



**Convention on the
Rights of the Child**

Distr.
GENERAL

CRC/C/SR.1010
25 January 2005

Original: ENGLISH

COMMITTEE ON THE RIGHTS OF THE CHILD

Thirty-eighth session

SUMMARY RECORD OF THE 1010th MEETING

Held at the Palais Wilson, Geneva,
on Monday, 17 January 2005, at 3 p.m.

Chairperson: Mr. DOEK

CONTENTS

CONSIDERATION OF REPORTS OF STATES PARTIES (continued)

Second periodic report of Belize (continued)

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the public meetings of the Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.05-40138 (E) 200105 250105

The meeting was called to order at 3.10 p.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (continued)

Second periodic report of Belize (continued) (CRC/C/65/Add.29; CRC/C/Q/BLZ/2; CRC/C/RESP/76)

1. At the invitation of the Chairperson, Ms. Alpuche, Ms. Flores and Ms. Pennill (Belize) took places at the Committee table.
2. Ms. ANDERSON asked whether there were any treatment programmes for orphans and other children affected by AIDS.
3. Ms. AL-THANI enquired whether the Government planned to introduce a plan of action for children with disabilities. She wondered whether such children were subjected to discrimination.
4. She wished to know whether regional disparities in infant mortality had increased or decreased as a result of recent decentralization measures. She asked whether any data were available on lactating mothers and their infants, and whether a breastfeeding coordinator had been appointed. The delegation should provide additional information on Belize's reproductive health policy and the measures that had been taken to implement it. She asked whether that policy gave special attention to adolescent health. If so, she wondered whether it focused only on reproductive health, or whether it also dealt with tobacco, alcohol and drug consumption among young people.
5. She enquired whether AIDS testing was universal and free of charge and whether antiretroviral drugs were available to everyone free of charge.
6. Mr. LIWSKI asked whether the rights-based approach used in Belize's primary health-care strategy would also be applied in its overall health-care programme. He wondered what steps were being taken to ensure that decentralization and increased resources resulted in better coverage and access to public health-care services for children, particularly in remote communities. He enquired whether the increase in the number of doctors had led to an improvement in community health care. He wished to know whether community organizations had been involved in programming, implementing and assessing primary health-care programmes.
7. Ms. SARDENBERG asked how the recent privatization of prisons had affected children's rights and whether juvenile inmates were separated from adults. She requested further information on the decision to strengthen the Community Rehabilitation Department. She noted that there still seemed to be a number of financial constraints on the Department's operations. She wondered whether Belize's poverty reduction strategy included policies on children and adolescents.
8. Ms. ALUOCH asked the delegation to comment on the 1998 amendment to the Indictable Procedures Act, according to which children as young as 9 could be sentenced to life imprisonment - a sentence of 18 to 20 years - without provision for parole.

9. She wondered how churches in Belize could hire and fire teachers when it was the State that paid teachers' salaries.

10. Ms. ORTIZ said that sometimes measures taken to deal with violent juveniles were themselves violent in nature. For example, excessive reliance on institutionalization could be prejudicial to families in general and to children in particular. She wondered whether the high level of violence in Belize was to any extent attributable to its history of slavery, its recent independence or the disintegration of the family.

11. Ms. FLORES (Belize) said that Belize had been the victim of colonialism and imperialism, and it would take many years to overcome that legacy. Moreover, there was a very delicate relationship between the Church and State in Belize. In a number of cases, the Government had been unable to enact legislation because of resistance by the Church. Although teachers' salaries were paid by the Government, the Church had the power to hire and dismiss teachers.

12. The situation of inmates had greatly improved since the privatization of a prison with which she was personally familiar. Juvenile offenders were held separately from adults. Workshops had been set up in which minors were taught the skills that they would need after their release. The Government would continue to work with the private sector to ensure that young inmates received the best possible treatment and that their rights were protected.

13. Ms. ALPUCHE (Belize), said that the legislation on the maintenance of children of married parents had been adopted relatively recently, while the legislation on the maintenance of the children of unmarried parents was outdated and was in need of urgent reform. With regard to maintenance remittances, Belize was considering bilateral agreements with the United States of America and other countries. A regional solution had to be found in order to ensure that parents met their responsibilities, and to deal with the cases of the many Belizean nationals who were working in the United States illegally. The Belize Family Court was taking measures to improve its maintenance recovery efforts throughout the country and was upgrading its computer system to that end.

