



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of
Discrimination against Women**

**Consideration of reports submitted by States parties under
article 18 of the Convention on the Elimination of All Forms
of Discrimination against Women**

Combined third and fourth periodic reports of States parties

Belize*

* The present report is being issued without formal editing.

For the combined initial and second periodic report submitted by the Government of Belize, see CEDAW/C/BLZ/1-2, which was considered by the Committee at its twenty-first session.

Belize 3rd and 4th Period Report to CEDAW Final

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PART I
GENERAL BACKGROUND

INTRODUCTION

Population

1. The 2002 population estimates for Belize placed the population at 265,200. The average annual growth rate since 1991 has been 2.7%. Women represent 49.7% of the population, an increase of 0.6% since 1991, and of 0.3% since 1980. In 2001, 52% of the population was 19 years or under, although this has decreased by 1.7% since 1997.
2. The largest ethnic group continues to be Mestizo, at 48.7%, the majority of whom live primarily in the Corozal, Orange Walk and Cayo districts. Creoles, who are mostly concentrated in the Belize District, are the second largest ethnic group at 24.9%, a decrease of 4.9% since 1991. (See Table 0.0) Other significant ethnic groups include the Maya and Garinagu, residing mostly in the Toledo and Stann Creek Districts, respectively. Of these ethnic groups, the largest discrepancy in population between men and women was with the Garinagu, where women represented 52.4% of the population.
3. The National Population Census (2000) data indicates that, unlike other developing countries, Belize has been experiencing an urban to rural shift in population growth. The large influx of migrants from other Central American countries has contributed to this shift as they tend to settle mostly in rural areas. The urban to rural ratios for the last three censuses were 51% to 49%, 48% to 52% and 48% to 52%, indicating a need to develop services for rural areas in order to ensure balanced social and economic development.(See Table 0.1)
4. Due to Belize's ethnic and cultural diversity and population distribution patterns, the status of women varies significantly in each district.
5. In 2000 an average of 3.7 children were born to women in the reproductive age group (14-44), although the average number of children per woman was higher in rural areas (4.2) and lower in urban areas (3.1).¹ This represents a decrease compared to data from 1991 which reported a total fertility rate of 4.5 children per women of reproductive age. The greatest decline in fertility rate (31 %) was recorded among women in the 15 to 19 age range. Of 7,082 recorded live births in 2001, 58% were to unmarried women, and 18.3% were to women 19 years or younger.²
6. Twenty-four percent (24%) of households in the country are headed by females. In the Belize District, where the majority of the population is Creole, 36% of households are female-headed, whereas in Orange Walk this number drops to 14%.
7. Generally, among the ethnic groups in Belize, Maya women have the most children and Creole women the least. As the level of education increases the average number of children 'ever-born' per woman decreases. Women with no education have an average of 4 children, while women who have completed high school have an average of 1.2 children.³
8. Belizeans continue to emigrate in search of social and economic opportunities. The young and educated account for the largest number of emigrants. According to the 2000 National Population Census, of 2,181 emigrants, 51% were in the 15-24 age group and 20% in the 25-34 years category. The majority (55%) were females. This proportion increased by 3% in urban areas, to 58%. Proportionally, the Stann Creek District had the largest number of women emigrating, with 62%. The USA continues to be the number one receiving country for emigrants, with a reported 84%

¹ Government of Belize, Central Statistics Office, Belize Family Health Survey – Female. 2001

² Government of Belize, Central Statistic Office, *Abstract of Statistics 2002*

³ CSO. Census 2000

emigrating there. Data on the educational level of emigrants at the time of departure showed that most (47%) had a secondary education or higher, with little difference between men and women.⁴

9. Between 1991 and 1997, women made up half of the immigrating population. This number decreased to 46% in 1998 and 39% in 2000.⁵ Central American immigrants represent 76% of the foreign-born population while Mexico and the US, together, account for 12%.⁶
10. There are indications that only 20% of immigrants between the ages of 15-35 have acquired a secondary or higher education. Productivity is thought to be affected by the reduced level of academic and technical capacity of the immigrant population.⁷

Socio-Political and Economic Framework

11. Agriculture, for the most part, has been the mainstay of the Belizean economy. However, the services sector, especially in the areas of tourism and financial services, has rapidly gained prominence, a reflection of the diversification efforts of the public and private sectors. In 2001, the services sector contributed 59.5% to the GDP. The primary sector contributed 16.8%, 11.3% of which was from agriculture. Notwithstanding these developments, agriculture continues to be the primary earner of foreign exchange, accounting for 88.9% of total export earnings. In 2001, citrus exports superseded sugar as the largest contributor to foreign exchange earnings. Sugar and banana were the next two largest contributors.
12. Real GDP grew by approximately 8.3% in 1999, 11.8% in 2000, 5.4 % in 2001 and 3.7% in 2002. The slowdown in 2001 and 2002 were attributed to damages suffered from natural disasters and the general slow down in the global economy. Over that same period the disbursed outstanding external debt doubled from \$505 million in 1999 to \$1,137.2 million in 2002. The external debt service ration similarly increased from 8.1% in 1999 to 14.8% in 2002 and the ratio of outstanding debt to GDP at market prices rose from 34.7% in 1999 to 63.8% in 2002. The disbursed outstanding domestic debt increased from \$171.5 million in 1999 to \$174.2 million in 2002.⁸
13. The unemployment rate for 2002 was 10% which represents an overall decrease of 2.8% since 1999. However, the unemployment rates for women at 15.3% continue to double that of men at 7.5%. In 2002, the labor force participation rate overall was 57.3% but for women was 36.8%, less than half the rate for men (78.6%). This indicates a continued pattern of inequality in women's access to employment.⁹
14. The claim of Guatemala to nearly 50% of the country of Belize continues. Between 1999 and 2000 a series of border incidents, and a formal reassertion of the claim by Guatemala, aggravated the dispute. This resulted in the establishment of a formal facilitation process under the auspices of the Organization of American States (OAS). In September 2002, the facilitators of the process (one representing each country) presented a set of proposals to end the territorial differendum. Seventy-five days after their presentation and acceptance, the proposals were to be put to referenda simultaneously in both countries. The proposals were rejected by the Guatemalan government, stalling the referenda process. The two countries are currently engaged in finding a way to move forward.

⁴ CSO. Census 2000

⁵ CSO. Census 2000

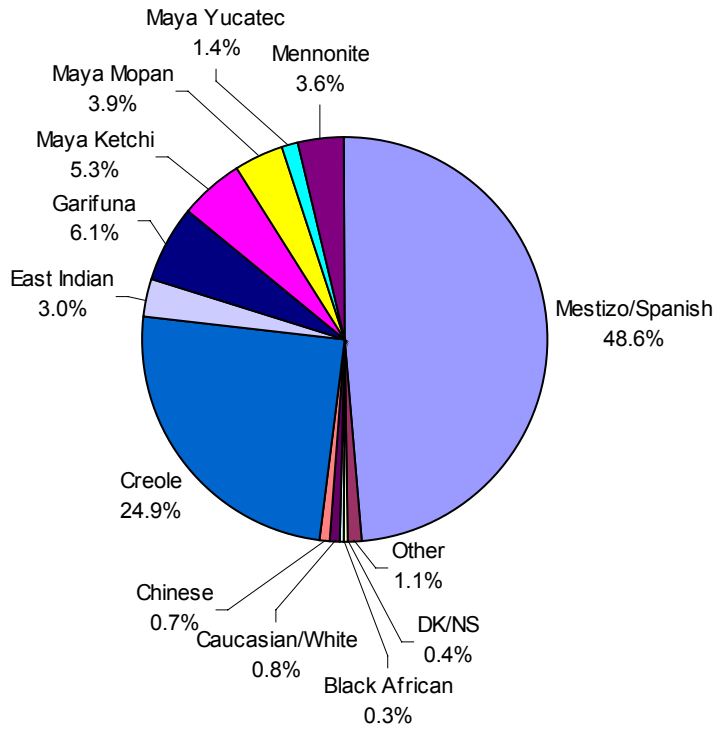
⁶ CSO. Census 2000

⁷ Salazar, Ana. *Integration of Central American Immigrants in Belize*. 2000

⁸ Financial figures from the Ministry of Finance, the Central Statistics Office and Central Bank of Belize cited in the Belize Trade and Investment Development Service (BELTRAIDE) website www.belizeinvest.org.bz.

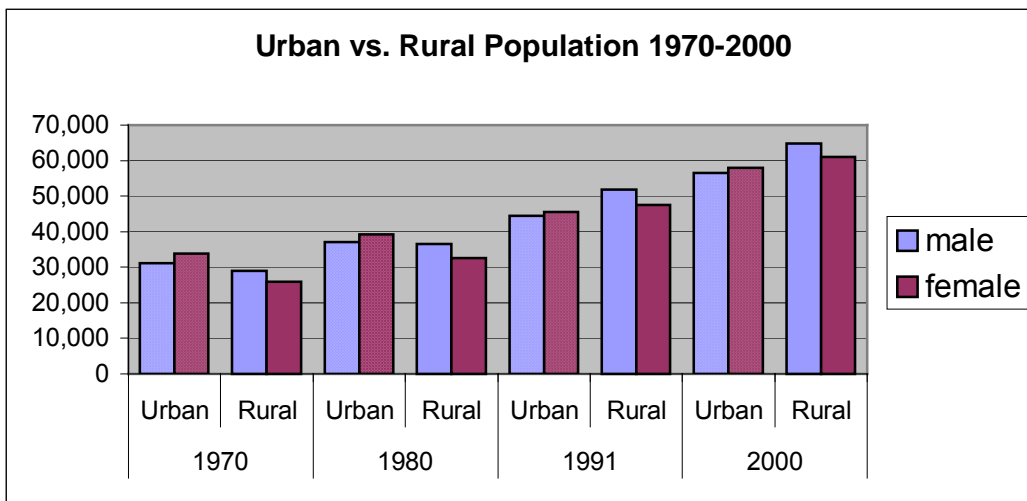
⁹ Figures from the Central Statistic Office, Government of Belize.

Table 0.0 Ethnicity of the Population



Source: Census 2000

Table 0.1 Urban vs. Rural Population 1970 - 2000



PART II

ARTICLE 1

DEFINITION OF DISCRIMINATION AGAINST WOMEN

For the purposes of the Convention, the term “discrimination against women” means any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.

15. The Constitution of Belize defines “discrimination” as:

“according different treatment to different persons attributable wholly or mainly to their respective descriptions by sex, race, place of origin, political opinions, colour or creed whereby persons of one such description are subjected to disabilities or restrictions to which persons of another such description are not made subject or are accorded privileges or advantages which are not accorded of another such description” (16,3)

16. The Constitution of Belize continues to provide protection from discrimination on the grounds of race, place of origin, political opinions, colour, creed or sex. (Chapter II, 3, 16).

17. Further to this provision, Belize has amended the preamble to the Constitution to read “to guarantee gender equality”. This amendment provides women with stronger language to be used in lobbying for de facto equality on an equal basis with men. (2e). This specific amendment was recommended by a Political Reform Commission established in 1999.

18. Additionally, the National Women’s Commission has developed a National Gender Policy which aims to achieve gender equity and equality by eliminating discrimination against women in five priority policy areas: Health, Wealth and Employment Generation, Violence-Producing Conditions, Education and Skills Training, and Power and Decision-Making.

ARTICLE 2

LEGAL PROVISIONS

States Parties condemn discrimination against women in all its forms, agree to pursue, by all appropriate means and without delay, a policy of eliminating discrimination against women and, to this end, undertake:

- a) To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means the practical realization of this principle;*
- b) To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women;*
- c) To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination;*
- d) To refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation;*
- e) To take all appropriate measure to eliminate discrimination against women by any person, organization or enterprise;*
- f) To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women;*
- g) To repeal all national penal provisions which constitute discrimination against women;*

Legal Reform

19. The Evidence Act, Chapter 95, was amended to protect the rights of rape victims during testimony at trial:

74 - (1) Where a man is prosecuted for rape or for an attempt to commit rape then, except with the leave of the judge, no evidence and no question in cross-examination shall be adduced or asked at the trial, by or on behalf of any defendant at the trial, about any sexual experience of a complainant with a person other than the defendant.

20. Requirements for corroborating evidence for the crime of rape were withdrawn:

92 - (3) Where at trial on indictment –

a) a person is prosecuted for rape, attempted rape, carnal knowledge or any other sexual offence, and the only evidence for the prosecution is that of the person upon whom the offence is alleged to have been committed or attempted; or

b) an alleged accomplice of the accused gives evidence for the prosecution,

the Judge shall, where he considers it appropriate to do so, warn the jury of the special need for caution before acting on the evidence of such person and he shall also explain the reasons for the need for such caution.

21. Although trials dealing with Carnal Knowledge are by law conducted *in Camera*, such is not the case with trials dealing with the crime of rape. Whether or not a trial for the crime of rape will be conducted *in Camera* remains up to the Judge's discretion.
22. In 1999, the Criminal Code was amended to increase the penalties for the crime of Carnal Knowledge:
- 6 (1) Every person who carnally knows a female child under the age of fourteen years, with or without her consent, shall on conviction on indictment be imprisoned for a term which shall not be less than twelve years but which may extend to imprisonment for life.*
- (2) *Every person who –*
- a) Unlawfully and carnally knows any girl who is of or above the age of fourteen years but under the age of 16 years “Shall be guilty of an offence and on conviction thereof be imprisoned for a term which shall not be less than five years nor more than ten years”.*
23. Yet, contradictions in legislation allow for the sexual exploitation of minors. The legal age of marriage by parental consent is 14. Under this provision, an older man who has had sexual relations with a child under 16 can avoid legal prosecution for carnal knowledge if he obtains parental consent to marry the young girl.
24. Through the Sexual and Reproductive Policy passed in 2002, the Government of Belize committed itself to:
- “Amend, enact and strictly enforce legislation to take preventive measure to protect children, women, youth and elderly from all forms of violence and abuse”.*
25. Although legislation protects women from sexual harassment, women do not currently utilize the law to officially report incidents of sexual harassment in the workplace. Instead, women tend to share experiences of being sexually harassed with women's organizations but are reluctant to press charges against their employers for fear of drawing attention to themselves and having difficulty in finding another job. There is urgent need to make the public aware of what is sexual harassment and that there is a law which they can utilize when they consider themselves to be sexually harassed on the job. To this end, the Gender Policy states that:
- *“The adequacy, operation and public awareness of the Protection Against Sexual Harassment Act will be reviewed, with a view to developing appropriate measures, in either amending the legislation, professional development to ensure enforcement, or strengthening public awareness of its provisions.*
 - *The Ministries of Labour, Education and Housing – in collaboration with the Women's Department – will develop and promote awareness of sexual harassment provisions and of complaints mechanisms, which shall be assured of being free of any adverse consequences.*
 - *The Ministries of Labour and Education – in collaboration with the Women's Development – will prepare model workplace sexual harassment policy and internal complaints-handling procedures, and actively promote them within local worksites, including the private sector and denominational school management authorities.*
 - *GOB will examine the merit of introducing regulations to provide for the mandatory reporting of sexual harassment.”*
26. The Wages Councils Act was amended, through a statutory instrument, to eliminate the differential minimum wages established for male and female dominated jobs.
27. Belize repealed the discriminatory provision contained in the Married Persons Protection Act so that the granting of orders by court relating to the custody and maintenance of children no longer depends on the mother's private life.

