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UNIVERSAL PERIODIC REVIEW

Report of the Working Group on the Universal Periodic Review*

Belize

Addendum

**Views on Conclusions and/or Recommendations, voluntary commitments
and replies presented by the State under review**

* The present document was not edited before being sent to the United Nations translation services.

VIEWS ON CONCLUSIONS AND RECOMMENDATIONS BY THE STATE UNDER REVIEW

The Government of Belize hereunder presents responses to the outcomes of the Universal Period Review of Belize conducted on 5 May 2009:

1. To look into the possible ratification of the United Nations Convention against Corruption

1. The Government of Belize accepts this recommendation and has mandated the relevant government ministries and agencies to study the UN Convention against Corruption with a view to ratification.

2. To ratify the International Covenant on Economic, Social and Cultural Rights (Turkey) which has been signed but not ratified; To consider the ratification of the Convention on the Rights of Persons with Disabilities; To accede to the Convention on the Rights of Persons with Disabilities and; to the International Covenant on Economic, Social and Cultural Right in a timely manner as it was signed in September 2000

2. The Government of Belize accepts these recommendations and will give consideration to the ratification of the Convention on the Rights of Persons with Disabilities and the International Covenant on Economic, Social and Cultural Rights within the context of its resource in respect of implementation and reporting obligations.

3. To consider adhering to Optional Protocols (of the International Covenant on Economic, Social and Cultural Rights and the Convention on the Rights of Persons with Disabilities), as soon as possible; as well as to those of ICCPR and CED

3. The Government of Belize accepts these recommendations and will give consideration to adhering to said Optional Protocols after adherence to the International Covenant on Economic, Social and Cultural Rights and the Convention on the Rights of Persons with Disabilities respectively. Belize cannot accept to adhere to the Optional Protocol of ICCPR because of its retention, within the Belize Constitution, of the death penalty.

4. To accede to the OP-CAT and to consider its ratification

4. Belize accepts to consider ratification of the OP-CAT within the context of its limited capacity in respect of implementation and reporting obligations.

5. To work towards completing the process already underway for accession to major international instruments of human rights

5. Belize continues to work towards completing accession to major international instruments of human rights and considers this an ongoing process.

6. To consider the complete abolition of capital punishment in its internal legislation

6. The Government of Belize has considered this recommendation and is of the view that the complete abolition of capital punishment in its internal legislation requires extensive national consultations given the nature of the issues involved. The Government does not yet have a mandate to effect these changes.

7. To fully implement the Domestic Violence Act

7. The Government of Belize accepts this recommendation and the Women's Department is actively working to ensure full implementation of the Domestic Violence Act.

8. To increase the age of criminal responsibility, as well as the minimum age for marriage so that it complies with international standards and to change the legislation, to raise the age limit for criminal responsibility to the age of eighteen

8. The Government of Belize has already taken the necessary steps to increase both the age of criminal responsibility from the age of 9 to 12 years and the age of marriage with parental consent from 14 to 16 years. Further change would require extensive national consultations given the nature of the issues involved. The Government does not yet have a mandate to effect these changes.

9. To take appropriate legislative measures in order to ensure that no person can be subject to criminal sanctions for same-sex activity between consenting adults

9. The Government of Belize has considered this recommendation and is of the view that any legislative changes in this regard would require extensive national consultations given the nature of the issues involved. The Government does not yet have a mandate to effect these changes.

10. To establish a national human rights institution in accordance with the Paris Principles; to consider the possibility of establishing a national human rights institution in conformity with the Paris Principles

10. Belize accepts the recommendation to consider the possibility of establishing a national human rights institution in conformity with the Paris Principles. In this regard, Belize has already expressed its interest, to the Office of the High Commissioner for Human Rights, in accessing technical assistance to facilitate thorough consideration of the establishment of the national human rights institution. In the interim, the National Women's Commission, the National Council on Aging, the National Committee for Families and Children and the National AIDS Commission are all institution tasked with ensuring implementation particular human rights obligations.