14. Under the Certified Institutions (Children's Reformation) Act, persons could relinquish their parental responsibilities and place their children in institutions. While there was general agreement that the Act was antiquated and needed to be repealed, other mechanisms must first be found to replace it. The recent guidelines issued by Belize's chief justice was one way of addressing the problem of the uncontrollable behaviour of juveniles. The chief justice favoured placing such children under the protection of the Families and Children Act, which provided for an inquiry into the family situation and regular judicial review to ensure that so-called "uncontrollable" children did not languish in institutions.

15. The Community Rehabilitation Department had played a pivotal role in the reform of the juvenile justice system. It had come into being with the Penal System Reform (Alternative Sentences) Act and had shifted the focus of juvenile justice from penalties to rehabilitation. The Department applied the United Nations Standard Minimum Rules for the Administration of Juvenile Justice.

16. Since the conversion of the Youth Hostel into a rehabilitative institution would be costly, Belize was cautious about reducing its budget. The goal was to develop a continuum of care for children in which prison was the last resort. Belize was considering a number of preventive initiatives, such as the Community and Parenting Empowerment Project and the establishment of judicial review to identify cases in which parents could keep a child in the family with the help of support services; that would help to minimize the number of children placed in institutions or incarcerated. The Community Rehabilitation Department was promoting the idea of alternative sentences in the form of community service and other options, especially for non-violent offenders.

17. Ms. ORTIZ asked whether Belize had decentralized mediation services for families. She wondered what kind of assistance was offered to parents with difficult children.

18. Mr. FILALI asked whether the increase in crime and domestic violence had become a public issue and whether the State had been urged to take action to combat it.

19. The CHAIRPERSON asked the delegation to explain the precipitous drop in the number of juvenile delinquents between 10 and 18 years of age from more than 3,000 in 2001 to just over 200 in 2003. He also wondered whether there were any arrangements to help parents to travel to the Youth Hostel, which had been transferred to a location 21 miles from Belize City.

20. He asked whether any measures had been taken to ensure that parents were granted permission to see their children in policy custody, and that juvenile offenders had access to legal counsel. It was also necessary to improve detention conditions.

21. Ms. ALPUCHE (Belize) said that, in response to public outcry, the High Level Crimes Council was dealing with the problem of violent crime from the point of view of both prevention and enforcement, and the Community Rehabilitation Department was conducting a public-awareness campaign to change attitudes towards young offenders. Workshops and in-service training for judges and police officers stressed the need to seek alternatives to placing minors in custody.

22. Although there had been some exceptions, juveniles were generally imprisoned separately from adults. The Community Rehabilitation Department provided caseworkers and legal counsel for children. Cases involving minors were heard in juvenile courts.

23. The CHAIRPERSON asked whether measures had been taken to provide for alternative sentences for young offenders between the ages of 10 and 13.

24. Ms. ALPUCHE (Belize) said that the issue of alternative sentences had been addressed within the framework of reforms of the Criminal Code.

25. The Community Rehabilitation Department had carried out a comprehensive study to identify the root causes of crime and violence. A large number of children had been questioned on their experience of violence, and the results of the survey would be used in measures to mitigate the impact of crime and violence on children.

26. The aim of the decentralization of health services was to reduce rural-urban disparities. Extra funding had been allocated to expand the basic package of services. The Government had

piloted a public health insurance plan in particularly deprived areas in order to increase vulnerable groups' access to health-care services. Data on the nutritional status of children in Belize would be updated in 2005 with a view to developing a targeted response to nutrition-related concerns. The Ministry of Health had introduced a safe motherhood programme to address such issues as breastfeeding, infant care and nutrition in an effort to reduce infant and maternal mortality.

27. Adolescent health was an integral part of the recently adopted reproductive health policy. Education on adolescent reproductive health, decision-making and life skills had been incorporated into school curricula in order to promote children's participation in decision-making processes that affected their lives. The Government was making considerable efforts to promote public acceptance of a proposal to lower the minimum age for seeking medical support without parental consent.