28. Belize made amendments to Supreme Court of Judicature Act to ensure that an economic/monetary value is placed on the care of home and domestic duties during the division of matrimonial property.
29. The Administration of Estates Act was amended to provide for the succession rights of parties to a common law union.
30. Belize also passed the Trafficking in Persons (Prohibition) Act to address growing concerns regarding the coerced labor or service imposed on persons as a result of their migration status or being pregnant, disabled, addicted to alcohol or drugs, or being a child. The Act gave effect to, and implemented, the protocol to prevent, suppress, and punish trafficking in persons especially women and children.
31. There is recognition of the need for continuous revision of the laws to ensure the elimination of all forms of gender discrimination and unequal treatment of women. As stated in the National Gender Policy, there is recognition that “policy and legislation reforms to achieve gender equality frequently fail to produce the intended outcomes. That is, they remain inequitable in their effects”. Enforcement is therefore key to making meaningful advances in this regard.
32. Although the Domestic Violence Act has been passed, prevailing attitudes limit the successful application and enforcement of the provisions of the Act. As an actual domestic violence case suggests, the presiding Magistrate Court Judge refused to provide a protection order to the battered woman, and instead ruled that she “give her husband another chance”. Without programs to change discriminatory attitudes and practices in the social protection and judicial systems, legal reform will continue to have negligible effects in eliminating all forms of discrimination against women.
33. The need for this sensitization has been accentuated by a recent case in which a female lawyer was banned from a judge’s courtroom because she wore slacks. This action was challenged legally, prompting rapid intervention from the Attorney General to protect women’s right to choose to wear slacks when appearing in court. This prompted the Bar Association to endorse and approve a “practice direction” for a new dress code. This “practice direction” awaits the signature of the Chief Justice in order for the new dress code to become official.
34. The Government of Belize has amended the Constitution to include the statement “to ensure gender equality”. It has not yet made a decision on other accompanying recommendations, which would give effect to the amendment by addressing some of the cultural, social and structural barriers to achieving gender equity and equality.
35. These recommendations, made by the Political Reform Commission, include: a.) writing all new amendments to the Constitution and all new legislation in gender neutral language, b.) providing support for child care to ensure that women are able to enjoy their fundamental rights and freedoms on an equal basis with men, c.) the provision of gender awareness education throughout the school system and d.) protection from gender discrimination by publicly funded institutions.

Mechanisms to ensure the Legal Protection of Women

36. It is evident that although mechanisms are in place to formulate policy, lobby for change, and implement national strategies of action, measures to evaluate the impact of policies and legislation on the status of women have been insufficient. Monitoring of implementation of the Convention is also lacking. Studies have been conducted on the status of women in various sectors, but wide distribution of reports on women in Belize and information exchange between the different agencies working for the advancement of women is inadequate.
37. The Women’s Department has the responsibility, through its Policy Unit, for mainstreaming gender into all levels of government. However performing this role continues to be compromised by a lack of financial and human resources. Even with these major constraints, key individuals within the Department have acted as the catalyst for prompting other government bodies to take on a more policy-oriented agenda. For example, the Ministry of Health coordinated the development of a Sexual and Reproductive Health Policy.

38. The National Women's Commission (NWC) is a Cabinet-appointed body mandated to advise Government on issues related to promoting gender equity and equality. Over the last five years, the NWC has assumed the role of monitoring the CEDAW and ensuring that local policies and laws are developed to effect the provisions in the articles. One of the major accomplishments of the NWC was the development of a Gender Policy which was subsequently approved by Cabinet in 2002.
39. The National Gender Policy makes 215 commitments in the areas of: Health, Wealth and Employment Generation, Violence-Producing Conditions, Education and Skills Training, Power and Decision-Making, and Coordination and Implementation. It is to be noted that while there is a commitment by the Ministry of Finance to make budgetary allocations for the implementation of the Sexual and Reproductive Health Policy, there is no equivalent financial commitment for the implementation of the National Gender Policy.
40. While some members of the NWC are highly skilled at policy development and monitoring, the Commission as a body has historically suffered from lack of political consciousness about women's rights. This weakness has been attributed to the process of appointing commissioners, which is informed more by party political affiliations than by gender specific expertise. The sustainability of current policy level initiatives is therefore dependent on making the NWC a more independent body.
41. In 1999, the Government of Belize established the Office of Ombudsman. The effectiveness of this Office has been limited by institutional capacity issues as well as lack of a clear strategy for protecting citizens, in particular women and girls, from human rights abuses and gender-based violence.
42. Women's organizations in Belize have played a strategic role in advocating for policy changes to advance the status of women. For example, it was women's organizations that were responsible for: a.) the passing of the Domestic Violence Act and b.) keeping alive the campaign to amend the minimum wages act to ensure gender equality. However, unlike the momentum of the 1980's and the mid-1990's, the past five years have seen the weakening of the women's movement. Several key women's organizations such as the Belize Organization for Women and Development, Belize Rural Women's Association and Women Against Violence Movement are either defunct or marginally operational due to a lack of resources to maintain permanent offices and personnel to carryout the work.
43. While the focus in Belize has been on developing mechanisms for formulating policy, and advocating for changes in legislation, the general capacity issues of both government bodies and women's organizations has resulted in the absence of mechanisms and processes for measuring and evaluating the impact of policies and legislation on the status of women.

ARTICLE 3

DEVELOPMENT AND ADVANCEMENT OF WOMEN

States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.

44. In 2000 Belize became a signatory to the following ILO Conventions:

- ILO Convention No. 100 Concerning Equal Remuneration for Men and Women Workers for Work of Equal Value
- ILO Convention No. 103 Concerning Maternity Protection
- ILO Convention No. 111 Concerning Discrimination with Respect to Employment and Occupation
- ILO Convention No. 156 Concerning Equal Treatment for Men and Women Workers, Workers with Family Responsibilities

45. In August 2003, Belize passed an Equal Pay Act to give effect to ILO Convention No. 100.

46. The government, through the Sexual and Reproductive Health policy commits to:

- *Ensure that the human rights of women, including their sexual and reproductive rights, are fully respected and protected, and enable women to realize these rights.*

47. The Optional Protocol to CEDAW was approved by Cabinet in 2002 and has since been ratified.

48. In 2001 Legislation was passed to criminalize the willful transmission of HIV, although currently this law is being reviewed in the context of a National HIV/AIDS Policy and Legislation Project.

ARTICLE 4ACCELERATION OF EQUALITY BETWEEN MEN AND WOMEN

Adoption by state parties of temporary measures aimed at accelerating de facto equality between men and women shall not be considered discrimination as defined in the present Convention, but shall in no way entail, as a consequence, the maintenance of unequal or separate standards; and these measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved.

Adoption by state parties of special measures, including those measures contained in the present Convention, aimed at protecting maternity, shall not be considered discriminatory.

49. There are no official policies aimed at accelerating the de facto equality of women, although this issue has been discussed at the level of a Political Reform Commission and in a Study on Women in Politics: Seeking Opportunities for Leadership.
50. The study on Women's Political Leadership recommended that Women's Organizations and Political Parties promote debate among women regarding the setting of quotas for female representation on slates. No advancement has been made to enact this recommendation.
51. In fact, the Political Reform Commission Report, 2000 recommended against the enactment of a quota system for the appointment of women to public bodies. This recommendation was based on the following objections of members of the Commission:

“The legalization of a quota system for only one sector in the society and the potential for other groups to demand quotas, the constitutionality of such a measure, the use of criteria of physical traits as opposed to only capacity and experience to appoint members”.

In addition, some Commission members felt that:

“women were making significant gains on their own and therefore required no special privileges. Still others felt that the lack of women's leadership was to be found in the political parties and can be best addressed at that level.”

ARTICLE 5

SEX ROLES AND STEREOTYPING

States Parties shall take all appropriate measures:

- (a) To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women;*
- (b) To ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children, it being understood that the interest of the children is the primordial consideration in all cases.*

52. Although social change is increasingly allowing women the opportunity to break the traditional mold that has defined women's role in society, gender stereotypes continue to dictate the economic, social, political and cultural lives of a majority of men and women in Belize. A Guide for the Definition of Gender in the Belizean Context written for member organizations of the Women's Issues Network of Belize found that society:

"has traditionally assigned women to work in the home while men work in the paid labour force to support the family financially. Furthermore, social structures perpetuate male domination over women, whether these are based on biblical precepts or cultural paradigms. In political life, society has traditionally supported men's participation in governance and politics and has maintained their status as decision makers. Culturally, society has determined that men are the stronger more dominant and resilient sex and women are delicate, submissive and weaker".¹⁰

53. The same document found that recent changes in society found it more acceptable for women to challenge gender stereotypes than it was for men.

"While society has approved of the woman working outside the home to assist the male with his 'responsibility', it has not accepted a complete reversal of the roles where men can work in the home and care for children. Such a man would be treated with a lot of suspicion, and will definitely be ridiculed by friends and family."¹¹ Gender stereotypes also vary according to the different cultures found in Belize: "A man staying at home and caring for the children might be viewed with less denigration in the Creole community than it might be among the Mestizo."¹²

54. The Women's Department recognizes that one of the main obstacles to the advancement of women in society has been the manner in which young girls are socialized. Many women in Belize continue to suffer from a lack of self-esteem, making them unwilling and unable to challenge traditional gender stereotypes or to take on leadership roles. For this reason, as part of its effort to implement the Beijing Platform for Action, the Women's Department has, as one of its major objectives, the mainstreaming of gender into all government policies and programs. To facilitate this process, the Women's Department established a Gender Integration Committee (GIC) which has representation from the government and non-government sector. Each Ministry was invited to identify a gender focal to participate in the mainstreaming process.

¹⁰ WIN Belize. *Guide for the Definition of Gender in the Belizean Context*. 2002

¹¹ Ibid

¹² Ibid

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55. Through the GIC, a major communication strategy was developed and implemented to stimulate public awareness on gender mainstreaming. One of the activities in this communications strategy focused on showing how traditional sex roles and stereotyping perpetuate gender inequalities.
56. In addition to this communications strategy, the GIC developed a Gender Training Manual to be used to build public officers' capacity for integrating a gender perspective into their work, regardless of their sector of employment.
57. Furthermore, the Women's Department has prepared a guidebook for Primary School Teachers¹³. The objectives of this guidebook are to provide teachers with:
- Awareness of their role as contributors to the social, emotional and cognitive development of their students;
 - Awareness of the need to create in the classroom an environment which promotes gender equality and high self-esteem;
 - Knowledge and skills needed to adopt and promote a gender-sensitive approach to teaching and all school-related activities;
 - Knowledge and skills required to recognize signs of low self-esteem and to promote and build self-esteem within their students;
 - Basic tools required to enable them to identify and eliminate gender stereotyping and discrimination;
 - Activities which can be used in the classroom to stimulate discussion on issues relating to gender and self-esteem.
58. The Community and Parent Empowerment Program (COMPAR), recognizes that one of the primary strategies for enabling parent empowerment and community development is the elimination of traditional sex roles and stereotyping. A gender and development module has therefore been integrated into this program which is being implemented nationwide.
59. Similarly, the National Committee for Families and Children (NCFC) has ensured that sex roles and stereotyping issues are addressed in its draft Integrated Early Childhood Development Policy and its National Plan of Action for Children and Adolescent. This Policy and Plan are expected to be approved in 2004.
60. Belize also participated in a Regional Project to address sex role stereotyping in the media. This Project, conducted in 2001, included the completion of a Gender and Media Training Needs Assessment exercise as well as a Gender Training Program for media personnel.
61. Even with all of these initiatives onboard, inadequate resourcing of programs and their high dependency on donor funding, threatens their effectiveness and sustainability. In some cases, programs survived solely on the financial commitment of external sources, the end of which resulted in programs being either terminated or downsized.

¹³ Women's Department: *Gender & Self-Esteem: Key Issues in Belizean Education. A Guide Book for Primary School Teachers*; 2002

ARTICLE 6

EXPLOITATION OF WOMEN

States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women.

