

**NATIONAL GENDER POLICY:  
BELIZE**

**(July 2002)**

**Prepared by Robert Johnson, Consultant**

**For the National Women's Commission**

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## NOTES

1. Monetary data are expressed in Belize dollars (unless otherwise specified): \$BZ2.00 = \$US1.00.
2. References to Belizean legislation are to **The Substantive Laws of Belize: Revised Edition 2000**. Chapter references to laws cited in this report are listed in Attachment A.

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# CONTENTS

Acknowledgements .....	ii
Foreword (Mrs Joan Musa, Chairperson, National Women’s Commission).....	v
Acronyms .....	vi
EXECUTIVE SUMMARY .....	vii
INTRODUCTION .....	1
1. THE FOUNDATIONS OF A GENDER FRAMEWORK.....	4
1.1. Concepts & Terms	
1.1.1. Sex and Gender	
1.1.2. Equity and Equality	
1.1.3. Women and Men	
1.1.4. Condition and Position	
1.1.5. Gender and Culture	
1.1.6. Concluding Comment	
1.2. Trends in the Conceptual Framework	
1.3. Measuring Gender Equality	
1.4. Summary	
2. A GENDERED FRAMEWORK FOR BELIZE .....	18
2.1. Primary Research & Analysis	
2.2. Measuring Gender Equality	
2.3. Coordinating Frameworks	
2.4. International Agreements	
2.5. Priority Policy Areas	
2.6. Summary	
3. THE LAWS OF BELIZE FROM A GENDER PERSPECTIVE .....	25
3.1. Gender Characteristics of the Laws	
3.2. Consideration of the Laws of Belize	
3.3. Concluding Comment	
4. A NATIONAL GENDER POLICY FOR BELIZE .....	31
4.1. Health	
4.2. Wealth & Employment Generation	
4.3. Violence-Producing Conditions	
4.4. Education & Skills Training	
4.5. Power & Decision-Making	
4.6. Coordination & Implementation	
Primary References .....	69

## Attachments

A.	The Laws of Belize, 2000: Titles and Chapters: Schedule of Cited Legislation.....	71
B.	The Laws of Belize: Inventory of Sex- and Gender-based Provisions.....	72
C.	Principal Areas of Concern and Recommendations of the UN CEDAW Committee (1999) on Belize’s Report .....	83
D.	‘The Women’s Agenda 1998’: Commitments .....	85
E.	Gender-related Development Index (GDI) (Belize): Calculation & Technical Notes .....	86
F.	Schedule of International Conventions relevant to Women and Gender .....	90
G.	National Gender Indicators .....	91
H.	National Gender Policy: Commitments (extract from Chapter 4).....	94
I.	Glossary of Terms.....	109

# FOREWORD

In order for a country to develop its maximum potential each of its citizens must have an equal opportunity to participate fully in all actions that will impact positively on human development. This National Gender Policy sets out to identify the inequities experienced by both men and women and suggests action for the correction of gender disparities as well as giving direction for the coordination and implementation of the policy. It recognizes that the situation of women cannot be the sole focus as women do not live and function in isolation. In fact women as the primary care givers, in most households, set the relationships that future generations will accept as the norm.

We have a long way to travel in order to reach an equitable society and there is much to be done so that today's adolescents may be the Belizean men and women of tomorrow who will bear their identity with pride and dignity. We need to have in place good services in the fields of education and health and there has to be satisfying and meaningful employment opportunities for the young people graduating from our high schools. Young people must be encouraged to participate in their communities so that they develop their enormous potential. Boys and girls, men and women must develop together with equal opportunities and we must remove any barriers that may be an obstacle. I hope this policy will be used by all involved in planning activities and that it makes a contribution towards attaining that equitable society.

This policy has been prepared by the National Women's Commission whose goal is to effectively advocate for the well-being of women, in order to achieve more equitable human development. It should help in the monitoring of Belize's progress in regards to the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) and assist in the implementation of the recommendations made, in response to Belize's 1999 report, by the UN Committee. The inclusion of a full review of the Belizean laws will be helpful in rectifying the various gender discriminatory provisions and should be helpful in pursuing reforms.

This policy has been a collaborative effort and thanks go out to all the Commission members and the participants of the National Gender Workshop, held in April 2002, whose contributions have been included in the formulation of this policy.

Mrs. Joan Musa  
President  
National Women's Comisión

June 2002

# ACRONYMS

AIDS	Acquired Immuno-Deficiency Syndrome	MCH	Maternal and Child Health
BEST	Belize Enterprise for Sustainable Technology	MCT	Mother-to-Child Transmission (HIV)
BOWAND	Belize Organisation for Women and Development	MEYS	Ministry of Education, Youth & Sports
BRWA	Belize Rural Women's Organisation	MoH	Ministry of Health
CEDAW	Convention on the Elimination of all forms of Discrimination Against Women	NCFC	National Committee for Families and Children
CET	Center for Employment Training	NGO	Non-governmental Organisation
CSO	Central Statistical Office	NHDAC	National Human Development Advisory Committee
DAC	Development Assistance Committee (OECD)	NHI	National Health Insurance
DFC	Development Finance Corporation	NOPCA	National Organisation for the Prevention of Child Abuse
ECLAC	Economic Commission of Latin America and the Caribbean	NWC	National Women's Commission
FHS	Family Health Survey	OECD	Organisation for Economic Cooperation and Development
GAD	Gender and Development	SFBB	Small Farmers and Business Bank
GDI	Gender-related Development Index	SHAPES	School Health and Physical Education Services
GDP	Gross Domestic Product	SIC	Social Indicators Committee
GEM	Gender Empowerment Measure	SIMPOC	Statistical Information and Monitoring Programme on Child Labour
GFP	Gender Focal Point	STI	Sexually transmitted infection
GIC	Gender Integration Committee	TBA	Traditional Birth Attendants
GMS	Gender Management System (Commonwealth Secretariat)	UNICEF	United Nations Children's Fund
GOB	Government of Belize	UNDP	United Nations Development Programme
HDI	Human Development Index	WAV	Women Against Violence
HDR	Human Development Report (UNDP)	WCW	World Conference on Women
HIV	Human Immuno-deficiency Virus	WID	Women in Development
HRCB	Human Rights Commission of Belize	WIN-Belize	Women's Issues Network, Belize
ILO	International Labour Organisation	YES	Youth Enhancement Service
		YWCA	Young Women's Christian Association

# EXECUTIVE SUMMARY

The **Introduction** provides a brief overview of the emergence of an awareness of gender, largely evolving from women's movements and analyses of women's entrenched social, economic, political and cultural disadvantages. It refers to developments in Belize, alongside the transition in global understanding which has led to current initiatives in gender mainstreaming.

**Chapter 1** (The Foundations of a Gender Framework) considers terms important to the notion of gender. It makes the distinction between gender (as a social construct) and sex (as biologically determined), between equality (of opportunity) and equity (of outcome) – and of the need for different actions in order to achieve each – and between the comparative condition and position of men and women, especially to better understand the reasons some men feel unduly threatened by the pursuit of gender equality and equity. (It is clear that, in terms of equality and of equity, and of condition and of position, females suffer significant systemic disadvantage.)

The evolutionary nature of development efforts are briefly discussed, commencing with measures which were gender-blind, through women-specific interventions (from women as passive recipients of assistance, through to women as partners in their own development), and on to current initiatives in gender mainstreaming and empowerment.

Finally, the measurement of gender equality is considered, as a critical part of the implementation of the gender value of public policies. The selection of various statistical indicators is discussed, as is the utility of UNDP's composite indicators – the Gender-related Development Index (GDI) and Gender Empowerment Measure (GEM) – in providing primary indicators of national progress.

**Chapter 2** (A Gendered Framework for Belize) presents a context within which a National Gender Policy may be adopted for Belize:

- an overview of gender-relevant research in Belize
- the issue of gender-based national statistical indicators
- the nature of a coordination framework for giving effect to the national policy, as well as to other related purposes within a commitment to gender mainstreaming.

It particularly notes that:

- despite little actual gender-based research in Belize, such research has revealed the extent of gender disparities against women and girls, and female-focussed research has normally been gender-aware and has also served to identify areas of male disadvantage
- available global statistical indicators bear out the severity of female inequity in matters of income and wealth in Belize
- Belize is a state's party to most of the relevant international agreements, especially with it joining in 2000 to several significant International Labour Organisation conventions
- existing consultative, advisory and coordinating bodies related to women and/or gender are well-placed to assume the roles necessary for Belize's adoption of the Gender

Management System, to ensure implementation of the National Gender Policy, and to monitor Belize's obligations as a party to gender-relevant international agreements.

**Chapter 3** (The Laws of Belize from a Gender Perspective) considers such matters as the use of sex-specific language in Belize's laws (use of masculine terms to include the feminine), and the relationship between the provisions of laws and their practice. It notes recent substantial improvements in Belizean laws, most significantly:

- the treatment of evidence in, and the penalties and provisions for, rape and sexual abuse
- the formal recognition of common law unions in some key legislation (concerning divorce or separation, and estates)
  - including unpaid domestic labour and child-rearing in determining property settlements.

Nevertheless, there remain a number of gender discriminatory provisions within Belizean laws. The types of anomalies are presented, with accompanying examples:

- preclusion of the female when referring to the male
- gender assumptions which should be made gender-neutral or -inclusive
- inequitable or discriminatory treatment of a girl or woman compared to a boy or man
- protection afforded to the female which ought to also be extended to the male
- particular policy inconsistencies in the treatment of women and men
- inequitable treatment of the male.

These require discussion, especially by women's groups, and prioritisation in pursuing reforms.

**Chapter 4** (A National Gender Policy for Belize) is the core of the document. It presents policy commitments according to the five priority policy areas agreed in Belize following its participation in the 1995 Fourth World Conference on Women:

- health
- wealth and employment generation
- violence-producing conditions
- education and skills training
- power and decision-making

as well as attention to issues of the coordination and implementation of the policy.

Accompanying the body of the document are several **Attachments** for reference, most notably:

- an inventory of the Laws of Belize in terms of sex- and gender-based provisions
- comments by the UN Committee on the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) in response to Belize's 1999 report
- technical notes on the calculation of UNDP's GDI for Belize
- a schedule of international conventions with reference to Belize's status.

# INTRODUCTION

The production of this National Gender Policy represents the culmination not only of a progressive body of work in Belize over the past decade and more, but also of a global evolution in the conceptualisation of gender relations and its central place in the pursuit of human rights and human development. That latter evolution largely originated in the struggle for gender equity and of improvements in gender equality initiated by the international women's rights movement especially stemming from the 1970s: a struggle which has achieved many such advances, whilst at the same time graphically demonstrating the entrenched social, economic and cultural resistance across societies in ensuring that such changes are sustainable and durable.

Around the world, that struggle was largely commenced by women – at first through informal coalitions and networks, and then via the establishment of dedicated non-governmental organisations (NGOs) – and aimed to sensitise women (and men) to the discriminatory and unfair nature of social and economic relations in their differential treatment of women and men. With improved understanding and acceptance of this perspective, governments responded with the establishment of women's research and policy focal points within the public sector, and governments collectively – via the United Nations (UN) – committed themselves to formally and substantively address issues of the inequalities and inequities suffered by women in all countries. Globally, the most important impetus was given by the UN's holding of the First World Conference on Women (WCW) in 1975, its declaration of the International Decade for Women (1975-1985) and its adoption in 1979 of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

Within Belize, the 1980s in particular saw an entry into this process. A Women's Desk had been established in 1978, largely focussed on training women in traditional domestic ('home economics') skills. A number of women's NGOs were set up in the early 1980s (including, notably, the Belize Organisation for Women and Development (BOWAND), Women Against Violence (WAV) and the Belize Rural Women's Association (BRWA). These NGOs were instrumental in achieving a number of reforms to laws and public administration, and in raising community awareness of women's issues. However, by 1994, WAV and BRWA had closed, and BOWAND is now largely inactive and unresourced. The Women's Issues Network Belize (WIN-Belize) had been established in 1993 as an 'umbrella' NGO and – apart from the Young Women's Christian Association (YWCA) – is presently the only women-specific national NGO.

At the Government level, the Women's Desk was restructured as a Women's Bureau in 1981, at the time of national independence. The National Women's Commission (NWC) was established in 1982. The Bureau was upgraded to the Department of Women's Affairs (now Women's Department) in 1986. In 1993 it was assigned specific Ministerial status. In 1990, the Government of Belize (GOB) joined Belize as a states party to CEDAW.

