



**Convention against Torture  
and Other Cruel, Inhuman  
or Degrading Treatment  
or Punishment**

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**Committee against Torture**

**Second periodic report submitted by Belize under  
article 19 of the Convention, due in 2024<sup>\*</sup>, <sup>\*\*</sup>, <sup>\*\*\*</sup>**

[Date received: 15 November 2024]

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- \* The present document is being issued without formal editing.
  - \*\* The present document was submitted pursuant to the simplified reporting procedure. It contains the responses of the State party to the Committee's list of issues prior to reporting (CAT/C/BLZ/Q/2).
  - \*\*\* The annexes to the present document may be accessed from the web page of the Committee.



## I. Introduction

1. In 1993, Belize submitted its initial report to the United Nations Committee Against Torture and presented it at the Eleventh session in Geneva. Unfortunately, the initial report from Belize was notably brief, lacking the necessary details crucial for effectively facilitating the Committee against Torture's work. The report's brevity hindered the Committee's ability to pose some questions, prompting a request for a more comprehensive and revised initial report.
2. Recognizing the need for a more thorough examination, Belize received a list of issues in response to the Committee's request before submitting its second periodic report in 2010. This subsequent report was expected to provide specific information on implementing articles 1 to 16 of the Convention, including addressing the Committee's prior recommendations. In adherence to Article 19 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), Belize now submits its responses, which provide the most updated information concerning the implementation of the treaty.
3. Despite its commitment to implementing relevant treaties, Belize acknowledges a lapse in fulfilling its reporting obligations. The need to address delayed reporting is recognized, with the tardiness primarily attributed to insufficient technical, financial, and human resources. Despite these constraints, there is a profound understanding of the broader significance of reporting, extending beyond mere compliance with treaty obligations. It is vital for monitoring progress, identifying gaps, and fostering continuous improvements aligned with the country's long-term vision and medium-term development strategy.
4. Mindful of these responsibilities and challenges, Belize is actively engaged in formalizing its National Mechanism for Implementation Reporting and Follow-up (NMIRF), by the Inter-Ministerial Review Committee (IRC). The IRC will embrace dual responsibilities encompassing overseeing the coordination and preparation of all national reports to United Nations (UN) human rights mechanisms. These mechanisms span the spectrum from the Sustainable Development Goals (SDGs), Voluntary National Report (VNR) and treaty bodies to the Universal Periodic Review (UPR), Special Procedures, and reports to various international and regional organizations. The IRC's second mandate is to foster effective coordination and tracking of the national follow-up and implementation of treaty obligations and recommendations from reports submitted to UN human rights mechanisms.
5. By undertaking this pivotal responsibility, the IRC is a proactive vehicle through which Belize can translate its commitments into tangible actions and impactful policies. Through the formalization of the IRC, Belize hopes to enhance the efficiency of its engagements with the international community on human rights matters.

### Reporting Methodology

6. This periodic report of Belize represents a collaborative effort led by the Ministry of Home Affairs & New Growth Industries (MHANGI) in coordination with the Ministry of Foreign Affairs, Trade & Immigration (MFATI). This initiative was directed by the Legal Affairs Unit within the Development and Compliance Branch of the Belize Police Department.
7. Extensive support for drafting this report was provided by various Ministries, Departments and agencies including the Family Violence Unit, Trafficking in Persons Unit and Professional Standards Branch, the Development and Compliance Branch of the Belize Police Department, the Ministry of Human Development, Families and Indigenous Peoples' Affairs through its Anti Trafficking in Person Council, the Community Rehabilitation Department, the Women's Department, and the National Women's Commission and the Ministry of Health and Wellness. Contributions were also received from the Attorney General's Ministry and the Cooperation Unit and Refugee Department of the Ministry of Foreign Affairs, Foreign Trade and Immigration.

8. The drafting process commenced in January 2022, with crucial guidance and support from the Human Rights Unit of the Commonwealth Secretariat, which conducted a capacity building and report drafting working session with relevant stakeholders in June 2022. Before this session, focal points participated in a virtual workshop facilitated by the Office of the High Commissioner for Human Rights (OHCHR) in January 2021 focusing on the Human Rights reporting process, specifically emphasising the Convention against Torture (CAT).

9. A second consultation was held in December 2023 /February 2024 to ensure a comprehensive and inclusive report, fostering extensive input from relevant stakeholders. This participatory approach was further enriched by ongoing consultations spanning two years, culminating in completing this comprehensive National Report.

## **II. Replies to the list of issues prior to reporting (CAT/C/BLZ/Q/2)**

### **Articles 1 and 4**

#### **Reply to paragraph 1 of the list of issues**

10. The Belize Constitution, Chapter 4 of the Substantive Laws of Belize Revised Edition 2020 (“the Constitution”) not only expressly prohibits torture, but it also goes further to expressly prohibit inhumane or degrading punishment or other treatment where it states at section 7 that: “No person shall be subjected to torture or to inhuman or degrading punishment or other treatment.”

11. When Belize acceded to the Convention, the rules of statutory interpretation allowed the Convention to be relied upon as a source for a definition of torture. For that reason, it is submitted that section 7 of the Belize Constitution conforms with Article 1 of the Convention.

12. Judicial decision relating to the interpretation of Section 7 of the Constitution, includes the case of *Harris v Attorney General of Belize* Claim No. 339 of 2006, where the Supreme Court, now High Court, ruled that where a person has been remanded on death row for over five years, this amounts to cruel and inhumane treatment. In the case of *Harris v Attorney General of Belize* Claim No. 339 of 2006 the Supreme Court found at para. 13 as follows: “Accordingly, I find and hold that in view of the rather long passage of time that has endured since Mr. Harris had the death sentence imposed on him (over eleven years by the time of his present application), his rights provided for in section 7 of the Constitution have been violated. I therefore declare that it would now not be lawful to execute that sentence and it is accordingly quashed and set aside.”

#### **Reply to paragraph 2 of the list of issues**

13. The provisions of the convention do not automatically form a part of Belize’s domestic legislation since Belize is a dualist state. Whilst no law has been passed to incorporate the main provisions of the Convention, the main provisions of the Convention, which is understood to be “torture”, is expressly prohibited by the Constitution. Additionally, the Criminal Code, Chapter 101 of the Substantive Laws of Belize Revised Edition 2020, prohibits torture by prison officers where it states: “287. Every officer of a prison who, (a) uses any kind of torture to a prisoner; (b) is guilty of cruelty to a prisoner; (c) intentionally and unlawfully causes any harm to a prisoner, shall be liable to imprisonment for two years.

14. The Criminal Code at sections 18-24 entails several provisions prohibiting attempts, abetments and conspiracy to commit all crimes. The extent of the punishment upon conviction for attempts, abetment and conspiracy depends on the surrounding circumstances.

15. Though it is submitted that the Constitution imports the definition of torture as provided for by the convention, the GoB is forming an Internal Committee, which will be tasked to coordinate the drafting of provisions in the Criminal Code prohibiting torture consistent with CAT.

