

Universal Periodic Review
(17th session, from 21 October – 1 November 2013)

Contribution of UNESCO

(The countries to be reviewed are, in this order: China, Jordan, Mauritius, Mexico, Nigeria, Saudi Arabia, Senegal, Belize, Central African Republic, Chad, Republic of Congo, Malaysia, Malta, and Monaco. Each submission should refer to one country only)

Belize

I. BACKGROUND AND FRAMEWORK

1. Human rights treaties which fall within the competence of UNESCO and international instruments adopted by UNESCO

I.1. Table:

| <i>Title</i> | <i>Date of ratification, accession or succession</i> | <i>Declarations /reservations</i> | <i>Recognition of specific competences of treaty bodies</i> | <i>Reference to the rights within UNESCO's fields of competence</i> |
|--|--|---|---|---|
| Convention against Discrimination in Education (1960) | Notification of succession 01/12/1982 | <i>Reservations to this Convention shall not be permitted</i> | | Right to education |
| Convention on Technical and Vocational Education. (1989) | Not state party to this Convention | | | Right to education |
| Convention concerning the Protection of the World Cultural and Natural Heritage (1972) | Ratified 06/11/1990 | | | Right to take part in cultural life |
| Convention for the Safeguarding of the Intangible Cultural Heritage (2003) | Ratified 04/12/2007 | | | Right to take part in cultural life |
| Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005) | Not state party to this Convention | | | Right to take part in cultural life |

II. Promotion and protection of human rights on the ground

Right to education

Normative Framework:

Constitutional framework:

2. The 1981 Constitution of Belize¹:

- i) Article 3 provides that “[...] every person in Belize is entitled to the fundamental rights and freedoms of the individual, that is to say, the right, whatever his race, place of origin, political opinions, colour, creed or sex, but subject to respect for the rights and freedoms of others and for the public interest, to each and all of the following, namely -
- a) life, liberty, security of the person, and the protection of the law;
 - b) freedom of conscience, of expression and of assembly and association;
 - c) protection for his family life, his personal privacy, the privacy of his home and other property and recognition of his human dignity; and
 - d) protection from arbitrary deprivation of property, [...]”

3. Article 6 adds that “(1) all persons are equal before the law and are entitled without any discrimination to the equal protection under the law.”

4. However, with regard to religion, Article 11 specifies that “[...] (3) Every recognised religious community shall be entitled, at its own expense, to establish and maintain places of education and to manage any place of education which it maintains; and no such community shall be prevented from providing religious instruction for persons of that community in the course of any education provided by that community whether or not it is in receipt of a government subsidy or other form of financial assistance designed to meet in whole or in part the cost of such course of education.”

Legislative framework:

5. The Education and Training Act from 17 April 2010² repeals the Education Act Chapter 36 of the Substantive Laws of Belize, Revised Edition³ and the Belize Technical and Vocational Education and Training Act, Act No, 4 of 2005 and makes new and better provisions for education in Belize.

¹ <http://pdba.georgetown.edu/Constitutions/Belize/belize81.html#mozToCId483751>

² <http://planipolis.iiep.unesco.org/upload/Belize/Belize-education-and-training-act-2010.pdf>

³ <http://www.belizelaw.org/lawadmin/PDF%20files/cap036.pdf>

6. Part VIII on Teaching Services has been added to the new Bill with the following articles:
- Article 27: Teaching Services Records
 - Article 28: Licensing etc., of teachers
 - Article 29: Employment, Probation and Appointment
 - Article 30: Leave and Grants
 - Article 31: Transfer, Release, Secondment, Itinerant Resource Officer Status
 - Article 32: Disciplinary Action
 - Article 33: Appeals

Compulsory education and school attendance

7. According to Article 2 of this Act, “child of compulsory school age” means any person who is between five years and fourteen years of age” and “primary school” means a school recognized by the Ministry of Education as providing instruction and training suited to the ages, abilities and aptitudes of children between the ages of five years and fourteen years.”

8. With regard to school attendance, Article 59 states that “Every person having control of a child, who is five years old by the first day of September and who has not exceeded the age of fourteen, shall cause the child to regularly and annually attend some public or nonpublic school for the entire term during which the public school in the district in which the person resides, or the school to which the child is assigned to attend, is in session, until the child reaches the age of fourteen years, unless the child has graduated or is excused as provided in sections 60 (2) (a) and 61 (2) (a), (b) and (c).”