GOB adopted major new legislation to address domestic violence (the *Domestic Violence Act*) in 1992, which was implemented the following year<sup>1</sup>. That Act was followed in 1996 by the adoption and enactment of the *Protection Against Sexual Harassment Act*. Also in 1994, GOB

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<sup>1</sup> All legislation referred to in this document is listed in [Attachment A](#), together with the associated Chapter reference within **The Laws of Belize, 2000**.

produced a substantial situation analysis of the status of women in Belize, largely as preparation for and input to the Fourth WCW (held in Beijing, 1995).<sup>2</sup> In 1998, GOB and NGOs together developed a ‘Strategic Plan for Gender Equity and Equality in Belize’, which identified five major areas of concern (adapted from a longer priority list adopted at the Fourth WCW): economic empowerment, health, education and training, access to decision-making, and domestic violence. In 1999, Belize submitted its First and Second Periodic Report on CEDAW to the UN.<sup>3</sup> In 1999, GOB established Family Violence Units in each district of the Police Department to enable action on domestic violence. A number of relevant policy documents have also been developed in recent years, along with some significant reforms to Belizean laws and joining as a state party to other international instruments, and these are considered further in Chapter 2.

Over this period, there has been a gradual shift in gender analysis. In response to traditional efforts in such areas as human development and poverty alleviation which were ‘gender-blind’ (that is, failed to understand and therefore attend to the gender-based causes of such inequalities – women often being invisible and therefore (at best) secondary to program and policy efforts – many initiatives were women-specific: attention and assistance targeted direct to women in an effort to raise them to a standard of development and well-being more akin to men. This constituted, in essence, the delivery of targeted interventions in which women were frequently viewed as the beneficiaries. This approach often remains valid today, given the persistence of many systemic barriers to gender equity, but only in view of a recognition of its weakness: that it fails to tackle those barriers and therefore is limited in the sustainability of its achievements.

Therefore, by the 1990s, there was a move to what has been termed the Women in Development (WID) approach, which aimed to achieve sustainable improvements for women by better incorporating issues of participation and empowerment. This meant the development of interventions in which women were active and central participants in the process of change. More recently, this approach has been overlaid with a focus on gender analysis, and termed the Gender and Development (GAD) approach – which produces a shift in the way in which public policy is formulated to be specifically conscious and aware of issues of gender – and of the importance of ‘gender mainstreaming’ – which ensures that (in particular) government incorporates a gender perspective into the larger policy framework (including macro-planning, public policy and budgetary management).

This transition of thought and action has ensured that the rights and needs of women and men are more likely to be treated equally, to be central to the core machinery of government and its decision-making processes, and to become a permanent and sustainable feature of social and economic relations within the nation, to the mutual benefit of all. It has been this progression in our understanding of the persistence of structural inequities for women, and of inequitable relations and conditions between women and men, which has resulted in the perceived need to develop this National Gender Policy.

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<sup>2</sup> Social Planning Unit & Department of Women’s Affairs (1994), Belize Report for the Fourth World Conference on Women, Government of Belize.

<sup>3</sup> Department of Women’s Affairs & Social Planning Unit (1999), CEDAW: First and Second Periodic Report with Supplemental Report, Government of Belize

This present paper comprises four sections. **Chapter 1** (The Foundations of a Gender Framework) discusses concepts and terms relevant to a gender policy (such as ‘gender’ and ‘sex’, and ‘equity’ and ‘equality’) and the elements and features of a national gender policy. **Chapter 2** (A Gendered Framework for Belize) lays the foundation for the subsequent presentation of policy reforms, with attention to research and information, coordinating arrangements and obligations under global agreements into which Belize has voluntarily entered. **Chapter 3** (The Laws of Belize from a Gender Perspective) presents an overview of the Laws of Belize with reference to their treatment of male and female within their provisions, to the extent that this informs an understanding of opportunities for introducing greater gender neutrality or equality in those provisions and their consequences. **Chapter 4** (A National Gender Policy for Belize) represents the core of this document: the actual policy statement of action priorities and opportunities for reform, in large part based on the content of the preceding three chapters.

This document should be read in tandem with a companion document that has been produced by the NWC: the ‘Situation Analysis from a Gender Perspective’ (Paredes (2002)). That paper contains a range of statistical analyses and commentary relevant to the situation of women and men in Belize, and has been drawn upon in the preparation of this policy document. During 2002, two other related projects will be completed which will also represent companion national gender initiatives. The Women’s Department’s production of a manual for training public officers in gender analysis will be central to the actual implementation of such policy reforms as this document proposes. WIN-Belize’s production of a gender guide for Belize will directly facilitate the conduct of national and local gender workshops, and be strategic in building the widespread understanding and commitment necessary for ensuring the sustainability of these efforts.

# 1. THE FOUNDATIONS OF A GENDER FRAMEWORK

## 1.1 CONCEPTS & TERMS

At the outset, it is necessary to clarify what is meant by different – and often seemingly similar – terms.

### 1.1.1 Sex and Gender

The first distinction which needs to be made is between biologically determined ‘sex’ and socially constructed ‘gender’.

“‘Gender’ refers to socially constructed roles of women and men ascribed to them on the basis of their sex, whereas the term ‘sex’ refers to biological and physical characteristics. Gender roles depend on a particular socio-economic, political and cultural context, and are affected by other factors, including age, race, class and ethnicity. Gender roles are learned and vary widely within and between cultures... [and] can change. Gender roles help to determine women’s access to rights, resources and opportunities.” (Implementation of the outcomes of the Fourth WCW, A/51/322, paras 7-14)

Men and women are different (these are sex-based differences), but these differences should not have a negative impact on their living conditions and should not discriminate against either sex (that is, sex differences should not lead to gender discrimination). For example, it will be necessary for governments to ensure the provision to women of antenatal services and, where necessary, assistance in preventing anaemia during pregnancy. These are measures delivered to women based on sex differences, and are not discriminatory in their nature. Alternatively, expelling a female student from school because she is pregnant is an act of gender-based discrimination: it makes social judgements about the right of the young woman to continue her education, value judgements about teenage pregnancy within a set of power relations (the school’s power to punish the female for her personal decision or action), and inequalities in that the prospective father – often a male student – is rarely, if ever, similarly discriminated against.

### 1.1.2 Equity and Equality

To treat men and women ‘equally’ may not mean that they are being treated ‘equitably’. To take one simple but important example, to ensure gender-based *equality* in employment opportunities, an employer may ensure that the job advertised does not presume the sex of the desired recruit (for example, by using gender-inclusive language – such as ‘he or she’ rather than ‘he’ or ‘she’, or gender-neutral language – such as ‘the person’ rather than ‘he’ or ‘she’), and may take steps to ensure that the selection process is gender-neutral.<sup>4</sup> However, this will not produce an *equitable* outcome if there is an unavailability of child-care facilities (whilst women continue to carry the burden of domestic child care) or if there is a requirement for out-of-hours work (whilst women continue to carry the burden of household duties).

This means that policy and legislative reforms to achieve gender equality frequently fail to produce the intended outcomes. That is, they remain inequitable in their effect. This is compounded by the cumulative impact of historical behaviour, whereby certain gender-based

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<sup>4</sup> A Glossary of Terms is included at the end of this paper – at [Attachment I](#) – including an explanation of ‘gender neutral’ and ‘gender inclusive’.

assumptions about economic, social and cultural relations have been entrenched in our collective behaviour over many generations.

It is for such reasons that it is sometimes considered necessary to introduce temporary measures to overcome the deeply entrenched barriers to equality. These may take the forms of ‘positive discrimination’ or ‘affirmative action’. This means that, in order to achieve the desired outcomes, the traditionally disadvantaged group may receive preferential treatment. One common measure is the setting of ‘quotas’ guaranteeing them a certain share of opportunities; another is the adoption of a recruitment practice whereby – all other job criteria being equal – a female applicant will be hired over a male applicant. This does not only apply to gender: it has similarly been applied in various countries in such areas as ethnicity or race or of persons with a disability. Another measure might be the adoption by Government of preferential arrangements in contracting services from businesses with a demonstrated commitment to equality within their workplaces.

Whilst the adoption of policies, practices or laws to achieve equality means that the members of a group who have been traditionally excluded or penalised or discriminated against may receive a ‘benefit’, this often also means that some members of the traditionally advantaged group may suffer a ‘cost’. For example, abolition of the practice of job promotion on the basis of seniority rather than merit will disadvantage some men comparative to women. Nevertheless, it needs to be noted that:

- that some may suffer is no reason to maintain unjust treatment of others
- such ‘costs’ are often simply a reduction in a traditional advantage
- such ‘costs’ are temporary, in that they enable a more efficient use of available human resources (by widening the population base for competing on the basis of merit)
- this is a necessary pathway to also achieving greater gender equity in household and interpersonal relations,

such that the pursuit of such changes – whether or not measures such as affirmative action or positive discrimination are required<sup>5</sup> – will ensure absolute benefits to the traditionally disadvantaged population (in the present case: the female), as well as net benefits to the whole population (female and male) (at least to the extent that the benefits will outweigh any costs).

Of course, as is acknowledged later in this section, there will be some additional ‘costs’ that have to be taken into account, notably the adverse reactions by some men in terms of anger or frustration, both within the domestic sphere and in the wider community, to these perceived ‘costs’. Nevertheless, it is clear that a gender policy must be inclusive of both women and men.

### **1.1.3 Women and Men**

Quite simply, a focus on the disadvantages experienced by women in isolation from their relationships with men can weaken or compromise strategies aimed at reducing disparities *between* women and men. A gender analysis must consider not only differences between the two sexes, but also the reasons for such differences, including inequalities in the relationship between

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<sup>5</sup> It needs to be acknowledged that the success of such interventions in redressing racial inequality – in the USA at least – has been debatable at worst and modestly successful at best.

them. This is a complex task, as it needs to bear in mind that there will also be structural differences – such as those of ethnicity, religion and class – within the population of women and of men, which mean that inequality and disadvantage impact members of each group differently.

This can give rise to claims that, on some issues, some groups of men are more disadvantaged than some groups of women (for example, that males without a secondary education are less likely to secure employment that is paid as well as jobs secured by women with a tertiary education), even though such males had traditionally enjoyed job preference. It can also lead to arguments that attending to structural inequalities for females whilst there are some males being ‘left behind’ is misplaced action (for example, that efforts to improve the retention of girls in the school system is itself discriminatory or misdirected whilst numbers of boys are choosing to withdraw from school, with no ‘equal’ attention to that problem). Such claims lack an understanding of the entrenched and systemic causes of gender discrimination. They fail to make a distinction between social or economic or cultural barriers against one sex, the barriers this presents to that sex having equality with the other sex, and the poor choices which some people make (even though it is necessary to understand the factors contributing to those choices).

Whilst a focus on women as a particular section of the population suffering discrimination and inequality has been essential in redressing such issues, such an approach may fail to acknowledge that, in some respects, men also suffer from the effects of those social, economic and cultural relationships, and that policies, services and laws need to develop with attention to both sexes. This requires more than simply using ‘gender neutral’ language: it requires a conscious gender-based analysis which ensures that actions are ‘gender inclusive’. A failure to do so inhibits the sustainability of efforts to overcome such reasons.

For women and men, the discriminatory dimensions are many, for example (with specific attention to the domestic and economic spheres):

- traditional laws and economic relations have come out of exclusively male domains: determined and managed by men and for men
- the woman’s role has been historically viewed as primarily that of mother and domestic worker, secondary to and essentially supporter of the male’s role<sup>6</sup>
- domestic roles have been unvalued in economic terms, severely exacerbating economic inequalities between the sexes and ensuring the female’s economic dependence on the male
- where there have been reforms to the gendered dynamics of the economy, there have been few corresponding changes in the gendered dynamics of the family and household (so that women working for an income have usually continued to assume full domestic responsibilities – a double burden)
- women’s entry to the workforce has been severely hindered by her continued child-caring responsibilities under conditions of persistently inadequate provision of child-care services and labour laws which fail to accommodate those responsibilities

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<sup>6</sup> This is hardly a new realisation. Historically, the woman has been understood as providing two economic roles within society: that of ‘producer’ and ‘reproducer’ of labour. Producer refers to her role in the home in caring for working age males, reproducer refers to her roles in bearing children and in caring for and raising those children. Apart from her child-bearing role (which is sex-determined), these roles are gender-constructed and -maintained.

- the entry of women into the economy has usually been accompanied by inequality in their access to opportunities and inequity in the treatment of ‘female’ jobs (mainly, that they are less well paid, even when they are of equal economic value).

At the same time, changes in gender relations also highlight some disadvantages and inequities suffered by men. Men’s traditional role of being the primary economic ‘provider’ has resulted in their being more focussed in jobs which are hazardous and more susceptible to various health risks (such as heart disease<sup>7</sup>, exposure to agricultural chemicals, or occupational injury or disability). Progress in facilitating the entry of women into the labour force and in fostering their greater economic independence has also been claimed to have increased male unemployment and weakened the male’s sense of responsibility for their families and children. (The former claim is debatable, the latter tantamount to an excuse for the male’s failure to adjust to greater gender-equity in their domestic sphere.) This has even led to claims that gender equity ‘emasculates’ men, and leads to their engagement in anti-social behaviour and criminal activity. This is an untenable view which blames women’s pursuit of non-discriminatory treatment as causing men’s decisions to resort to unacceptable behaviour (even inviting the conclusion that women are somehow to blame for being the victims of domestic violence). Nevertheless, it does at least highlight the essential need for a gender-based approach which addresses the respective needs of both women and men.