16. No prison officer has been arrested or accused of torture per section 287 of the Criminal Code identified above nor no constitutional proceedings for breach of the right to not be subjected to torture.

## **Article 2**

### **Reply to paragraph 3 of the list of issues**

17. Measures undertaken to ensure that detainees are immediately informed of their Constitutional Rights when taken into custody includes the implementation of Commissioner of Police Rules 2016, also known as “Guidelines for the interviewing and treatment of persons in police detention”. Rule 3, entitled; “ARREST”, which is also consistent with the Constitution, makes provision for how a detained person is to be treated in terms of his rights to be promptly, or no later than 24 hours, informed of the true reason of his arrest or detention. The detained individual must also be cautioned, and such occurrence must be documented unless the circumstance does not permit. In addition to this, the detained individual must also be informed of their right to communicate privately with an attorney of their choice and provide them with legal instructions, and, in the case of minors or persons with mental illness, to communicate in private with an appropriate adult. If the person in custody is not a citizen of Belize, they are to be provided with reasonable facilities to communicate with any consular office of the country of which the person is a citizen located within Belize (if any).

18. Every detained/arrested person must be issued a Schedule I Form (see annex “1”) which outlines the detained or arrested persons’ constitutional rights whilst in custody. This form is read to the person in a language that they understand. The detained person is asked to sign if they have been afforded the opportunity to duly exercise those rights. A signed copy of the said form is issued to the detained/arrested person, and a copy is kept by the Belize Police Department (“BPD”) for a minimum of 6 years. This document is also included in the case file where the detention results in charges being levied against the person. Posters are placed in police stations nationwide, informing persons of their constitutional rights while in custody and reminding officers of their obligations to afford detainees their rights.

19. Access to a medical doctor of one’s choice is determined by the ability of that person to pay for the service since it is not covered by the government. Where the person can cover the costs of the medical officer of their choice, they are escorted thereto after preliminary evaluation by a government medical officer.

### **Reply to paragraph 4 of the list of issues**

20. Section 194 of the Indictable Procedures Act, Chapter 96 of the Substantive Laws of Belize Revised Edition 2020 grants a discretion to the Supreme Court to assign Counsel to a person charged with a capital offence where it appears that he is unable to retain Counsel on his own. Section 39 of the Court of Appeal Act, CAP 90 of the Laws of Belize, R.E. 2020, has a similar provision in the context of an appeal in capital cases. While the provision is specific to capital cases, persons accused of other serious offences have benefitted from the court’s assignment of counsel in cases where it appeared that they could not retain counsel, both at the High Court and the Court of Appeal.

21. Refer to paragraphs 8 and 9 for discussion on whether all detainees are promptly informed of their rights in all places of detention.

### **Reply to paragraph 5 of the list of issues**

22. By Act No. 2 of 2001, the Belize Constitution was amended, which reduced the time limit to inform detainees of the reason for their arrest from 48 to 24 hours. That amendment also reduced the time limit to bring a person before a Magistrate from 72 to 48 hours. During arraignment, Magistrates scrutinize documents of arrest to ensure that detainees were not in detention for periods in excess of 48 hours. Section 20 of the Belize Constitution, allows a

person to file a Constitutional Claim when it is that they allege any of their rights has been, is being or is likely to be contravened in relation to him or, in the case of a person who is detained, if any other person alleges such a contravention in relation to the detained person.

23. A relevant judicial decision is the case of Ashton Martin v. Attorney General et al. Supreme Court Claim No 819 of 2019, the Supreme Court ruled that the breach of the 48-hour detention was unconstitutional. As a result, the Supreme Court ordered compensation to the claimant for general damages, including aggravated damages in the amount of \$17,500.00, exemplary damages in the amount of \$7,500.00, and special damages in the amount of \$1,500.00. The court also ordered the payment of interest in the amount of 6% per annum from the date of filing (December 2, 2019) to the date of judgment (August 18, 2021) and interest of 6% from the date of judgment to the date of payment totalling to \$12,500.00. Further to this, whilst the State has the power to detain a person up to maximum of 48 hours without a charge, that power must not be abused. The detention of a suspect must be justified on a minute-by-minute basis.

### **Reply to paragraph 6 of the list of issues**

24. The Summary Jurisdiction Procedures Act CAP 99, Indictable Procedures Act CAP 96, and Penal System Reform (Alternative Sentences) Act Cap 102:01 provide alternative measures to imprisonment that are put into practice by the criminal courts of Belize. Pursuant to the provisions discussed below, offenders are usually given fines, and where there are defaults in payments, the prison sentence is then levied as a last alternative. Additionally, where the convicted person fails to pay the fines within the prescribed deadline, the court can extend that deadline to avoid imprisonment upon proof of extenuating circumstances.

25. The Penal System Reform (Alternative Sentences) Act saw the establishment of the “Community Rehabilitation Department” (CRD). The CRD develops and implements prevention, diversion, and rehabilitation programmes targeting at-risk youth, first-time offenders, and juveniles (persons under age 18) who come in conflict with the law and their families.

26. Section 4 of the Penal System Reform (Alternative Sentences) Act mandates the Department’s functions which include compiling social enquiry reports for the courts at pre-sentencing and post-sentencing, offering counselling to offenders, supervising offenders on community service orders, etc. The criminal courts are also empowered by Section 6 of the Act to discharge and bind minors over the peace and section 8 allows the granting of suspended sentences. Section 12 of the Act empowers the Court to order community service which includes: a combination order, conditional discharge, probation order etc. Presently, consultations are being conducted to introduce the Alternative Sentencing Bill intended to repeal the Penal System Reform (Alternative Sentencing) Act. This bill will make new provisions providing a more comprehensive range of alternative sentencing options.

27. Section 54 of the Summary Jurisdiction Procedures Act, grants power to the Summary Jurisdiction Court to impose a fine instead of imprisonment if the justice of the case will be better met by a fine than by imprisonment. Section 59(b) of the same which Act also grants power to the Court to discharge a convicted person with conditions such as him giving a security to be of good behaviour.

28. Similar powers are granted to the Supreme Court by sections 164, 169 and 170 of the Indictable Procedures Act, which provides for fines to be issued for persons convicted of crimes not punishable with death as well as allowing convicted persons to be released on bail after conviction where the Court considers it just in the circumstances.

29. Evidence that the judiciary is aware of and are applying alternative non-custodial measures can be gleaned from the case of the Queen v Kumul, Indictment No C62/2022, the accused was charged with arson, a criminal offence that, upon conviction on indictment, carries a penalty of imprisonment for a term not exceeding ten years, and on summary conviction, carries a penalty of imprisonment for a term not exceeding five years. Having pleaded guilty to the indictment, the Honourable Justice Susan Lamb considered the circumstances of the case and, in her reasoning, applied sections 164, 165 and 169 of the

Indicatable Procedures Act, and instead of imposing imprisonment, she fined the accused \$200.00 and ordered the sum of \$800.00 to be paid to the victim. Of note, it was the seat of a golf-cart that was damaged in the arson.