11. To conduct a systematic evaluation on the merits of establishing a national human rights institution

11. See the response provided above at 10.

12. To provide human rights training with regard to the protection of the vulnerable groups, in particular women, children, indigenous peoples, and persons of minority sexual orientation or gender identity, to law enforcement officials, judicial officers, and all state officials

12. Belize accepts this recommendation and considers this recommendation an ongoing programme.

13. To continue to strengthen its efforts to ensure that all police and security officers receive human rights training; to introduce the human rights education for all government officials and departments and to ensure that a human rights-based approach is mainstreamed across government policy; and to deploy further efforts in training security forces in the field of human rights

13. Belize accepts this recommendation and considers this an ongoing programme. Human rights training is presently integrated into the curriculum which is taught to all police and security officers. The Government has already begun to take measures to ensure that a human rights based approach is mainstreamed across government policy.

14. To strengthen the office of Ombudsman and the police department's office of internal affairs in order to improve capacity to hear and investigate complaints

14. Belize accepts this recommendation and considers this recommendation an ongoing initiative.

15. To consider the possibility of eliminating the required parents' consent for HIV testing for minors under the age of 16

15. Belize accepts this recommendation.

16. To strengthen efforts towards the full implementation of the National Action Plan for Children

16. Belize fully accepts this recommendation and looks forward to sharing information on the progress towards full implementation of the National Action Plan for Children at its next UPR Review.

17. To rectify possible shortcomings in the registration procedure of all new born children

17. Belize accepts this recommendation and will actively work to address any identified shortcomings in the registration procedure for newborns.

18. To further strengthen activities directed to HIV prevention as well as against stigma and discrimination of HIV positive people

18. The Government of Belize accepts this recommendation and is on a continuous basis taking measures to strengthen activities directed to HIV prevention as well as against stigma and discrimination of HIV positive people. The National AIDS Programme of the Ministry of Health

and the National AIDS Commission are both engaged in national public awareness and education campaigns on an ongoing basis.

19. To implement the recommendations of the Committee on the Rights of the Child to prioritize effective measures to reduce poverty amongst indigenous and minority children

19. Belize accepts this recommendation and looks forward to sharing its progress on this recommendation with the Committee on the Rights of the Child.

20. To strengthen its efforts with regards to timely reporting to UN human rights treaty bodies

20. Belize accepts this recommendation and recalls that it acknowledged in its National Report for the UPR that the country had been tardy in submitting timely reports to the UN human rights treaty bodies, and emphasized that this tardiness is no reflection on its commitment to human rights. Belize is happy to report that it is presently in discussion with the OHCHR Office in Panama to carry out a workshop aimed at building capacity of officials and stakeholders in reporting to treaty bodies.

21. To continue to implement the recommendations made by CEDAW and on a regular basis submit the relevant reports for its consideration

21. Belize accepts this recommendation. The National Women's Commission has recently been strengthened and is tasked with oversight of the implementation of CEDAW. The Women's Department is mandated to implement CEDAW and works on an ongoing basis in this regard.

22. To submit its overdue CAT report in early course

22. Please see the response at 20.

23. To submit all overdue reports to UN human rights conventions' treaty bodies and to answer to questionnaires sent by Special Procedures mandate holders

23. Please see the response at 20.

24. To continue efforts to submit overdue reports requested by the committees of various international conventions where Belize is a State party

24. Please see the response at 20.

25. To offer a standing invitation to all Special Procedures/To consider extending a standing invitation to all special procedures of the Human Rights Council; and to seek international technical assistance as recommended by several UN human rights treaty monitoring bodies

25. Belize has considered this recommendation and wishes to emphasize that while it has not granted a standing invitation to all special procedures, it stands ready and open to engage in frank dialogue on human rights issues and to cooperate with international human rights institutions, mandate holders, special rapporteurs, etc in an effort to achieve greater compliance with its international obligations.