#### 1.1.4 Condition and Position

For a number of years, there has been some confusion about – and resistance to – advocacy of an improvement in the *condition* of women (comparative to men), when it has seemed to equate with a challenge to the *position* of men. A gender framework helps to overcome such difficulties.

“In this context, the term *condition* refers to the material state in which a person is: poor, (un)educated, (un)skilled, (un)employed or victim of abuse. The term *position* refers to a person’s social, political or economic place in society. Over the past decade, action has been taken to address various aspects of women’s *condition* in the Caribbean and some action has been taken in terms of the *position* of women in society. The same may not have been the case with regard to men. While there may be a case in terms of the deteriorating *condition* of men in Caribbean society and a question of increasing concern about this, it will be difficult to declare that the *position* of men is a major problem. As in the case of women, the *position* of men needs to be analyzed from a class, gender, ethnic and racial perspective. More importantly, the *position* of either men or women can only be studied in relation to each other. This is the added contribution of a gender approach.” (ECLAC (1997), p 3: emphasis in original)

Importantly, shifts in the comparative condition and position of women and men need to be aware of a class or status dimension, or between ‘dominant’ and ‘subordinate’ groups. This means that – even though the condition of women may improve – the relatively stronger position of men remains largely intact. Furthermore, there has been a preparedness by men of the dominant group (socio-economic elites) to improve opportunities for men in the subordinate group, which also serves to reinforce the inherent relationship between each group. This has been seen by the entry of the latter, for example, into intermediate positions and particular occupations within the public sphere.

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<sup>7</sup> Vulnerability to such conditions as heart disease is more a consequence of the additional stress on the person (viz. traditionally the male) with the primary burden of financial provision, under conditions of job insecurity or income exploitation.

“In this situation male solidarity across groups in the society work to the disadvantage of women, who are either excluded from, or allowed very limited access to the public sphere, as male solidarity between dominant and subordinate groups will fill positions in the public sphere from among themselves and skip over women of their own group to facilitate men of the subordinate group. The marginalisation of women is most marked in societies in such periods of their history.” (Miller in *ibid*, p 37)

However, the successful inclusion of subordinate men eventually challenges the position of dominant men, who alter strategy by better accommodating women of their own group, and – as a way of weakening the place of subordinate men – by promoting some younger women of the subordinate group into the public sphere. This further marginalises men of that latter group, and especially the younger men. Miller argues that this has led to

“the further slippage of some lower strata men, especially Black and Indian, down the social ladder. Their increasing marginalisation has engendered some negative outcomes. Among the negative outcomes are poor educational achievement, unsatisfactory performance at the workplace where they have jobs, chronic frustration among youths on street corners unable to find jobs, increasing domestic and street violence involving the gun and knife, and a growing sub-culture characterized by despair and hopelessness.” (*ibid*, pp 38-39)

Although he is commenting on the wider Caribbean, there are elements of familiarity about this within Belize. Of course, it suggests that advances by women have been due to that being convenient to and sanctioned by the dominant men within political, economic and social spheres, and to the detriment of people in more subordinate levels of society. He concludes that

“males of the dominant groups are beneficiaries of the inequalities and injustices of Caribbean history. In large measure, despite the changes in the ethnic composition of these groups, they have continued to behave in a manner not far removed from those they succeeded... As such, they are perpetrators of structural violence against the rest of society including women and marginalized males.” (*ibid*, p 44)

This especially emphasises the necessity of a unifying perspective in the development of more equitable strategies. It also offers an explanation for the frustration of many men with contemporary changes: some are simply confused by such changes, others angry at their increasing marginalisation, few are able to understand what is happening and why. A gender framework enables such understanding, especially of appropriate responses in striving to promote greater equity in the improvement of the condition – and (although perhaps to a lesser extent) the position – of all people, regardless of their sex.

### 1.1.5 Gender and Culture<sup>8</sup>

“Some women choose to ignore gender injustice. For example, many Zimbabwean women will state that it is ‘cultural’ for women to be subordinate to men. What is ‘cultural’ about a woman earning all the food through her sweat in the fields, and preparing that food for her husband and children to sustain them when the man is drinking the day away? Is it ‘cultural’ to be beaten to a pulp and protect the man who has done it? The questions can go on and on – there is a vast world literature on what women suffer in the name of culture. Attitudes towards women as being inferior and lesser human beings at all levels, are reinforced directly or indirectly in many complex ways. People who oppress others tend to share a belief in their own ‘natural’ superiority; it is actually ‘culture’ which justifies this belief. Many men think because they are male they have the right to own women and oppress them in all kinds of ways – from owning them as part of their estate, to battering and raping women to show their dominance and humiliate them.” (Chitsike, Colleta (1995), “NGOs, gender, culture and multiculturalism – a Zimbabwean view”, Gender and Development 3(1), pp 20-21)

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<sup>8</sup> This section draws on OECD (1998), DAC Source Book on Concepts and Approaches Linked to Gender Equality, pp 17-18.

Occasionally, some voices claim that practices and conventions which disadvantage women are a part of the nation's 'culture', and that to change such characteristics is a breach of those apparent cultural beliefs and norms. Sometimes, it is also claimed that the impetus for such change is imported 'western feminism' being imposed upon a nation. It is necessary to ask who raises such objections to gender equality, and why such objections are not extended to other presumed attacks on a culture, such as the non-contested elimination of discrimination based on class or race, or the adoption of new methods of accumulating and utilising wealth, or lifestyle changes as they impact men.

The following points respond to the resort to the notion of 'culture' to resist gender equality:

- development is usually about change of one sort or another: changing economic structures, changing farming practices, changing political and judicial structures, changing access to media, changing human rights practices – these all have an impact on culture
- governments freely and willingly participate in global forums such as the UN, and agree to implement international commitments to gender equality to which they have decided to become a signatory (such as the Beijing *Platform for Action* and CEDAW)
- demands for change are coming from women within, and women have initiated their own actions to establish NGOs and networks and to lobby for gender equality (it is cynical to diminish the free actions of females in this regard when there has been such willing embrace of externally-imposed cultural changes in other areas, such as cable TV, forms of entertainment and dress, and so forth)
- with an increasingly global economy and the international flow of products, media images and cultural images, almost all cultures are in a state of change: changes in gender identities are being shaped by such trends, including via imported TV programs, movies and music, product advertising and standards imported by nationals spending time abroad (who says that these changes are acceptable or to be tolerated, but gender equality is not?)
- a central principle of national development strategies is to broaden decision-making processes so that women, as well as men, have full input into the definition of what is important and what needs should have priority; all too often the 'cultural argument' is mobilised by men who oppose that basic goal.

### **1.1.6 Concluding Comment**

A gender policy must be conscious of the rights, responsibilities and aspirations of both men and women. Because this will often generate some resistance by some men due to their perception of 'losing out' to women in the struggle for gender equality, some commentators claim that men will – or have – become the 'victims' of the improved awareness of socially, economically and culturally entrenched discrimination against women. This has led to claims that this (at least partly) explains men's increased resort to anti-social activities, domestic violence and imprisonment. It is thus said that this is a consequence of the reduced sense of 'importance' (or increased sense of 'impotence') which men feel as women become more independent (that is, more equal), or that men are more likely to turn to criminal activity given that they carry traditional economic responsibility for the household whilst economic conditions remain stressed. This perspective leads to three observations which must be made:

- all available evidence points to the fact that women suffer much more from poverty than do men, but are less likely to turn to crime as a result of that ‘feminisation of poverty’ (this is not just due to their poorer access to earning an income, but also their poorer share of domestic wealth in a marital or common-law union, their primary responsibility for the unpaid but costly care of the children, and their far greater difficulty in being able to access conventional forms of credit)
- resort to criminal activity is a choice, despite motivating factors such as anger or frustration or a need to display bravado or machismo to male – and female – peers
- it is simply inconsistent to claim both traditional domestic responsibilities and the absence of such traditional roles as the cause of such behaviour.

Nevertheless, the fact that some men choose to respond in unacceptable ways to measures to eliminate entrenched discrimination against women is no reason to simply repudiate or disregard such choices. A gender-based approach also requires that constructive responses be made to such behaviour: (predominantly male) underperformance in the education system, (predominantly male-perpetrated) domestic violence and sexual assault (predominantly of females), the increase in (predominantly male) criminal activity, and growth in (predominantly male) life-threatening and risk-taking behaviours.

In summary, it needs to be noted that – against any measure of discrimination – females have continued to suffer the deepest and most persistent disadvantages. (This is examined in more detail in the companion volume (Paredes (2002).) These have been disadvantages which have been imposed upon them and entrenched in socio-economic relations. On the other hand, the disadvantages experienced by men have in large part been a consequence of the roles which they have retained for themselves or of their poor choices, often resulting from either anger or frustration. The central function of a gender policy must therefore be to address the entrenched systemic barriers to achieving equality for women, whilst being aware of the behavioural responses by men to progress in this regard. Capitulation to any persistent resistance to gender equality cannot be an option. This is especially so because such behaviour constitutes a minority – albeit a visible and ominous one – of men (and even, it should be acknowledged, some women). The majority of this group will likely be either ignorant of or confused by the merits of gender equality, or too strongly attached to and comfortable with gender-discriminatory roles, or simply unprepared to make the necessary adjustments to be parents or spouses based on equitable interpersonal relations.

This emphasises the importance of education – formal and informal – in the implementation of a gender policy. There is encouraging experience that demonstrates that, given an appropriately constructive context, men are willing to take a step in the direction of better gender relations and gender equality.<sup>9</sup>

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<sup>9</sup> UNICEF (1997), The Role of Men in the Lives of Children, Interdivisional Ad Hoc Working Group on Men and Families, New York, p 26

## 1.2 TRENDS IN THE CONCEPTUAL FRAMEWORK<sup>10</sup>

As described in the Introduction, action to redress gender inequalities has been a comparatively recent development. With the benefit of hindsight, this may have been a necessary evolutionary path. The global emergence of the women's movement in the 1960s and 1970s was a direct response by a minority of women to structural barriers to gender equality. This initially required greater shared awareness by women of their plight – a protracted process of consciousness-raising in the face of widespread active resistance by the major institutions of society (including governments, employers, financial institutions, media, churches, most unions, most men and many women). Such consciousness-raising continues today, but the issues are much better understood and more widely shared.

Even though an adequate gender perspective was originally lacking, the women's movement has continued to develop a gendered approach, even if simply by virtue of demonstrating the plight of women by reference to sex-disaggregated data on economic and social conditions. The associated responses have generally passed through three phases:

- *women-specific assistance projects*: projects targeted 'at' women, to improve their existing circumstances, such as domestic skills training ('home economics'), development of child-rearing skills, improved understanding of their bodies and health needs (despite the importance of such efforts, they often also effectively reinforced gendered roles and the consequential discriminatory effects) – viewing women as beneficiaries or recipients of development
- *women in development (WID)*: with greater awareness that projects targeted at women didn't necessarily address underlying causes of discrimination or oppression, WID focussed on the need for interventions to produce sustainable benefits for women in order to close the gender gap between the sexes; this fostered greater attention to such issues as women's economic development, participation in the (paid) workforce, and access to credit; it also emphasised notions of participation and empowerment, in actively involving women directly in the planning and delivery of projects and fostering their participation in decision-making within communities – viewing women as active participants in their development
- *gender and development (GAD)*: more recently, there has been a greater focus on tackling the central power relations within social institutions, the economy and governance, which has introduced notions of gender 'mainstreaming', 'gender-sensitive' budgeting by governments, and of the central role of gender analysis in public policy – viewing women as equal partners in development.

The latter stage (GAD) has also been accompanied by a recognition that:

- the problem is not women's integration in national development or their lack of skills, credit and resources, but the social processes and institutions that result in gender inequalities to the disadvantage of women

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<sup>10</sup> Parts of this section draw heavily on OECD (1998), *op cit*, pp 13-15, 26, 28. Although the OECD focus is on development effort, the arguments also apply to the national framework for public policy and resource management.

- gender inequalities are not only a cost to women but to national development as a whole, and must therefore be conceived as societal and development issues rather than as a ‘women’s concern’
- there are political as well as technical aspects that must be taken into account in addressing inequalities: it is not just a matter of ‘adding women’ to existing processes, but of reshaping those processes to reflect their interests and needs and to support gender equality.