30. The Belize Central Prison has a capacity of 2,100 inmates and currently holds 1,200. As it relates to the BPD, it is the policy of BPD to grant station bail for minor offences to avoid overcrowding of detention cells and, where this is not applicable, to take persons before the court as soon as possible.

**Reply to paragraph 7 of the list of issues**

31. The Domestic Violence Act 2000 was repealed and replaced by Act No. 19 of 2007 to provide greater protection to victims of domestic violence. The long title of the Act states that the purpose behind the new legislation is to provide greater protection to victims of domestic violence through strengthened legislation that ensures prompt and equitable legal remedies for victims of domestic violence. The new legislation is believed to reflect the community’s repugnance to domestic violence in whatever form it may take and further influence the community’s attitude and support social change.

32. The Act increased the duration of court orders relating to domestic violence from 12 months to 3 years. The Act also covers persons in visiting relationships, empowers officers of the Women’s Department as well as experienced and qualified Social Workers to make applications on behalf of victims and also directs a respondent to relinquish to the Police any firearm or other weapon which they may have in possession, or which has been used in domestic violence. The Act also directs the respondent, applicant, child or any other person to receive professional counselling or therapy.

33. Since the 2007 amendment, all of Belize’s laws have been revised in 2020, including the Domestic Violence Act, CAP 178 of the Laws of Belize. However, no changes were made to the text of this particular Act.

34. As it relates to court actions brought under the Domestic Violence Act, Belize City, the Country’s largest municipality registered the following applications being lodged for the year 2022:

<i>Protection order</i>	<i>2022</i>
Revocation of protection order	12
Breach of protection order	19
Breach of an undertaking order	5
Variation of protection order	8
Occupation order	375
Tenancy order	4

**Reply to paragraph 8 of the list of issues**

35. To address the issue of violence against women, Belize has undertaken comprehensive measures complementing legislative reforms. The government is working towards completing its National Gender Policy (2021 - 2030) and is updating its National Gender-Based Violence Action Plan (2021-2026), aligning them with international standards. This Action Plan focuses on efforts to address various forms of gender-based violence, including child abuse, domestic violence, human trafficking, and sexual assault. It includes a thorough situation analysis, achievements, challenges, a 5-year implementation plan, monitoring and evaluation framework, and budget.

36. The National Women’s Commission (NWC) plays a pivotal role in advising the government on women’s issues, focusing on domestic violence, rehabilitation and the promotion of non-violent societies. In 2013, the NWC established the National Gender and

Gender-based Violence Committee and District Gender-based Violence Committees, fostering a multi-sectoral response to gender-based violence.

37. The Belize Police Department has a unit known as the Family Violence Unit, that is staffed with specialized officers who investigate reports of domestic violence (DV). The unit receives continuous training to ensure officers are equipped to carry out their responsibilities given the sensitivities involved in DV cases.

38. The judiciary has also adopted gender-responsive measures, including the “Model Guideline for Sexual Offence Cases” and the “Gender Equality Protocol for Judicial Officers.”

39. Belize has also forged partnerships with civil society organizations and networks, including NGOs like Haven House, Child Development Foundation, and Toledo Maya Women Council. These collaborations aim to design comprehensive policies and programs, bridge service gaps, and effectively monitor and evaluate their impact. Also, the government, in partnership with the United Nations, launched the Spotlight Initiative to address violence against women and girls. Mobile Women Centres were established through this initiative to provide essential services, including legal support, counselling, and sexual and reproductive health services.

40. The government of Belize continues to prioritize activities to amplify education and awareness to end violence against women and girls. The 16 days of activism against Gender-based Violence is held annually and represents the awareness efforts and the strengthened partnerships with NGOs.

41. In addition to these efforts, the GoB recognizing the need for data-driven policies has dedicated a portal to the Belize Crime Observatory to track DV cases. Annex 2 shows the Data compiled by the Belize Crime Observatory on Domestic Violence Reports, verified and published by the Joint Intelligence Coordinating Centre of the Belize Police Department.

42. In response to the increase in domestic violence cases, in 2022 the House of Representatives unanimously supported the Domestic Violence in Belize Motion. The motion denounced and condemned domestic violence and further pledged additional resources to conduct legislative reviews and prioritize domestic violence as a national concern. It also committed to supporting the comprehensive Women’s Agenda aimed at fortifying strategies to safeguard the well-being of women and children.

43. Furthermore, Belize’s commitment to addressing GBV and DV was GoB’s granting of a posthumous pardon to Nora Parham. Nora Parham was a victim of domestic violence, unjustly convicted of murdering her partner, was sentenced to death by hanging in 1963. The government’s act of pardon serves as a significant milestone in acknowledging past injustices and underscores the importance of ensuring justice and protection for victims of domestic violence. Another instance of the country of Belize recognizing the nuances attending to DV cases is the case of Lavern Longsworth, who was convicted for the Murder of her common Law Husband in 2012. The Court of Appeal in Criminal Appeal No. 21 of 2012 quashed the murder conviction of Longsworth substituting it with a conviction for manslaughter after fresh evidence was produced that showed Longsworth was suffering from “Battered Woman’s Syndrome” owing to years of abuse at the hands of the deceased, her common-law husband.

44. Data is not aggregated to reflect convictions of DV Cases. When a DV case goes before the court, it is usually prosecuted as the criminal offence that the action constitutes e.g. harm, rape, murder, and not under the label “domestic violence”. However, since 2024, the BPD has implemented measures requiring that the court book be marked and logged as having originated from domestic violence so that the necessary data can be easily aggregated.

### **Reply to paragraph 9 of the list of issues**

45. The Trafficking in Persons Prohibition Act-2013 ((TIP Act) criminalizes sex trafficking and labour trafficking and prescribes penalties of up to eight years imprisonment for offences involving adult victims and up to 12 years imprisonment for offences involving child victims. Where there are extenuating and aggravating circumstances for child victims,

the penalty can go up to 25 years imprisonment. In addition, the 2013 Commercial Sexual Exploitation of Children (Prohibition) Act (CSEC Act) criminalized various offences relating to the prostitution of anyone younger than 18. Under the TIP Act, traffickers who were government officials and diplomats may be imprisoned for up to 15 years and must leave public office. The judiciary has also assigned an expert judge to handle all in-person trafficking cases. This Judge partakes in consistent training to equip herself to adjudicate human trafficking cases adequately.

46. The Anti-trafficking in Persons (ATIPs) Council, established under TIPPA, plays a pivotal role by coordinating efforts across various government ministries. Their focus encompasses prevention, protection, investigation, prosecution, public awareness, and data management. An annual action plan guides their activities, prioritizing operations, prosecutions, awareness campaigns, victim support, training, partnerships, and data collection. To increase the number of investigations, prosecutions and convictions of TIPs crimes, the BPD created a TIPS Unit in 2018. This Unit investigates TIPs cases and capitalises on opportunities for partnerships with international NGOs to support their mandate to carry out nationwide sensitization programs. The Unit operates from a location not attached to a police station; this creates an environment for survivors of human trafficking to feel comfortable when providing statements to police officers.