26. To give priority to the improvement of the situation of certain vulnerable groups, especially women and children be given priority

26. The Government of Belize accepts this recommendation and considers the improvement of the situation of all vulnerable groups to be a priority. In this regard, the Ministry of Human Development is implementing a number of programs aimed at protecting the welfare of our vulnerable population.

27. To take further steps to guarantee the rights of children to an adequate standard of living and ensure that children from economically disadvantaged background are not exploited or abused

27. The Government of Belize accepts this recommendation.

28. To put and end to any discrimination of same-sex sexual activity between consenting adults, in particular to review any discriminatory legislation, and to adopt measures to promote tolerance in this regard

28. While there is no political mandate at this time to amend the relevant legislation, the Government is nonetheless committed to protecting all members of society from discrimination. Indeed protection from discrimination is protected by the Belize Constitution.

29. To continue to address the persisting gender inequality in the country

29. Belize accepts this recommendation, the Women's Department is working on a continuous basis to promote and mainstream gender equality.

30. Improve the institutional capacity of the national machinery for the advancement of women, for their active involvement in public life

30. The Government of Belize accepts this recommendation and is happy to report that the National Women's Commission is already working on implementation thereof.

31. To consider the adoption of measures commensurate with international standards on the subject and public campaigns about non violent forms of discipline

31. Belize accepts this recommendation.

32. To review its legislation in a view to prohibit all forms of corporal punishment of children

32. Government has instituted strict limitations to the use of corporal punishment. Corporal punishment has been abolished from all child care institutions, and the relevant authorities are actively exploring measures to effect the complete abolition of corporal punishment.

33. To abolish corporal punishment for children

33. Please see response at 32.

34. To investigate duly and promptly allegations of misconduct abuse and violence by public's agents and take adequate action against those responsible for such crimes

34. The Government of Belize accepts this recommendation.

35. To provide defendants in all serious criminal processes with an attorney when they cannot afford one by themselves

35. The Government has considered this recommendation and reiterates the reservation it entered on the International Covenant on Civil and Political Rights. Due to costs involved in providing legal counsel in all serious criminal cases it is not able to accept this recommendation at this time.

36. To step up programs aimed at eradicating poverty and improving social indicators, including in health and education

36. Belize accepts this recommendation and endeavours to strengthen its poverty eradication programs.

37. To take further concrete measures to enhance women's access to health care, in particular to sexual and reproductive services, as is among others, recommended by CEDAW

37. Belize accepts this recommendation.

38. To take targeted measures or affirmative action, where necessary, to ensure active participation of women in the labour market and to close the wage gap between women and men

38. Belize accepts this recommendation.

39. To protect Maya customary property rights in accordance with Maya customary laws and land tenure practices in consultation with affected Maya people of the whole Toledo district

39. Belize wishes to reiterate its position that the issue of the recognition of the customary land rights of the Mayas is a matter that it is before the Supreme Court of Belize, and that the Government will respect the decision of the Court on this matter.

40. To redouble its efforts in favour of the respect of the rights of indigenous peoples, in line with the dispositions contained in the UN Declaration on the Rights of Indigenous Peoples

40. The Government of Belize accepts this recommendation and draws attention to its response above at 39.

41. To continue in its pursuit of assistance from the international community in fostering its national capacities on human rights

41. Belize accepts this recommendation.

42. To seek technical assistance for the establishment of overdue reports requested by the Committees of various international conventions

42. Please see the response provided at 20.

43. Review its legislation and practice with a view to ensuring effective access to asylum procedure and upholding the principle of non-refoulement

43. Belize has considered this recommendation and wishes to inform that the Attorney General's Ministry has been mandated to review the Refugee Act and has taken the necessary measures to operationalize the said Act. An Eligibility Committee has been constituted to receive and consider applications for refugee status and asylum seekers. Belize regards the principle of non-refoulement as fundamental human right.