This has had several implications for policy development and associated actions:

- *emphasis on reshaping the mainstream rather than adding activities at the margin:* efforts to improve the situation of women through women-specific initiatives and women’s components of larger projects meant that women’s interests were not reflected in the overall objectives and activities of development initiatives, so that women continued to be bypassed in the allocation of most development resources and opportunities and initiatives had little impact on the structure of inequalities between women and men; thus mainstreaming strategies direct attention to ensuring that mainstream activities are structured to provide an equitable distribution of opportunities and benefits to women and men, to reduce gender disparities, and to ensure that the visions, interests and needs of women are reflected in the definition of development policies and strategies
- *focus on equality as an objective rather than on women as a target group:* approaches which focussed on women as a target group often focussed on activities for women as an end in themselves and were not related to either the social context or broader development objectives, and were thus often criticised for effectively marginalising women or relegating their participation to isolated activities; a shift in focus to equality as an objective promotes closer scrutiny of such approaches in terms of their contribution to equality between women and men, provides a framework within which to identify initiatives targeted at men or at institutional change as a means to achieving greater gender equality, and means that all policies and initiatives must be scrutinised for their impacts on gender disparities in access to resources, opportunities and ability to shape their future
- *focus on the broader policy and institutional context as well as project initiatives:* the benefits or impacts of particular projects can be overshadowed by problems or changes in the broader policy or institutional environment (eg. if macroeconomic strategies reduce the number of jobs in sectors where women predominate, this will have a much broader impact than parallel efforts in credit or income-generation projects for women); a lack of institutional capacity to identify and address equality issues will mean that particular interventions will remain isolated initiatives with limited long-term impact
- *moving beyond responding to gender differences, and increasing attention to reducing gender disparities:* gender analysis techniques have equipped agencies to take major steps in identifying gender differences, which has enabled the identification of strategies that take account of the activities of women and men and to provide opportunities and benefits for both; the recognition of gender equality as a strategic objective of development can now also lead to the identification of opportunities to reduce gender inequalities and support progress toward more equal relations between women and men

- *more attention to women’s organisations and networks, and the national forces for change:* women’s organisations and networks have grown in number and effectiveness in articulating the needs and interests of women, so that government and other sectors can benefit from consultation with these organisations in advancing their own efforts; given the continued under-representation of women in decision-making institutions, women’s organisations and networks can also benefit by developing their research, lobbying and advocacy skills and opportunities
- *more attention to men:* male and female gender identities, their activities and behaviour in the family and the public sphere, are highly interdependent, so that equality strategies also need to consider the ways in which the gender identities of men affect women and the achievement of gender equality and aggregated (that is, the sum for both men and women) development objectives; this also requires efforts to involve more men as partners and allies in formulating and pursuing such strategies.

The commitment to ‘mainstream’ gender perspectives throughout policy and planning processes was made by governments – including Belize – at the 1995 WCW in Beijing, with the adoption of that Conference’s Platform for Action, which included the following statement in each major section<sup>11</sup>:

“governments and other actors should promote an active and visible policy of mainstreaming a gender perspective in all policies and programmes so that, before decisions are taken, an analysis is made of the effects on women and men, respectively.” (*Platform for Action*, Fourth World Conference on Women, Beijing, 1995)

This emphasis on mainstreaming gender perspectives across all sectors recognises

“that the interests and needs of women (as well as those of men) must be systematically pursued in the formulation of all government policies and programmes. That is, attention to equality issues cannot be confined to a sector called “women’s development” or addressed through isolated or marginal programmes within sectors. Instead, government agencies must recognise that women are a major part of the public they serve. If governments are to serve women as well as men appropriately, and to fulfill commitments to reducing inequalities between women and men, gender perspectives must become part of the process of formulating, implementing and evaluating policies and programmes.

With the adoption of the Platform of Action, the mainstreaming paragraph implies obligations at various levels. First and most directly, of course, is the obligation of governments to implement this approach” (OECD (1998), *op cit*, p 28)

This obligation on government – along with gender mainstreaming cutting across government sectors and other social partners – requires strong leadership and coordination. To this end, Belize has begun to utilise the Commonwealth Secretariat’s Gender Management System (GMS), which is considered further in Chapter 2.

### 1.3 MEASURING GENDER EQUALITY

Public policies are mechanisms to institutionalise processes. Through them, governments develop programs, implement measures and allocate resources to correct social inequalities and improve the living conditions of the population. A gender policy is a mechanism to

<sup>11</sup> The sections of the Platform of Action containing this emphasis are: education, health, violence, conflict, economic activity, power and decision-making, institutional mechanisms for women’s advancement, human rights, media, management of natural resources and the environment, and children and youth.

institutionalise processes to achieve gender equality and improve the living conditions of the population, with specific attention to the equity of such improvements between females and males.

In recent years, there has been a growing acknowledgement of the failure of the adoption of neo-liberal political reforms (trade liberalisation, privatisation of government services, removal of industry protections, reduced government interventions in and regulation of the private sector, etc), and its reliance on ‘the market’ to act as the stimulus of economic growth and income distribution. These measures have produced greater concentration of wealth, an even greater gap between rich and poor, and a net offshore loss of national wealth. Public sector job losses under a contraction in the role of government have not been met by corresponding levels of private sector jobs, and many people have moved into precarious casual work or self-employment which has often been a smokescreen for increasing under-employment and subsistence income levels.

This has been accompanied by a greater emphasis on means by which to quantify or measure such conditions; to objectively assess trends within the nation. In large part, this has also resulted from a recognition that the old truism that economic growth leads to jobs growth is no longer necessarily so (by the 1990s, most states witnessed the phenomenon of ‘jobless growth’), and that the benefits of economic growth ‘trickling down’ to produce benefits for all was not occurring. This prompted a realisation that economic growth must not be seen as an ‘end’ in itself, but as a ‘means’ to an end. That is, economic development is only valuable if it directly contributes to a sustainable improvement in human well-being.

This has prompted recognition of the inadequacy of traditional forms of gross domestic product (GDP) per capita measures of progress, an increased emphasis on the use of new statistical indicators to measure progress and behaviour, and a focus on core performance indicators most pertinent to human development. These tools are not without their problems: agreeing on what constitute ‘core’ measures, ensuring consistency of data, statistical methodology, and so forth. The most relevant criticisms have concerned the capacity of data to adequately reflect disparities within a nation: especially between different sexes, ethnic groups and geographical areas. This has particularly been so for gender for three primary reasons:

- women are statistically an extremely significant population, representing at least 50% of the national population
- women have frequently suffered most from neo-liberal policies, in their impact on low-income households and living standards
- so much of women’s labour is not measured by economic data, and remains unvalued and invisible.

With respect to the latter point, there will be an

“underestimation of women’s participation in economic activities as a result of the following concepts and methodological approaches:

- The production of goods by women for domestic consumption (land cultivation, cattle and poultry raising, pottery, dress-making, etc.) is classified as domestic and non-productive work. However, if these same activities are carried out by men (production for self-consumption), they are regarded as productive work.
- Women’s work is mainly identified as domestic non-remunerated tasks and, even when women perform income-generating activities, these are not recorded if the work is done at home.

- Using the concept of “prime occupation” invisibilizes and discounts a variety of paid and unpaid tasks, carried out by women and of economic value.” (Paredes (1994), p 20)

These are issues for the way in which national household activity surveys and labour force surveys are carried out, as well as for how national accounts are kept and data such as GDP are measured.

There is also a need to ensure that the mass of national data collected through the census, periodic surveys and research, may be sex-disaggregated. There are numerous relevant data within each area of national activity, for which a sex-breakdown will be essential for policy and planning purposes. Maintenance of such a larger gender database of indicators across the range of government activity is especially important in order to

- inform ongoing public policy discussion on gender-based analysis and progress
- enable gender-based research on specific areas of public policy
- monitor compliance with the performance goals accompanying international conventions.

As a guide – in view of the seemingly inexhaustible range of data potentially available – criteria for the selection of indicators are:

- *participation* – indicators should be developed in a participatory fashion, including (where possible) all stakeholders
- *relevance* – indicators must be relevant to the needs of the user, and at a level that the user can understand
- *disaggregation* – all indicators should be disaggregated by sex
- *comprehensibility* – both qualitative and quantitative indicators should be used, and they should be easy to use and understand, bearing in mind local capacity
- *definitional clarity* – a vaguely defined indicator will lead to different measurements over time and lack of comparability and meaning; any norm or bench-mark against which progress is measured should also be clearly understood
- *the data list should be small* – just because data are available doesn’t make them relevant: there is a need to avoid information overload (too many data to usefully use) and over-aggregation (aggregating many data into one measure and the use of weighting may conceal important information (this is a potential criticism of the HDI and GDI – see next sub-section))
- *specificity* – indicators should stress the specific concerns of the project or program, and reflect those aspects that it intends to change
- *technical soundness* – data should be reliable, their construction understood, their limitations explained, and their availability timely
- *forward-looking* – indicators need to extend beyond immediate concerns, to measure trends and serve as ‘policy triggers’ by generating alternative policy options
- *adaptability* – data should be adaptable to different circumstances and local areas. (Canadian International Development Agency (1996), pp 21, 65-66)

There is a very wide range of data which are helpful to informing gender-based analysis within Belize, and to measuring gender-based progress across the public policy spectrum. For example, ECLAC proposes 62 different indicators for national use, and the Commonwealth Secretariat proposes 77 different such indicators (see [Attachment G](#)). Within Belize, the Social Indicators Committee (SIC) is well-placed to develop an inventory of principal gender indicators, and to oversee their collection and analysis.

However, within the area of actual human well-being, including necessary attention to a gender basis, the most widely accepted quantitative measures are those produced annually by the United Nations Development Programme (UNDP) in its [Human Development Report](#) (HDR) series: the Human Development Index (HDI), the Gender-related Development Index (GDI) and the Gender Empowerment Measure (GEM). These are described below, and examined in more detail with particular respect to Belize in Chapter 2.

### **1.3.1 Gender-related Development Index & Gender Empowerment Measure**

For some time, national human well-being was measured in terms of economic well-being, especially GDP and income per capita. However, by the 1980s, the shortcomings of this approach were widely accepted, including that, firstly, it concealed disparities between people on such grounds as gender, ethnicity and geographic location and, secondly, economic well-being didn't necessarily translate to human well-being.

In 1990, the UNDP produced the first issue in its annual HDR series. This introduced the HDI as a composite index aggregating three measures deemed fundamental to human well-being: life expectancy at birth (longevity), literacy (knowledge) (subsequently expanded to include school enrolment) and GDP per capita (adjusted to reflect purchasing power within a country). National data for these indicators are measured against an index-line for all countries, aggregated, and accorded a measure between zero (worst case) and one (best case), then all countries are listed in descending order according to that HDI ranking. An HDI of 0.8 or higher is considered to equate with high human development, between 0.5 and 0.8 with medium human development, and below 0.5 with low human development.

The HDR recognised that – given the enormous number of indicators relevant to human development – many data indicators are reflective of or influenced by others, so that the aggregation of a very small number considered to be 'primary' indicators can adequately demonstrate the national situation and trends. At the same time, UNDP noted that it was necessary to ensure that indicators are sensitive to gender and geographic differences.

In 1995, the HDR introduced two gender-based indicators: the GDI and the GEM. Whereas the GDI – as a gender-based HDI – is an indicator of gender inequality in basic capabilities, the GEM concentrates on participation, measuring gender inequality in key areas of economic and political participation and decision-making. UNDP has drawn several conclusions from its calculation and examination of these gender-based indicators:

- no society treats its women as well as its men (no country's GDI matches its HDI)
- removing gender inequalities is not dependent upon having a high income (considerable gender progress has been made in some countries where income levels are comparatively low – and vice versa)

- gender equality is not necessarily associated with high economic growth (considerable gender progress has been made in some countries with comparatively low economic growth – and vice versa)
- gender development occurs regardless of socio-economic characteristics (gender equality has occurred in countries with diverse income levels, political ideologies, cultures and stages of development). (HDR (1996), pp 33-34)

The GDI and GEM represent very useful means by which national development may be measured in-country over time (despite occasional annual improvements (changes) in some data) and between countries at a particular point of time. Chapter 2 considers these indicators in more detail, with respect to Belize.

## **1.4 SUMMARY**

This chapter has considered various terms which are important to the notion of gender (as socially constructed), as distinct from sex (as biologically determined). Distinctions need to be made between equality (of opportunity) and equity (of outcome), and of the need for different actions in order to achieve each.

A gender policy also needs to be aware of issues of sameness and difference between women and men. Laws and practices have entrenched a range of gender discriminatory measures, which have – with few exceptions – disadvantaged the female rather than the male. A distinction is made between the comparative condition and position of men and women, especially in better understanding the reasons for some men feeling unduly threatened by the pursuit of gender equality and equity.

The evolutionary nature of development efforts are briefly discussed, commencing with measures which were gender-blind, through women-specific interventions (from women as passive recipients of assistance, through to women as partners in their development), and on to current initiatives in gender mainstreaming and empowerment.