47. To enhance law enforcement capabilities, the ATIP's Council and the BPD have conducted extensive training, including domestic violence unit officers, criminal investigative branch personnel, and police academy recruits in anti-trafficking measures since 2019. Collaborations with Non-Governmental Organizations (NGOs) and international entities extend this training to teachers, utility workers, social security board inspectors, and private employers in the tourism sector. Immigration officers, customs officers, labour officers, social workers, prosecutors, and judges have also received specialized training. Public awareness campaigns, including billboards, are employed to educate the public about human trafficking and promote reporting. Additionally, in 2017, the Human Trafficking Institute (HTI) partnered with the Government of Belize and various agencies to ensure that investigators, prosecutors, and social service workers are prepared to move human trafficking cases through the court system. Annex "3" summarises the sensitization training conducted with targeted entities and organizations.

48. The Ministry of Human Development (MHDF&IPA) in Belize continues its unwavering commitment to supporting victims of trafficking. Victims receive comprehensive care during the criminal proceedings, including shelter and essential necessities. Moreover, physical and mental health services are provided to address the well-being of these individuals. A key focus is ensuring individualized care plans tailored to each victim's unique circumstances, with a primary goal of rehabilitation and successful reintegration into society.

49. Recognizing the country's relatively small geographical and population size, the Government of Belize (GoB) ensures a diverse range of placement options based on personalized safety assessments. In addition to operating its shelter dedicated to trafficking victims and their families, GoB has recently forged a Memorandum of Understanding (MOU) with a Non-Governmental Organization (NGO) to expand shelter services for victims. Importantly, this support is accessible to both foreign and domestic victims. Foreign victims receive additional assistance in regularizing their immigration status, and those who have obtained temporary residency in Belize receive special consideration when applying for permanent residency.

50. The Department of Human Services of the MHDF&IPA maintains a specialized Trafficking in Persons (TIPs) Care Unit, exclusively dedicated to providing compassionate care to suspected and confirmed victims of human trafficking in Belize. This specialized unit ensures that victims receive the specialized support they require during their recovery and reintegration process. In a notable partnership, the Government of Belize, in collaboration with UNICEF, has established a shelter tailored to the needs of migrant children who are particularly vulnerable to human trafficking. This initiative aims to provide these children with the necessary protection and assistance. Additionally, in 2022, the Ministry of Human Development expanded its efforts by signing an MOU with an NGO to establish a shelter to accommodate adult migrants and trafficking victims. This shelter is crucial in supporting



victims during legal proceedings. For adult victims, subsistence allowances or stipends are offered to aid their reintegration into society.

51. Between 2017 and August 2022, Belize identified 39 potential trafficking cases. Of the 39 cases there has been 4 persons convicted in 3 cases, 17 cases remain under investigation and the remaining 19 did not yield the information necessary to continue the investigation. Noteworthy convictions include the sentencing of an adult male to 12 years for procuring a child for sexual exploitation and a 10-year sentence for a mother involved in “child prostitution.” These convictions reflect Belize’s commitment to combat human trafficking effectively. The sentences handed down by the courts also require financial restitution to the survivors of human trafficking.

### **Reply to paragraph 10 of the list of issues**

52. Kindly see annexes 4-7 for the statistical data related to the amount of trafficking in-person complaints received, investigated, and prosecuted in Belize for the period under review and paragraph 51.

### **Reply to paragraph 11 of the list of issues**

53. Belize ratified the CRC on 2 September 1990. The CRC is incorporated in domestic law through Article 4(c) 6 of Schedule 1 to the Families and Children Act. Belize was among the first countries to ratify the United Nations Conventions on the Rights of the Child (UNCRC) in 1990, a cornerstone of its child protection efforts. Further solidifying this commitment, Belize ratified the ILO Convention on Minimum Age C-138 and the ILO Convention on the Worst Forms of Child Labour C-182, demonstrating its resolve to combat child labour. Additionally, Belize has signed onto crucial protocols such as the UNCRC Optional Protocol on Armed Conflict, UNCRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, and the Palermo Protocol on TIPs.

54. The National Committee for Families and Children (NCFC) is a statutory body comprised of multi-sectoral members, legally mandated to promote, monitor and evaluate Belize’s compliance with its national and international commitments to children. The NCFC is the primary advisory body to the government on families and children’s issues. The National Children’s Agenda 2017-2030 is Belize’s second long-term commitment to developing the Children of Belize. The new Children’s Agenda 2017-2030 builds on the National Plan of Action for Children and Adolescents (NPA), 2004 – 2015. The main goals of the NPA were to:

- Ensure that all children and adolescents residing in Belize, irrespective of their legal status, live in conditions necessary to achieve their maximum level of spiritual, moral, intellectual, physical, and psychosocial development.
- Achieve the fulfilment and implementation of all the rights of children and adolescents to a happy life, to be loved, and to have opportunities for their comprehensive development.
- To consolidate the themes of childhood and adolescence as commitments and national priorities, strengthening national systems of protection in order to offer to this part of the population, and especially to those that are found to be living in poverty, opportunities that optimize their development and guarantee their rights.

55. The 2017-2030 Children’s Agenda is also aligned with the Government’s long-term development framework, Horizon 2030 and the Growth and Sustainable Development Strategy (GSDS), which combines the country’s economic growth and poverty reduction strategies and charted the path forward for a better quality of life for all Belizeans. The 2020 Plan Belize builds on this strategy and works to secure equal protection for children regardless of their social status. It also seeks to ensure the provision of education and health based on equity. The plan prioritizes affordable education and universal health care and aims to reduce poverty by a quarter by 2025 and half by 2030.

56. As it relates to the measures taken to prevent the exploitation and abuse of children, the Criminal Code was amended in 2020 to increase the penalties for offences related to child exploitation, abuse, and trafficking. This legislative change was complemented by formulating a National Child Protection Strategic Plan 2020, providing a coordinated approach to safeguarding children's rights. This plan serves as a guiding framework for implementing policies, programs, and interventions to prevent child abuse, exploitation, and neglect. Collaborative support from the Anti-Trafficking in Persons (ATIPS) in Council has facilitated advancements in partnerships aimed at strengthening children's rights and protecting them from sexual abuse and violence. The forthcoming implementation of the Criminal Justice (Exploitation of Children in the Commission of Offences) Bill, 2021, is expected to fortify Belize's commitment to children's welfare.

57. In alignment with its international commitments, Belize incorporated Target 8.7 of the SDGs to eliminate all forms of child labour by 2025. GoB, through the Ministry of Rural Transformation, Community Development, and Labour, has been proactive in translating these commitments into action. Notable milestones include revising the National Child Labour Policy in July 2022 and launching "The Belize National Child Labour Policy and Strategy 2022 to 2025." Collaborations with stakeholders such as the Labour Department, immigration department, Ministry of Education, MHDF&IPA, and the BPD reinforce the country's comprehensive approach.

