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2019 Trafficking in Persons Report: Belize

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JUNE 20, 2019

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BELIZE: Tier 2 Watch List

The Government of Belize does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government made key achievements during the reporting period; therefore Belize was upgraded to Tier 2 Watch List. These achievements included initiating two new prosecutions for the first time in four years and appointing new leadership and dedicating five officers to the anti-trafficking police unit. Despite these achievements, the government did not investigate or prosecute any public officials for complicity in trafficking-related offenses, despite allegations of official complicity. Authorities arrested or deported victims for immigration violations due to improving, but inconsistent application of formal victim identification procedures. The government did not convict any traffickers for the third consecutive reporting period, due in part to a slow and cumbersome justice system.

PRIORITIZED RECOMMENDATIONS

Implement the anti-trafficking law by vigorously investigating and prosecuting suspected traffickers, including complicit officials, and imposing strong prison sentences on convicted traffickers. • Consistently apply formal procedures to identify victims of sex and labor trafficking among vulnerable groups and refer identified victims to services. • Ensure victims are not penalized for unlawful acts, including immigration violations, traffickers compelled them to commit. • Sustain and increase funding for specialized victim services for both male and female victims, directly and by funding NGOs. • End the practice of allowing off-duty police officers to provide security for bars and restaurants where commercial sex acts frequently occur. • Investigate and prosecute child sex tourists. • Implement the national anti-trafficking plan in accordance with its agreed timeline and disburse resources to its implementation. • Increase efforts to identify forced labor through the national labor recruiter registry and prevention program with migrant workers. • Amend laws to criminalize the knowing solicitation and patronizing of child sex trafficking victims, including 16- and 17-year-olds.

PROSECUTION

The government slightly increased efforts. The 2013 Trafficking in Persons (Prohibition) Act criminalized sex trafficking and labor trafficking and prescribed penalties of up to eight years' imprisonment for offenses involving adult victims, and up to 12 years' imprisonment for offenses involving child victims. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with other serious crimes, such as rape. Additionally, the 2013 Commercial Sexual Exploitation of Children (Prohibition) Act criminalized various offenses relating to the prostitution of anyone younger than 18. This law, however, did not prohibit adults from engaging in sexual activity with 16- and 17-year-old children in exchange for remuneration, gifts, goods, food, or other benefits if there was no third party involved—leaving children of this age group vulnerable to sex trafficking.

The government investigated nine trafficking cases—eight for forced labor and one for sex trafficking; three new cases and six from previous years—compared to nine in 2017 and 10 in 2016. For the first time in four years, authorities initiated two new prosecutions. In addition, the government reported two prosecutions initiated in 2015 remained open. The government did not convict any traffickers; the

government's only conviction under the 2013 trafficking law occurred in early 2016. The judiciary designated a Supreme Court Justice and a Magistrate judge to provide specialized attention to trafficking cases, who along with other justices and judges received anti-trafficking training. Observers reported the government had an inconsistent and insufficient police response and investigative capacity, a slow and cumbersome justice system, lack of accountability at all levels, and an overall lack of resources dedicated to address crime, including trafficking.

In 2018, the government appointed new leadership to the anti-trafficking police unit who brought in five full-time officers, including one female and four male officers, who worked exclusively on trafficking cases. The government cooperated with a foreign government, which resulted in the identification of eight potential victims and the arrest and prosecution of two traffickers—one in Honduras and one in Belize. The government provided, or collaborated with NGOs funded by international donors to provide anti-trafficking training, including on victim identification and referral, to law enforcement and immigration officers, prosecutors, judges, prison officials, and social workers. However, limited intelligence gathering, inconsistent application of formal victim identification procedures, and suspected complicity among some law enforcement officials hampered the identification of trafficking crimes. In 2017, the national anti-trafficking council recommended a policy to end the practice of allowing off-duty police officers to provide security for bars and restaurants where commercial sex acts frequently occur, but the practice continued throughout 2018 and may have inhibited police from investigating allegations of trafficking in brothels and dissuaded victims from reporting trafficking. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking offenses; however, corruption and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action.

PROTECTION

The government slightly increased efforts to protect victims. Authorities identified 17 potential victims in 2018—at least 12 foreign nationals and three Belizeans; 12 adult females and five minors—compared to 17 potential victims in 2017 and 12 potential victims in 2016. In 2018, authorities confirmed eight forced labor victims and one

sex trafficking victim. The government reported it was updating formal victim identification procedures, but currently employed a procedure to screen for potential victims among vulnerable groups, such as individuals in prostitution and migrants. Observers reported more consistency in victim identification, but also stated gaps still existed, such as authorities who rarely took action in response to credible reports of potential victims by NGOs, possibly leading to fewer victim identifications and weak victim protection. In addition, while Belize's anti-trafficking law exempted victims from punishment for unlawful acts traffickers compelled them to commit, NGOs reported authorities arrested, jailed, or deported victims following raids of commercial sex establishments due to immigration violations. The national anti-trafficking council ensured social workers accompany the TIP-dedicated law enforcement unit on operations and raids conducted by the council's operations subcommittee to screen, identify, and assist victims. However, social workers were not routinely present when other law enforcement units conducted operations and raids on commercial sex establishments. Victims' fear of detention or deportation may have contributed to their reluctance to report trafficking to law enforcement officers.