Finally, the measurement of gender equality is considered, as a critical part of the implementation of the gender value of public policies. The selection of various statistical indicators is discussed, as is the utility of UNDP's composite indicators – the GDI and GEM – in providing primary indicators of national progress.

## 2. A GENDERED OVERVIEW OF BELIZE

### 2.1 PRIMARY RESEARCH & ANALYSIS

This section is a brief overview and discussion of statistical research and quantitative analysis related to gender in Belize. It does not specifically present such findings, as much of that consideration is synthesised in the companion NWC volume (Paredes (2002), Chapter 2), and in turn drawn upon in Chapter 4 of this present paper.

The primary source of gender-disaggregated data in Belize is the National Census, conducted by the Central Statistical Office (CSO) approximately each decade. This is supplemented by various CSO surveys. The Labour Force Survey is conducted annually. The Family Health Survey was most recently conducted in 1999, the previous (first) survey being in 1991. The CSO publishes reasonably comprehensive reports of the Census (CSO (2001a)) and the Surveys (CSO (2001b), (2001c), (2001d)), but relies upon relevant stakeholder agencies and researchers in making use of such data.

There has been little actual gender-based research conducted in Belize. Most gender-based analysis is of the census and survey data for the purposes of national reporting obligations (such as concerning CEDAW and the Convention on the Rights of the Child) or as part of Belize's active participation in regional inter-Ministerial meetings. Specific gender-based research has been conducted and published on the education system (Leacock (1996?), Jones (2001)) and on political participation (Rosberg & Catzim (2001)), and a conference paper presented on the labour force (Johnson (1994)). Gender-sensitive research includes child growth retardation (Ministry of Education (1996)), juvenile justice (Hancock (2001)) and commercial sex work (Heusner (2001)), as well as sex-specific research on adolescent pregnancy (Jagdeo (1993)) and female health (Cameron (1997)).

Research on male issues within a gender perspective may be derived by reference to the comparative treatment of sexes in the aforementioned studies. A recent study of males in Belize, whilst purporting to adopt "a gender perspective", in fact makes virtually no reference to females – and only rarely presents comparative data, viz. crude death rate and road traffic accidents, both showing a higher male incidence, and reference to no gender inequality in education participation.)

Gender-sensitive research and analysis of statistical data reveal the extent of gender disparities – persistently disadvantageous to females – across the public policy spectrum: including access to employment opportunities, economic independence, family and household responsibilities, victims of violence and sexual assault, and participation in decision-making and governance. These are inequities due to socio-political traditions and institutional practices which disenfranchise women: *systemic inequity*.

Gender disparities disadvantageous to males also exist. Primarily, these relate to such issues as their greater vulnerability to injury, disability or death due to their participation in life-endangering behaviour, such as dangerous use of vehicles, abuse of alcohol and other drugs, and use of weapons. These are gender inequalities due to poor decision-making: it is debatable that such issues stem from systemic inequities, even though – in some instances – it could be (and

some have) argued that such poor decision-making emanates from a reaction to progress made in achieving improved gender equity in some areas (viz. an adverse voluntary response to women achieving increasing equality).

Similarly, another area which has been described as constituting emerging gender inequality has been the improved school performance of girls. This is statistically evident from their improved absolute and comparative (to boys) retention, attendance and participation. Again, the withdrawal of many boys from the education system often reflects poor decision-making (for example, purporting to leave because school is either ‘boring’ or ‘irrelevant’); in some instances, however, it may reflect economic imperatives or parental decisions. The latter, however, clearly impact girls as well, and statistics demonstrate the withdrawal of girls in such instances as reaching puberty, reaching the minimum school leaving age, or completing primary school. The most obvious gender inequity in this regard is the persistent practice of the expulsion of girls who are pregnant.

It is evident that the primary focus of a gender policy must be to address systemic inequity: to minimise and eliminate socio-economic conditions (policies, practices and laws) which inhibit or prevent gender equity. This is essentially a need to enable the conditions for female equality. At the same time, it is necessary to attempt to address the underlying causes of male reaction to such improvements in equality: primarily a need for improved training and awareness of men and boys who will otherwise remain barriers to such progress and become more marginalised from Belize’s social and economic development.

In such undertakings, it is noted that – mainly due to the work of the CSO – Belize possesses a fairly sound statistical foundation for gender-based analysis. Nevertheless, there remain areas requiring primary research. This needs to ensure sound gender awareness and sensitivity. To complement available data bases and associated quantitative analyses, the pursuit of a national gender policy will also evidently require some qualitative research. This is so especially to the extent that the success of such a policy will require improved appreciation by many (clearly many males within communities, but also many (male) decision-makers and those in positions of authority) of the mutual benefits for all. It is also so in the context of basic principles of human rights and Belize’s compliance with international instruments to which it is a voluntary party.

## **2.2 MEASURING GENDER EQUALITY**

As mentioned in Chapter 1.3, besides the need for the regular collection and analysis of a wide range of gender-sensitive indicators, the use of national composite indicators is very valuable in understanding progress. The GDI – at a national and district level – and the GEM – at a national level – are therefore of great relevance and potential utility in tracking national advances in gender equality, and in informing and updating policy. They are best produced by the CSO, via the SIC.

Attachment E describes the GDI and its means of calculation, with particular reference to Belize. Some of the necessary data are not presently available, and this should be addressed by the SIC in order to be able to commence producing annual estimates, which would also accumulate useful timeline data for periodic comparison.

In the meantime, it is noted that global estimates for Belize are of a GDI of 0.755 and a GEM of 0.496.<sup>12</sup>

For the GDI, this places Belize in a rank of 59<sup>th</sup> of 146 countries, a fall of seven places in Belize's rank of 54<sup>th</sup> (of 162 countries) on the HDI table. However, UNDP data used to estimate Belize's GDI include a combined primary, secondary and tertiary gross enrolment ratio of 72% (females) and 73% (males) (believed to be an overestimation for both sexes, as the net primary enrolment rate is barely 80%, and the primary-secondary school transition rate is 87%). The adult literacy rate used is 93% (male and female), clearly a substantial overestimate given national estimates in the low 70s. The estimated earned income rates used in the GDI are \$3716 (females) and \$15,946 (males), adjusted for purchasing parity. (All data are for 1999.) Income data have been estimated from the following:

- ratio of the female:male non-agricultural wage
- male and female shares of the economically active population
- total female and male population
- GDP per capita (purchasing power parity). (UNDP (2001), p 245)

Given that the other indicator used (life expectancy at birth) shows a higher rate for women (75.3 years) than for men (72.6 years), and that there are no gender disparities for the two education indicators, Belize's slide down the global index is entirely attributable to income disparities. Quite apart from questions about the actual data used, there is no reason to dispute the gender differentials (despite what the absolute data for literacy and education may be, there are no significant gender differences). This highlights the central importance of issues of income distribution, access to credit, and poverty to a National Gender Policy.

A GEM of 0.496 places Belize in a rank of 40<sup>th</sup> of 64 countries (data are unavailable for most countries), a fall of just two places from its HDI ranking. The composite indicators in this regard are seats in parliament held by women (put at 13.5%), 'female legislators, senior officials and managers' (put at 37%), female professional and technical workers (39%), and the female:male estimated ratio of earned income (0.23). These individual data place Belize, comparative to other countries, 35<sup>th</sup>, 9<sup>th</sup>, 58<sup>th</sup> and 64<sup>th</sup> respectively on the GEM table. This suggests that Belize is doing well by global standards in women's access to power and decision-making (especially in the second category), somewhat worse than most for women in professional and technical positions and, for the 64 countries for which data are available on the female:male estimated earned income ratio, the worst of all those countries<sup>13</sup>. It does, however, need to be noted that all data relate to 1999, except for parliamentary data, which are as at March 2001. This is a further very graphic reminder of the severity of income inequality suffered by women in Belize.

Nevertheless, it is emphasised that it is important for Belize to calculate its own GDI and GEM on a regular (preferably annual) basis. This will enable valuable monitoring of national progress. It is, however, acknowledged that this presents difficulties – especially in deriving gender-disaggregated income-related data, particularly at a district level. Apart from any other public

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<sup>12</sup> UNDP 2001, pp 211, 215. National values are in a range of zero (worst case) and one (best case).

<sup>13</sup> UNDP has produced gender income ratio estimates for such countries as Costa Rica, El Salvador, Honduras and Panama in this region, plus Bolivia, Bangladesh and Eritrea, amongst others.

reference to such indicators, any national Human Development Reports ought to consistently include specific reference to national and global GDI and GEM measures for Belize.

## 2.3 COORDINATING FRAMEWORKS

A brief overview of the evolution of women's policy coordinating bodies was presented in the Introduction. This has – consistent with experience in most (if not all) nations – also been the point of emergence of gender-awareness and gender-based policy development. In Belize, this has particularly been so for the NWC and Women's Department at the governmental level, and for NGOs such as WIN-Belize and BOWAND.

The Government has committed itself to the Gender Management System developed by the Commonwealth Secretariat.

“The mission of a Gender Management System is to advance gender equality and equity, through promoting political will; forging a partnership of stakeholders including government, private sector and civil society; building capacity; and sharing good practice.

The goal of a Gender Management System is the mainstreaming of gender into all government policies, programmes and activities.” (Commonwealth Secretariat (1999), p 11)

A GMS is based on three broad principles of empowerment, integration and accountability, and requires the presence of formal institutional arrangements: a Lead Agency, a Gender Management team, an Inter-Ministerial Advisory and Advocacy committee and Gender Focal Points (GFPs). In Belize, these roles may be fulfilled by, respectively, the Women's Department, the Gender Integration Committee (GIC), the NWC, and the GFPs.

The Women's Department is the principal Government agency with responsibility for policy and programs, research and information, education and public awareness, with respect to women and girls. In recent years, it has especially emphasised the importance of a gender perspective, and of gender mainstreaming as a means of achieving sustainable advances for women and girls. It has responsibility for the implementation and oversighting of a GMS in Belize.

The GIC came out of the Social Sector Dialogue conducted by the Ministry of Human Development in 1999/2000, and comprises government and non-governmental membership. Its core roles have been advisory to the Women's Department, in such areas as gender-aware budget analysis, marketing strategies for gender awareness, the development of a gender training manual for GFPs, and the delivery of that training.

The NWC is a semi-autonomous national advisory and advocacy body appointed by the Government. Its functions are to

- serve as a Ministerial advisory body on women and girls, with particular reference to CEDAW and national development plans
- serve as a national advocate on issues affecting women and girls, with particular reference to improving Belize's compliance with CEDAW
- monitor and evaluate the implementation of CEDAW, and – with Cabinet approval – prepare and submit the periodic progress reports by Belize to the CEDAW International Committee.

The Women's Department has proceeded to have relevant line Ministries identify GFPs.

"Gender Focal Points are designated senior members of staff within each ministry/department/division, who are either directly involved in, or able to influence, their sector's planning process. ... The Gender Focal Point is often the main agent for facilitating gender mainstreaming on a day-to-day basis within an institutional structure." (*ibid*, p 34)

GFPs are senior administrative and technical staff who identify gender concerns, coordinate gender activities, and promote gender mainstreaming in the planning, implementation and evaluation of all activities in their respective sectors. There are fifteen GFPs who have been nominated, and this has been given formal status via a Cabinet decision. The focus at present is on the development of training manuals for those GFPs, to enable them to adopt effective roles within their respective agencies, as well as form the basis of an effective government-wide network on gender issues.

Within the context of the GMS framework, Belize is well placed to put the requisite coordinating and management infrastructure into place. This would acknowledge the Women's Department as the 'lead agency' in the implementation and oversighting of the GMS, the GFPs as the key agency-based personnel, the GIC as the potential 'gender management team' (although it will need to be formalised and strengthened), and the NWC as the Ministerial advisory and advocacy body. This will ensure a strong basis to giving effect not only to the GMS, but also to the implementation of the National Gender Policy, and the mainstreaming of gender-sensitive budgeting.

## **2.4 INTERNATIONAL AGREEMENTS**

Belize is a voluntary party to many international treaties and conventions central to achieving gender equity. The most relevant is CEDAW, on which Belize most recently reported in 1999. The UN CEDAW Committee's observations and recommendations, following Belize's presentation and defence of that report, are summarised at Attachment C.

A schedule of international instruments, and Belize's status in relation to them, is summarised at Attachment F. It is important to note that Belize has ratified most of the key instruments, particularly in view of Government joining several International Labour Organisation (ILO) Conventions in 2000:

- Equal Remuneration for Men and Women Workers for Work of Equal Value (No. 100)
- Maternity Protection (No. 103)
- Discrimination with Respect to Employment and Occupation (No. 111)
- Equal Opportunities and Equal Treatment for Men and Women Workers, Workers with Family Responsibilities (No. 156).