58. Belize has established an active National Child Labour Secretariat and Inspectorate Desk to ensure rigorous monitoring, execution, and reporting of incidents nationwide. In its commitment to eradicating the employment of migrant children under the age of 14, site visits and checks are being conducted to identify and eliminate instances of unauthorized child labour. Notably, the country strictly enforces the non-issuance of work permits to individuals under 18, reinforcing its dedication to protecting children's rights and preventing their exploitation in the workforce.

59. The Child Labour Secretariat desk will monitor the MOU. Additionally, Belize joined "The Regional Initiative Latin America and the Caribbean Free of Child Labour" – An active Child Labour secretariat desk is responsible for implementing the new Child Labour policy in collaboration with other partners/agencies such as the immigration department, the ministry of education, the ministry of human development, the police department, and the labour department. Since 2022, capacity development training for twenty-four (24) Labour Inspectors was conducted. These trained officers conducted 831 inspections countrywide, and 57 were for child labour to ensure compliance and detect violations.

60. As it relates to the measures taken to prevent child trafficking, sexual exploitation, and child pornography, the (Commercial) Sexual Exploitation of Children Act, CSEC (2013) makes it an offence for anyone to employ a child to engage in sexual intercourse or any other sexual activity with themselves or any other person or to capture any child in any sexual activity or sexually depicted activity. Similarly, the Cybercrime Act also created the offence of child luring. Penalty for conviction of offences under these act carries imprisonment for up to 12 years.

### **Reply to paragraph 12 of the list of issues**

61. The Office of the Ombudsman is a statutory body established by the Ombudsman Act no 19 of 1999, with the revised edition of 2000 now in force. The Ombudsman is independent and reports directly to the National Assembly. The Office of the Ombudsman investigates complaints relating to corruption or any other wrongdoing, injustices, injury or abuse by state authority. Section 2(1)(a) -(d) of the Ombudsman Act defines authorities as a Ministry, Department, or Agency of Government; Belize Police Department; other statutory body or authority; or a company registered under the companies Act being a company in which the Government holds not less than 51 percent of the ordinary shares, and so declared by the National Assembly. In the exercise of his investigative function, the Ombudsman plays a supervisory role in ensuring the protection of the constitutional freedoms of a person and the rule of law.

62. In 2022, the Ministry of Home Affairs and New Growth Industries reinstated the Visiting Justices Program at the Kolbe Foundation, Belize Central Prison. The program involves appointed justices of the peace, the Ombudsman, and a magistrate conducting routine visits to the prison, aligning with the Prisons Act Part V. The primary purpose of these visits is to assess the overall welfare of inmates. The Visiting Justices are tasked with (1.) Hearing and investigating prisoners' complaints, reporting their findings and opinions to the Superintendent or, if necessary, to the Minister (2.) Examining reports concerning prisoners' mental or physical well-being endangered by prison conditions, communicating their opinions to the Minister, and making recommendations to the Superintendent if the situation is not urgent (3.) Inspecting the prisoners' diet and reporting their observations and recommendations to the Superintendent or the Minister. The OMB undertakes routine check-ins at the facility to receive complaints.

63. Since 2018, the budget allocated to the Ombudsman's Office (OMB) has increased by 9%. The OMB remains dedicated to securing further funding for essential resources, demonstrating its commitment to improving its functioning. The OMB has undertaken to collaborate further with key groups such as the Women's Commission, The People's Constitution Commission, the Kolbe Foundation, and other government systems to address critical areas of human rights complaints.

64. With the support of the Commonwealth Secretariat and the Office of the high Commissioner for Human Rights Belize between 2019-2022, a feasibility study for establishing Paris Principle compliant Human Rights Institution in Belize. The study, among other things, has been instrumental in identifying the necessary measures that Belize may wish to take to improve the functions of the Office of the Ombudsman. Executive approval was recently granted in support of the Ombudsman's recommendation to amend the mandate of the Office of the Ombudsman to make it Paris Principle compliant. The International Criminal Court does not accredit the OMB.

65. Regarding the number and types of complaints dealt with by the OMB from 2015 to 2020, please see Annex "8", which provides a summary.

66. Though the age of criminal liability begins at 12, in proceedings against children of age 12 but below 14 the prosecution must prove beyond a reasonable doubt that the child has attained sufficient maturity of understanding to judge the nature and consequences of his conduct in the matter in respect of which he is accused. In practice, less than 10 persons below the age of 14 but above the age of 12 have been prosecuted for offences in Belize.

### **Article 3**

#### **Reply to paragraph 14 of the list of issues**

67. Section 7 of the Belize Constitution protects persons from being subjected to torture or, inhuman or degrading punishment, or other treatment. This protection extends to any person in Belize. Therefore, if a person believes that their extradition or expulsion from Belize would violate Section 7 of the Constitution, they can apply to the Supreme Court for redress under Section 20.

68. As it relates to a particular case where extradition was denied, the case of Rhet Allen Fuller (Appellant) v The Attorney General of Belize (Respondent) [2011] UK PC 23 is an instance of this. At para 48 of that case, the Privy Council held that: "Extradition will not be lawful if it will violate a fundamental right."

69. In the case of Karol Mello v the Commissioner of Police and Superintendent of Prisons Claim No. 388 of 2012, the applicant sought a writ of habeas corpus after an Expulsion Order issued had him detained at the Hattieville Prison. Section 5(2)(d) of the Belize Constitution, which guarantees the protection of the right to personal liberty, provides that: Any person who is arrested or detained shall be entitled, (d) to the remedy by way of habeas corpus for determining the validity of his detention."

70. At para. 34, the Court said: “I have no doubt that one of the reasons, perhaps the main reason, for the applicant’s presence in Belize is to evade answering the murder charges against him in the country of his birth Slovakia. But sending him back to Slovakia to answer the charges, has to be done in a lawful manner. The Governments of Slovakia and Belize for that purpose should make an extradition treaty, follow the statutory procedures in the Extradition Act and send the applicant back after following the required statutory steps.”

71. The Court found the Expulsion Order unlawful as no extradition treaty existed between Belize and Slovakia.

72. On the issue of whether Article 3 of the Convention has been implemented for the State Party to fulfil its obligations under the Convention, Section 14 of the Refugees Act, Chapter 165 of the Substantive Laws of Belize Revised Edition 2020 captures Article 3 in full and also gives more expansive protection. Belize is a Party to the 1961 United Nations Refugee Convention and the 1967 Protocol, which by virtue of section 3 of the Refugees Act, have the force of law and are incorporated into Belize Law. Therefore, under the Refugees Act, what is practised in Belize is that persons, refugees and their families who are in the territory of Belize and who express to any law enforcement officers, human services officer, immigration officer or any other Government officer that they are seeking asylum/refuge or that they fear for their life or have experienced persecution in their country of origin/residence are immediately referred to the Refugees Department (“RD”), whether they entered Belize lawfully or otherwise.