Commercial Sex Workers

62. The Laws of Belize do not criminalize prostitution per se but prohibits procurement and loitering for prostitution on the street and public places. The crime of loitering in this context, is treated as a petty offence and carries either a fine of BZ\$200.00 or imprisonment for up to two months. However, there are laws for the suppression of brothels. Persons found guilty of owning, or causing, property to be used as a brothel, are fined \$500.00BZ or imprisoned for a period not exceeding six months, in the case of a first conviction. In second or subsequent convictions, the person is either fined \$1,000.00BZ or imprisoned for a term not exceeding 12 months.
63. The sex trade in Belize continues to be highly organized and operated from established hotels and bars. Although there are periodic raids of these establishments, the laws are generally not enforced. Commercial sex workers arrested during these raids, continue to be charged with the crime of illegal residency and employment in the country, rather than for the nature of their employment.
64. Only 2 incidents of Procuring defilement of a female were reported in 2001, of which 1 conviction was obtained. Four incidents of procurement were reported, with 0 convictions.¹⁴
65. Due to the controversial nature of commercial sex work, few studies have been done to assess the situation of prostitutes in Belize. There is also a lack of information on recent trends in the commercial sex industry.
66. A study conducted in 1998 described different practices which were sexually exploitative of women, and which varied according to district and ethnicity. Sex work in Belize was mostly concentrated among the Latino/Mestizo immigrant population, whereas Creoles, Asians, East Indians and Maya were not seen participating at the same level as Hispanics.¹⁵
67. Many Belizean women participate in “sweet hearting”, where the woman becomes sexually involved with a (usually married) man and in exchange for her loyalty and monogamy, the man supports her children. In this way a man will have several “sweethearts” who are economically dependent on him and with whom he has a socio-sexual relationship.¹⁶
68. In Belize City, commercial sex work was considerably more subtle and less visible than other regions where research was done.
69. Commercial sex workers in Belize are usually employed as waitresses in bars. Most are undocumented economic immigrants from neighboring Central American countries. These illegal immigrants work to support families and children in their home countries. Due to the clandestine nature of the work, sex workers are vulnerable to, and do experience, exploitation from bar owners, immigration and police officers, and health care providers. Bar owners, in particular, retain the women’s travel documents, as a way of exerting power and control over them.¹⁷

¹⁴ NCFC/UNICEF. *Study on the Sexual Exploitation of Women and Children Sex Providers*. 2001(draft)

¹⁵ Kempadoo. *The Muchachas of Orange Walk and Sex work in Belize*. 1998

¹⁶ Ibid

¹⁷ DePaul University College of Law, *In Modern Bondage: Sex Trafficking in the Americas*. 2002

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70. Overall, Belizeans represent the largest percentage of clients seeking commercial sex, as reported by bar owners. However, in some locations geared toward the tourism industry, a majority of clients were nationals of the United States or the United Kingdom. In other locations with high concentrations of migrant workers, more than half of the clients were Guatemalans and Hondurans.¹⁸
71. Given this information, there is recognition that a more targeted study on the impact of tourism on commercial sex work is urgently needed.
72. With the National Gender Policy, the Criminal Code Act is to be *reviewed alongside other legislation to formulate amendments to treat male and female commercial sex workers and clients equally.*

Trafficking in Persons

73. Belize is a destination country for trafficking networks out of Nicaragua, Honduras, El Salvador and Guatemala. Forms of trafficking in which Belize is implicated include abduction by criminals, peer-influenced pressure and deception/false promise of employment by recruiters, intermediaries or Bar/Brothel owners.¹⁹
74. In 2003, Belize passed the Trafficking in Persons (Prohibition) Act.²⁰ This Act is perceived by social service providers as being comprehensive in the benefits and services offered to survivors.
75. The Government has established a Trafficking in Persons Task Force responsible for ensuring that relevant public awareness and training programs are developed, and that a multi-agency approach is used to manage trafficking cases.
76. Preparations are underway, for the implementation of a Trafficking in Persons Study to be conducted in 2004.

¹⁸ Ibid

¹⁹ Ibid

²⁰ This Act was developed in response to being listed as a Tier 3 Nation in complying with the United States Trafficking in Victims Protection Act, 2000, which could have resulted in non-humanitarian, non-trade related sanctions by the United States.

ARTICLE 7

POLITICAL AND PUBLIC LIFE

States Parties shall take all appropriate measure to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right:

- a) To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;***
- b) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;***
- c) To participate in non-governmental organizations and associations concerned with the public and political life of the country.***

77. In 1998, the Government made a commitment to appoint women to at least 30% of leadership positions in the public service and other statutory bodies. This policy has resulted in women now holding a majority of decision-making positions in statutory bodies and 30% of positions as Heads of Departments. It has also led to more women being appointed as Chief Executive Officers in the Public Service, although overall, only 5 of 15 such positions are currently held by women. The last two Speakers of the House of Representative were women.
78. Women account for 49.32% of all Registered Electors in Belize.²¹ However, they continue to be severely underrepresented at the highest levels of political decision-making. Out of 29 members of the House of Representatives only 1 is a woman (At the time of the last report there were 2 women). Out of 13 Cabinet Ministers, only 1 is a woman. Out of 13 Senators, only 3 are women.
79. The one woman, who is a Minister of Cabinet, was originally assigned the portfolio of Defense and National Emergency. She has since been re-assigned to the Ministry of Human Development. Previous women Ministers have traditionally been assigned this portfolio.
80. The Opposition Party has appointed one woman to its Shadow Cabinet of Ministers. She has been assigned the Ministry of National Security.
81. Although more women are offering themselves as candidates for Municipal Elections, local government bodies continue to be dominated by men. Of 142 candidates who ran in the 2003 Municipal Elections, approximately 25% (36) were women. Of these 36 women, 22 (61%) were elected. Of those elected, 1 of 9 mayors (11%) is a woman.²²
82. In village councils nationwide, out of 190 village chairpersons, only 11 are women. Also, for every one woman elected to the village councils, there are 3 or more men.²³
83. Within the Judicial System, of 16 magistrates, 7 are women.²⁴ At the level of the Supreme and Appeals Courts, no women have ever been appointed. In the Alcalde System²⁵ which has judicial and leadership functions in indigenous Mayan communities in southern Belize, no woman has ever been elected.

²¹ Government of Belize, Elections and Boundaries Commission, Electors By Division and Sex as at December 2003

²² Government of Belize, Elections and Boundaries Commission – 2003 Municipal Election Results.

²³ Masinghe. *Consultancy Report On Integrating Gender into the Budgetary Process*. 2002

²⁴ Data from the Magistrates Court, Office of the Attorney General, Government of Belize

²⁵ The Alcalde System is primarily found in Maya Villages in the southern most district of Belize. Each village has its own Alcalde. The Alcalde is primarily responsible for ensuring law and order in the community, but has historically also played a village elder role in overseeing the well-being of the people in other aspects of community life.

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84. In 1999 a study on Women and Politics²⁶ was conducted by the National Women's Commission. This study revealed that women are generally very interested in becoming leaders and are highly represented in decision-making positions within community based groups, civil society and faith-based organizations. Nevertheless, the study pointed out that women are hesitant to offer themselves as candidates for political office. This hesitancy, according to women interviewed nationwide, is influenced more by structural and cultural barriers than by lack of interest. The barriers of most concern to women are: a.) lack of financial support for campaigning, b.) lack of family support systems to allow time for political participation, c.) the pervasive culture of clientelism which drives the political system in Belize and d.) the widespread defamation of character which typifies the campaign process.
85. The results of this study were validated by the experience of political parties when they actively sought women candidates to run for political office in the 2003 National General Elections. Despite effort by the political parties to recruit women as political candidates, there was not a corresponding increase in women accepting this offer. This points to the need for developing a clear strategy to address the barriers that limit women's political participation. In particular, recommendations relating to financial assistance, civic awareness education and campaign training, creating more support systems for women and instituting a quota for women's political participation, have yet to be prioritized.
86. Generally, the government has invited civil society organizations, including women's organizations, to participate on public sector boards, committees and commissions. But the current institutional weaknesses of women's organizations militate against their effective participation in promoting a clear agenda of achieving gender equity and equality.

²⁶ Rosberg, Michael and Catzim, Adele. "Women in Politics: Seeking Opportunities for Leadership in Belize", National Women's Commission, 2001.

ARTICLE 8

INTERNATIONAL REPRESENTATION AND PARTICIPATION

States Parties shall take all appropriate measure to ensure to women, on equal terms with men and, without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organizations.

87. Belize continues to be engaged in a process to find a peaceful resolution to the Belize-Guatemala Differendum. Among the nine high-level representatives appointed to the Negotiating Team, two are women. One of the two women is the opposition party's representative to the Team. The other woman is the government's Ambassador to the United States and representative to the Organization of American States.

88. Of Belize's nine Ambassadors, three are women. However, of those employed in Foreign Service, women made up a majority of the staff at the technical levels.

89. The political party that won the 1998 and 2003 General Elections in Belize developed a "Women's Agenda" which spoke to matters they would address while in office. The latest Women's Agenda for the period 2003-2008 commits the Government of Belize to:

- *"Continue to implement the recommendations of the National Gender Policy*
- *Provide for gender sensitivity in development planning*
- *Continue to raise gender awareness through education on the need for equity and respect among men and women in every facet of their life*
- *Ensure budgetary allocations for programmes geared to end gender-based violence"*

It also makes specific commitments in the areas of Health and Social Services, Economic Development, Legal Protection, Education, Housing, and Political Participation of Women.

ARTICLE 9

NATIONALITY

States Parties shall grant women equal rights with men to acquire, change or retain their nationality. They shall ensure in particular that neither marriage to an alien nor change of nationality by the husband during marriage shall automatically change the nationality of the wife, render her stateless or force upon her the nationality of the husband.

States Parties shall grant women equal rights with men with respect to the nationality of their children.

90. The Constitution of Belize continues to provide equal rights to women in the acquisition and retention of a Belizean nationality.

91. The Constitution of Belize continues to provide equal rights to women with respect to the nationality of their children.

ARTICLE 10

EDUCATION

States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women:

- a. the same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as urban areas; this equality shall be ensured in pre-school, general, technical, professional and higher technical education, as well as in all types of vocational training;*
 - b. access to the same curricula, the same examinations, teaching staff with qualifications of the same standard and school premises and equipment of the same quality;*
 - c. the elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging co-education and other types of education which will help achieve this aim and, in particular, by the revision of textbooks and school programmes and the adaptation of teaching methods;*
 - d. the same opportunities to benefit from scholarships and other study grants;*
 - e. the same opportunities for access to programmes of continuing education, including adult and functional literacy programmes, particularly those aimed at reducing, at the earliest possible time, any gap in education existing between men and women;*
 - f. the reduction of female student drop-out rates and the organization of programmes for girls and women who have left school prematurely*
 - g. the same opportunities to participate actively in sports and physical education;*
 - h. access to specific educational information to help ensure the health and well-being of families, including information and advice on family planning*
92. Belize continues to operate a Church State Education System in which the churches take responsibility for managing some schools and the Government pays 100% and 70% of teacher's salaries at the primary and secondary education levels. No similar arrangement is being made to finance teacher's salaries at the pre-school level.
93. Pre-school enrollments rates overall are low at approximately 25% annually, with equal rates of enrollment for boys and girls. Issues of affordability and accessibility, particularly in rural areas, limit participation at this level of the education system. This issue is being addressed in the Integrated Early Childhood Development Policy (IECD) and a National Plan of Action for Children and Adolescents (NPA) expected to be completed in 2004.
94. Children are legally required to attend school until the age of 14. However, the Education Statistical Digest indicates that in 2002 approximately 25% of 14 year olds were not enrolled in school. A slight majority (by 2%) of those not enrolled were females. (See Table 10.0)

Table 10.0 Percent of Children by Age Enrolled in the Education System (2001-02)

Gender	12 years old	14 years old
Male	97.2%	75.2%
Female	94.6%	73.3%
Total	95.9%	74.2%

95. More girls than boys were enrolled in secondary school although enrollment rates were less than 50% for both sexes. (See Table 10.1). A factor contributing to different secondary school enrollment rates between girls and boys was that dropout rates for boys was high, especially in the first and second years of high school. In the past, the major cause of the low level of participation in secondary school for both sexes was cited as being a lack of available spaces in secondary school, however recent studies point to the high private cost of secondary education as another major contributing factor.²⁷

Table 10.1 Secondary School Net Enrollment Rates (2001-2002)

Gender	% Enrolled
Males	42.5%
Females	47.6%
Total	45%

96. In the past, Mayan girls were withdrawn from school at the age of puberty. However, this practice is gradually changing and an increasing number of Mayan girls are now attending secondary school.
97. While women and men are found in equal numbers at the Junior College level, women still tend to concentrate in traditional careers. For example, males continue to far outnumber females at the vocational, technical and agricultural schools while females dominate in the nursing and teacher education programs.
98. Furthermore, a study reported that:

“It appears that although men and women were attending [the University of Belize] in roughly the same numbers, the men tend to be younger than the females. This means that older women who have very likely been in the labor force for a number of years are now returning to school. These women would have completed high school some time back, received work experience and in the process become more assertive and developed clearer career objectives. It also implied that men have the opportunity to complete a higher level of education at a younger age and to continue to rise to the coveted decision-making positions more quickly than women.”²⁸

99. Of all the scholarships granted by the Ministry of Education, 59% are to women.

100. The figures for 1998, based on a 1996 Study²⁹, indicated that literacy rates remained relatively unchanged at 75.5%³⁰ for the whole country but were below 50% for the Maya population. (See Tables 10.2 and 10.3)

²⁷ Ministry of Education: *Education statistical digest; 2000-2002*

²⁸ Parades, Sandra, “Situation Analysis of Gender and Development: Belize, March, 2002

²⁹ In 1996, the Literacy Council of Belize conducted a nationwide literacy survey in collaboration with the Central Statistics Office of Belize.

³⁰ Government of Belize – National Human Development Committee & UNDP, *Human Development Report*. 1999

Table 10.2 Literacy Rates 1996

Sex	Absolute Illiterate	Semi-literate	Literate
Total	7.6%	17.3%	75.1%
Male	7.4%	17.6%	74.9%
Female	7.8%	16.9%	75.3%

Table 10.3 Literacy Rates by Ethnicity 1996

Ethnicity	Total	Male	Female
Creole	91.3%	90.6%	92%
Garifuna	89.6%	89.5%	89.8%
Maya	47.7%	52.1%	63.7%
Mestizo	64%	64.4%	63.7%

Discrimination against Girls and Women

101. Belize has responded to the CEDAW Committee's comments in respect of discriminatory practices against girls and women in the Education System by doing the following: The Ministry of Education included in its Education Rules, provisions to deal with gender biases. The Women's Department conducted a study on discriminatory practices in the education system regarding the firing on unwed pregnant teachers and the expulsion of pregnant students. Also, the National Women's Commission addressed these issues in their National Gender Policy which was approved by Cabinet in 2003. The provisions of the Education Rules and the National Gender Policy will be tested in a legal case of discrimination against an unwed pregnant teacher. This case is expected to be heard in court early in 2004.³¹

102. Section 112 of the Education Rules is entitled, "Gender and special needs sensitivity". This section states that the "the education system shall ensure equitable access to education at all levels for both genders".