These are the first gender-relevant ILO Conventions to which Belize has entered as a state's party.

At a regional level, perhaps the most significant agreement is that of the Convention of Belem do Pará, which concerns the prevention, punishment and eradication of violence against women. It defines violence against a woman "as any act of conduct, based on gender, which causes death or physical, sexual or psychological harm or suffering to women, whether in the public or private

sphere” (Article 2). It further proclaims the right of every female to be free from violence, including all forms of discrimination, and “the right of women to be valued and educated free of stereotyped patterns of behaviour and social and cultural practices based on concepts of inferiority or subordination” (Article 6).

Being a signatory to such international and regional agreements carries certain obligations for the Government, and it is obviously important for there to be regular monitoring of progress in meeting those obligations, as well as a consultative approach by Government in its consideration of entering as a party to new conventions. A recent initiative by the Ministry of Foreign Affairs and Cooperation to appoint a Treaties Officer – to centrally monitor such matters – will afford a welcome opportunity in this regard.

## **2.5 PRIORITY POLICY AREAS**

Belize was an active participant in the Fourth WCW, held in Beijing in 1995, and in post-Beijing collaboration. That conference was especially significant because of the prominence given to placing issues concerning women and girls into a gender perspective. The conference’s final document resolved a range of actions by member states under twelve themes.<sup>14</sup> In 1998, GOB and NGOs together agreed to especially focus national attention on five of those issue areas. These became the ‘priority policy areas’: economic empowerment, health, education and training, access to decision-making, and domestic violence.

It is noted that most of the policy areas not prioritised from that longer list remain of relevance – to varying degrees – to issues of gender equity in Belize. To the extent that this is so, the actual nature of various such issues are able to be incorporated within the identified priority areas, and this has been the approach adopted in this document.

As a result, Chapter 4 – the essence of this document – follows those five principal priority areas, and adds a sixth area (coordination and implementation), as a crucial aspect in giving effect to the range of proposals contained in those priority areas.

## **2.6 SUMMARY**

This chapter has presented a context within which a National Gender Policy may be adopted for Belize. It has

- provided an overview of gender-relevant research in Belize
- given particular attention to the issue of gender-based national statistical indicators
- considered the nature of a coordination framework for giving effect to the national policy, as well as to other related purposes within a commitment to gender mainstreaming.

It has been particularly noted that

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<sup>14</sup> These areas were poverty, education and training, health, violence, armed conflict, the economy, women in power and decision-making, institutional mechanisms for the advancement of women, human rights, the media, the environment, and the child.

- despite there having been little actual gender-based research in Belize, such research has revealed the extent of gender disparities against women and girls, and female-focussed research has normally been gender-aware and has also served to identify areas of male disadvantage
- available global statistical indicators bear out the severity of female inequity in matters of income and wealth in Belize
- Belize is a state's party to most of the relevant international agreements, especially with it joining in 2000 to several significant ILO conventions
- the existing network of consultative, advisory and coordinating bodies related to women and/or gender is well-placed to assume the roles necessary to give effect to Belize's commitment to adopt the GMS, to give effect to the implementation of the National Gender Policy, and to monitor matters relevant to Belize's obligations as a state's party to gender-relevant international agreements.

### 3. THE LAWS OF BELIZE FROM A GENDER PERSPECTIVE

As a complementary addendum to the presentation of the National Gender Policy, this chapter gives attention to the Laws of Belize in terms of their adequacy from a gender perspective. All references in this document to Belizean legislation are to **The Laws of Belize, 2000** (note that most chapter references and many section references are different in that edition than they were in the previous 1990 revised version of the 1980 edition).

#### 3.1 GENDER CHARACTERISTICS OF THE LAWS

The Laws of Belize comprise some 10,000 pages, arranged in nine volumes. It has not been possible within the scope of this present exercise to undertake a comprehensive review of the gender dimensions of those laws; nor have accompanying Regulations and Statutory Instruments been considered. Nevertheless, this chapter has attempted to be reasonably thorough in identifying most of the gender aspects of current laws. In doing so, several points need to be made.

Firstly, it needs to be understood that for reasons of history and tradition, the language used in the laws is patriarchal, and gender-blind. References are to the male sex, presumed to be inclusive of the female, unless specific reference is being made to the female sex. In more recent times, this has become a language of convenience, rather than adopting other more cumbersome or confusing conventions, such as alternating between each sex ('he' then 'she'), or using gender-inclusive language ('he and she') or gender neutral language ('it'). The *Interpretation Act* provides that "words and expressions importing the masculine gender include the feminine" (S. 5(1)). However, this meaning is not always clear, such that sometimes it appears that a reference to the male does not include the female. A converse reference in legislation to the feminine is not inclusive of the masculine. Despite legitimate concerns about the social and political construction of gender, the present convention appears to be the clearest and simplest one to use, apart from the merit of utilising gender-neutral terms where possible, such as 'person', 'spouse' and 'chairperson'.

Secondly, having gender-neutral or -sensitive or -inclusive legislation does not necessarily translate into gender-neutral or -sensitive or -inclusive practice. Simply legislatively providing for the recruitment of both sexes to, for example, the defence force will not ensure by itself gender equality in recruitment practices and outcomes. Similarly, there is a need to uniformly adopt appropriate terms. For example, 'commercial sex worker' should be preferred to 'prostitute'; and some legislation still uses the term 'illegitimate' whilst other legislation has moved to the term 'born out of wedlock'. Both of these examples move the focus from a moral judgement and labelling of one party, to a more objective and descriptive term.

Thirdly, in some legislation there will be gendered implications which do not require amendment of that legislation, as it needs to be addressed by amendment of other legislation, with the consequential implications for the other Acts. For example, several Acts impact upon the treatment of 'prostitutes' who are presumed in legislation to only be female – and their clients

only male, although this is more difficult to establish given the male wording of legislation. A change to the provisions of the *Criminal Code Act* will have consequential corresponding impact upon the meaning of other legislation, without any need to change the latter.

Fourthly, some gender differences in legislation are likely to be viewed as of a lesser priority in any subsequent attention. For example, legislative provisions for a woman who is a British subject and married to a Belizean who is subject to the provisions of the *Deportation (British Subjects) Act* are probably of less current concern than, say, differential provisions for women with respect to public service pensions.

Fifthly, some gender-discriminatory provisions are no longer applicable. For example, the *Belizean Nationality Act* makes special citizenship provisions for non-Belizean wives of a Belizean at the time of national independence (S 4(5)), and the *Marriage Act* makes provisions with respect to marriages prior to 1 July 1898 (S 78(2)) and marriages between 1897 and 1916 inclusive (S 79(1)).

Sixthly, some different treatment may be appropriate sex-based provisions which are not therefore discriminatory in terms of gender. For example, it is likely to be considered reasonable that a female detainee may only be body-searched by a female officer, or that a charge of infanticide may make allowance for the antenatal mental state of the mother with no similar regard for the father.

Finally, the extent to which the laws treat women and men equally is best established by examining those provisions which treat them differently, rather than by reference to the extent of equal provisions within those laws. (The latter was the approach adopted in GOB's Periodic Report on CEDAW, and enabled it to conclude that "women and men have legal equality with men in Belize". (Department of Women's Affairs & Social Planning Unit (1999), p 55)) To facilitate such examination, reference should be made to Attachment B.

## 3.2 CONSIDERATION OF THE LAWS OF BELIZE

Attachment B presents an inventory of the Laws of Belize in terms of sex and gender differences. Inclusion on that table is not necessarily an indication of the need for amendment of the associated legislation: that will require closer consideration by relevant bodies in collaboration with GOB. Nevertheless, a number of observations may be made, in the context of the recent amendment to the Preamble of the Belize Constitution to guarantee gender equality (*Belize Constitution Act*, S 2(e)).

**Some laws do not seem to include the female in referring to the male**, for example:

- *Summary Jurisdiction (Offences) Act* (S 18) doesn't seem to include women as being eligible for an offence of living off or soliciting for prostitution
- *Defence Act* (S 167(1)) seems to preclude women from being called up for national service (specifically using 'men' throughout the section), whereas women are eligible for regular enlistment (S 16(2) refers to 'persons')

- *Registration of Births and Deaths Act* (Schedules 1 and 9) doesn't include mothers similarly to fathers in entries on, respectively, the Register of Births and Register of Stillbirths (requiring the father's, but not the mother's, 'rank or profession')
- *Education Rules* (S 77(4)) make provision for staff leave for teachers (of either sex) but only male staff members
- *Labour Act* (Part VIII) makes provisions for the family of a recruited person which seems to specifically apply to a male employee.

**Some laws make gender assumptions which should be made gender-neutral or -inclusive, for example:**

- *Medical Services and Institutions Act* (S 59), *Evidence Act* (S 74), *Indictable Procedure Act* (S 173), and *Criminal Code Act* (Ss 45 & 47) make assumptions about the gender of perpetrators or victims of sexual assaults and abuse,
- *Summary Jurisdiction (Offences) Act* (Ss 15, 17 & 18) and *Criminal Code Act* (S 49) make similar assumptions about workers, clients and financial beneficiaries in the commercial sex work industry
- *Juries Act* (S 24(2)), *Deportation (British Subjects) Act* (S 2(2)), *Aliens (Registration) Act* (Schedule 3), *Rent Restriction Act* (S 10(1)) and the *Bankruptcy Act* (Ss 25, 40, 43 & 99) (amongst other Acts) make references to the feminine when there seems no reason for such references to be to both sexes
- *Families and Children Act* (Ss 64, 65, 69 & 72) make assumptions that the parent liable to pay child maintenance is the father, when in all other references in the Act there is gender-neutrality.

**Some laws treat a female child less equitably than a male child, for example:**

- *Pensions Act* (S 13(1)) precludes a female (but not male) child aged under 18 years from being entitled to receive a pension if she is married (S 18 extends this to other eligible female children, viz. a sister)
- *Widow's and Children's Pensions Act*, *School Teachers' Pension Act* (S 22) and *Wills Act* (Ss 35 & 36) deny a pension or maintenance to a female child if she is married
- *Labour Act* (Ss 162 & 163) provides for the special employment entitlements of 16-17 year old males in evenings or night-times (including to enable them to engage in apprenticeships or vocational training).

**Some laws treat an adult female in a discriminatory manner, for example:**

- *Pensions Act* (S 6(1)) provides for a pension for a public officer who retires, except for a female officer who resigns due to marriage (S 6(2) says that "a gratuity may be granted")
- *School Teachers' Pension Act* (S 11(2)) similarly denies entitlement to a pension, but provides that – so long as she has at least five years service and has been married less than six months at the time of retirement – she may be granted a gratuity

- *Belize City Council Act, Belmopan City Council Act and Town Councils Act* (S 45(1)) make similar provisions, where the female officer “retires or is *required* to retire” due to marriage
- *School Teachers’ Pension Act* (S 22 (1)(i)) says that a widow remains eligible for a pension provided that she is “unmarried and of good character”
- *Companies Act* (S 133(4)) makes provisions concerning share-holdings in the wife’s name which don’t appear to apply in reverse
- *Factories Act* (S 12 (1)) and *Labour Act* (Part XV and elsewhere) make particular provisions for the employment of women which appear restrictive and don’t apply to a male employee.

**Some laws afford protection to the female which ought to also be extended to the male, for example:**

- *Criminal Code Act* (S12(b)) voids the consent of a female child who is under 14 years
- *Criminal Code Act* (S 56) makes an offence of the abduction of an unmarried female aged under 18 years
- *Criminal Code Act* (S 71(1)) defines the rape victim as a female of any age
- *Criminal Code Act* (S 142) refers to the stealing of a thing with the owner’s wife’s consent, and instances where the person committed adultery with the wife.

**Some laws may contain particular policy inconsistencies in the treatment of women and/or men, for example:**

- *Pensions Act* (S 18) and *Widow’s and Children’s Pension Act* don’t recognise a common law union as entitling a widow to a pension (viz. not being in a marital relationship), but recognise a common law union she subsequently enters into as grounds to disqualify her for eligibility (viz. as being in a marriage-like relationship)
- *Court of Appeal Act* (S 20(c)) and *Evidence Act* (Ss 56, 58, 60 & 63) refer to evidence by a spouse, but – given uncertainties in other legislation – may need to clarify the status of common-law spouses
- *Criminal Code Act* (S 62) provides that incest with a 12-13 year old female carries a penalty for a male of seven years in prison, whilst S 47 provides that carnal knowledge of a 12-13 year old female carries a penalty of 12 years to life imprisonment (this appears to be an unintended anomaly)
- *Criminal Code Act* (S 63) presumes that a female aged 16 years and over is capable of granting consent, but there seems to be no parallel presumption that a male aged under 16 years is incapable of granting consent
- *Families and Children Act* (S 48) makes a man responsible for the maintenance – where they are unable to maintain themselves – of his own children, whether or not living with him, all children of his wife who are living with her, whether or not he is the biological father, and the child of any of his own children; which seems to mean that this provision doesn’t equally apply to the biological fathers of the latter two categories (but, in law, must)

- *Families and Children Act* (S 54) makes provision for the determining of a level of maintenance according to the means of the parties to a common law union (including for a child until 18 years), whereas – for the spouse and child in a marital relationship – the *Married Persons (Protection) Act* (S 2) sets weekly maxima of \$100 for a wife and \$50 for a child (until 16 years), thus treating a spouse and child in a former marital relationship less favourably than those in a former common law union
- *Families and Children Act* (Ss 63-66) make better provisions for the collection of maintenance payments for a child born out of wedlock than they do for a child born to a married couple.