73. RD, in collaboration with the United Nations High Commissioner for Refugees (UNHCR), have developed Referral Standard Operating Procedures (SoPs) on the process for referral of persons fleeing persecution or who fear for their life in their country of origin/residence. Updated address and contact information for asylum referrals at the Department of Human services, the RD and UNHCR’s implementing partner and Non-governmental Organization -Help for Progress (HfP) are highlighted in the SoPs. The SoPs specify instructions regarding how and when to make such referrals and includes referrals of unaccompanied children or particularly vulnerable individuals such as, for example, rescued victims of trafficking persons or survivors of torture or other such grievous mistreatment.

74. Annex 9 provides an update of case files submitted to the Honourable Minister for confirmation. Files were confirmed and returned to the Refugees Department; fileREC did not recommend files. Data has not yet been aggregated to reflect the categorization of age, sex, and nationality; however, this process will be implemented in 2024.

75. As it relates to diplomatic assurances, the country of Belize relies on the provisions of bilateral treaties and not on diplomatic assurances.

## **Articles 5 and 7**

### **Reply to paragraph 17 of the list of issues**

76. Belize has yet to exercise its Universal Jurisdiction for prosecuting persons suspected of torture as no requests have been received, nor no person suspected of such conduct has been identified in Belize.

### **Reply to paragraph 18 of the list of issues**

77. Belize has yet to receive an extradition request whereby the offence of torture is being prosecuted against an individual.

## **Article 10**

### **Reply to paragraph 19 of the list of issues**

78. The Belize Central Prison has a zero-tolerance policy for the use of excessive force against prisoners, and, to this end, training for correction officers and medical personnel is provided consistently. A human rights training curriculum has been developed based on various internationally accepted conventions and protocols related to treating persons deprived of their liberty. For new prison officers, a two-week basic correctional training is provided, followed by a “refresher’s training.” “Training for Correctional Leaders” is offered to senior officers. At these trainings, the institution’s mission is stressed; officers are to provide a secure, humane facility geared towards meaningful rehabilitation for successful reintegration into society. The Training Unit of the Prison Management delivers the training.

79. Judges and prosecutors often benefit from continuous training in prosecuting or adjudicating matters concerning human rights violations.

80. Regarding Police officers, the BPD in December 2022 released its revised Human Rights and Use of Force Policy and continues to train officers on its use. More than 500 police officers have undergone training to ensure compliance with the updated Human Rights and Use of Force Policy, designed to mitigate instances of excessive force and uphold human rights standards. Human rights are also covered in the recruit training syllabus, where there is a structured curriculum dedicated to the topic. Judiciary members often provide guest lectures on the topics. Further to this, the OHCHR collaborates with the BPD to conduct regular Human Rights Training.

81. Belize remains committed to collaborating with international partners to enhance human rights training. To date, training sessions facilitated by these partners have been extended to law enforcement officers, magistrates, judges, and prosecutors.

## **Article 11**

### **Reply to paragraph 21 of the list of issues**

82. In 2016, the Belize Police Department enacted the “Commissioner of Police Rules: Guidelines for the interviewing and treatment of persons in Police detention”. This document replaced the Judges’ Rules of 2000 which, amongst other things, provided guidelines for the interviewing of persons and obtaining statements from persons in Police custody. These new Rules are more comprehensive and were approved by the Chief Justice of Belize. The new rules address how persons are to be treated from the initial contact with Police and subsequent interactions at the police station, how a person is to be informed of his constitutional rights, and the procedures to be followed where a report or allegation of abuse is made by the detained person against any police officer. It also provides for the electronic recording of interviews and caution statements in the presence of a Justice of the Peace and outlines the minimum conditions for detention.

## **Articles 12 and 13**

### **Reply to paragraph 22 of the list of issues**

83. The PSB of the BPD and the Ombudsman’s Office receive and investigate complaints of human rights violations and ill-treatment committed by law enforcement officers. Where these investigations result in the institution of criminal proceedings, they are prosecuted by the Police Department or the Office of the Director of Public Prosecution.

84. As it relates to the office of the Ombudsman, this Office plays a proactive role in investigating matters related to excessive use of force, taking necessary actions to ensure proper education and awareness among the public of available recourse options when

reporting instances of excessive force. The OMB comprehensive plan includes social capacity building, strengthening relationships with vulnerable populations, and fostering positive perceptions of the Office of the Ombudsman among the public and the BPD. The Office of the Ombudsman receives calls from inmates at the prison and as has acted upon those calls to inform those persons of the proper process to file a complaint with the Office of the Ombudsman so that the complaints may fall within the requirements of the law. The Prison Controller facilitates this process. The Ombudsman pursues an investigation into the allegations contained in complaints which includes scheduled visits to the prison to gather further information. These visits are done to conduct interviews with the complainants, the prison officers and/or the Prison Controller. Due to the nature of some of these Complaints, the Ombudsman has further made requests to visit the Prison and have a tour of its facilities. Once the Ombudsman has undertaken to investigate all substantial complaints which fall within the purview of the Ombudsman Act, he dialogues with the Belize Central Prison and other stakeholders with a view to resolving the matters.

85. The Professional Standards Branch (PSB) of the Belize Police Department is responsible for registration, monitoring and (as necessary) directing the investigations of serious complaints against the Police and employees of the Police Department undertaken at the Formation and Branch level. Professional Standards Branch personnel are accessible countrywide located in each Judicial District. 2022 saw the expansion of PSB with plans of moving all offices away from Police compounds in the interest of utmost confidentiality. PSB is responsible for maintaining the confidentiality of complaint/Discipline Investigation files and records. Please see Annex 10 for the established internal procedure as it relates to complaints of alleged human rights violations committed by members of the BPD.

### **Reply to paragraph 23 of the list of issues**

86. The Commissioner of Police Rules 2016 provides a mechanism to handle complaints of persons who are in police custody. Equally, rule 3 entitled “Arrest” of the Commissioner of Police Rules 2016, provides a mechanism where persons deprived of their liberty are made aware of their right to complain and can exercise their right. As it relates to complaints by persons in Police Custody Rule 14 of the Commissioner of Police Rules provides:

#### **Allegations of improper treatment**

- 14.1. If a complaint is made by, or on behalf of, a person in custody about their treatment since arrest or detention, a report must be made as soon as practicable to an officer of inspector rank or above who is not connected with the investigation.
- 14.2. If the complaint concerns a possible assault or the use of unnecessary or unreasonable force against the person in police custody, a healthcare professional must also be called to observe the person as soon as practicable.”

87. At the Belize Central Prison, prisoners are given an orientation in which, among other things, their rights at the prison are explained. Inmates are informed of the mechanism for complaints and their right to access the CEO of the Kolbe Foundation and the Prison Comptroller. The complaints mechanism is derived from the Prison Rules, Rule 59, which facilitates inmates’ access to the authorities of the prison. Allegations, or evidence, of violence against detainees/prisoners are promptly investigated, and the appropriate action is taken where necessary.