28. Ms. SMITH asked whether the current age limit for seeking medical support also applied to consultations on contraception and reproductive health.

29. Ms. ALPUCHE (Belize) said that basic reproductive health education was provided in schools. Parental consent was required when children under the age of 15 wished to consult a medical doctor on such issues.

30. Voluntary counselling and testing centres for HIV/AIDS had been established nationwide. Everyone had free access to those services and to antiretroviral drugs, regardless of their immigration status.

31. Ms. ALUOCH asked whether children under the age of 15 had access to HIV/AIDS counselling and testing centres, and whether their parents had to be present when they received their test results.

32. Ms. ALPUCHE (Belize) said that, while that question had been the subject of much debate, she did not know how it had been resolved.

33. Ms. PENNILL (Belize) said that most AIDS orphans lived with their family of origin. However, the number of children placed in foster care or institutions was expected to increase. In 2004, the Government had assessed the situation of AIDS orphans and vulnerable children with a view to formulating a relevant action plan. In order to prevent stigmatization of AIDS orphans, the plan would address the needs of all vulnerable children.

34. While social services for children with disabilities were funded by the State, they were largely provided by NGOs. Close cooperation with NGOs had become a basic element of Belize's disability policy. Registered NGOs submitted regular reports to the Government. However, the Government remained responsible for policy development and legislation. Priority was given to special needs education and the integration of children with disabilities into regular schools. Extensive teacher training and international technical assistance were crucial for improving the current system.

35. Ms. LEE said that, while cooperation with NGOs was commendable, the care of children with disabilities was first and foremost the responsibility of the Government.

36. Ms. PENNILL (Belize) said that only services for children under the age of 8 were provided by NGOs. The Ministry of Education offered services for children between the ages of 3 and 18.

37. Informal adoption was a cultural practice in Belize whereby a child was placed in the care of either a family member other than the parents or a family friend. Since that practice was generally accepted, the Government sought to promote foster care programmes as a viable alternative to institutionalization. However, under informal adoption, the child's guardian did not have the same rights as adoptive parents; that posed problems when important decisions affecting the child's life, such as international travel or medical intervention, had to be taken.

38. Ms. ORTIZ said that, in order to develop a proper foster care programme, it would be necessary to provide foster families with the necessary skills. In addition to raising legal questions, informal adoption deprived the child of the feeling of truly belonging to a family. It was therefore important to develop both a foster care programme and a formal adoption programme.

39. Ms. ALPUCHE (Belize) said that the Government considered both placement in foster care and informal adoption as temporary measures, and encouraged the regularization of informal adoption arrangements. The authorities absorbed the costs of formal adoption procedures in cases where the adoptive family was in difficult financial circumstances.

40. Ms. SARDENBERG said that informal adoption placed children at risk of exploitation.

41. Ms. ALPUCHE (Belize) said that efforts were being made to find a permanent solution for every child who had been placed in foster care or adopted informally. The adoption system was being reviewed in order to ensure compliance with the Convention, prevent illegal adoption and prepare for ratification of the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption.

42. Ms. PENNILL (Belize) said that, in the field of education, emphasis was placed on teacher training and early childhood education and development. To that end, the Government planned to increase the number of public pre-schools and to offer teacher training at the local level.

43. Mr. KRAPPMANN asked the delegation to specify the weaknesses in the existing teacher training system.

44. Ms. PENNILL said that traditional teacher training failed to take account of the wide range of abilities, age groups and language backgrounds of children in the same classroom. The failure to meet children's educational needs was reflected in high dropout and repeat rates and the relatively low number of children who completed primary education. In order to ensure children's optimum development, curricula would incorporate such concerns as special needs education.

45. Mr. AL-SHEDDI asked whether the reasons for the high repeat rates had been identified and whether measures had been taken to address that problem. Considering the low primary completion rates, he asked how compulsory education was enforced.