103. Section 114 entitled, "Gender and other biases" states that:

- 1.) *Co educational schools shall be free of gender and other biases which contravene the Act or these Rules and are contradictory to the goals of education and they are prohibited from engaging in activities and adopting structures which reflect such biases.*
- 2.) *Teachers are prohibited from the conscious display of such biases and shall seek to avoid implied biases in what and how they teach and in textbooks and other resource materials.*

104. Section 115 entitled, "Protection from Harassment, Abuse and Harmful Influences" states that:

- 1.) *Schools shall maintain a culture free of intimidation in which students are free to participate in school activities, pursue individual interests, express opinions and are encouraged to be truthful.*
- 2.) *The Ministry of Education shall develop and Managing Authorities, and Principals and Vice Principals shall enforce regulations to prevent sexual harassment and physical or psychological abuse of students.*

³¹ Although not included in the time period under review, it is noteworthy to mention that the case was heard in court in 2004. The court ruled in favor of the teacher who was dismissed. This ruling was based on the provisions of the Education Rules, the National Gender Policy as well as CEDAW. A formal appeal was made by the Catholic Management but the Court of Appeal upheld the ruling of the lower court. This case has set precedent for future similar cases in Belize.

105. Section 92 entitled, “Code of Conduct and Work Rules” states:

- 1.) *Managing Authorities shall have the authority to prescribe and to enforce regulations and standards governing the dress and conduct of staff, provided that such regulations, [among other things]*
 - c.) *are clearly stated and made explicitly known to staff in writing and*
 - d.) *are not prejudicial to the fundamental rights of the person.*

106. However, discrimination against unwed pregnant teachers and young girls who become pregnant continues to be a common practice of school management authorities. In an effort to better document this practice the Women’s Department commissioned a study on Discriminatory Practices in the Education System.

107. The study found that:

“several high schools have modified their policies in order to accommodate young mothers so that they may complete their high school education. Most, but not all high schools will allow 3rd and 4th form students to continue their education after giving birth. Many schools will ask the young girl to withdraw from school either as soon as she reports the pregnancy, or when the pregnancy becomes visible. The young mothers are then asked to stay out of school and apply for readmission after one year, although re-admission is not automatic, and depends on whether the parents/guardian of the student agree to assume full responsibility for the newborn so the new mother can complete her education. It is also expected that no more pregnancies will occur as a second pregnancy will result in immediate expulsion.”³²

108. Only two schools stated that their policy allowed for all girls who become pregnant to return to school, including those who become pregnant in the 1st and 2nd years of high school, although all are required to leave school once the pregnancy shows. One school provides parenting classes for young mothers. Schools in the districts have also made changes to their policies on this issue. They have developed policies which allow for continuing education of young mothers wishing to complete their high school education, and now allow for the attendance of married women wishing to complete their education.³³

109. The same study found that most cases of teenage pregnancy occur within the high school system although Primary school principals have indicated that there have been instances where young girls within the primary school system (as low as standard four) have become pregnant and were asked to leave school. In almost all of such cases, which are less common than those in secondary school, older men have impregnated the young girls. It is widely believed that in some instances the men, who are sometimes twice the girls’ age, carry on the relationship with the girls with the complicity of the parents for financial gains.³⁴

110. In relation to the expulsion of pregnant students, the National Gender Policy commits the Government to:

- 1.) *develop, adopt and enforce a uniform national prohibition – if necessary, involving an amendment to the Education Act – on the expulsion, suspension or coerced withdrawal of a female student due to pregnancy or her procurement of an abortion (the latter being a matter for the provisions of the Criminal Code Act).*
- 2.) *Students who choose to withdraw from school due to pregnancy shall be guaranteed a right of return if, and when, they so determine as being appropriate to their circumstances;*

³² Women’s Department. *Discriminatory Practices in the Education System*; 2001

³³ Ibid

³⁴ Ibid

3.) the MEYS and Women's Department shall collaborate to identify appropriate measures to support pregnant students and teenage mothers – in particular those of compulsory school age – to continue in, or resume their schooling;

4.) the MEYS and Women's Department shall review current GOB support for, and formulate and appropriate policy for recurrent GOB assistance to NGO (such as YES and the YWCA) which explicitly accommodate pregnant teenage and teenage mothers otherwise seeking to return to formal education which is cognizant of the socio-economic "investment" benefits of such interventions.

111. To complement the work of the Government, the Women's Issues Network of Belize (whose membership includes the Women's Department and the National Women's Commission) conducted a Policy Conference to develop a Campaign to advocate for the elimination of discrimination against pregnant students and unwed teachers in the education system. One of the activities of that campaign was to provide support to a teacher or student to legally challenge the act of discrimination in court.

112. Subsequent to the development of the Advocacy Campaign, a teacher who had recently been discriminated against due to being pregnant and unwed, volunteered to have her case reviewed before the courts. The National Women's Commission assumed leadership for the initiative and provided assistance to the teacher by ensuring Government's compliance with the provisions for financial support for a test case as stated in the National Gender Policy. The court hearing is expected to take place early in 2004.³⁵ No such case has presented itself on the issue of the expulsion of pregnant students.

Gender, Sexuality and Family Life Education

113. In response to high teenage pregnancy rates and the growing HIV/AIDS epidemic in Belize, the Government, through the Ministries of Education and Health, has developed policies and mechanisms to ensure that gender issues, sexuality and family life education are incorporated into the curriculum at the primary and secondary school levels. However, the challenges of operating within a Church-State Education System remain.

114. The Sexual and Reproductive Health Policy commits the government to:

“Strengthen and reorient wholesome health education including sexual and reproductive health to be provided in schools and health services, including our primary healthcare programs, by qualified personnel so as to meet the physical and mental health needs of men, women, girls and boys.”

115. The Education Act gives to the Chief Education Officer, the authority to:

a.) prescribe areas of study,

b.) issue curriculum guidelines and require that courses of study be developed there from, and

c.) approve or permit the managing authorities of such schools to approve alternative areas of study in lieu of, or in addition to, prescribed areas of study.³⁶

³⁵ Although not included in the period under review, it is noteworthy to mention that as outlined in the National Gender Policy, the Government made a financial contribution to facilitate the legal costs of taking this case to court in 2004. As mentioned elsewhere, the court ruled in favor of the teacher.

³⁶ Ministry of Education. Revised Education Act, 1996 as presented in the *Handbook of Policies and Procedure for school services in accordance with education rules*. August, 2000.

116. In 2000, Education Rules were developed to give effect to the provisions of the Education Act. Section 116 of the Education Rules calls on the Ministry of Education to:

“establish and promulgate the national goals for education and the corresponding national curriculum for pre-school centers, primary schools and secondary schools or institutions, specifying their learning outcomes and the organization and structure of the curriculum.”

117. The corresponding national curriculum calls for gender equity and equality issues to be mainstreamed and respected in the process and content used to achieve the national goals and learning outcomes.

118. More specifically, one of the goals of the national curriculum is to promote the knowledge and practice of healthy lifestyles. A School Health and Physical Education Program (SHAPES) was established to ensure the implementation of this component of the national curriculum. This component includes modules on sexuality education, family planning, gender awareness and STD/HIV/AIDS issues.³⁷ It also includes modules of physical education and sports for both girls and boys.

119. Managers from all church-state managed schools have participated in meetings and discussions aimed at promoting awareness of HIV/AIDS as a step toward the formulation of a faith-based response to the epidemic. One of the major issues to be addressed in this context is some denominations' reluctance to teach about condom use and other family planning methods alongside their teachings on abstinence. While there is widespread recognition of the important value of promoting abstinence as a form of family planning and HIV prevention, there is concern that not providing students with all their options would be depriving them of their right to information.

120. Because of some denominations' position on these issues, some teachers report not feeling comfortable teaching sexuality education, family planning and HIV/AIDS information to their students. In some cases, teachers invite the Belize Family Life Association (BFLA) or the Health Education and Community Participation Bureau (HECOPAB) to conduct these sessions. In other cases, these topics are skipped or not adequately covered.

121. Furthermore, in the more rural Mayan communities, parents have expressed their opposition to a.) involving the girl child in physical activities, and b.) the teaching of sexual reproduction and HIV/AIDS awareness. This has caused teachers to tone down the content of their lessons despite the requirements in the Education Act and the Sexual and Reproductive Health Policy.

122. A general lack of resources for education monitoring, as well as the recent downsizing of the SHAPES program, make it difficult to assess school's rate of compliance with provisions of the Education Act and the Sexual and Reproductive Health Policy.

³⁷ Ibid.

ARTICLE 11

EMPLOYMENT

States Parties shall take all appropriate measure to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular:

- a) the right to work as an inalienable right of all human beings;*
- b) the right to the same employment opportunities, including the application of the same criteria for selection in matters of employment;*
- c) the right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training;*
- d) the right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work;*
- e) the right to social security, particularly in the cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave;*
- f) the right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction.*

In order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, States Parties shall take appropriate measures:

- a) to prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status;*
- b) to introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances;*
- c) to encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of childcare facilities; and*
- d) to provide special protection to women during pregnancy in types of work proved to be harmful to them*

Protective legislation relating to matters covered in this article shall be reviewed periodically in the light of scientific and technological knowledge and shall be revised, repealed or extended as necessary.

Labor Force Participation

123. Women's labor force participation rate increased to 43.2%, a slight increase since 1999.³⁸ Adequate employment opportunities are lacking for women in Belize. Levels of unemployment were in the double digits in all districts,

³⁸ CSO. 2001 Labour Force Survey. 2002

although in Toledo, closer to half of females in the labor force were unemployed, and the unemployment rate in Corozal and Orange Walk had reached above 40%.³⁹

124. Statistics show that employers may impose stricter qualification requirements for women. Although more women are obtaining secondary education or higher, this is not translating into lower unemployment or higher positions for women in the labor force. Preliminary figures for the 2000 Labor Force survey indicated that one quarter of unemployed females had at least a secondary education, whereas this was true for only 16% of unemployed males.

125. Furthermore, 40.5% of women not in the labor force were supported by family members or guardians, and 53.8% were supported by their spouse indicating a high level of female economic dependence.

126. Belize's National Human Development Report of 1999 states that the mean monthly incomes for men and women were \$804.00 and \$750.00 respectively.⁴⁰

127. A Consultancy Report on Integrating Gender into the Budgetary Process found a high degree of feminization in the public service. However, the majority of positions held by women in the public service were clerical and low paying positions:

“In sixteen Ministries more males than females received money allocated under personnel emoluments as salaries, wages, allowances, social security and travel and subsistence...A large amount of employment had been created for females, in the middle and lower ranks of the public service, as service delivery personnel. Such employment was largely in the secretarial and clerical and office assistant occupations and in the professional occupations of teaching (primary education) and nursing.”

128. Preliminary numbers for the 2000 Labor Force Survey found that women represented 70.5% of those with a clerical job, 52% of service workers, 32% of managers and 13% of craft workers. Women were also largely underrepresented as agriculturalists and plant operators.⁴¹

129. A project aimed at helping women overcome barriers to their economic development identified four main obstacles to women's economic success:⁴²

- *lack of alternatives to traditional employment and business opportunities*
- *lack of organizational development and leadership skills*
- *difficulties in addressing issues relating to personal and interpersonal development*
- *problems in the development of effective marketing strategies for micro enterprises*

Non-traditional Training Programs

130. Between 1998 and 2002, the Center for Employment Training (CET) implemented a program which offered training for non-traditional occupations for women, funded by the Inter-American Development Bank with counterpart funding from the Ministry of Education. The program targeted low-income women with limited educational backgrounds, with non-employable skills and offered training in construction, automotive maintenance, cabinet/furniture making, computer repairs and industrial skills.

³⁹ Masinghe. *Consultancy Report On Integrating Gender into the Budgetary Process*. 2002

⁴⁰ Government of Belize, National Human Development Report 1999 – Preparing for the New Millennium, National Human Development Advisory Committee, 1999

⁴¹ CSO. 2001 Labour Force Survey. 2002, Table 7

⁴² WIN Belize. *Challenging Barriers to Women's Economic Development, Phase IV: Project Summary and Recommendations*. November 2002

131. Even with attempts to train women in non-traditional fields (as indicated above), this training has not translated into equity and equality in employment. For example, although a commitment was made by the private sector to hire graduates of the IDB funded program, many did not hold up to their commitments. Rates of hire after the program remained a low 6%, and the overall employment rate was 23%.⁴³

132. During the program, barriers to women participating in the program included low self-esteem, lack of motivation, cultural beliefs and stereotypes from the target group, the belief that the training would not make any difference in their quality of life, and lack of support from spouses, although the latter proved to be less of a problem than anticipated.⁴⁴ An additional barrier was noted in the Labor Act which limits women's participation in night-time activities for the purposes of apprenticeship and vocational training.

133. In addition, the National Gender Policy reported that in non-traditional training programs, males exceed female students due to factors of traditional gender roles, lack of support services, such as child care, and the financial cost of study.

134. The 2003–2008 Women's Agenda of the People's United Party states that the Party will, "promote entrepreneurship for women through:

- *Technical assistance to ensure the development and growth of micro and small businesses*
- *The continuation of non-traditional and skills training in computer technology, and business management through CET and other educational institutions, and*
- *More non-traditional vocational training countrywide*⁴⁵

135. The National Gender Policy also states that:

- *The extent to which various factors (such as location, access to child care, administrative or recruitment practices) may act as barriers to improved gender equity in non-traditional courses will be ascertained, in order that GOB may develop strategies and resource agreements to overcome such impediments.*
- *The Provision in the Labor Act (SI62, 2) to accommodate males in night-time employment for the purposes of apprenticeship or vocational training will be reviewed to the extent that it is discriminatory against females and a barrier to their entry into non-traditional training.*

Minimum Wage

136. As recommended by the CEDAW Committee in response to Belize's 1st and 2nd Periodic Reports, Belize has passed legislation to establish one minimum wage across the board, and so eliminate inequality in minimum wages for male and female-dominated jobs. Yet, male-dominated jobs continue to attract higher wages than female-dominated jobs.

137. Although the Labor Department acts as a monitoring mechanism to ensure the enforcement of the minimum wage requirements, limited human and financial resources inhibit the adequate execution of this task, especially with regard to industries in which women are known to be vulnerable. This includes the large-scale agricultural production industries, as well as manufacturing industries.