88. The Ministry of Home Affairs and New Growth Industries also re-introduced the Visiting Justices Program at the Belize Central Prison. The Visiting Justices Program allows appointed justices of the peace, the Ombudsman, and a magistrate to conduct regular visits to the Belize Central Prison per the Prisons Act Part V, which directs visiting Justices to look at the overall welfare of prisoners. The main functions include investigating prisoner complaints, inspecting prisoner diets, assessing risks to prisoners’ well-being due to confinement conditions, and reporting and providing suggestions to the Superintendent or Minister.

### Reply to paragraph 24 of the list of issues

89. No report has been made alleging torture, attempted torture, complicity or participation in torture pursuant to Section 287 of the Act. Consequently, there has been no criminal prosecution. Though no law enforcement personnel have been criminally prosecuted for torture, criminal charges and prosecution have been initiated against law enforcement personnel for ill-treatment that rises to the level of a criminal offence, for instance, harm, wounding, manslaughter, murder etc. Below is breakdown for the period under review:

<i>Offence</i>	<i>Number of Incidents</i>	<i>Number of Officers Charged</i>	<i>Number of Officers Convicted</i>	<i>Number of Officers Awaiting Trial</i>	<i>Penalty Range for Convicted Officers</i>
Murder	2	3	-	3	-
Manslaughter					1 ½ years imprisonment to 18 years
	6	14	7	7	imprisonment
Aggravated Assault	1	1	-	1	-
Wounding	1	1	-	1	-

90. As it relates to acquittals, eight law enforcement personnel (consisting of Belize Défense Force Personnel and Police Officers), were acquitted for charges of murder arising from one incident.

### Reply to paragraph 25 of the list of issues

91. Where criminal charges arise from complaints of ill-treatment, officers are immediately placed on interdiction (suspension with half-salary) from active duty pending the outcome of their criminal case and their disciplinary tribunal.

### Reply to paragraph 26 of the list of issues

92. No criminal reports alleging torture have been reported to police during the reporting period.

## Article 14

### Reply to paragraph 27 of the list of issues

93. Victims of torture are able to seek redress before the Supreme (High) Court in Belize on the basis of a breach of their Constitutional Right to not be subjected to torture. Where allegations of police abuse or ill-treatment are found to be of sufficient merit, the office of the Attorney General usually settles out of court with the complainants with a mutually agreed sum for compensation which is often guided by previous judicial decisions.

### Reply to paragraph 28 of the list of issues

94. Section 90 of the Evidence Act, CAP 95 requires the prosecution to affirmatively prove to the satisfaction of the court that any statement amounting to a confession of a crime was not induced by fear, threat or pressure etc. by or on behalf of any person in authority, before it can be accepted into evidence.

95. In the case of *Matu v The Queen* Criminal Appeal No. 2 of 2001, during an interview, the appellant made an oral statement admitting to the crime of murder and was charged and convicted. The appellant grounded his appeal in that the learned trial judge erred in law in

not admitting the statement into evidence without ascertaining whether the conditions set out in the then section 88 (now section 90) of the Evidence Act were satisfied.

96. The Belize Court of Appeal held at para. 15 that: “In our view, the prosecution must lead evidence which shows, beyond reasonable doubt, that the admission which it intends to introduce into evidence, was not obtained by any promise of favour or advantage or by use of fear, threat or pressure by or on behalf of a person in authority. If such evidence is not given, then the admission cannot be introduced into evidence.”

97. Ultimately, the Court of Appeal quashed the conviction.

## **Article 16**

### **Reply to paragraph 29 of the list of issues**

98. In 2011, the Minister of Education signed a statutory instrument which suspended the use of sections 50 (2) and 51 (4) of the Education and Training Act and thus prohibited corporal punishment in schools.

99. Corporal punishment is provided at section 39 of the Criminal Code, Chapter 101 of the Substantive Laws of Belize, Revised Edition 2020. Kindly see Annex 11 for the provisions concerning the use of corporal punishment.

### **Reply to paragraph 30 of the list of issues**

100. The BPD implemented a policy that guides police interaction with LGBTQ as well as a Policy that guides police interaction with persons living with HIV/AIDS. These policies are a part of the recruit training curriculum and continuous in-service training that are conducted. Please see Annex 12: for these policies.

### **Reply to paragraph 31 of the list of issues**

101. The use of force by law enforcement is restricted to what is allowed by law. Officers are taught that in every situation force used must be justified. Regular use of force training is done with the members of the Belize Police Department, the Coast Guard and the Belize Defence Force to discourage excessive use of force and firearms by police officers and security forces. Kindly see paragraphs 76-81 above for discussions on measures taken by Belize.

102. Further to this, interagency cooperation has been strengthened with agencies whose mandate addresses allegations of excessive use of force. For example, the BPD and the OMB signed a MOU in 2016. The MOU facilitates interagency cooperation in the investigation of complaints, training, public education and awareness, joint field operations, and the development and implementation of standard operating procedures between both entities to expedite the investigation and resolution of complaints. According to the MOU, OMB and members of the PSB meet periodically to review complaints received. In addition, the HRCB conducted training sessions for trainers on the Commissioner of Police’s Guidelines for the Treatment of Persons in Detention as a part of the measures to curb the complaints against the BPD.

103. Other practical measures taken to prevent the excessive use of force by the BPD include the installation of cameras in all police head stations (towns and cities), equipping officers with body worn cameras as available, use of non-lethal instruments such as tasers, improved supervision of officers, and applying the full force of the law against implicated officers where complaints are substantiated.



### **Reply to paragraph 32 of the list of issues**

104. The Belize Central Prison has a capacity of 2,100 inmates and currently holds 1,231 inmates consisting of 1,155 males, 40 juveniles and 36 females. 420 of the 1231 are on remand. The Belize Central Prison follows the minimum standards for prisoners. Regarding improvements to detention conditions in prisons and in police stations, the revised Prison Rules continuously improve on the standards for prisoners. Consistent with international standards, all prisoners benefit from appropriate living conditions – adequate light, ventilation, temperature, sanitation, nutrition, drinking water, access to open air and physical exercise, personal hygiene, health care and adequate personal space appropriate to their needs and circumstances. Within the prison facility, a medical centre serves as a triage. Inmates have access to first responders' care on a 24-hour basis. There is also an on-site ambulatory service available to prisoners and referrals if necessary. Within the prison there is a head of security for each building containing inmates; each building houses approximately 110 inmates, with 4-6 inmates in each cell. Each head of security is responsible for daily operations of their building, which entail ensuring that inmates have water, are fed, and in cases of illness, that the doctor is informed.

### **Reply to paragraph 33 of the list of issues**

105. There is an ad-hoc program in place where HIV testing is done voluntarily, however, we accept that this program can be strengthened with the national authorities. The NAC has also increased HIV testing in prison.

