

BELIZE (Tier 2)

Belize is a source, destination, and transit country for men, women, and children subjected to sex trafficking and forced labor. A common form of human trafficking in Belize is the coerced prostitution of children, often occurring through parents pushing their children to provide sexual favors to older men in exchange for school fees, money, and gifts. Child sex tourism, involving primarily U.S. citizens, has been identified as an emerging trend in Belize. Additionally, sex trafficking and forced labor of Belizean and foreign women and girls, primarily from Central America, occurs in bars, nightclubs, and brothels throughout the country. Foreign men, women, and children, particularly from Central America, Mexico, and Asia, migrate voluntarily to Belize in search of work; some may fall victim to forced labor. Children and adults working in the agricultural and fishing sectors in Belize are vulnerable to forced labor. Forced labor has been identified in the service sector among the South Asian and Chinese communities in Belize, primarily in restaurants and shops with owners from the same country. There has been at least one case of a Belizean trafficking victim identified in previous years in the United States.

The Government of Belize does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government enacted an anti-trafficking law late in the reporting period that raised penalties for human trafficking offenses. It also enacted a law prohibiting and punishing the commercial sexual exploitation of children under the age of 18, but allowed for 16- and 17-year-old children to engage in sexual activity in exchange for remuneration, gifts, goods, food, or other benefits, thus rendering them vulnerable to commercial sexual exploitation. During the year, the government identified an increased number of trafficking victims. However it sentenced only one trafficking offender *in absentia* to jail time. Furthermore, it did not report the investigation or prosecution of any public officials for alleged complicity in human trafficking-related offenses. Lack of punishment for trafficking offenders, especially complicit officials, remained a significant obstacle to the government's ability to authentically address its trafficking problem.

Recommendations for Belize: Proactively implement the recently passed anti-trafficking law by aggressively investigating and prosecuting forced labor and sex trafficking offenders, including officials complicit in trafficking; take steps to ensure the effective prohibition of the commercial sexual exploitation of children, including those of ages 16 and 17; seek criminal punishment for any guilty trafficking offender; monitor human trafficking trial procedures, and ensure trafficking offenders receive sentences that are proportionate to the gravity of the crime; complete the anti-trafficking committee's development and implementation of formal procedures to guide officials in proactively identifying victims of sex trafficking and forced labor, including among migrant laborers and people in prostitution, and refer them for care; continue to increase partnerships with NGOs to address reintegration of trafficking victims in Belize; ensure identified foreign victims are not penalized for crimes, such as immigration violations, committed as a direct result of being subjected to human trafficking; and implement a targeted campaign educating domestic and foreign communities about forced domestic service and other

types of forced labor, commercial sexual exploitation of children, and other forms of human trafficking.

Prosecution

The Government of Belize improved its capacity to prosecute trafficking offenders during the reporting period; however, despite an increase in arrests of suspected trafficking offenders, the government did not sufficiently punish convicted trafficking offenders in 2012. In February 2013 the government enacted the Trafficking in Persons (Prohibition) Act which prohibits all forms of trafficking and prescribes punishments of one to eight years' imprisonment, up to 12 years' imprisonment if the victim is a child, and up to 25 years' imprisonment in cases involving sexual assault or other aggravating circumstances. This law repealed and replaced the government's previous anti-trafficking law. Notably, the new law elevated the offense of trafficking from a "summary offence" tried in the lower courts to an indictable offense tried before the Supreme Court. The prescribed maximum penalty of eight years' imprisonment, up to 25 years' imprisonment in some cases, is sufficiently stringent and commensurate with other serious crimes. During the reporting period, the government also passed the 2013 Commercial Sexual Exploitation Children (Prohibition) Act that criminalizes the facilitation of prostitution of children under 18 years of age. This law also allows for 16- and 17-year-old children to engage in sexual activity in exchange for remuneration, gifts, goods, food, or other benefits. This specific clause in the law may render children vulnerable to commercial sexual exploitation given that coerced prostitution of children by parents pushing their children to provide sexual favors to older men in exchange for remuneration is common in Belize. The government reported it prosecuted and convicted two trafficking offenders during the reporting period; however, no trafficking offenders received a custodial sentence. This is a decline from the previous year, when two convicted trafficking offenders received at least one year jail time. In another case, the government convicted a resort owner for subjecting a child to sex and labor trafficking for five months. Despite the child being 14 years of age, the length of time she was held in servitude, and her being subjected to repeated rape and beatings, the court did not sentence the trafficking offender to any jail time but rather only to a fine. One trafficking offender was tried *in absentia* after fleeing the country, but the government did not provide the specific sentencing information for this convicted offender. Five human trafficking prosecutions from previous years remained pending. Trafficking-related complicity remained a serious problem. The prosecution of a government official, reported in the 2011 TIP Report, who allegedly raped a victim in the course of a trafficking investigation remained pending trial before the Supreme Court. The government provided in-kind assistance for anti-trafficking training for law enforcement and labor officials from many different ministries during the reporting period.