46. Ms. PENNILL (Belize) said that inspectors attached to the Ministry of Education made regular visits to schools. They monitored and identified the reasons for absenteeism and cooperated with the Ministry of Human Development in providing children with the necessary resources to facilitate school attendance. School security officers supervised the school premises to prevent abduction, and liaison officers worked with communities to identify absentee children and promote the value of children's education.
47. Ms. ALPUCHE (Belize) said that school attendance statistics took account of children in the formal education system but did not include those in alternative education programmes operated by NGOs. The problem had been highlighted in the 10-year education plan, which complemented the education component in the National Plan of Action for Children.
48. Ms. FLORES (Belize) said that the Government was endeavouring to establish centres for employment training in all districts to meet needs that could not be met by schools alone.
49. Ms. PENNILL (Belize) said that the 10-year education plan would address eight areas, including the four priority areas of early childhood, educational development, teacher training and adult and continuing education.
50. With regard to culture and recreation, children took part in an annual national festival of arts programme. The Government tried to stimulate children's interest in arts and crafts at an early age. All districts had public parks and playgrounds; sports activities were available in schools and communities.
51. Ms. SMITH said that she had received information that no sports or recreation facilities were available to children after school hours.
52. Ms. PENNILL (Belize) said that sports clubs offered a variety of activities, including football and basketball. The Olympic champion Marion Jones had also done much to promote athletics in Belize, whose young athletes had enjoyed considerable success in regional competitions.
53. The Community and Parenting Empowerment Project conducted surveys to find out what the main parenting issues were and then sought to address those issues at the community level. The Project's staff also visited private homes to discuss such problems as domestic violence with individual families.
54. Mr. KRAPPMANN asked what proportion of the national budget was allocated to public education. He requested additional information on school fees. He assumed that schools that charged higher fees offered better programmes and were concentrated in certain regions, and wondered whether that situation gave rise to social disparities.
55. Ms. PENNILL (Belize) said that most of the national budget was allocated to education, mainly to cover the costs of teacher training and salaries. At the secondary school level, 70 per cent of teachers' salaries were funded by the Government and the remaining 30 per cent by the schools themselves. School fees averaged BZ\$ 20 to 40 a month, depending on the programmes and facilities offered. Children whose families could not afford the fees were still allowed to attend school, since funds to assist such children were raised by the schools.

56. The CHAIRPERSON asked whether school fees were intended to cover the education costs that were not met by the Government.
57. Ms. PENNILL (Belize) said that over 90 per cent of the schools in Belize were maintained by the Church. School fees were intended to pay for school supplies and programmes. The Ministry of Education was currently investigating the problem of disparities in school fees in order to find an appropriate solution.
58. Ms. LEE asked who paid for textbooks.
59. Ms. PENNILL (Belize) said that, although most children paid for their own textbooks, there was State assistance for children who could not afford them.
60. Ms. SMITH asked to what extent the Government had control over education when most schools were operated by the Church.
61. Ms. PENNILL (Belize) said that representatives of the Government, the Church and parents worked together on school boards. The Government was responsible for preparing the national curricula and exams and for teacher training.
62. Ms. FLORES (Belize) said that the Government was trying to develop what was essentially a Church-based education system. The Government had made great efforts to forge good working relations with the Church, and it was important to maintain that partnership.
63. Ms. PENNILL (Belize) said that school regulations were drafted jointly by representatives of the Government, the Church, by parents, and teachers' trade unions. It was worth noting that teachers' trade unions had opposed the Government's proposal to ban corporal punishment in schools.
64. Ms. SARDENBERG suggested that the Convention should be used as a tool for promoting change in education.
65. Ms. PENNILL (Belize) said that the Convention was always used by professionals who worked with children, in both education and other spheres.
66. Ms. SMITH said that the Church was reportedly responsible for the expulsion of pregnant teenagers from schools, which was not in keeping with the provisions of the Convention. She wondered how the Government dealt with such situations.
67. Ms. PENNILL (Belize) said that most schools allowed teenage girls to return to school after the birth of their child. Many young mothers did not return to school because it was too much of a burden to look after their children and keep up with schoolwork. Schools and communities needed to provide greater social support for pregnant girls and young mothers.
68. Ms. ALUOCH said that she was aware of a court case involving a pregnant schoolteacher who had been awarded damages on the grounds of discrimination. However, the schoolteacher had not yet been paid owing to the negative reaction of the Church.

