



**Convention on the  
Rights of the Child**

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**COMMITTEE ON THE RIGHTS OF THE CHILD**

**Thirty-eighth session**

**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES  
UNDER ARTICLE 44 OF THE CONVENTION**

**Concluding observations: Belize**

1. The Committee considered the second periodic report of Belize (CRC/C/65/Add.29) at its 1009th and 1010th meetings (see CRC/C/SR.1009 and 1010), held on 17 January 2005, and adopted at its 1025th meeting (see CRC/C/SR.1025), held on 28 January 2005, the following concluding observations.

**A. Introduction**

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

**B. Follow-up measures undertaken and progress achieved by the State party**

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

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

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

### **C. Factors and difficulties impeding the implementation of the Convention**

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

### **D. Principal subjects of concern and recommendations**

#### **1. General measures of implementation**

##### **The Committee's previous recommendations**

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

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

##### **Legislation**

9. The Committee appreciates the State party's ongoing efforts to bring its domestic law into conformity with the provisions and principles of the Convention, resulting in recent

legislative reforms and amendments, proposals to reform the Criminal Code and the Evidence Act and the review of the laws of Belize completed in 2003 by the National Committee for Families and Children, which will be used as the basis for further reforms.

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

#### **National Plan of Action**

11. The Committee notes with appreciation the State party's commitment to follow up on the outcome document "A World Fit for Children", adopted by the General Assembly at its special session on children (General Assembly resolution S-27/2 of 10 May 2002), by adopting the National Plan of Action for Children and Adolescents in Belize 2004-2015 and by establishing a Monitoring and Evaluation Subcommittee of the National Committee for Families and Children to monitor the progress of the National Plan of Action. With regard to the effective implementation of the Plan of Action, the Committee emphasizes the importance of adequate and timely budgetary allocations.

12. **The Committee recommends that the State party provide adequate human, financial and technical resources for the full and effective implementation of the National Plan of Action for Children and Adolescents in Belize 2004-2015. The Committee recommends that the State party take all necessary measures to ensure a rights-based, open, consultative and participatory process for the implementation of the Plan of Action. The Committee also recommends that the State party involve children and non-governmental organizations (NGOs) in the implementation of the National Plan of Action and the development of specific indicators for the periodic monitoring and evaluation of the National Plan of Action. The Committee further recommends that the State party continue to seek technical assistance from, among others, the United Nations Children's Fund (UNICEF) and the World Health Organization (WHO) in the course of the implementation process.**

#### **Independent monitoring**

13. The Committee welcomes the establishment of an independent Ombudsman in 1999, but notes that this body is not properly equipped both in terms of its mandate and its human and financial resources to deal with complaints filed by or on behalf of children. The Committee also welcomes the information that the new National Plan of Action for Children and Adolescents in Belize 2004-2015 calls for the exploration of the establishment of an ombudsperson for children.

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

### **Allocation of resources**

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

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

### **Data collection**

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

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

### Cooperation with NGOs

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

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

### Dissemination of the Convention

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

**22. The Committee recommends that the State party develop creative and child-friendly methods to promote the Convention. It further encourages the State party to make the Convention available in the different languages spoken in the country, including indigenous and minority languages. The Committee recommends further systematic training of professional groups working with and for children, such as judges, lawyers, law enforcement officials, teachers, school administrators and health personnel. With regard to the dissemination of the Convention, the Committee also recommends that the State party seek technical assistance from, among others, the Office of the United Nations High Commissioner for Human Rights (OHCHR) and UNICEF.**

## 2. Definition of the child

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

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

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

### **3. General principles**

#### **Non-discrimination**

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

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

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

#### **Best interests of the child**

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

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

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

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

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

### **4. Civil rights and freedoms**

#### **Birth registration**

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

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

### **Nationality**

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

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

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

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

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

### **Freedom of expression and of peaceful assembly**

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

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

### **Corporal punishment**

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

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

(a) **To critically review its current legislation with a view to abolishing the use of force for the purpose of correction and to introduce new legislation prohibiting all forms of corporal punishment of children in the family and within all institutions, including schools and the alternative care system;**

(b) **To extend and strengthen public education and social mobilization campaigns on alternative non-violent forms of discipline and child-rearing, with the participation of children, in order to change public attitudes to corporal punishment and to strengthen its cooperation with the NGOs in this respect;**