Protection

The Belizean government sustained its efforts to protect trafficking victims during the reporting period. Officials reportedly identified 13 new trafficking victims, a notable increase from two victims identified the previous year. The government reported it assisted seven trafficking

victims in 2012, compared with 12 trafficking victims assisted during the previous year. Law enforcement and other officials did not systematically employ formal mechanisms to guide them in identifying victims of sex trafficking and forced labor among vulnerable populations such as migrant laborers or foreign citizens in prostitution during the year. However, the government reported some front-line responders received training on identification of trafficking victims during the reporting period. The government reported that the new 2012-2014 strategic plan contains plans to update and develop draft procedures to guide officials and NGOs in referring trafficking victims to available services. The government spent the equivalent of approximately \$96,500 in 2012 to provide services for trafficking victims, compared with the equivalent of approximately \$125,000 in 2011. The Department of Human Services provided shelter and basic assistance to seven trafficking victims during the year. The Government of Belize reported that NGOs were actively engaged in victim identification but not in victim care. The government provided victim care and assistance through placements in safe houses, including shelters in the Cayo and Belize districts, or with families around the country. There were no reports that victims were detained involuntarily in these shelters. The government placed child victims in foster care or with relatives.

Authorities in Belize reportedly encouraged victims to assist with the investigation and prosecution of trafficking offenders, and the government reported nine victims were assisted in such cases in 2012, although court delays caused victims to become discouraged and often led them to cease cooperation with law enforcement authorities despite their interest in seeking justice. Authorities reported that identified foreign trafficking victims participating in court cases were not detained or deported during the reporting period. After the conclusion of court cases, foreign victims could remain in the country by applying for residency; however, the government did not cover the costs of the application, presenting a barrier to those victims without funds. The government did not report granting residency to any trafficking victims during the past year. The government's new anti-trafficking law includes some victim protection measures, including a provision for assistance and victim restitution. The law also exempts trafficking victims from prosecution or punishment for crimes committed as a result of being subjected to human trafficking. There were reports, however, that due to lack of identification procedures to guide immigration authorities and prison officials, the government deported or punished some foreign victims before they were able to receive assistance.

Prevention

The government made some progress in prevention efforts during the reporting period. The government continued to coordinate Belize's anti-trafficking programs through an anti-trafficking committee of 13 agencies and NGOs chaired by a senior Ministry of Human Development official. During the year, the committee released a 2012-2014 anti-trafficking national strategic plan, which outlined steps to guide, monitor, and evaluate the government's anti-trafficking efforts. The recently passed anti-trafficking law institutionalized interagency cooperation on trafficking in Belize by formalizing the role and responsibilities of the anti-trafficking coordination committee. During the year, the government demonstrated increased

transparency in its anti-trafficking efforts by developing a system for use by front-line responders and the Department of Human Services to document actual and potential trafficking cases. The government continued its awareness campaign in English, Spanish, Mandarin, and Hindi. The government did not conduct any awareness campaigns targeted at the demand for forced labor or clients of the sex trade to reduce the demand for commercial sex acts.