69. Ms. ALPUCHE (Belize) said that damages had not been paid immediately because the court decision had been appealed. The claimant had won her appeal, and the Court of Appeal had not allowed the Church to apply to the Privy Council. Although the amount of damages initially awarded had been reduced, the ruling had set a precedent in Belizean law, not least because the Court of Appeal had invoked the Convention.
70. Mr. KOTRANE said that the type of problems under discussion seemed to occur mainly in private and Church-run schools. He asked whether there were any schools operated exclusively by the State.
71. Ms. PENNILL (Belize) said that less than 10 per cent of schools in Belize were private. While it was the Ministry of Education's policy to allow young mothers to continue their education, the right conditions needed to be created in order to ensure the implementation of that policy.
72. The Community and Parenting Empowerment Project provided support for families who sought court assistance when they were unable to handle a particularly difficult situation at home. Instead of ordering that the children should be placed in care, the courts generally issued supervisory orders for which an implementation plan was drawn up in cooperation with the Project. NGOs, such as the National Organization for the Prevention of Child Abuse, monitored the situation and provided counselling at the community level. That two-tier system had been operating successfully for more than one year.
73. The Community and Parenting Empowerment Project also played a major role in the School Health and Physical Education Services by ensuring that information provided by schools under the healthy family life and education component was conveyed to parents.
74. The CHAIRPERSON questioned the effectiveness of the system of mandatory reporting for professionals working with children, particularly with respect to child abuse.
75. Ms. PENNILL (Belize) said that, although reporting was mandatory for professionals working in the area of child protection, there was still a degree of underreporting, mainly owing to fear of reprisals by the perpetrators of abuse. However, the number of cases reported had risen, and an increasing number of child abusers had been convicted. The public would have more confidence in the reporting system when it was seen to be working.
76. In an effort to harmonize professional standards, protocols that specified the duties of professionals working in the area of child protection were currently being developed, and professionals who failed to discharge their duties would be subject to appropriate sanctions.
77. Ms. ALPUCHE (Belize) said that the success of child protection measures depended on a coordinated and multidisciplinary approach. Problems encountered in the past had arisen mainly because professionals had not fully understood their respective duties.
78. Ms. PENNILL (Belize) said that the main purpose of the curfew was to protect unaccompanied children, particularly from the risk of abduction. The intention was not to institutionalize children or to incriminate their parents. The curfew was carried out on a random

basis by policemen in civilian clothes accompanied by social workers. Children found loitering in the streets were taken home. Parents who were not at home at the time their child was brought back received a warning. After two warnings, the parents were charged with neglect.

79. Mr. LIWSKI asked whether any studies had been carried out to assess the effectiveness of the curfew.

80. Ms. PENNILL (Belize) said that, although no studies had been carried out, records indicated that most of the children loitering in the streets were aged 13 and under. Older children tended to be on their way to some sporting event or cultural activity. The families and children concerned were closely monitored by the neighbourhood police.

81. Mr. CITARELLA asked whether the curfew was designed to reduce the amount of crime committed by young people.

82. Ms. PENNILL (Belize) said that the curfew was a child protection measure that had been implemented in the wake of a number of child abductions.

83. Mr. FILALI requested information on the size of the average family and the typical size of homes inhabited by poor families.

84. Ms. PENNILL (Belize) said that the average family comprised five people. Since poor families tended to live in small houses, overcrowding could be a problem. Once social workers became involved with a family, they developed strategies to improve the family environment by providing better housing, obtaining rent subsidies and helping parents to find work. The Government's policy was to address poverty in the home and to remove children from the family environment only if they were at risk of abuse.

85. Ms. FLORES (Belize) said that "poverty" was a relative term and should be used with caution in Belize. While many Mayan families would be considered poor by global standards, they were able to feed themselves and had access to clean drinking water and education. They also had a rich cultural heritage and did not consider themselves poor.

86. Ms. PENNILL (Belize) said that, when the police discovered cases of domestic violence, they always informed the relevant authorities. A single data collection system for all gender-based violence, which would include statistics on child abuse, was currently being developed. In schools, girls were taught to challenge traditional gender roles. The Women's Department encouraged young women to break the cycle of violence that characterized some relationships. Women were given support in making their own decisions about whether to have sexual relations, and protecting themselves from the risk of HIV/AIDS infection.