⁴³ SHAPES. 4th Programming & Evaluation Committee Meeting Non Traditional Skills Training for Low Income Women. 2002

⁴⁴ Ibid

⁴⁵

Maternity Protection

138. Maternity leave is mandatory. Women are legally required to take a total of 12 weeks as maternity leave, at least six of which must be taken after delivery.
139. However, while employers are legally required to provide women with maternity leave, they are not legally obligated to cover their salaries during that period. The only finances legally available to women during maternity leave come from the Social Security Board. In most cases, the finances to which the woman is entitled (through social security) are much less than her regular salary. For this reason, most women choose to continue to work during much of the period on which they should be on maternity leave.
140. Entitlement from the Social Security Board only apply to women who have worked at least one year prior to becoming pregnant, regardless of that woman's previous contributions to the social security fund.
141. For those who qualify for maternity cash benefits, there has been an increase in required contribution payments, as well as, cash benefits.

Discriminatory Practices by Employers

142. A Situational Analysis on Gender and Development in Belize found that women employed by organizations, particularly small enterprises are vulnerable to forced leave without pay, limited upward mobility and dismissal from work due to pregnancy. Such organizations wish to 'protect' themselves from costs associated with employing a pregnant woman by dismissing her as soon as the pregnancy becomes evident, or even earlier, if they learn of it. Other more established organizations, including Government, do not cover leave due to complications related to pregnancy. They do, however, give the mandatory maternity leave to pregnant women⁴⁶.
143. The Education System continues to be noted as being highly discriminatory against women on the basis of pregnancy. A study on Discriminatory Behavior and Practices in the Education system found that policies depended on whether the teacher was employed at the primary or secondary level. The following is a description of the unofficial policy for primary school teachers⁴⁷:

“With the exception of the Anglican management, the unofficial policy of schools regarding pregnancy of unwed teachers by management is non-tolerance. An unwed teacher who becomes pregnant is put on ‘disciplinary action’ which can include (1) releasing the teacher from her duties and (2) taking a leave of absence ranging from three months to six months without pay. Prior to ‘disciplinary action’, teachers are counseled into marriage. If marriage does not take place, management will settle for the second option. Most teachers are asked to leave before the pregnancy is visible and are told that they will return to the classroom after giving birth. Most teachers, however, who have been put on ‘disciplinary action’ found out that returning to their jobs after leave is difficult ...Management claims that if a male teacher fathers a child outside the institution of marriage, similar action would be taken. No such cases have been identified.”

144. Policies affecting teachers at the secondary level vary by school. Some high schools have accommodated single mothers but these teachers are pressured to get married, and are not allowed another pregnancy, should they remain unmarried. Schools under the management of the Evangelical denominations retain the discriminatory policy of zero-tolerance, where there is immediate termination of the teacher's employment.

⁴⁶ Paredes, Sandra - *Situational Analysis of Gender and Development: Belize*, National Women's Commission, March 2002

⁴⁷ Women's Department. *An Examination of Discriminatory Behavior and Practices in the Education System*. September 2001

145. Some teachers who have been fired under such circumstances have turned to the National Teachers Union for help, however little has been done by the union to address the issue in a meaningful and collective manner. The National Teachers Union, however, has recently joined the National Women's Commission in providing support to an unwed teacher who has decided to take legal action against her employer (the Catholic School Management) who fired her due to pregnancy.

146. In relation to the firing of unwed pregnant teachers, the National Gender Policy commits the Government to ensure that:

- *“The chief education officer shall formulate and promulgate, across the national education system, conditions and terms of teacher employment which provide that suspension or termination or disciplinary action in instances of pregnancy (regardless of marital status) shall not be automatic responses and which ensure retention of entitlements to maternity leave provisions;*
- *provisions in the Education Rules (ss.92. 1g and 139 f) for disciplinary action on the basis of moral turpitude need to be clarified to the extent that they appear in their application to subjectively penalize the personal actions of female staff and to reflect the moral judgments of school authorities rather than the employment rights of teachers;*
- *the triennial inspection of schools, Education Rules s 51 shall include specific reference to the school's practice in the handling of staff - and student – pregnancies in preparing its reports and an annual compilation of the gender issues within school-based reports subsection g, will be forwarded to the Women's Department for its information;*
- *in instances in which a school authority penalizes a teacher either during her pregnancy or following delivery, and her desire to teaching duties, GOB shall levy such school the equivalent of a full year's contribution to her salary in recognition of the economic cost to GOB of its investment in that teacher and need to reinvest in additional teacher training;*
- *in the event that a teacher penalized by a school authority, due to pregnancy, decides to pursue judicial review, GOB shall offer to meet 50% of her costs in that legal process in order to try to establish a precedent applicable across the education sector”.*

147. The National Gender Policy, in recognition that women in other employment sectors continue to suffer discrimination due to maternity, also states that:

- *GOB will support women's groups in better informing women of their labor rights – especially when they become pregnant – and of their right to pursue a formal complaint for discriminatory or unjust treatment.*
- *“The Ministry of Labor will rigorously pursue complaints of women's employment being terminated due to them becoming pregnant”.*

148. The Sexual and Reproductive Health Policy commits the Government to:

“Eliminate discrimination against women on the grounds of motherhood and their role in procreation, including practices by employers that require proof of contraceptive use or denial of employment or dismissal based on pregnancy, maternity leave, or breastfeeding”.

Child Care Support⁴⁸

149. Belizeans continue to rely mostly on unofficial daycare providers such as baby-sitters, neighbors, or extended family to care for their children while they are at work.

150. There are currently 11 official child care centres in the country. Ten of these are in the Belize District, 9 of which are located in Belize City. Orange Walk, Corozal, Toledo and Cayo Districts have no official child care centers.

⁴⁸ Consultation With National Committee for Families and Children

151. Child care centers are a growing necessity as children are born to increasingly younger mothers, so that the extended family, such as the grandmother, cannot take care of the children because they are still in the workforce.
152. At present, community child care centers are subsidized by area representatives (elected politicians), and most also require a weekly fee, averaging BZ \$20.00 -25.00 (US\$10.00-12.50) per week. Daycares where people are unable to pay the weekly fee tend to be substandard.
153. Monitoring of child care centres has recently begun although legislation establishing minimal requirements for the running of centers was passed in 1998. In 2002, a system was established to monitor compliance with the regulations which include minimum requirements for staff-child ratios, programming, physical environment, and public and individual health issues. These regulations do not make provisions for ensuring that staff members are qualified and/or experienced in child development issues.
154. In contributing to a national response to addressing issues of human resource capacity in day care centres, the Young Women's Christian Association (YWCA) has offered short training workshops for child care providers across the country. The YWCA's effort is done on an ad hoc basis since it is dependent on their ability to attract grant funding.
155. The National Gender Policy passed in 2002 calls for the Government to:
- “develop a proposal to establish work-based child care services for public officers, on a cost-recovery basis which is subsidized for low-income employees for initial trialing in Belmopan and Belize City.” It further commits child development organizations to “develop a Plan of Action to expand available child-care places, in appropriately regulated centres, with attention to demand, access and affordability.”*
156. No action has been taken on the recommendation for child care support within the public service, but the primary child development organizations (the National Committee for Families and Children and its members) has included specific provisions for child care support services in a draft Integrated Early Childhood Development Policy (IECD) and draft National Plan of Action for Children and Adolescents (NPA). But not until this Policy and Plan are approved, can these provisions translate into concrete actions to advance women's equality and equity in employment.

ARTICLE 12

EQUALITY IN ACCESS TO HEALTH CARE

States Parties shall take all appropriate measure to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health services, including those relating to family planning.

Notwithstanding the provisions of paragraph 1 of this article, States Parties shall ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.

Health Services and Facilities

157. In recent years the government has undertaken reforms in the Health Sector and has promoted a mix of private and public health care providers. Although the government remains the main provider of services, increased decentralization has enabled rapid growth of the private sectors. The private health sector is mostly limited to ambulatory services but is rapidly expanding. Some secondary care is provided for maternity cases and surgeries. Measures to regulate private for-profit and not-for-profit health service providers have not yet been established. Private sector physicians have access to public facilities; however the public sector does not call on the private sector to help with emergencies for public sector patients.⁴⁹

158. Table 12.0 refers to the number of hospitals in Belize. Out of 8 public hospitals, 3 are regional hospitals which provide a wide range of secondary care as well as routine primary care. Three others are community hospitals or primary level facilities which provide a minimum amount of secondary care at district levels.

159. One hospital (Karl Heusner Memorial Hospital) functions as the National Referral Hospital and general hospital for the Belize District and there is one National Psychiatric Hospital. There are no standardized referral mechanisms in place with neighbouring countries, with the exception of the Hospital at the University of the West Indies, Mona Campus, Jamaica.

Table 12.0 Hospitals Countrywide

Belize	2 private, 1 public psychiatric, 1 public referral
Cayo	1 private, 1 public
Belmopan	1 public
Corozal	1 public
Orange Walk	1 public
Stann Creek	1 public
Toledo	1 public
Total	11 Hospitals

Source: Ministry of Health

160. Other health infrastructure includes forty-two (42) health centers and fifty-six (56) rural health posts countrywide. Such health centers provide pre and post-natal care, immunization services, and growth monitoring and nutrition for

⁴⁹ PAHO; *Safe Motherhood: A Matter of Life and Death for Women in Belize*; 2002

children under five. Specialist clinics offer services for hypertension, diabetes and tuberculosis, STI's and AIDS, referrals and follow-ups. Each center services 2000-4000 people. The centers also provide outreach services through mobile clinics that visit smaller and more remote villages every six weeks⁵⁰. Nurse Aides work out of the centers, some as Trained Traditional Birth Attendants (TTBA's) others as assistants to TTBA's at the village level. Nurse Aides and TTBA's are often left without basic supplies. Most of the work of the mobile clinics is maternal and child health care.

161. Non-profit organizations are involved in the provision of ambulatory health care. Belize Emergency Response Team (BERT) is a non-profit organization that provides Emergency Transportation throughout the country.

162. There is significant inequity in the rural to urban distribution of health professionals, as more than half of the health staff is employed in Metropolitan Belize District.⁵¹ The introduction of the private sector has done little to balance out the discrepancy as most for-profit private clinics are also located in urban areas. The technical cooperation agreements made with the Cuban and Nigerian governments in 1999 has offset the disparity by providing the deployment of health personnel, mostly General Practitioners to rural areas. This has also increased the per capita doctor ratio, indicated in Table 12.1, and may be a factor in the drop of maternal and infant mortality rates. The number of nurses and community health aides has also increased in the last four years.

Table 12.1 Registered Medical Personnel 1998 - 2001

Occupation	1998	1999	2000r	2001p
Physician per 10,000 pop	8.2	10.3	10.0	9.8
Dentists per 10,000 pop	1.1	1.2	1.3	1.3
Nurses per 10,000 pop	15.0	15.8	16.6	16.2
Community Health Aides per 10,000 pop	7.5	8.3	8.1	8.0
Pharmacists per 10,000 pop	2.9	2.8	2.8	2.8
Social Workers per 10,000 pop	1.0	1.0	1.0	1.4

Source: National Health Information and Surveillance Unit, MOH

163. A National Health Information & Surveillance System (NHIS) has been initiated by the Ministry of Health with the assistance of the Pan American Health Organization. The NHIS aims to facilitate access of key health staff and community members to up-to-date information, and will be used to implement a decentralized health information system to facilitate long-distance continuing education opportunities for health personnel at the periphery level. The primary function of the NHIS is to support the various health units (Hospitals, health centers and other allied health programs) in an evidence-based decision-making process whose objective is to provide quality care to the Belizean population. The services provided include collecting, collating, analysis, and dissemination of information on health and vital statistics previously unavailable or inaccurate. It also serves as a resource center for students, health personnel and other allied health programs. Weekly, monthly and yearly reports on HIV/AIDS, Domestic Violence and Admissions/Discharges Reports are available at this unit for references.⁵²

164. The Social Security Act was recently amended to allow the introduction of National Health Insurance (NHI) with the aim of making the NHI the sole health purchaser for government. However during an NHI pilot project conducted in the Southside Belize District, an evaluation of service providers found that the number of Caesarian-Sections had increased to 40% of deliveries in that area, indicating a need for further improvements before wider implementation.⁵³

⁵⁰ Government of Belize. Ministry of Health Annual Report, 2002

⁵¹ PAHO. *Health Systems and Services Profile*. 2002

⁵² Government of Belize. Ministry of Health Annual Report, 2002

⁵³ PAHO; *Safe Motherhood: A Matter of Life and Death in Belize*; 2002

Family Planning Services

165. The Belize Family Life Association (BFLA) has been the main distributor of Family Planning services. The Ministry of Health family planning services in rural areas has been limited to counseling to have women seek such services through other organizations.
166. Although the Belize Family Life Association initially offered family planning services which focused on child spacing, it has since broadened its services to now include gender relations, negotiation skills for family decision-making, use of condoms for STI prevention (including HIV/AIDS), family violence counseling, parenting skills and cancer screening.⁵⁴
167. The Family Health Survey found that overall knowledge of contraception in Belize is fairly high. Amongst women interviewed, oral contraceptives were the most known (92%) form of contraception, followed by injection (88%) and condoms (85%). Knowledge of contraceptive methods was lowest amongst the Mayan population, where 69.9% knew of oral contraceptives, 42.8% knew of condoms and 69.1% knew about the injection method⁵⁵. 8% did not know about even one method of contraception. Public sector clinics offered tubal ligations and injections until August of 2002, but the program offering this has since ended with no immediate possibility of its reintroduction. Women must now go to BFLA or the private sector for contraception. Family planning services are part of the NHI package and Ministry of Health has prepared protocols that have yet to be distributed.⁵⁶
168. The Family Health Survey also found that 15% of women needed, and knew about, family planning services but were not receiving them. This proportion is likely to have increased since the Ministry of Health no longer provides contraception. In 1999 25% of all pregnancies were reported as unplanned and 56% of women in formal marriage and common-law union were using contraception. The sources for family life and sex education most frequently cited were BFLA (47%) and Government facilities (20%). 56.9% of respondents had not received a class or course on family life or sex education, and 30.3% of the women did not know where to go for information on sex and contraception; 30.8% did not know where to go for information on STI's and 32.4% did not know where to obtain information on HIV/AIDS.
169. There is anecdotal evidence that physicians try to persuade women not to have tubal ligations and refuse to prescribe contraceptives for younger women. Rural women are more likely than urban women to encounter these and other access problems. An unknown number of those who use contraceptives use them incorrectly. Pharmacies provide oral contraceptives without oral instructions⁵⁷.

