establish a separate migrant holding facility. Take all necessary measures to avoid double victimization of those subjected to trafficking and subsequently detained as irregular migrants. Amend relevant laws to decriminalize irregular migrants, especially those who are the victims of trafficking.

91. Halt the practice of detention and deportation of children, as this contravenes the principle of the best interests of the child and the principle of non-discrimination enshrined in the Convention on the Rights of the Child, to which Belize is a party.

92. Ensure the effective implementation of existing legislation, namely, the Trafficking in Persons (Prohibition) Act 2013, as well as the Commercial Sexual Exploitation of Children Act 2013.

95. Establish efficient and coordinated data collection tools to enhance the existing system for the collection of data on trafficking in persons, and gather information, disaggregated by, inter alia, age, gender, nature of trafficking and nationality of victims, with the assistance of United Nations agencies, funds and programmes.

### **3. Identification, training and capacity-building**

98. Enhance the existing standard operating procedures for the identification of victims and expand capacities for their proper implementation, swiftly and accurately identifying victims of internal and international trafficking in persons.

99. Develop a national referral mechanism that will involve social workers, the Ombudsman, NGOs and faith-based organizations, including service providers and IOM in the screening and identification of potential victims of trafficking. In this regard establish national hotlines in Creole, English, Hindi, Mandarin and Spanish allowing for free and anonymous referral of potential cases.

#### **4. Support services for victims of trafficking**

104. Ensure that trafficked persons are provided with temporary residency permits and give due consideration to the granting of permanent residency status on humanitarian grounds.

106. Ensure the safe return of trafficked victims to their country of origin, having due regard to the need, if any, for international protection of the victims and the application of the principle of non-refoulement, in collaboration with IOM and UNHCR.

#### **6. Prevention**

111. Step up efforts to raise awareness amongst the general population of all forms of trafficking in persons, including domestic servitude, forced labour and sexual exploitation, through the dissemination of information on human trafficking and migrant smuggling as well as on the Trafficking in Persons (Prohibition) Act 2013 and the Commercial Sexual Exploitation of Children (Prohibition) Act 2013. Information should be made available in print in Creole, English, Hindi, Mandarin and Spanish. This will enhance community participation and involvement in the identification of cases of trafficking in persons, as well as the rejection of practices and values that encourage child prostitution and trafficking for sexual exploitation.