87. The so-called "sugar daddy" syndrome involved older men paying for the educational and other needs of young girls in return for sexual favours with them. Although the practice was hard to combat because the girls' families often condoned it, the Government had launched campaigns to raise awareness of the problem. If mothers were found to be exploiting their children for economic gain, they were charged with trafficking in children.

88. Ms. ORTIZ asked how the Government planned to protect children from sex tourism and pornography.
89. Ms. PENNILL (Belize) said that that problem had to be addressed by Central America as a whole. A plan for protecting children and discouraging sex tourism in Belize had been drafted in conjunction with the tourism authorities. The main objective was to ensure that everyone involved in the tourist industry was aware of the problem and was capable of recognizing such situations and reporting them.
90. The Government was currently studying ways of protecting children from pornography on the Internet, and was considering a number of relevant legislative amendments.
91. Ms. ORTIZ said that children also needed protection from pornography distributed through means other than the Internet.
92. Mr. FILALI asked whether there was an office of the International Criminal Police Organization (INTERPOL) in Belize, since that institution had often been effective in combating pornography.
93. Ms. ALPUCHE (Belize) said that the INTERPOL office in Belize had provided significant assistance in the preparation of the periodic report. Good links had been established with the staff at that office, whose attitude to children's rights had been encouraging.
94. Ms. PENNILL (Belize) said that the Government had contacted INTERPOL in the past to conduct checks on foreign volunteers who came to Belize to work with children's organizations.
95. Ms. ALPUCHE (Belize) said that psychosocial rehabilitation had been included in the programme for responding to natural disasters. It had been modelled on the Return to Happiness Campaign instigated in Honduras in the wake of hurricane Mitch.
96. Ms. VUCKOVIC-SAHOVIC asked where child protection activities were currently coordinated.
97. Ms. PENNILL (Belize) said that all child protection activities were coordinated in Belize City, the former capital. The services available in Belize City were more child-focused and institutionalized than in the provinces. The Government was aware of the need to develop protocols in order to reduce disparities between the services offered throughout the country.
98. Ms. ALPUCHE (Belize) said that 6 per cent of children were victims of child labour. Current legislation would be reviewed to bring it into line with the International Labour Organization (ILO) conventions that Belize had signed. A pilot project on children involved in child labour and those at risk of becoming victims of child labour had been carried out in conjunction with ILO. The project had targeted two predominantly Mayan communities in the city of Toledo. The lessons learned from that project would be implemented nationwide, and would be used to educate the population about child labour.

99. Mr. LIWSKI asked whether any studies had been conducted on the relationship between sending girls to do domestic work outside the nuclear family, and child labour.

100. Ms. ALPUCHE (Belize) said that the Child Activity Survey had revealed that children working in the agricultural sector and as street vendors were at greater risk than girls in domestic service.

101. The CHAIRPERSON asked whether the legislation on the mandatory reporting of cases of child abuse provided for protection for those who gave evidence.

102. Ms. ALPUCHE (Belize) said that a goodwill assumption was an integral part of the legislation.

103. Ms. ALUOCH asked what measures had been taken to prevent children as young as 9 from being sentenced to life imprisonment.

104. Ms. ALPUCHE (Belize) said that the age of criminal responsibility had been raised to 12.

105. Mr. AL-SHEDDI, Country Rapporteur, said that the Committee had been encouraged by Belize's determination to improve the situation of the rights of the child despite the many obstacles with which it was confronted.

106. Mr. KOTRANE, Alternate Country Rapporteur, said that Belize should take measures to ensure the effective implementation of its legislation in the area of children's rights. The State party must allocate adequate resources to children's needs, and address the problems of corporal punishment, trafficking in children and juvenile justice.

107. Ms. FLORES (Belize) said that the areas that the Committee had identified for further attention would be taken into consideration. The recommendations and concluding observations would be shared with all stakeholders and integrated into national development plans. The Government would continue to work to ensure that all children in Belize were able to exercise their inalienable human rights.

The meeting rose at 6 p.m.