### **Other issues**

### **Reply to paragraph 33 of the list of issues**

106. Belize has proactively addressed potential threats of terrorism through the enactment of the Money Laundering and Terrorism (Prevention) Act, Chapter 104 of the Substantive Laws of Belize Revised Edition 2020 (MLTPA), despite the absence of any reported cases or imminent threats of terrorism within its borders. This legislative framework encompasses robust measures for the investigation and prosecution of terrorism-related crimes, forfeiture procedures for criminal proceeds and terrorist property, and preventive measures to combat terrorism and terrorist financing. This comprehensive legal foundation is aligned with relevant international standards, particularly by United Nations Security Council Resolution 1624 (2005).

107. Belize continues to undertake efforts to strengthen international and regional cooperation, amend legislation, institutionalize enhancements, and provide ongoing capacity-building initiatives See Annex 13. A risk-based approach, manifested through a national risk assessment every five years, allows Belize to identify potential threats and vulnerabilities within its systems for terrorism and related offences proactively. To ensure an adequate response, Belize has established a multidisciplinary task force, the National Targeted Financial Sanctions Task Force (NTFSTF), tasked with investigations, designations, and proposals to the UN Security Council for sanctions. The NTFSTF, chaired by the Financial Intelligence Unit (FIU) and including relevant intelligence and law enforcement agencies, is a pivotal mechanism for swift and coordinated actions.

108. In the context of financial measures, Section 68(9) of the MLTPA demonstrates Belize's commitment to human rights safeguards by allowing provisions for basic and extraordinary living expenses in accordance with UNSCR 2231 and humanitarian purposes per UNSCR 2664 (2022). Belize has prioritized compliance with international conventions, treaties, agreements, and protocols related to terrorism. A comprehensive National Anti-Money Laundering/Combating the Financing of Terrorism (AML/CFT) Policy has been established, covering terrorism financing and safeguarding non-profit organizations from terrorist financing abuse.

109. There have been no prosecutions, convictions, or complaints related to terrorism; however, the Authorities continue to be vigilant, upholding its international obligations while continuously refining its legal and operational frameworks to address emerging threats. See Annex 14 concerning the relevant legislative provisions of the MLTPA.

### **Reply to paragraph 35 of the list of issues**

110. Belize acceded to the Optional Protocol to the convention on the 4th of September 2015. The decision to declare the competence of the Committee under articles 21 and 22 is under consideration.

### **Reply to paragraph 36 of the list of issues**

111. No measures are being undertaken or planned to be undertaken towards abolishing the death penalty. The death penalty is a valid part of the Laws of Belize. Belize has not instituted an official moratorium; however, our jurisdiction has not utilised the death penalty for almost 40 years.

### **Reply to paragraph 37 of the list of issues**

112. The case of Orozco vs. AG Claim No 668 of 2010 now interprets non-discrimination on the basis of sex in Section 3 of the Constitution to also include sexual orientation and not just gender alone.

113. Administrative recourse available for victims whose rights have been violated include: The Public Service Commission, the Security Services Commission, the Judicial and Legal Services Commission, the Teaching Services Commission, the Office of the Ombudsman, and the Professional Standards Branch of BPD.

114. The following national specialised institutions are mandated with human rights promotion and protection of human rights in Belize:

- National Women’s Commission – advocate for and protects the rights of women.
- National Committee on Families and Children – promote and protect children under the authority of the National Families and Children Act.
- National AIDS Commission – advocates for equality of all persons, including persons living with HIV; promotes safe sex.
- The National Council on Aging advocates for and protects older persons’ rights.
- The Office of the Ombudsman (OMB) continues to receive and investigate complaints by any persons or body of persons who claim to have sustained injustice, injury abuse or other wrongdoing by any authority.
- Professional Standards Branch (Belize Police Department) – investigate allegations of police misconduct, including police brutality, to the public and internally’.
- Toledo Maya Women’s Council – promote educational programs and empowerment opportunities for indigenous women.

115. Additionally, Belize enlisted the support of the Office of the High Commissioner for Human Rights (OHCHR) ‘s support in conducting a feasibility study on establishing a national human rights institution per the Paris Principles. Building on the study’s findings, the government has approved the initiation of the required legislative amendments. These amendments encompass not only the transformation of the Ombudsman’s mandate but also the establishment of a framework that enables the promotion, protection, and monitoring of human rights in accordance with the Paris Principles.

### **Reply to paragraph 38 of the list of issues**

116. Belize is the only Caribbean country that has either ratified or acceded to all nine core human rights treaties, showing its commitment to promoting and protecting human rights and the fundamental freedoms for all within its borders. The following recent developments attest to the political commitment to improve human rights.

117. In 2021, Belize announced its amnesty program for 2022. The programme provides migrants residing in Belize illegally and those recommended asylum seekers the opportunity to acquire Permanent Residence status with a path to citizenship.

118. In April of 2022, the GoB announced its decision to adjust the mandatory school age from 14-16 years, requiring that all students graduate from a secondary school. The requisite Legislative and policy changes are in progress.

119. GoB established the Office of the Special Envoy for Women, Children and Children with Disabilities, which spearheads and carries public awareness and advocacy campaigns to address underlying attitudinal, systemic, and cultural factors by empowering women through leadership. GoB also established the office of Commissioner of Indigenous People's Affairs.

### **Reply to paragraph 39 of the list of issues**

120. In 2015, Belize re-established the Refugee Eligibility Committee to assess requests from persons seeking asylum in Belize. This was followed by the establishment of the Refugees Department in 2016.

121. Following the presentation of the 3rd National Report to the UPR in 2018 and the presentation of the National Report under the Covenant on Civil and Political Rights (ICCPR) in 2018, Belize accepted the recommendations made by several UN member states to, inter alia:

- Establish a National Human Rights Institute (NHRI)<sup>iv</sup> in compliance with the Paris Principles; and
- Strengthen the national process/national mechanism for human rights treaty reporting and follow-up, including addressing the report backlog.

122. Belize prioritized these recommendations as a part of a 5-year human rights agenda and received executive approval to initiate the required legislative amendments. These amendments encompass not only the transformation of the Ombudsman's mandate but also the establishment of a framework that enables the promotion, protection, and monitoring of human rights in accordance with the Paris Principles. Executive approval is being sought to formalise a national human rights treaty reporting and follow-up mechanism, including addressing the treaty reporting backlog. Belize's Inter-Institutional Review Committee (IRC), a national informal committee, will act as the National Inter-Ministerial Mechanism for Reporting and Follow-up. The intention is to streamline its efforts and systematically advance the integration of human rights considerations in its domestic frameworks. The envisaged IRC's first mandate is to oversee the coordination and preparation of all national reports to the UN international mechanism. This includes preparing Voluntary National Reports (VNR), Treaty Reports, Universal Periodic Review, Special Procedures, and reports to various international and intergovernmental organizations. The IRC's second mandate is to foster effective coordination and tracking of the national follow-up and implementation of treaty obligations and recommendations from reports submitted to UN international mechanisms.