The government reported the Department of Human Services provided 11 of the 17 victims with services; the other six refused services. The government coordinated and funded shelter, medical, and psychological services to adult victims through the Alternative Care Unit and to children through the Child Protection System and foster care. The government trained and partnered with domestic violence NGOs to provide shelter and services to adult female trafficking victims. Service providers developed victim care plans with victim participation with the goal of encouraging independence, and these plans included presenting adult victims with the option of staying in shelters, safe houses, or independent living and placing minors in the child protection system or in kinship care and independent living upon reaching adulthood; five victims transitioned from shelters or safe houses to kinship care or independent living in 2018.

Government social workers monitored foster care placements for child victims and developed individual case plans for each child, which included a home study to determine if placement is in the best interest of the child. The government noted the support offered by foster families empowered victims and led to the successful

conviction in 2016. Experts expressed concerns about the lack of education about trafficking for some foster parents, uneven coordination and communication between government agencies and foster parents, and limited availability of psycho-social care in general, including for trafficking victims. Observers reported limited shelter options for male victims, including migrants. As in the previous year, the government allocated 200,000 Belizean dollars (\$100,000) to the national anti-trafficking council, some of which it dedicated to victim services. In total, the government dedicated 107,000 Belizean dollars (\$53,500) to victim services in 2018, which included food, clothing, medical expenses, counseling, stipends, and repatriation expenses.

The government conducted risk assessments of 13 victims related to ongoing prosecutions, which included providing security in the courtroom, confidential accommodations, and relocation of victims when necessary for security. Court delays, affecting the justice system as a whole, and fear of retaliation by traffickers may have led foreign national victims to decline or withdraw cooperation with law enforcement and return to their home countries. Per government policy, foreign victims identified in potential trafficking cases may be granted temporary residency status regardless of their cooperation with investigations or prosecutions, and the government assigned a social worker to assist all 12 foreign national victims in obtaining immigration relief, housing, and medical services. However, the government repatriated all 12 foreign national victims identified in the reporting period. The government granted temporary residency permits to two victims identified in previous reporting periods. Victims could apply for work permits free of cost, and the government granted three such permits in 2018. A court may order restitution upon a trafficker's conviction but did not do so in 2018.

PREVENTION

The government slightly increased its prevention efforts. The government continued to implement a 2018-2020 national anti-trafficking action plan, published in the first quarter of 2018, which had designated various government entities as responsible for the plan's activities. The goals of the plan included reducing vulnerability to and the demand for trafficking, generating national research and data on trafficking, monitoring and evaluating the implementation of policies and programs, creating a

comprehensive and integrated system of victim services and assistance, and strengthening mechanisms for investigating and prosecuting trafficking using a victim-centered approach. The national anti-trafficking council hosted a meeting with 10 NGOs to discuss its 2018-2020 national anti-trafficking action plan, which resulted in several follow-on government-NGO activities to raise awareness of trafficking and ways to report it. The government released a report highlighting its anti-trafficking efforts in 2018; however, the report did not provide research or an assessment of trafficking in Belize. The government funded awareness-raising efforts, including billboards in English and Spanish and public service announcements in English, Spanish, and Hindi with a “crime stoppers” hotline number. An NGO operated the “crime stoppers” hotline; it did not report receiving any trafficking-related calls during the reporting period. Authorities continued to disseminate public service announcements on the penalties for sex with minors and the links between tourism and the demand for commercial sex, but they did not investigate or prosecute any child sex tourists. The government cooperated with the United States to deny entry to 12 convicted sex offenders. The government developed a new brochure in Spanish to educate foreign workers about their labor rights. The government reported the labor code required labor recruiters to register, but none did so. The government did not provide anti-trafficking training to its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Belize, and traffickers exploit victims from Belize abroad. Groups considered most vulnerable to traffickers in Belize include women, men, children, LGBTI persons, and migrants. Sex traffickers exploit Belizean and foreign women, men, and girls and LGBTI persons, primarily from Central America, in bars, nightclubs, hotels, and brothels. The UN Special Rapporteur on Trafficking in Persons reported family members facilitate the sex trafficking of Belizean women and girls. Foreign men, women, and children—particularly from Central America, Mexico, and Asia—migrate voluntarily to Belize in search of work and traffickers often exploit victims using false promises of relatively high-paying jobs or take advantage of migrants’ illegal status and subject them to forced labor in restaurants, shops, domestic work, and agriculture. In tourist regions, foreign child sex tourists,

primarily from the United States, exploit child sex trafficking victims. Alleged trafficking-related complicity by government officials remains a problem. NGOs reported police and immigration officers took bribes in return for ignoring trafficking, facilitating illegal entries, failing to report suspected victims and perpetrators, and failing to act on reported cases under their jurisdiction.

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