Table 12.2 Ten leading Causes of Death for Females 2001

Causes	Rank	Total	Rate
Diabetes Mellitus	1	44	8.8%
Diseases of Pulmonary Circulation and other forms of heart disease	2	37	7.4%
Hypertensive disease	3	35	7.0%
Cerebrovascular Disease	4	35	7.0%
Ischaemic Heart Disease	5	30	6.0%
Acute Respiratory Disease	6	30	6.0%
Malignant Neoplasm of Cervix Uteri and Uterus, body and unspecified	7	20	4.0%
Transport accidents	8	16	3.2%
Other malignant neoplasms	9	14	2.8%
Diseases of the Urinary System	10	13	2.6%

Source: National Health Information & Surveillance Unit

⁵⁴ BFLA: 1999-2000 Annual Report: 2000

⁵⁵ Ibid

⁵⁶ PAHO. *Safe Motherhood: A Matter of Life and Death for Women in Belize*. 2002

⁵⁷ *ibid*

Table 12.3 Ten leading Causes of Hospitalization for Females 1997-2001

Causes	1997	1998	1999	2000	2001
Complications of Pregnancy, Childbirth and the Puerperium	6038	6097	6331	6444	5860
Injury, Poisoning and Certain other Consequences of External Causes	1127	1183	1101	618	1133
Acute Respiratory Infections	782	819	800	923	895
Intestinal infectious Disease	751	802	523	454	508
Bronchitis, Chronic and Unspecified, Emphysema and Asthma	632	493	384	228	320
Diseases of the Urinary System	462	392	396	378	386
Diseases of other parts of Digestive System	466	473	489	488	522
Appendicitis, Hernia of Abdominal Cavity and Intestinal Obstruction	380	336	347	462	412
Other Conditions Originating in the Perinatal Period	282	366	409	350	N/A
Diabetes Mellitus	267	306	319	360	366
Nutritional Deficiencies and Anaemias	247	255	N/A	N/A	N/A

Source: National Health Information Survey, MoH

Teenage Pregnancies

170. Although teenage pregnancy rates in Belize have declined by 31% between 1991 and 1999⁵⁸, adolescents continue to be responsible for 1 out of every five, or 20% of all deliveries⁵⁹.
171. While this decrease in pregnancies among the 15-19 age group may have resulted from family planning education and the use of contraceptives, there is a worrying trend of the early initiation of sexual activity. The average age for first sexual intercourse for women aged 15-19 was 15.6, whereas it was 18 for women aged 40-44.⁶⁰
172. It is reported by public health nurses, that in addition to increasing their use of contraceptives, young women are also engaging in anal sex as a way to prevent pregnancies. This raises concerns regarding women's increased vulnerability to STI (including HIV) infections.
173. The Belize Family Life Association (BFLA) continues to be the leading agency in providing family life education (including HIV prevention) to adolescents. BFLA targets adolescents, mostly through informal training and educational activities, and works with this population in both urban and rural areas. Alongside BFLA, the Health Education and Community Participation Bureau (HECOPAB) provides education sessions for adolescents in the classroom setting, especially in schools whose religious orientation prevent them from promoting contraception as a family planning method.
174. The Sexual and Reproductive Health Policy recognizes the need for special attention to issues of adolescent health. The Policy includes eleven commitments aimed at: protecting the rights of adolescents regarding sexual and reproductive health information and services, eliminating discrimination against young pregnant women, ensuring pregnant women's right to return to school, providing counseling and mental health services to adolescents and building the capacity of those who provide them with these services.
175. While this Policy explicitly aims to ensure comprehensive healthcare for adolescents, including sexual and reproductive health information "in and out of school", the church's high level of influence over education at the primary and secondary levels, presents a hindrance to the implementation of this provision.

⁵⁸ Ibid

⁵⁹ Government of Belize, Ministry of Health, *Sexual and Reproductive Health Policy*, Belize 2002

⁶⁰ CSO. *1999 Family Health Survey*, 2001

176. A specific “Health and Family Life Education” Policy and Curriculum will be developed in 2004 to give greater effect to the Sexual and Reproductive Health Policy. Again, working within a church-state education system, is expected to present challenges for the implementation of the family planning aspects of this curriculum.

Maternal Health

177. A recent study by PAHO found that despite the recent restructuring of the Health Sector “*there is no explicit model of care for pregnant women included, nor is any particular attention given to these needs in any health reform documents*”⁶¹. Although improvements have been made on the reporting of maternal deaths in Belize, underreporting remains a problem. Underreporting of all deaths and births can be as high as 30%⁶². Inconsistencies in reports of maternal deaths are illustrated by the different ratios given by different information sources in Table 12.4.

178. The study found that the recent reforms have promoted a model of health care organization that may be inadequate for women and more expensive than necessary for the country. It expressed concern with a growing private sector which could potentially place lucrative goals ahead of women’s health. It found that:

*“Despite ... efforts of the Women’s Department and the National Women’s Commission over the past decade to draw attention to women’s broader health issues, the Ministry of Health is primarily focused on child-centered Maternal and Child Health approaches....The number of women who receive prenatal care at least once is quite high, as is hospitalization for delivery. Some women do not get prenatal care early enough, or make enough prenatal visits. Postnatal care levels are poor... Quality of pre and postnatal care is compromised by lack of protocols, poor record-keeping and poor follow-up. The consequences are particularly serious for high risk patients. Despite health services regionalisation, there is not yet much evidence of creativity in developing special initiatives to assure that services reach special groups. There are no Maternity Waiting Homes. Safe Motherhood education at the community level and in health care facilities is poor. Access to contraception in rural areas is limited, as are contraceptive alternatives”*⁶³

179. Causes of death related to pregnancy included: lack of information on risks during pregnancy, inadequate access to contraception, lack of continual care due to poor record systems, lack of referrals to high-risk clinics for treatment of a chronic condition, termination of pregnancies under unsafe conditions and the fear to seek hospital care for complications, delays in seeking help with delivery, unavailability of transport and lack of maternity waiting homes, a poor emergency referral system, delays in admission-to-treatment, poor quality of emergency obstetric care, poor postnatal follow-ups and finally persisting attitudes that maternal death is just the lot of women, particularly of poor rural women⁶⁴.

12.4 Maternal Mortality Rate per 100,000 1990-2000: Different Sources

<i>Date</i>	<i>MCH Reports and tables</i>	<i>Health System Services Profile PAHO Belize (CSO)</i>	<i>Belize Chap. Health in the Americas Report</i>	<i>Basic Indicators Health in the Americas</i>
1990	194			
1991	147			
1992	100.9			
1993	161	154.8		
1994	113	118.9		
1995	82			
1996	139	59.9	111	

⁶¹ PAHO. *Safe Motherhood: A Matter of Life and Death for Women in Belize*; 2002

⁶² Interview with Ms Elaine Clarke, Records Manager, Karl Heusner Memorial Hospital, Belize

⁶³ PAHO. *Safe Motherhood: A Matter of Life and Death for Women in Belize*; 2002

⁶⁴ Ibid

1997	100	40.8	100	142.8 (1999 report)
1998	134	167.1	150	150
1999	42.2	42.2	42	
2000	68	54.8	82	82.3

Source: Safe Motherhood: A matter of life or death for women in Belize

180. Through the Sexual and Reproductive Health Policy the Government of Belize is committed to:

- *Reduce maternal mortality and morbidity by strengthening integrated safe motherhood programs, increasing investments in human resources, infrastructure and transportation.*
- *Provide access to safe motherhood services as part of integrated reproductive health in the context of primary and secondary health care to all population, and especially to disadvantaged groups. Family planning programs should be included.*
- *Give highest priority to mothers with difficult pregnancies through improved access to enhanced family planning information and services.*
- *Develop monitoring mechanisms to assess progress in reducing maternal and neonatal mortality and morbidity to ensure and improve programs directed to the enhancement of quality of life.*

181. Since the passing of this Policy, the Ministry of Health has taken steps toward the full implementation of the Safe Motherhood Initiative in Belize. Only selected components of this initiative were being implemented at this time.

Breastfeeding Practices

182. A National Breastfeeding Policy was adopted in 1998 and a National Plan of Action was developed to implement the provisions of the Policy. The National Plan has not yet been implemented.

183. The Family Health Survey conducted in 1999 reported that breastfeeding is slightly lower in urban areas than in rural areas, even though information on breastfeeding is more accessible in urban settings. The level of breastfeeding also declines in households with more amenities. Issues associated with cultural practices, the working mother and maternity leave provisions are believed to account for this pattern.

184. The National Gender Policy calls for the Breastfeeding Policy to be implemented at the District-level and for public awareness and education programs to be developed to dispel myths and provide nutritional facts about breastfeeding. The Policy also affirms that:

“The Ministries of Health and Labor will jointly promote the merit of expressing breast milk (including within workplaces) in order to enable working women to continue breastfeeding, and will complement this effort with the joint development of measures to improve workplace opportunities for employees to express and store breast milk as well as to breastfeed their babies.”

Abortion

185. Abortion continues to be a criminal offence, although no doctor or woman having undergone the surgery have been charged in connection to abortion. Due to the illegal status of the procedure, women will turn to the “back alley” or go abroad for an abortion, to Guatemala, Mexico or the US. Almost 70% of admissions to Karl Heusner Memorial Hospital’s Gynecology/Obstetric ward in 2001 were for pregnancy with abortive outcomes, and although the definition of abortion does not differentiate induced from spontaneous abortion, the opinion of nursing staff is that these admissions are largely for complications of induced abortion.⁶⁵ (See Table 12.5)

⁶⁵ as cited in PAHO; *Safe Motherhood: A Matter of Life and Death for Women in Belize*: 2002

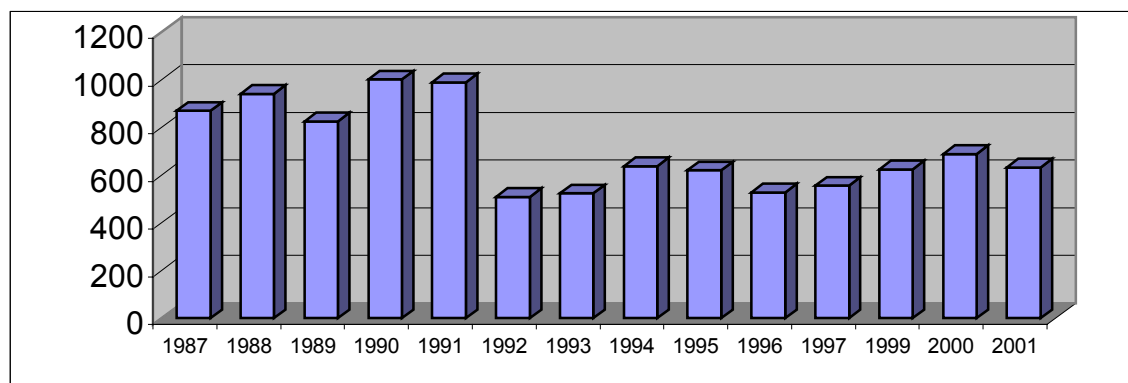
186. The National Gender Policy includes the following commitments:

- *Women who have an unwanted pregnancy shall be afforded access to confidential and compassionate counseling and reliable information on all options which they have available to them, as a means of enabling a woman to make a fully-informed decision free of imposed options.*
- *Counseling, information and services shall be provided for women who encounter complications during pregnancy, and which result in the loss of the fetus, including services in the event of post-operative complications.*
- *In consultation with relevant stakeholders, GOB will begin the process of reviewing all laws containing punitive measures against women who have procured illegal abortions.*
- *Statistics collated through the National Health Information System will seek to make a distinction between miscarriages and induced abortions.*

187. The Sexual and Reproductive Health Policy also commits the Government of Belize to:

- *Remove laws containing punitive measure which inhibit women and couples seeking counseling to continue their pregnancy and remove laws containing punitive measures prohibiting the accessing of counseling and mental health for those who have undergone illegal abortion. In no case should abortions be promoted as a family planning method.*
- *Provide compassionate counseling and reliable information for women who have unwanted pregnancies.”*

Table 12.5 Number of Patients Admitted to all Belize Hospitals for Complication of Abortion 1987-2001



Source: Abstract of Statistics 1999 and National Health Information System, MoH

HIV/AIDS

188. Belize has the highest per capita rate of infection of HIV/AIDS in Central America, ranks 4th in Latin America and 34th in the world. Data for the end of 2001 indicates that for every 1000 people, 1.3 persons were infected. This ratio increased for the 15-44 age group, where infection was 2.3 per thousand inhabitants.⁶⁶ Seventy-one percent (71%) of transmission is through heterosexual contact, 15% through male bisexual contact and 7% through homosexual contact. Six percent (6%) of new cases were through mother to child transmission. (See below for Mother to Child Transmission program).