**Some laws appear to treat the male inequitably, and ought to be gender-neutral or gender-inclusive, for example:**

- *Widow's and Children's Pensions Act* (S 2(1)) doesn't permit female officers as pension contributors, thus precluding male spouses from being beneficiaries
- *Widow's and Children's Pensions Act* (S 10(2)) provides that a pension doesn't apply to, *inter alia*, a stepchild unless wholly or partly dependent upon him at the time of his death, which may diminish the obligation of the liable (biological) father to support that child
- *Medical Services and Institutions Act* (S 67) makes a man liable for the cost of maintaining a child (not necessarily his) in a hospital, mental hospital or certified institution, which appears to absolve the otherwise liable (biological) father, whilst – presumably – he remains liable for the same costs associated with his own children
- *Married Persons (Protection) Act* (Ss 3 & 5) specify the grounds for an application for separation by a married person, with the additional grounds available to a woman (but not vice versa) including that he had sex with her knowing that he had a sexually transmitted infection (STI), that he has been convicted of assault or aggravated assault, or that he has wilfully neglected to reasonably provide for her and their children
- *Evidence Act* (Ss 74 & 96(1)) provide that in rape matters, the perpetrator is male and the victim is female, that in sexual cases victims are “women and boys”, and that “offences of gross indecency [are] between male persons” which seems to imply mutual consent; such that there is no recognition of the possibility of non-consensual sex or sexual assault or rape of an adult male (regardless of any assumption about the gender of the perpetrator) (refer also to *Criminal Code Act* (S 45) re aggravated assault).

In addition, attention will at some time be required to three assumptions made in various laws:

- several laws specify that married women have the same rights as single women (*feme sole*): this is usually in order to be clear that a married woman doesn't forfeit legal entitlements to her husband, and seems to be unnecessary whilst there is nothing in the laws to support or infer that loss of legal status; see, for example, *District Courts (Procedure) Act* (S 9), *Married Women's Property Act* (Ss 3(1), 17 & 20) and *Wills Act* (S 6)
  - although such provision may be desirable within banking and credit legislation to eliminate any practice of requiring a husband as a signatory on loan agreements
- despite welcome amendments concerning recognition of common law unions – and the corresponding protection afforded women in such relationships – other laws need to be

brought into line: the definition in the *Supreme Court of Judicature Act* (S 148D) and extended to the *Administration of Estates Act* (S 54A) should be made uniform, and the treatment in the *Social Security Act* (S 14(2)) should be viewed as model legislation in this regard

- the legislative presumption of the male as the primary provider for women and children needs special consideration by women's groups in particular, in order to examine the implications for gender equity: this clearly carries serious and far-reaching implications and needs careful consideration before any changes are contemplated (as there is potential that women – still carrying primary burdens of domestic and child-rearing responsibilities – may be economically marginalised even further); nevertheless, such examination is warranted; see, for example, *Summary Jurisdiction (Offences) Act* (S 3(1)(vii) & (xv)), *Criminal Code Act* (S 100(1)), *Families and Children Act* (S 48) and *Married Persons (Protection) Act* (Ss 2, 4 & 11).

### **3.3 CONCLUDING COMMENT**

This chapter provides an overview of the Laws of Belize from a gender perspective. It considers such matters as the use of sex-specific language (use of masculine terms to include the feminine), and the relationship between the provisions of laws and their practice.

There have been some recent substantial improvements in Belizean laws, most significantly:

- the treatment of evidence in, and the penalties and provisions for, rape and sexual abuse
- the formal recognition of common law unions in some key legislation (concerning divorce or separation, and estates)
- the inclusion of unpaid domestic labour and child-rearing in determining property settlements.

Nevertheless, there remain a number of gender discriminatory provisions within Belizean laws. The types of anomalies, and associated examples, are:

- preclusion of the female when referring to the male
- gender assumptions which should be made gender-neutral or -inclusive
- treatment of a female child less equitably than a male child
- treatment of an adult female in a discriminatory manner
- protection afforded to the female which ought to also be extended to the male
- particular policy inconsistencies in the treatment of women and/or men
- inequitable treatment of the male.

These require discussion – especially by women's agencies – and prioritisation in pursuing any reforms.

## **4. A NATIONAL GENDER POLICY FOR BELIZE**

This chapter presents policy proposals designed to achieve significant advances in both gender equality and gender equity in Belize, consistent with Government's policy commitment in this regard and Government's obligations as a voluntary party to a number of international conventions. It needs to be noted that the commitments in this chapter are not exhaustive within the respective policy areas, as they specifically relate to the dimension of gender.

The following policy areas correspond to those determined as the priority areas for Belize from the larger list adopted at the Fourth World Conference on Women in Beijing in 1995, as prioritised into a shorter policy list following post-Conference consultations within Belize. That Conference was notable because it positioned priorities within a gender framework. In addition to those priority policy areas, attention is given to overarching coordination and oversighting arrangements, especially in ensuring the formulation of implementation and monitoring strategies in giving effect to the national policy commitment.

Brief supporting comment is presented on each policy commitment, but it is emphasised that it is not the function of this chapter to comprehensively discuss policy issues and responses: reference in this regard should be made to Paredes (2002), and Department of Women's Affairs & Social Planning Unit (1994, 1999), amongst other documents.

The preparation of policy responses must ensure relevance to needs and priorities, and be comprehensive in addressing local factors, immediate program interventions, reforms to current services and amendments to legislation. Attention must also be directed to obligations under international treaties and reports of relevant research and consultative forums which better inform national understanding of gender issues. This chapter endeavours to incorporate all of these elements.

### **4.1 HEALTH**

A number of advances have been achieved in the health system in recent years, including improved local access to health services, reductions in mortality rates and fertility rates, and increases in infant vaccination rates. The introduction of iron and vitamin A supplementation programs and pap smear testing and cervical cancer screening are expected to produce further marked improvements in health standards.

Nevertheless, a number of problems persist, including those with a dimension of gender disparity. The growth retardation of children is more likely to affect boys, women have rapidly overtaken men in becoming the victims of HIV, factors associated with the termination of a pregnancy are the leading cause of hospitalisation of women of child-bearing age, and women are more likely to suffer from food insecurity exacerbated by low income.

Significantly, the recent introduction of a pilot National Health Insurance Scheme is also expected to enable major advances to be made in access to, the affordability of, and the widespread provision of a range of health services.

## **Unsatisfactory breastfeeding practice**

Despite various efforts over the previous decade or so, there has been only a small improvement in breastfeeding practices in Belize (eg., according to the Maternal and Child Health (MCH) Unit of the Ministry of Health (MoH), in 1991, 43% of babies were fully breastfed to one month of age; in 1999, that figure had risen to 54%; the number never breastfed declined from 11% to 8%). Although a National Breastfeeding Policy was adopted in 1998, it still needs to be implemented. According to the 1999 Family Health Survey (FHS), breastfeeding is slightly lower in urban areas, where access to information is greatest. This could be due to ethnic factors (as the highest feeding rates are for the Garifuna and Maya); it may also reflect type of birth (as babies born by caesarian delivery are less likely to be breastfed and, when they are, this is more likely to occur later after the birth) or levels of wellbeing (as breastfeeding rates decline in households with more amenities). That there are lower rates in urban areas and in more affluent households may point to issues associated with working mothers and maternity leave provisions.

FHS breastfeeding data do not specify the sex of the infant. However, on the basis of mortality data disaggregated by sex, 'From Girls to Women' points out "that boys are biologically more vulnerable than girls during the first year of life" (Cameron (1997), p 38). It therefore seems worth investigating whether there are any disparities in feeding practices. The primary causes of infant mortality are perinatal (birth-related) and respiratory.

1. The National Breastfeeding Policy shall be implemented, accompanied by the appointment of a breastfeeding coordinator within the MCH Unit.
2. A breastfeeding counsellor should be employed within each district hospital to implement such practices, and attached to the MCH Unit.
3. District-level programs of action on breastfeeding shall include workshops specifically for fathers, on pregnancy, breastfeeding and child care.
4. District-level programs will more actively promote breastfeeding as a part of prenatal care and at the time of giving birth.
5. Breastfeeding data will be disaggregated by the infant's sex to ascertain any possible differences in feeding practice that may be a contributing factor.
6. A nationwide media campaign will be initiated which targets myths and nutritional facts about breastfeeding, aims to overcome social resistance to breastfeeding in public, and portrays positive roles for men in breastfeeding practices.
7. The Ministries of Health and Labour will jointly promote the merit of expressing breastmilk (including within workplaces) in order to enable working women to continue breastfeeding, and will complement this effort with the joint development of measures to improve workplace opportunities for employees to express and store breastmilk as well as to breastfeed their babies.

## **Growth retardation and stunting**

A 1996 national height census of children aged 6-9 years revealed that 15.4% of school children suffer growth retardation or stunting. Two primary factors were ethnicity (with 44.8% retardation amongst Maya children, viz. the rate for all non-Maya children was 11.4%) and sex

(with the rate for boys (at 18.2%) being one-and-a-half times that for girls (at 12.5%)). The gender difference was consistent across districts, leading to the observation that girls' greater proximity to the kitchen and involvement in domestic food preparation likely resulted in their easier access to (more nutritional) food.

The census also showed that stunting was more prevalent at Infant I entry level, declining through subsequent years. A more recent study is still being evaluated, and may indicate some further deterioration. This needs close monitoring, especially given the opportunity to intervene to rectify these problems. The relationship between stunting and malnutrition, on the one hand, and early learning, on the other, evidenced by the greater impact on boys and their poorer attachment to school participation and performance, highlights the long-term importance of early intervention in this issue.

8. The improved Care and Growth Charts of the MCH Unit shall be used to more closely monitor growth retardation and early signs of stunting.
9. Growth retardation will be addressed by the introduction of universal ultrasound testing during the second trimester.
10. Primary health nurses will be trained in the use of primary-level ultrasound, to enable them to detect and define the type of growth retardation.
11. Stunting will be addressed by the introduction of a supplementation program to boost calorie intake from the pre-school level.
12. Dialogue needs to occur between the MCH Unit and SHAPES in order to better ensure the collection of consistent and useful timeline data between birth and, say, age 9 years.
13. A national strategy shall be devised to promote improved gender equity of children's participation in domestic roles, especially food preparation; this should especially impact the primary school curriculum and parenting education.
14. Primary school-based feeding and nutrition programs currently delivered via SHAPES shall be progressively expanded from existing levels of coverage.
15. The importance of food and nutrition to early childhood learning will be introduced into the teacher training curriculum.
16. A national child height census shall be developed and carried out on a regular basis (eg. each three years), and should aim to derive clearer data on causal factors, including with respect to gender.

### **Iron deficiency anaemia in pregnant women**

Over the past decade, the incidence of anaemia in pregnant women has remained above 50%. In very recent years, this has led to the introduction of an iron supplementation program as part of prenatal care services, although antenatal intervention seems to remain a problem. The two main causal factors are understood to be poor nutrition and/or pregnancies too closely spaced. Nutrition standards may be alleviated by the iron supplementation program, but require sustained actions in the context of the 2001 national Food and Nutrition Security Policy. Declining fertility rates are likely to also ease the spacing of pregnancies but will require monitoring.

17. The iron supplementation program will be maintained, but implementation during the antenatal period must be strengthened.
18. Stocks of iron supplements must be closely monitored at the community level to ensure sufficient quantities when nurses visit rural and remote areas.
19. Blood testing shall be done twice during the pre- and ante-natal period to ensure that iron supplements are being taken and are having the necessary effect.
20. Nurses will be trained in the use of equipment which provides immediate results of haemoglobin tests.
21. Referrals for more specialised care shall be followed up by nurses to ensure that the female client is receiving the required treatment.
22. Promotional material shall give prominence to the importance of producing local crops with a high iron content, and in promoting domestic preparation of foods rich in iron (and in a way which retains that content).
23. Government will aim to achieve a 50% reduction in the number of women with iron deficiency anaemia by year 2003.
24. Government will introduce a folic acid supplementation program for 15-44 year old women by 2005.