(c) **To seek international technical assistance from, among others, UNICEF in this regard.**

## **5. Family environment and alternative care**

### **Parental responsibilities**

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

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

### **Recovery of maintenance**

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

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

## **Adoption**

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

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

## **Abuse and neglect, maltreatment and violence**

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

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

**(a) To effectively implement the Families and Children (Child Abuse) (Reporting) Regulations and conduct timely and adequate investigations of cases of child abuse and violence in order to bring perpetrators to justice;**

**(b) To introduce awareness-raising campaigns, with the involvement of children themselves, in order to prevent all forms of violence against children and to combat child abuse, including sexual child abuse, and to change public attitudes and prevailing cultural practices in this respect;**

**(c) To ensure due adherence to all relevant protocols, policies and procedures regarding the management of child abuse cases;**

**(d) To ensure that child victims of violence and abuse have access to "one-stop service" and adequate counselling and multidisciplinary assistance with recovery and reintegration.**

## **6. Basic health and welfare**

### **Children with disabilities**

50. The Committee expresses grave concern about the situation of children with disabilities and regrets that de facto discrimination against them still exists. The Committee notes with concern the lack of specific legislation which would ensure full and equal participation in social life, including access to social and health services, education, training, information and communication, rehabilitation, recreation and care, for children with disabilities. The Committee

is concerned about the lack of basic services supporting children with disabilities and of adequate financial and human resources partially caused by the closing of the Disability Services Division, resulting in a situation in which the non-governmental organization CARE-Belize can only provide very limited services for children with disabilities. Furthermore, the Committee expresses its concern about the lack of statistical data on children with disabilities.

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

**(a) To enact special legislation dealing exclusively with disability issues, including access to social and health services, rehabilitation, support services, physical environment, information and communication, education, recreation and sports, in order to achieve the objectives of full participation and equality for children with disabilities;**

**(b) To initiate and plan a comprehensive national policy for children with disabilities and to allocate the necessary financial and human resources to implement the plan;**

**(c) To consider the establishment of a national focal point on disability issues to strengthen coordination between governmental and non-governmental actors;**

**(d) To integrate education for children with disabilities into national educational planning and curriculum and to include children with disabilities in the mainstream school system to the extent possible, including by providing the necessary financial and human resources for the training of teachers;**

**(e) To disseminate information concerning the rights and potential of children with disabilities and to raise public awareness of disability;**

**(f) To collect adequate statistical data on children with disabilities, allowing for disaggregated analysis of the problems facing children with disabilities;**

**(g) To seek international assistance from, among others, UNICEF and WHO in this respect.**

### **Health and health services**

**52. The Committee welcomes the revised and expanded Care and Growth Chart, which provides a detailed and personal health and development record for all children under 5 years of age. While noting with appreciation the State party’s efforts to improve the primary health care, including the establishment of the National Health Insurance Scheme and the School Health and Physical Education Services (SHAPES) programme, the Committee is nevertheless concerned at the regional disparities in accessibility to health services, the high number of infant deaths and regional differences in this respect, and the situation of malnutrition among infants and children.**

The Committee is also concerned at the lack of access to safe drinking water and sanitation in the rural and most remote areas. Furthermore, the Committee reiterates its concern at the low prevalence of breastfeeding.

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

**(a) Prioritize the allocations of financial and human resources to the health sector in order to ensure an equal access to quality health care by children in all areas of the country and to strengthen its efforts to implement the National Health Insurance Scheme;**

**(b) Continue its efforts to improve prenatal care, including training programmes for midwives and traditional birth attendants, and take all necessary measures to reduce infant mortality rates, especially in rural areas;**

**(c) Improve the nutritional status of infants and children, inter alia, through the SHAPES programme;**

**(d) Ensure access to safe drinking water and sanitation in all areas of the country;**

**(e) Strengthen its efforts to implement the National Breastfeeding Policy, adopted in 1998, and encourage exclusive breastfeeding for six months after birth with the addition of an appropriate infant diet thereafter;**

**(f) Seek international assistance, including from UNICEF and WHO, to that effect.**

#### **Adolescent health**

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

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

#### **HIV/AIDS**

56. The Committee welcomes the National Strategy on HIV/AIDS and free and universal access to voluntary testing, counselling and anti-retroviral drugs. Nevertheless, it remains deeply concerned at the very high incidence of HIV/AIDS in the State party and the adverse

consequences suffered by children infected with or affected by HIV/AIDS. The Committee notes with concern the limited availability of preventive programmes and awareness-raising campaigns on HIV/AIDS. The Committee notes that the State party has conducted a rapid assessment of the situation of orphans and vulnerable children in 2004.