⁶⁶ Ministry of Economic Development; *Socio-Economic Impact Study of HIV/AIDS*; 2002

189. One of the greatest challenges in HIV prevention efforts is the need to change attitudes and behaviors. As the 1999 Family Health Survey indicates, 61.9% of women felt there was no risk of them contracting HIV/AIDS and only 45% had ever used a condom. It further reports that 67.6% of women had never suggested to their male partner to use a condom, and 56.8% did not allow the male partner to use a condom. Those who did use condoms did so primarily to prevent unwanted pregnancies (84.3%), while only 37.9% of condom users cited prevention of HIV/AIDS as reason for use.⁶⁷
190. In 2000, a multi-sectoral National AIDS Commission (NAC) was appointed by Cabinet. In 2003, this Commission became a statutory body operating under the office of the Prime Minister. The National AIDS Commission is composed of representatives from Government and Non-Government Bodies, as well as faith-based organizations, community-based district-level committees and the international development community.
191. This Commission, which has a legal mandate to engage in multi-sectoral coordination, policy development, advocacy and monitoring, is in the process of receiving a grant from the Global Fund for HIV, Malaria and Tuberculosis. One of the priority areas of focus in this Global Fund project is the reduction of HIV vulnerability among women and youth, especially girls. Specifically, this aspect of the project aims to “empower marginalized women to develop skills for sexual negotiation and the use of methods of protection as a means of reducing their vulnerability to HIV infection.”⁶⁸
192. The project will also focus on strengthening initiatives to prevent HIV infection among young women through the training of peer counselors and the provision of education and support systems to the most marginalized young women. In the meantime, the Dangriga AIDS Society, one of Belize’s HIV/AIDS community-based committees, has, with other resources, already begun to implement their women’s empowerment program.
193. The Global Fund Project is expected to complement other existing programs targeting women, such as the Prevention of Mother to Child Transmission Program (PMTCT) and the United Nations Population Fund’s (UNFPA), HIV/AIDS adolescent education program.
194. Another vulnerable group whose needs are yet to be openly addressed is commercial sex workers. A recent study found that there was a serious lack of outreach to provide information on STD prevention to this population. It noted that “*during an STD workshop the two muchachas who volunteered to place a condom on a dildo were unable to do so correctly, despite each having performed sexual labor for over a year*”⁶⁹ Public health nurses are making serious efforts to fill this gap by going into bars and brothels to provide STI and HIV/AIDS education activities. The National Gender Policy provides for a National Screening Program to be implemented among commercial sex workers.
195. In addition to programs aimed at prevention, the Alliance Against AIDS (AAA) established a support group of people, including women, living with HIV/AIDS (PLWHA’s). The efforts of the AAA have stimulated the establishment of another support group of PLWHA who are incarcerated, also with participation from women. A third such group is being organized by one of Belize’s District-Based HIV/AIDS Committees.
196. Advocacy efforts conducted by the AAA, the Ministry of Health and other members of the National AIDS Commission have resulted in women getting access to anti-retroviral therapy and opportunistic infections medication.
197. As yet, there are no comprehensive mental health or safety-net programs targeting the needs of PLWHA’s.
198. Gender-related issues will be addressed in the National AIDS Commissions Policy and Legislation Project expected to be completed by the end of 2004.

⁶⁷ CSO: *Belize family Health Survey, Females*; 2001

⁶⁸ Government of Belize, Global Fund Project Proposal, “Strengthening of Belize’s Multi-sectoral Response to HIV/AIDS”, 2003.

⁶⁹ Kempadoo. *The Muchachas of Orange Walk and Sex work in Belize*. 1998

Mental Health

199. Statistics indicate an increasingly high proportion of women being hospitalized for Mental and Behavioral Disorders. (See Table 12.6) More complete information on the mental health of women is still unavailable.

200. Even without this data, the National Gender Policy recognizes the need to build Belize's capacity to provide mental health services. The Policy states that:

- *Specific research is required of the nature and prevalence of mental health problems in Belize, with particular regard to gender and aging issues.*
- *A review will be undertaken of existing and preferred psychiatric services, for both inpatients and outpatients, with particular regard to issues of gender and access.*

Table 12.6 Hospitalized Cases of Mental and Behavioral Disorders:

199. Year	200. 1997	201. 1998	202. 1999	203. 2000	204. 2001
205. Male	206. 35	207. 34	208. 25	209. 14	210. 16
211. Female	212. 38	213. 36	214. 29	215. 26	216. 45

Source: National Health Information Unit

Domestic Violence

201. The Annual Domestic Violence Report based on an information sheet filled out at hospitals, police stations and the Women's Department, found a pattern of increases (by approximately 10% per annum) in reports since 2000. Of all these cases, women were affected an average of eight times more than males. Persons, a majority women, in their most productive and reproductive years (15 to 44) accounted for close to ninety percent of all cases.

202. A majority of those affected had a primary school education and are economically active, mostly in the field of domestic work. This indicates that more persons who were employed were either more likely to report domestic violence, or were more affected by it than those who were unemployed.

203. There is a shift in the ethnic group most reporting domestic violence. In 2000 and 2001, the Creole ethnic group had the highest reported cases of domestic violence reports but in 2002, this position shifted to the Mestizo ethnic group. No analysis has been made to assess what has accounted for this change.

204. More than half of all cases were repeated incidents. The most common abuses suffered for women were physical, followed by psychological abuse⁷⁰.

205. Over 70% of the clients affected lived in urban areas, with the majority of reported cases occurring in the Belize District. Women living in rural areas were less likely to report Domestic Violence. The Southern Districts of Belize, comprised of a majority rural population continue to account for less than 3% of all cases, even though community workers know that this type of violence is common place in southern communities. Cultural practices and beliefs are believed to contribute to this low number of reported cases.

206. Much of the work of the Women's Department is focused on addressing violence against women. A Domestic Violence Task Force was established, and efforts were made to involve and sensitize all sectors of the community. Police stations were provided with basic furniture to operate special units to deal with family violence cases, training was provided to police officers countrywide, and to paraprofessionals. Family violence committees were established

⁷⁰ Govt. of Belize - National Health Information & Surveillance Unit/Ministry of Health, *Domestic Violence Report January-December 2001*; June 2002

in each district and a national registration form was created to keep records of reported incidents. The Department has held workshops with schools and communities, radio and TV programs, and disseminated pamphlets and brochures on Domestic Violence. A manual addressing issues of gender and masculinity was also produced and distributed as part of the ongoing effort to combat Domestic Violence.

207. There is a shelter on the outskirts of Belize City for women who experience domestic violence and are in need of immediate assistance. However, the shelter is limited in its provision of services due to understaffing. In addition, lack of transportation to facilitate accessibility has affected women's use of the facilities which, has served an average of 25 women per annum⁷¹. The shelter caters to women for a 21 day period. After this period, there are no follow-up counseling and support programs available to these women.
208. As an alternative to using the shelter, some women will stay with family members but a majority remain with their abusive spouse. Marla's House of Hope is a privately run institution which also caters to victims of domestic violence and is located in Belmopan. In other districts the only assistance available to women in abusive situations comes from the Women's Development Officer (WDO) who offers information and makes referrals to other agencies, as necessary. However, the demise of two key women's organizations (which had prioritized violence against women), severely constrains the network of resources available to survivors of abuse.
209. Despite the extensive education and training programs implemented by the Women's Department and other organizations, the effect of the national response to domestic violence is limited by an inadequate level of sensitivity to this phenomenon in the judicial and social protection systems. Women who have utilized these system report that in many instances, the prevailing attitude within these institutions is of encouraging women to go back to their abusive spouses.

210. The National Gender Policy, because of the issues outlined above, prescribes that:

- *There shall be stronger efforts in promoting community awareness of domestic violence provisions, rights and services within rural areas of Belize*
- *The procedures for receiving, handling and pursuing complaints will be evaluated in order to identify measures to strengthen such practice, including an assessment of the adequacy of existing services and of access to those services.*
- *Measures will be adopted to ensure comprehensive participation in the domestic violence and child abuse registration system.*
- *The Women's Department will prepare advice for GOB on the nature of post-abuse counseling and monitoring service and family rehabilitation services required to more effectively assist the victims and survivors of abuse and suitable retention of the family unit.*
- *The level of unmet demand for shelter accommodation for victims of abuse and violence shall be ascertained with attention to the necessary level of capacity and location and associated resource requirement.*
- *As far as is possible in the circumstances, the authorities shall endeavor to assure that it is the alleged perpetrator and not the victim, whether adult or child, who is removed from the normal place of residence.*
- *All instances of the alleged victim's withdrawal of a charge of domestic violence will be investigated by the Police Family Violence Unit in collaboration with the Women's Department.*
- *There will be appropriate intervention, including counseling and measures to promote awareness of actions and genuine remorse for alleged perpetrators of abuse in instances in which the victim seeks to withdraw charges.*
- *Those found guilty of a charge of violence or abuse, including sexual abuse, will be required to undertake education and counseling, within and outside of prison, concerning the nature of their behavior and assistance in behavior modification.*
- *To allow for the successful rehabilitative intervention with sentenced perpetrators, the merit of some flexibility in parole provisions will be examined.*

⁷¹ Interview with Ms. Carmen Barrow, Chairperson of Haven House 2002

Other gender-based violence

211. In addition to domestic violence, Belize continues to witness growing numbers of cases of violence against women. The media has become riddled with reports of rape, incest, sexual assault and murders of women of all ages, but particularly young women.

212. Mandatory reporting regulation for cases of child abuse developed in 1999, has led to a six-fold increase in referrals for child sexual abuse. A majority of these reports are for sexual abuse of the girl child.

213. Yet, except for child abuse intervention programs, there are no organizations working specifically and consistently to comprehensively address violence against women. The weaknesses of the women's movement and women's organizations in Belize are evident in the country's silence on these issues. To fill this gap, a recent planning process conducted by Haven House (Shelter for Battered Women) has resulted in the organization widening its focus to respond to the broader spectrum of gender-based violence.

214. One particular area of concern relates to access to justice. Despite legislative changes to extend rape to within marriages and to protect child victims of sexual abuse, issues of affordability, and appropriate and timely provision of legal services limit the guarantee of legal protection. The National Gender Policy points to concerns about delays in hearing sexual abuse and rape cases. It further states that "besides the compounding of distress for the victim, there are reports of the death or memory loss of older women rape victims and the consequential acquittal of the alleged perpetrator."⁷²

215. Related provision in the National Gender Policy are:

- *Measures will be examined to enable more timely prosecution of sexual abuse and rape cases, especially where the victim is an older person.*
- *The adequacy of current access to legal assistance by victims of violence and abuse will be ascertained, in order that measures may be taken to strengthen such assistance, and to ensure that no incident of violence or abuse goes unprosecuted for that reason.*
- *GOB will examine the merit of introducing a national legal insurance scheme, funded from a tax levy similar to that for health insurance, to ensure means-tested access to legal representation.*
- *Child victims of abuse or violence shall be visually screened from the alleged perpetrator when called upon to give evidence in court proceedings on that offence*
- *Measures will be examined to enable child victims of abuse or violence to give evidence in such proceedings separate from the formal court hearing.*

⁷² National Womens Commission, *National Gender Policy*, 2003

ARTICLE 13
SOCIAL AND ECONOMIC BENEFITS

States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a basis of equality of men and women, the same rights, in particular: a.) the right to family benefit; b.) the right to bank loans, mortgages and other forms of financial credit, c.) the right to participate in recreational activities, sports and in all aspects of cultural life.

Access to Credit

216. The National Gender Policy recognizes that access to credit is of critical importance to achieving economic independence and for many, provides the only opportunity for them to establish adequate incomes.

217. Women in Belize access loans from both commercial and non-commercial institutions. Women are known to have a better payment record but they still have difficulty accessing credit in the commercial banking institutions which require traditional collateral. Women also have difficulty getting loans independent of their male partners. Women's chances of obtaining loans are therefore far better through non-commercial loan facilities than through the commercial banks.

218. There has been noteworthy efforts within and outside government in the non-commercial financial sector to facilitate women's access to loans. In 2002, though major improvements are observed in this regard, women have still not achieved parity with men with regard to accessing loans from non-commercial institutions.

219. Of three non-commercial lending facilities, one, the Belize Enterprise for Sustainable Technology, reported that women received the majority of loans (56.2%). To its acclaim, this organization actively advertises its interest in increasing women's access to credit. It also provides technical assistance to enable women to access loans.

220. The Development Finance Corporation has a special mortgage program which gives priority to single women. In 2002, 44 % of these loans went to women. The Ministry of Housing, however, does not have a similar policy to enable women to access low-cost housing.

221. Generally, men are reported to get more loans than women because they make more applications and apply for larger loans. Women borrow for small-scale, retailing and food preparation while men borrow for agricultural trading or building purposes. Major work has to be done in the commercial banking sector to sensitize them on the importance of prioritizing women's access to money.

222. The National Gender Policy aims to improve women's access to credit:

- *GOB will examine the possible merit of amending banking legislation to establish the right of a woman to apply as femme sole for a loan.*
- *GOB will examine possible measures to ease the burden for women in meeting collateral requirements for bank loans, including the adoption of appropriate alternatives.*
- *The Women's Department will liaise and consult with BEST, DFC and SFBB to develop local strategies for facilitating access to finance by women in southern districts.*
- *Measures will be examined to facilitate women's access to affordable credit for home purchase, and Ministry of Housing policies will make special provision for single-headed households, via reduced interest rates.*

- *The Women's Department will collaborate with credit providers in the development and implementation of in-service training of credit officers on gender issues in accessing credit.*
- *Barriers to women accessing credit due to the small amounts sought compared to the administrative requirements will be examined.*
- *Gender-disaggregated data on lending by banks, credit unions and non-commercial financial institutions will be collected and collated, and forwarded annually to the SIC and Women's Department.*

ARTICLE 14

RURAL WOMEN

States Parties shall take into account the particular problems faced by rural women and the significant roles which they play in the economic survival of their families, including their work in the non-monetized sectors of the economy and shall take all appropriate measures to ensure the application of the provisions of this Convention to women in rural areas.

States Parties shall take all appropriate measure to eliminate discrimination against women in rural areas in order to ensure, on the basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure such women the right:

- a. To participate in the elaboration and implementation of development planning at all levels;*
- b. To have access to adequate health care facilities, including information, counseling and services in family planning;*
- c. To benefit directly from social security programmes;*
- d. To obtain all types of training and education, formal and non formal, including that relating to functional literacy, as well as inter alia, the benefit of all community and extension services, in order to increase their technical proficiency;*
- e. To organize self-help groups and co-operatives in order to obtain equal access to economic opportunities through employment or self-employment;*
- f. To participate in all community activities;*
- g. To have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes;*
- h. To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.*

223. Belize's population in 2001 stood at 257,310, 51.1% of which lived in rural areas. Women accounted for 48.5% of the rural population.⁷³

224. While there has been general improvements in national data disaggregation, collection and analysis of the information from a gender perspective continues to be a major hindrance in determining the overall position and condition of women in the country. This is especially so for rural women. Notwithstanding the absence of comprehensive data on women, indications are that rural women remain the worse off in respect of benefits from national efforts to eliminate all forms of discrimination against women.

225. The 2002 Poverty Assessment Report⁷⁴ for Belize reported the national poverty level at 33.5%. The rate of poverty in rural areas was highest at 44.2%. The Toledo District, where the majority of indigenous Maya live, experienced the highest level of poverty at 79%. Among the ethnic groups of Belize, poverty was highest among the Maya population at 77%. Causes of poverty given by respondents in the study included landlessness, alcoholism, loss of their culture of self-sufficiency, poor markets for produce and joblessness.