Non-discrimination and gender equality

9. Article 48 and 49 recognize the principle of non-discrimination and specify:

10. Article 48. (1) No person shall be refused admission to any school on account of religion, race, ethnicity, language or political affiliation. (2) No person shall be refused admission to any school on account of sex, except where such schools are historically non-coeducational.

11. Article 49. (1) The Ministry shall ensure equitable access for both sexes to education at all levels, and that provision of education is sensitive to the particular needs of both males and females, and caters to the special needs of challenged pupils. (2) Managing Authorities shall ensure that schools under their management are free of gender, racial and other biases, and shall be managed in such a way that all students shall, as far as may be applicable, co-exist as peacefully and harmoniously as possible.

Religious instruction

12. Article 55: Religious instruction shall be given in every government and government-aided pre-school, primary and secondary school, subject to such rules as may be prescribed, provided that no child or registered pupil shall be obliged to undertake religious instruction if objection thereto is made in writing by either of his parents or otherwise communicated in reliable form which would be capable of being tendered in evidence in a court of law.

Textbooks content

13. Article 56: The Chief Education Officer, in consultation with the Education Council and TVET Council shall approve textbooks and other educational materials for use in government and government-aided pre-schools, primary schools, secondary schools and ITVETs.

Teachers

14. With regard to teachers, Article 28 sets out that “(1) A person wishing to teach in a preschool, primary school, secondary school, TVET, or other educational institution shall apply to the Chief Education Officer for an appropriate license to teach.” Article 29 therefore adds “(1) A person who does not possess a valid license to teach shall not be employed as a teacher.”

Financing of Education

15. Regarding scholarships and bursaries, Article 69 provides “(1) The Minister may make Regulations in respect of the granting and holding of scholarships. (2) The Minister may, in each year, award scholarships and bursaries, in such number and value as may be deemed available and tenable, at recognized secondary, vocational, technical and post-secondary institutions. (3) The Minister may, in each year, award one or more scholarships to persons in accordance with the Regulations governing the award of such scholarships to enable that person to undergo approved courses of study at a college, university or other such post-secondary institution. (4) Courses of study under a scholarship shall be approved taking into consideration the developmental needs of Belize and the preference of the individual. The regulations governing the award of such scholarships shall be prescribed in Rules made under this Act.”

16. Article 70 adds that “(1) Citizens and permanent residents are entitled, as of right to be admitted to any government and government-aided primary school without payment of tuition fees. Special fees may be levied with the approval of the Chief Education Officer. (2) Citizens and permanent residents of Belize are entitled, as of right, to be admitted to any government secondary school without payment of tuition fees. Special fees may be levied with the approval of the Chief Education Officer. (3) Government-aided secondary and post-secondary schools may charge tuition and special fees. The type and amount of tuition and special fees charged are to be approved by the Minister.”

Policy measures:

17. The Ministry of Education Action plan 2005-2010⁴ identified a number of key action areas in order to reshape the education system to allow for delivery of innovative ways to meet Belize’s education needs for the twenty-first century. The key action areas are the following:

- a. Early Childhood Education and Development;
- b. Teacher Training;
- c. Adult and Continuing Education;
- d. Curriculum and Assessment;

⁴ <http://planipolis.iiep.unesco.org/upload/Belize/Belize%20MoE%20Action%20Plan%202005-2010Final.pdf>

- e. Technical and Vocational Education;
- f. Special Education;
- g. Higher Education;
- h. Policy Development.

18. As regards curriculum and assessment, the objectives are to ensure that curricula are relevant and effectively taught at all levels, implement national assessment and use assessment data to inform educational planning, establish strong links with community and parents as well as volunteer opportunities.⁵

19. In the Report of the Working Group on the Universal Periodic Review from 4 June 2009, Belize was recommended to “Step up programmes aimed at eradicating poverty and improving social indicators, including in [...] education (Algeria).”⁶

Human Rights Education

20. In the Report of the Working Group on the Universal Periodic Review from 4 June 2009, Belize was recommended to “Continue to strengthen its efforts to ensure that all police and security officers receive human rights training (Netherlands); introduce human rights education for all government officials and departments and ensure that a human rights-based approach is mainstreamed across government policy (United Kingdom) [...]”⁷