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

**(a) Strengthen its efforts to combat HIV/AIDS, including through preventive programmes and awareness-raising campaigns, and to prevent discrimination against children infected with and affected by HIV/AIDS;**

**(b) Undertake a comprehensive study to assess the prevalence of HIV/AIDS, including the number of children infected with and affected by HIV/AIDS, and devise a comprehensive national plan of action for orphans and vulnerable children, including children infected with and affected by HIV/AIDS, using to the extent possible the results of this study and the rapid assessment of the situation of orphans and vulnerable children conducted in 2004;**

**(c) Ensure access to child-sensitive and confidential counselling without parental consent when such counselling is required by a child;**

**(d) Continue to strengthen its efforts to prevent mother-to-child transmission of HIV;**

**(e) Seek international assistance from, among others, UNAIDS and UNICEF, to that effect.**

#### **Adequate standard of living**

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

**59. The Committee recommends that the State party take all necessary measures to provide support and material assistance to economically disadvantaged families and to guarantee the right of children to an adequate standard of living. The Committee also recommends that the State party evaluate the impact of the Poverty Reduction Strategy on children and adolescents. The Committee further recommends that the State party increase its efforts to develop and implement the Food and Nutrition Security Policy for Belize and continue to implement the feeding programmes in primary schools.**

## **7. Education, leisure and cultural activities**

### **Education, including vocational training and guidance**

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

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

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

**(a) Urgently to take all necessary measures to further reduce the illiteracy rates in the country;**

**(b) To progressively ensure that all children, without any distinction as to gender or ethnic origin, from all areas of the country, have equal access to compulsory and free quality primary education, without any financial obstacles;**

**(c) To conduct a study to assess the causes, nature and extent of school dropouts and to strengthen its efforts to adopt and implement effective measures to prevent and reduce school dropout rates;**

**(d) To pay special attention to the needs of children belonging to vulnerable groups, including girls, migrant children, working children, children living in poverty, children deprived of their liberty, children belonging to minorities and indigenous children, in order to safeguard their right to education at all levels;**

**(e) To address the educational needs of pregnant students and teenage mothers in schools and to introduce a national policy on equal treatment of all students in respect of their right to education at all levels;**

**(f) To provide schoolchildren with adequate psychological counselling services;**

**(g) To improve the quality of education throughout the country in order to ensure that it is in conformity with the aims set out in article 29 of the Convention, taking into account the Committee's general comment No. 1 (2001) on the aims of education;**

(h) **To provide appropriate training to teachers at all levels of education;**

(i) **To seek assistance from the United Nations Educational, Scientific and Cultural Organization, UNICEF and other relevant agencies engaged in the field of education.**

#### **Leisure, recreation and cultural activities**

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

64. **In the light of the recommendations adopted by the Committee at its day of general discussion on "Implementing child rights in early childhood" (See CRC/C/143, paras. 532-563), the Committee recommends that the State party increase its efforts to promote and protect the right of the child to rest, leisure and cultural and recreational activities. The Committee requests the State party to provide in its next periodic report adequate information on the implementation of article 31 of the Convention.**

### **8. Special protection measures**

#### **Economic exploitation**

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

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

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

67. The Committee welcomes the adoption in 2003 of the Trafficking in Persons (Prohibition) Act, which provides special protection for children, and the subsequent establishment of a special Task Force to give greater effect to the implementation of the Act, and notes the State party's efforts to combat sexual exploitation of children, for instance, through the "Stamp Out Child Abuse" campaign. Notwithstanding these positive steps taken by the State

party, the Committee is concerned about the sexual exploitation of children, child pornography and trafficking of children in Belize and draws attention to the existing risk factors, such as the growing tourism.