226. In its effort to address the acute poverty situation in the Toledo District, the Government of Belize, since 1996, has implemented several multi-million dollars projects; however, the persistent poverty levels in the region suggest little

⁷³ CSO, Abstract of Statistics 2002

⁷⁴ Government of Belize, 2002 Poverty Assessment Report, National Human Development Advisory Committee, June 2004.

or no positive impact of these projects on the lives of the people.⁷⁵ Since no evaluations of these projects have been done it is not possible to comment on the extent to which women have benefited. One of the major projects currently being implemented in the area, Community Agriculture and Rural Development (CARD) is working to reduce poverty through agricultural projects, developing tourism and enhancing arts and crafts capabilities. CARD's field staff has been overwhelmingly male, who by and large lacked the sensitivity to address the needs of women. A gender specialist was hired to bring a gendered approach to the work of the agency.

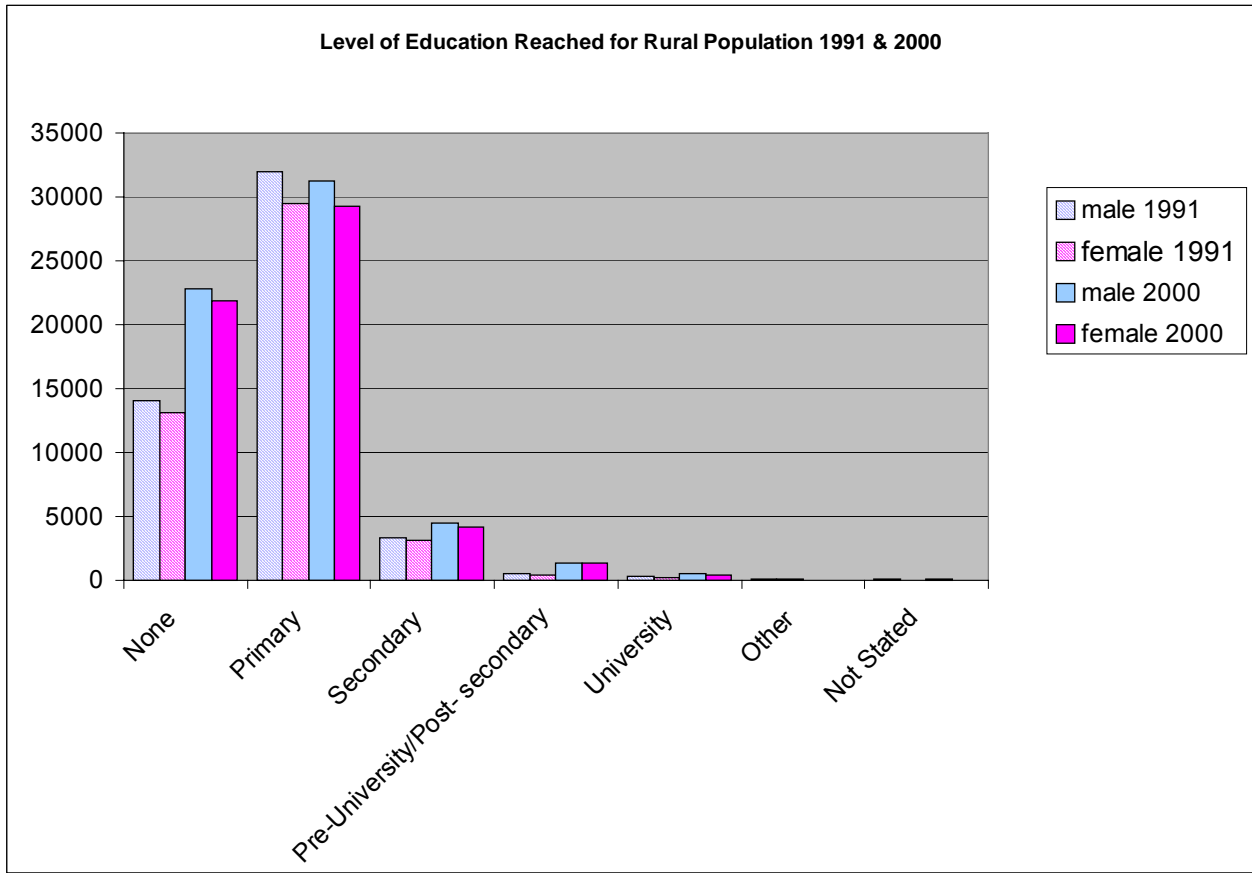
227. Women's participation in the development of their community or region is largely informed by cultural and ethnic considerations. Women in Garifuna and Creole villages, despite the continued predominance of male power and control in their ethnic groups, generally play a greater role in the public areas of community life than women in Maya communities. Whereas it is no longer unusual to find Garifuna, Creole and Mestizo women in leadership positions in their community, this is still an atypical occurrence for Mayan women in most rural communities. In effect, rural Creole, Garifuna and Mestizo women are more likely to be elected to Village Councils than their Maya counterpart. The traditional Maya Alcalde System is all male; no woman has ever challenged the male primacy of the system.
228. In the Mayan culture traditional gender stereotypes have restricted women to the role of 'reproducers', and men as 'producers'. The highly gendered division of labour places men in charge of 'Milpa' agriculture, community administration and decision-making while confining the overwhelming majority of women to domestic duties and other care-giving activities.
229. Women in rural Belize access health care either through community health centres, mobile clinics (in remote areas), or by traveling to urban areas where the available services are superior to that available at the local level. Although some information, counseling and family planning services are available through these channels, there is a serious lack of very basic knowledge of sexual and reproductive health, especially amongst the women in Toledo⁷⁶. Until recently the Ministry of Health provided contraception and counseling through mobile clinics; however, government discontinued this programme in 2002, creating a severe access deficit. Counseling and contraceptives to rural women in Toledo are now only available (for a fee) through the Belize Family Life Association (BFLA) which is based in Punta Gorda, the district town. BFLA also gives talks in schools on reproductive health; however, they have been forbidden to do so in schools run by the Catholic Church.
230. In addition to limited availability of resources, access to family health services are also limited by prevailing cultural traditions. Some men still forbid their wives or partners from using contraception, as a means of ensuring their fidelity.
231. Rural women's access to credit is very low. Although legally there are no barriers to women applying for loans on their own, in reality the gender biases and prejudices of commercial financial institution personnel cause women to be denied access to loans without their husbands appearing as co-applicants. At the same time, for cultural reasons, many women will not apply for a loan without seeking their husband's approval. Although information is not readily available, it is believed that fewer rural women own land and other assets, making it more difficult for them to obtain loans.
232. Despite the central role that women play in the survival of rural families and communities, their economic role is not recognized and is not included in statistics and censuses. Rural women enable their families' survival by establishing arts and craft, food preserve or corn mill self-help groups and cooperatives to earn extra income. However, these initiatives have met with marginal success because the women often lack the self-esteem, leadership and organizational management abilities, technical expertise, credit and markets. The Women's Department and Non-Governmental Organizations conduct some skills training in these areas for rural women and provide them with information on other relevant issues such as HIV/AIDS and Domestic Violence. Nevertheless, these interventions are the tip of the iceberg in addressing the substantial needs of the women.

⁷⁵ *ibid*

⁷⁶ Interview Nurse Donna Belize Family Life Association Clinic, Punta Gorda Town, Toledo District

233. In the main, the Women's Department is grossly under-resourced to carry out its mandate to facilitate the empowerment and advancement of women. With limited human, material and financial resources to do its work, the Department is even less able to reach women in rural areas, putting them at an even greater disadvantage. The same situation applies for the Ministry of Rural Development, established in 1998 as a coordinating body to liaise with other Ministries in order to deliver appropriate services to rural Belize. At the non-governmental level, the Toledo Maya Women's Council, an umbrella organization of community women's groups from the villages in the district, plays a lead role in lobbying for the interest of women in Toledo. TMWC's work is also affected by the dearth of available resources.

Table 14.0 Level of Education Reached for Rural Population 1991 & 2000



Source: 2000 Census

ARTICLE 15

EQUALITY BEFORE THE LAW AND IN CIVIL MATTERS

States Parties shall accord to women equality with men before the law.

States Parties shall accord to women, in civil matters, a legal capacity identical to that of men and the same opportunities to exercise that capacity. They shall in particular give women equal rights to conclude contracts and to administer property and treat them equally in all stages of procedure in courts and tribunals.

States Parties agree that all contracts and all other private instruments of any kind with a legal effect which is directed at restricting the legal capacity of women shall be deemed null and void.

States Parties shall accord to men and women the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile.

234. The Laws of Belize do not discriminate against women in civil matters, in entering into contracts or administering property.

235. Both men and women are accorded the same right to movement of persons or to choosing their residence and domicile.

ARTICLE 16

EQUALITY IN MARRIAGE AND FAMILY LAW

States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women:

- a) The Same right to enter into marriage;*
- b) The same right freely to choose a spouse and to enter into marriage only with their free and full consent;*
- c) The same rights and responsibilities during marriage and at its dissolution;*
- d) The same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children; in all cases the interests of the children shall be paramount;*
- e) The same rights to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights;*
- f) The same rights and responsibilities with regard to guardianship, wardship, trusteeship and adoption of children or similar institutions where these concepts exist in national legislation; in all cases the interests of the children shall be paramount;*
- g) The same personal rights as husband and wife, including the right to choose a family name, a profession and an occupation;*
- h) The same rights for both spouses in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration;*

The betrothal and marriage of a child shall have no legal effect and all necessary action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory.

236. The Supreme Court of Judicature (Amendment) Act, passed in 2000 is a landmark first step towards recognizing the economic value of women's work in the household. The Act provides guidelines for distributing property upon the divorce of married spouses, and upon the separation of parties to a common law union. This Act also provides for the maintenance in respect of parties to a common law union. In considering the distribution of property for a divorce the court must take into account:

The non-financial contribution made directly or indirectly by or on behalf of either the husband or the wife in the acquisition, conservation or improvement of the property, including any contribution made in the capacity of housewife, homemaker or parent;

The effect of any proposed order against the earning capacity of either the husband or the wife;

The age and state of health of both the husband and wife and the children born from the marriage (if any);

The non-financial contribution made by the wife in the role of wife and/or mother and in raising any children born from the marriage (if any);

The eligibility of either the husband or the wife to a pension allowance, gratuity or some other benefit under any law, or under any superannuation scheme, and where applicable, the rate of such pension, allowance, gratuity or benefit as aforesaid;

The period when the parties were married and the extent to which such marriage has affected the education, training and development of either of them in whose favour the order will be made;

The need to protect the position of a woman, especially a woman who wishes to continue in her role as a mother;

237. The Act also declares interest in property and alters property rights to take into account parties to a common law union:

148E (1) Where the parties to a common law union separate, then either party to the union may thereafter make alteration application to the court for a declaration of that party's title or rights in respect of property acquired by the parties or either of them during the subsistence of the union.

238. The same guidelines for distributing property to parties of a common law union are used as those for married persons.

239. A lack of procedural laws guiding practitioners to enforce the Supreme Court of Judicature Amendment Act has meant that all cases relating to this Act have been adjourned pending guidance of procedures. A similar lack of procedural rules has also impeded the enforcement of the Administration of Estates Act.

240. In 1999, the Criminal Code was amended to provide for the offence of marital rape:

68A (1) A male spouse commits marital rape against the female spouse if the first mentioned spouse has sexual intercourse with the other spouse in any of the circumstances specified in subsection (2)⁷⁷:

- a) Without consent of the female spouse; and*
- b) Knowing that the female spouse does not consent to sexual intercourse, or recklessly not caring whether the female spouse consents or not.*

241. In traditional Mayan communities, the marriage of women under the age of 14 is still a normal practice.

242. Under the Families and Children Act, maintenance pay is left up to the discretion of the Magistrate. Section 81 C allows any single woman to apply for maintenance under the Families and Children's Act upon providing proof that the man is the father of the child.

243. Despite legal reforms, women continue to report concerns about the different treatment of marital and common-law relationships, and the timely payment of maintenance by their partner or ex-partners. More recently, with the implementation of a fully automated and centralized public sector financial management system, women no longer experience long delays in the recovery of the payments.

⁷⁷ (2) The circumstances referred to in subsection (1) are as follows: -

- a) The spouses have separated and thereafter have lived separately and apart within the meaning of the Married Persons (Protection) Act;
- b) There is in existence a separation agreement in writing between the spouses;
- c) Proceedings for the dissolution of the marriage or for a decree of nullity of marriage have been instituted
- d) There has been made or granted against one of the spouses an order or injunction, as the case may be, for non-cohabitation, non-molestation, ouster from the matrimonial home or the personal protection of the other spouse;
- e) One of the spouses has given an undertaking with regard to the matters specified in paragraph (d)
- f) The act of sexual intercourse is preceded or accompanied by or associated with, assault and battery, harm or injury to the female spouse;

244. The National Gender Policy reports that approximately 30% of child maintenance orders are not complied with and that this rate is higher at the District level, where enforcement is weaker than in Belize City.

245. Additionally, women whose partners or ex-partners reside abroad, have no legal recourse for the recovery of child maintenance payment.

246. The National Gender Policy proposes to address these issues thusly:

- *The provision of the laws concerning spousal and child maintenance in marital and common-law relations (Families and Children's Act and Married Persons Protection Act) will be reviewed to ensure consistent and more equitable treatment.*
- *Protocols must be developed, introduced and enforced for the nationally uniformed, timely and rigorous collection and payment of court ordered maintenance obligations*
- *Any necessary efforts to better sensitize court and police officers to the importance of maintenance compliance shall be adopted and implemented*
- *Any cost of collection of late or defaulted payments shall be levied on the defaulting payer and not on the payee (or more accurately, the child)*
- *Reciprocal maintenance agreements and associated collection arrangements will be established with other countries and especially the United States of America*
- *Arrangements will be established by the Family Court to permit the automatic transfer of maintenance payments from the payer to the payee's bank account, and of garnished wages by the employers to that account*
- *Attention will be given by GOB to ensure the new Penal Reform Alternative Sentencing (Provisions) specifically accommodate maintenance defaulters without any financial penalty to the payee parent, viz. minimizing their imprisonment and maximizing their capacity to keep financially supporting their child.*

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