Vocational and technical education

21. According to the Ministry of Education in Belize, there needs to be more educational opportunities for pursuit of technical and vocational careers for students who are not academically inclined. The Ministry will explore ways for students to pursue training in different skill areas through Institute for Technical and Vocational Education and Training (ITVET) and the planned Skills Training Center. Students in third and fourth form will have the option of transferring to other schools if they do not wish to participate in a streamlined curriculum. The Ministry of Education and Youth will assist with such transfers by providing assistance for uniforms and the difference in the cost of fees. These efforts are being coordinated under the umbrella of the Restore Belize Program (a government-wide citizen security umbrella program under the leadership of the Prime Minister’s office). The release states that the Ministry of Education and Youth is working with other Ministries and agencies to place as many ‘out of school youths’ back into school at primary and secondary levels where feasible. Some of this will be supported through the Ministry of Human Development and Social Transformation’s

⁵ World Data on Education. 7th Edition. 2010-11,
http://www.ibe.unesco.org/fileadmin/user_upload/Publications/WDE/2010/pdf-versions/Belize.pdf

⁶ Report of the Working Group on the Universal Periodic Review, 4 June 2009, Recommendation 32,
http://www.upr-epu.com/files/122/A_HRC_1_BLZ_E.pdf

⁷ Report of the Working Group on the Universal Periodic Review, 4 June 2009, Recommendation 13,
http://www.upr-epu.com/files/122/A_HRC_1_BLZ_E.pdf

expansion of Social Assistance Program. The Social Assistance Program will target indigent families and require them to uphold co-responsibilities such as ensuring 85% school attendance in exchange for monthly financial support.

Cooperation:

22. Belize is party to 1960 UNESCO's Convention against Discrimination in Education since 1982 but did not report to UNESCO within the framework of the seventh consultation of Member States on the measures taken for its implementation (covering the period 2000-2005).

23. Belize is not party to 1989 UNESCO's Convention on Technical and Vocational Education.

24. Belize did not report within the framework of the fourth consultation of Member States the measures taken for the implementation of the 1974 UNESCO's Recommendation concerning Education for International Understanding, Co-operation and Peace and Education relating to Human Rights and Fundamental Freedoms (covering the period 2005-2008).

Freedom of opinion and expression⁸

Achievements, best practices, challenges and constraints

25. Legislative Framework: The Constitution of Belize guarantees the freedom of expression under Article 3.

26. Belize passed a freedom of information law in 1994 which was then revised in 2000.⁹

27. Criminal defamation is constrained but still possible through a court order, under the Libel and Defamation Act of 2000 which states "no criminal prosecution for libel or defamation shall commence against the publisher, proprietor or editor responsible for the publication of a newspaper for any libel published without the order of the court."¹⁰

28. The government may impose a fine of up to \$2,500 and up to three years in prison for anyone who questions the financial disclosures of public officials. The Belize Broadcasting Authority holds the right to preview broadcasts with political content and remove material it deems libelous.

⁸ Sources :

⁹ <http://www.carib-is.net/publications/belize-freedom-information-act-2000>

¹⁰ Belize Libel and Defamation Act <http://www.belizelaw.org/lawadmin/PDF%20files/cap169.pdf>

Media Self-Regulation

29. Media self-regulatory mechanisms are not developed in Belize.

Safety of Journalists

30. UNESCO recorded no killings of journalists and media workers in Belize between 2008 and 2012.

The right to enjoy the benefits of scientific progress and its applications (REBSP)

Co-operation, achievements, best practices, challenges and constraints:

31. The Belize Barrier Reef Reserve System is inscribed by UNESCO as the largest barrier reef in the Northern hemisphere, as a serial nomination consisting of seven sites. The Reef illustrates a classic example of reefs through fringing, barrier and atoll reef types.¹¹

32. Belize is one of the regions most prone to natural disasters such as earthquakes, landslides and meteorological events. Belize is participating in the Regional Action Programme Central America (RAP-CA) for Capacity Building for Natural Disaster Reduction to develop appropriate decision support tools and techniques to implement disaster preventive and mitigation measures, using local knowledge and information modeling tools.¹²

33. UNESCO has established co-operation with Belize:

- i) UNESCO and the European Space Agency (ESA) Project: Using Space Technologies to Assist Mesoamerica with the Biological Corridor;
- ii) Intergovernmental Oceanographic Commission: Sub-Commission for the Caribbean and Adjacent Regions (IOCARIBE);
- iii) Caribbean Coastal Marine Productivity Program (CARICOMP): sustaining coastal biodiversity benefits and ecosystem services.