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

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

**(a) To conduct a comprehensive study to assess the causes, nature and extent of trafficking and commercial sexual exploitation of children;**

**(b) To take all necessary measures to effectively prevent, and protect all children from, trafficking, sexual exploitation and child pornography, including through implementing the Trafficking in Persons (Prohibition) Act, and to provide the recently established Task Force with adequate financial, human and technical resources;**

**(c) To develop adequate systems of prevention and early detection and investigation of cases of sexual exploitation and ensure that perpetrators are prosecuted;**

**(d) To provide adequate programmes of assistance and reintegration for sexually exploited and/or trafficked children in accordance with the Declaration and Agenda for Action and the Global Commitment adopted at the 1996 and 2001 World Congresses against Commercial Sexual Exploitation of Children;**

**(e) To critically review its sex offence legislation in order to ensure equal legal protection from sexual assault and abuse for girls and boys;**

**(f) To pay particular attention to the phenomenon of the so-called “sugar daddies” and existing risk factors, such as the growing tourism in the region, and to take all necessary preventive measures, in close cooperation with the tourism industry, in this respect;**

**(g) To introduce awareness-raising campaigns for children, parents and other caregivers, in order to prevent trafficking, sexual exploitation and pornography involving children, and to strengthen its cooperation with NGOs in this respect.**

### **Juvenile justice**

70. While noting with appreciation the establishment of the Community Rehabilitation Department in 2001, the Committee reiterates its serious concern at the low minimum legal age of criminal responsibility and the large number of children in detention. The Committee notes the improvements made in the Family Court of Belize, but notes that a juvenile court only exists in Belize City, while juveniles living in other districts are tried in magistrate’s courts. The Committee shares the State party’s concern that the district-based magistrate’s courts continue to

fall short of being child-sensitive and adequately trained to be sensitive enough to the provisions of the Convention. With respect to domestic legislation for the administration of juvenile justice, including alternative forms of punishment, the Committee expresses its concern about the deficiencies in the implementation of the said provisions. The Committee is deeply concerned about the fact that children as young as 9 years of age can be sentenced to life imprisonment without provision for parole. Furthermore, the Committee is concerned about the inadequate conditions of the Boot Camp detention unit at the Hattieville Prison.

**71. The Committee recommends that the State party establish a system of juvenile justice that fully integrates into its legislation, policies and practice the provisions and principles of the Convention, in particular articles 37, 39 and 40, and other relevant international standards in this area, such as the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines), the United Nations Rules for the Protection of Juveniles Deprived of Their Liberty and the Vienna Guidelines for Action on Children in the Criminal Justice System, in the light of the Day of General Discussion on the Administration of Juvenile Justice, held by the Committee in 1995. In this regard, the State party is recommended to take measures, in particular:**

**(a) To establish juvenile courts staffed with appropriately trained professional staff in each district of the country;**

**(b) To raise the minimum age of criminal responsibility to an internationally accepted level;**

**(c) As regards life imprisonment of children without provision for parole, to urgently review its domestic legislation, particularly the provisions of the Indictable Procedures Act (chapter 96 of the Laws of Belize) and the Court of Appeal Act (chapter 90 of the Laws of Belize), in order to bring its domestic laws into full conformity with the provisions and principles of the Convention;**

**(d) To ensure that detained persons under the age of 18, including in pre-trial detention, are always separated from adults, and that deprivation of liberty is used only as a measure of last resort, for the shortest period of time and in appropriate conditions;**

**(e) In cases where deprivation of liberty is unavoidable and used as a last resort, to improve procedures of arrest and conditions of detention and establish special units within the police for the handling of cases of juveniles in conflict with the law;**

**(f) To seek technical assistance from, among others, OHCHR, the United Nations Office on Drugs and Crime and UNICEF.**

#### **Children belonging to minorities and indigenous peoples**

**72. With regard to children belonging to minorities and indigenous peoples, such as Maya and Garifuna children, the Committee is concerned about the widespread poverty among them and the limited enjoyment of their rights, particularly concerning their access to social and health**

services and education. The Committee notes with concern that it is generally difficult for girls belonging to minorities and indigenous peoples to be heard in society and that their right to participate and to be heard in proceedings affecting them is often limited.

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

## **9. Optional Protocols to the Convention**

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

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

## **10. Follow up and dissemination**

### **Follow-up**

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

### **Dissemination**

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

## **11. Next report**

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

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

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