Right to take part in cultural life

Achievements, challenges, best practices and constraints related to the implementation of the right to take part in cultural life

34. Normative Framework: *constitutional and legislative frameworks*: National Institute of Culture and History ACT, Chapter 331 under The Laws of Belize (2000) states the objectives and the guiding principles for the National Institute of Culture and History among which one is to foster cross-

¹¹ <http://whc.unesco.org/en/list/764>

¹² http://portal.unesco.org/science/en/ev.php-URL_ID=5726&URL_DO=DO_TOPIC&URL_SECTION=201.html

cultural understanding and mutual respect, given Belize's multi-cultural, multi-ethnic, and multi-lingual nature. The Institute is organized around four divisions, namely (i) The Museum of Belize, (ii) The Institute for the Research and Management of material culture; (iii) The Institute of Social and Cultural Research, and (iv) The Institute of Creative Arts.

35. Institutional framework: The National Institute of Culture and History (NICH), created in 2003, bring together diverse government departments working to preserve and promote Belizean culture and understanding of the historical and ethnic roots of country's shared national identity. NICH comes under the Ministry of Tourism, Civil Aviation and Culture. It is governed by a Board of Directors appointed by the Minister of Culture and chaired by the President of NICH who serves as the Chief Executive Officer. NICH is the focal institution for the implementation of the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage.

36. Policy measures: NICH started developing a national cultural policy in July- October 2012. A *national cultural policy working document* served as a survey instrument to get participation from the wider society and stakeholders in the process. The purpose of developing the cultural policy is to identify the linkages between culture and development and to examine economic, social, and cultural factors which should be considered in the decision-making process at the national level. Other relevant sector specific plans and strategies include the draft work plan for the National Protected Areas Policy and Systems Plan (NPAPSP) 2004/2005.

37. Work with civil society: The National Cultural Policy working document received participation of stakeholders through an on-line survey. Civil society representatives belonging to a diverse group of people including the Kriols (Creoles), the Mestizos, Mayas, Garifunas and the East Indians of Belize participated in a capacity building workshop held in November 2012 on safeguarding the intangible cultural heritage.

Right to take part in cultural life

Achievements, challenges, best practices and constraints related to the implementation of the right to take part in cultural life

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III. RECOMMENDATIONS

Right to education

42. UNESCO has launched the 8th Consultation on the measures taken for the implementation of the Convention and Recommendation against Discrimination in Education (covering the period 2006-2011), the results of this Consultation will be submitted to UNESCO's governing bodies at the end of 2013. Belize is party to UNESCO's Convention against Discrimination in Education (1960) and is, according to Article 7 of the Convention, obligated to report to UNESCO on "the legislative and administrative provisions they have adopted and other action which they have taken for the application of this Convention". Belize is encouraged to submit a report.

43. Belize is encouraged to adopt further measures (e.g. special laws) which aim to combat discrimination in education and protect minority groups, reflecting their international commitment under the Convention against Discrimination in Education.

44. Belize is encouraged to further elaborate provisions in its legislation and/or report on the justiciability of the right to education in order to increase the potential for the right to education to be respected, protected, fulfilled and monitored.

Freedom of opinion and expression

45. The Government is encouraged to completely decriminalize defamation in accordance with international standards.

46. UNESCO recommends Belize to develop the media self-regulatory mechanism.

**The right to enjoy the benefits of scientific progress and
its applications (REBSP)**

47. The Government of Belize is encouraged to report to UNESCO within the framework of the on-going consultation with Member States on the monitoring of the implementation and a possible revision of the 1974 Recommendation on the Status of Scientific Researchers.

Right to take part in cultural life

48. Limited capacities both at the national and local level is a challenge when it comes to the implementation of the culture Conventions. Belize should focus on the formulation of the national cultural policy with UNESCO's assistance and strengthen national and local capacities to develop a strong cultural sector.