### **The impact of food insecurity**

The adoption in 2001 of a national Food and Nutrition Security Policy recognised that certain segments of the population are more at risk of food insecurity due to lack of purchasing power: rural populations, the elderly, the disabled, single income households and female-headed households. This especially impacts women, who are most at risk, or else most likely carry responsibility for the care of those at risk.

25. The Government shall establish the Food and Nutrition Commission (as per the 2001 Policy).
26. A Secretariat shall be established to implement the Commission's objectives, which include to "ensure adequate intake of macro and micronutrients combined with adequate health care, especially women and children throughout the country".

### **Reproductive health**

The reproductive health of the population of child-bearing age is clearly of central importance. Reproductive health problems are the leading causes of morbidity and mortality for women in that age group (15-44 years). Cervical cancer is the primary cause of death in such women, is intimately associated with a sexually transmitted viral infection, and is preventable. Abortion-related factors are the leading cause of hospitalisation among females of child-bearing age. For men, prostate cancer is the third most common cancer, and can be cured if detected early. Teenage pregnancy is declining but remains high. Total fertility rates are also declining but remain high by regional standards. A high fertility rate is strongly linked to high morbidity and mortality of both mother and child. Contraception usage appears to be increasingly used as a

birth control means, but reportedly is not so widespread as a means of preventing the spread of STI and HIV infections, which are rising at an alarming rate.

27. The draft National Reproductive Health Policy shall be urgently adopted and accompanied by an implementation strategy.
28. Principal quantitative indicators of reproductive health shall be formulated and regularly monitored by MoH.
29. Recognising the poorer use made by men of sexual and reproductive health services, measures will be adopted to promote male use of such services.
30. Universal access to family planning will be ensured by the removal of legal, clinical and regulatory obstacles to information and access to contraceptive methods.
31. Traditional Birth Attendants (TBAs) shall be trained, monitored and certified by MoH, and re-certified every five years, to enable them to practice their profession competently.

### **Teenage fertility rates**

Although teenage pregnancy rates have declined (in fact, the rate for 15-19 year olds declined by 31% between 1991 and 1999: more than any other age group) they remain high. At the same time, there has been a decline in teenage marriage, although a substantial increase in teenagers in visiting relationships and a marked lowering of the age of first sexual union. Together, this means an increase in teenage sexual activity and decrease in teenage pregnancy, which suggests the success of public awareness efforts to promote 'safe sex' and use of contraception. However, this also suggests that any relaxation in public awareness campaigns and school-based education on reproductive health may result in a substantial increase in teenage pregnancies.

32. Public education campaigns – including school-based – on reproductive health shall be maintained *at least* at current levels.
33. School-based information on reproductive health will appropriately promote acceptance of the merits of delaying the age of first sexual union, as well as encourage self-confidence and self-esteem to minimise the resort to sexual activity in order to 'prove' oneself.
34. Given that young males continue to be less knowledgeable of contraceptive methods than young females, specific targeting of information to them needs to be developed, along with an improved awareness of their responsibilities in such consequences of sexual activity as pregnancy, child care, STIs and HIV.

### **Cervical cancer screening and pap smear testing**

Recognising the importance of investing resources and efforts into the early detection of preventable diseases, MoH has adopted standardised reporting on pap smear testing within public and private health centres, and is presently increasing testing coverage at least ten-fold on recent rates. Material on cervical cancer screening has also recently been prepared for both health workers and the public.

35. The MoH will ensure that the target of 400 pap smear tests per month is met by mid 2003, and maintained.

## Male screening program

The reluctance of or resistance by Belizean men to make proper use of health services has been a particular problem. Men have proved difficult to specifically cater to in the promotion of safe sex practices and in their attendance at clinics for regular health checks and screening across a range of areas, including blood pressure, STIs and prostate cancer. Prostate cancer only affects a small number of Belizean men, but early detection can result in prevention. It is the third most common cancer in men.

36. Locally-targeted campaigns will promote the importance to men of regular health checks and of early detection of communicable diseases, including STIs and HIV.
37. The MoH shall review the possible need for changes in the design and presentation of health centres and mobile clinics, to the extent that they may be viewed as more amenable to male access.
38. Measures will be taken to address continuing concerns about a lack of absolute confidentiality in medical services, especially to the extent that this may hinder routine use of primary health care.
39. A public awareness campaign will be adopted, targeted to men, which aims to promote wider acceptance of preventative health care and regular checkups in dealing with a range of health issues, including the promotion of positive role models and the positive roles to be played by men in ensuring healthy families.

## The prevention of unwanted pregnancies

Apart from related efforts in promoting responsible sexual practices, many pregnancies continue to be unplanned (25%, according to the 1999 FHS): either ‘mistimed’ or ‘unwanted’. Since 1991, there has been a decline in the rate of unwanted pregnancies to 10%, and this should continue to decline as reproductive health education continues and access to family planning methods improves. Nevertheless, abortion-related reasons continue to be the single most prevalent reason for the hospitalisation of women of child-bearing age in Belize. (It is important to note the “difference between an unwanted pregnancy and an unwanted child. Very few Belizean mothers would suggest that their children are unwanted.” (Jagdeo (1993), p 56))

Belize averages 600 abortions each year (700 in 2000, the most recent year data are available). The abortion rate is approximately 8% of the combined pregnancy (terminated and live birth) rate, and thus represents a very high proportion of ‘unwanted’ pregnancies. These are procedures initiated in private GP surgeries and ‘completed’ within the public hospital system. The number of women who don’t enter the hospitals, or who seek treatment outside Belize, is not known. The share of teenage females seeking terminations is lower than many would estimate, at 15% of the total, compared to that age group comprising around 19% of live births. The abortion rate rises with the age group. This reflects the fact that, as age increases, the rate of ‘mistimed’ pregnancies decreases and the rate of ‘unwanted’ pregnancies increases.

The number of pregnant women who terminate their pregnancy is a matter of serious concern, both in comparative and absolute terms, especially in view of the provisions of the *Criminal Code Act* and of associated health risks. A woman who procures an abortion or miscarriage is liable to a term of life in prison, and a person who causes such abortion or miscarriage may be

sentenced to 14 years in prison. (*Criminal Code Act* (S 111)) Many Belizean women are presently vulnerable to life sentences, which can hardly be considered to be acting as a disincentive, but is forcing them to submit to unsafe procedures.

A major problem for many women with an unwanted pregnancy – especially those who may decide to terminate their pregnancy – is that present laws and social attitudes mean that she will often make such critical decisions without the benefit of informed counselling and support services. In order to overcome such barriers, all available measures should be legal and safe, and advisory services objective, confidential and comprehensive. In the absence of such conditions, Belize presently suffers from an alarmingly high rate of (viz. most, if not all) abortions outside of the formal and safe public health system. Proper counselling of options, whilst making access to all options safe and legal, would clearly also produce a reduction in the current rate of resort to pregnancy terminations.

40. Women who have an unwanted pregnancy shall be afforded access to confidential and compassionate counselling and reliable information on all options which they have available to them, as a means of enabling a woman to make a fully-informed decision free of imposed options.
41. Counselling, information and services shall be provided for women who encounter complications during pregnancy, and which result in the loss of the foetus, including services in the event of post-operative complications.
42. In consultation with relevant stakeholders, GOB will begin the process of reviewing all laws containing punitive measures against women who have procured illegal abortions.
43. Statistics collated through the National Health Information System will seek to make a distinction between miscarriages and induced abortions.

### **HIV transmission rates**

In the 15 years from the first known case of HIV in Belize to December 2001, there have been 451 cases of acquired immuno-deficiency syndrome (AIDS) and 1866 diagnoses of HIV. During 2001, a further 72 people were diagnosed with AIDS and another 310 contracted HIV. The main mode of transmission is heterosexual sexual contact (71%), followed by bisexual or homosexual contact (22%). It is understood that the number of HIV-positive Belizeans who remain undetected may exceed the number that have been diagnosed, which indicates the enormity of the HIV 'epidemic'. Factors contributing to the rise in HIV/AIDS cases are attributed to promiscuous behaviour by both sexes, but particularly men, lack of knowledge of the ways in which HIV is transmitted, failure to take preventative action (even among people who know that they are at risk), initiation of sexual activity at an early age, and cultural practices which put women at risk. Despite public awareness efforts, barely 30% of people who have heard of HIV/AIDS perceive themselves as being at risk of contracting the virus. Of those who consider themselves at some risk only a small minority are actually using condoms.

44. A clear and transparent protocol will be developed and adopted for the administration of antiretrovirals, including with attention to a person's lack of affordability.
45. Current efforts to raise public awareness of HIV/AIDS and to promote safe sex practices by both men and women will be maintained at a growing level consistent with the growth in the virus.

46. HIV education initiatives will include awareness-raising of the risks of unprotected sexual contact, particularly other than through penis-vagina intercourse.
47. The effective implementation of the national HIV/AIDS protocol will be an immediate priority.
48. Discrimination against HIV-positive people will be addressed by the elimination of employer practices that deny employment to, or lead to the dismissal of, people who are HIV-positive.

### **Female vulnerability to HIV/AIDS**

The male:female HIV ratio was 1:9 in 1996, 1:6 in 1998 and 1:2 in 2000. For 2001, it was approximately 1:1 (females being more than 40% of all new cases). It is likely that, by 2002, women are contracting HIV at a faster rate than men. Indications are that this is due to HIV-positive men continuing to have unprotected sex with multiple female partners.

49. The recent criminalisation of the knowing and wilful transmission of HIV will be forcefully applied and breaches prosecuted (the sooner a successful prosecution occurs, the sooner a strong message will be sent to the target population).
50. Current efforts to empower women in negotiating safe sex will be maintained, and promoted as a primary right of women to protect themselves.

### **Mother-to-child HIV transmission**

Perhaps the most alarming aspect of HIV in Belize is the growth in mother-to-child transmission (MCT). This is clearly impacted by the growth in female HIV rates. HIV testing is presently a voluntary part of prenatal testing. Of 600 women tested at Cleopatra White Health Centre in 1994, 0.8% tested HIV positive; of 500 women tested at Matron Roberts Health Centre in 1996, 2.5% tested positive; and of 500 women tested at Port Loyola Health Centre in 1998, 4.8% tested positive. MCT occurs at a rate of 25-35% without intervention. The MCH Unit introduced an MCT prevention program in December 2000, which aims to reduce HIV transmission via antiretrovirals (nevirapine) and promotion of alternative feeding methods.

An increasing proportion of HIV-positive women are single mothers, and this compounds the nature of the problem and its effective treatment. Another serious impediment is inadequate early detection and a failure to detect in many pregnant women who elect not to be tested. (It is not certain whether women choose not to be tested because they believe they are not at risk, or that they may suspect that they are at risk but don't wish to know. The latter is considered indefensible, given the potential consequences when the infant is born.) Early experience within the MCT prevention program is that there is a very high voluntary screening rate by pregnant women afforded appropriate counselling and advice (eg. around 98% in Stann Creek district): the achievement of such voluntary rates at a national level would avoid the need to consider mandatory screening. Nevertheless, there is an obligation to maximise the detection of cases of MCT to ensure early and appropriate interventions.

51. The Mother to Child Prevention of HIV Transmission program will be maintained at necessary levels, and 'best practice' within districts promoted within the program.

52. HIV testing shall be a standardised routine procedure within health centres, in order to institute early interventions of antiretrovirals, counselling, the promotion of safe sex practices and information on safe infant feeding.
53. District-level screening rates of pregnant women will be monitored, with a view to achieving full national compliance by end-2003.
54. There will be expanded training of health workers in counselling on Mother to Child HIV Transmission.
55. Antiretrovirals will be provided to all HIV-positive women for the benefit of both the woman and the infant.
56. The MCH Unit will institute routine infant testing beyond the 10-month mark, given that the child has a 30% chance of a subsequent infection status.

### **Lower male life expectancy**

Although the average life expectancy has been increasing, it has been increasing much more for women than for men. This is largely due to higher male mortality rates linked to their alcohol and tobacco consumption, illicit drug abuse, motor vehicle accidents and violent behaviour. These are all behaviours resulting from poor decision-making sometimes attributed to the different ways in which some men cope with socio-economic adversity. This also imposes greater burdens on women in, for example, maintaining households, caring for children and earning income (which, some argue, further exacerbates male feelings of isolation and usurpation of their roles). Lower male mortality rates will require some forceful policy responses. With respect to motor vehicle accidents, it has been compulsory since 1996 for seatbelts to be worn in the front seats of all vehicles manufactured since 1986, whilst on highways. It is more likely that warnings may be occasionally issued: in reality, most people continue to not wear fitted seatbelts and the law is not enforced. Blood alcohol testing is hindered by the limited nature of breath analyser equipment used in the field, which is not capable of producing a printout, so that a reading of at least 0.08 leads to the driver being taken to a nearby hospital for further blood or urine analysis. This prevents widespread and/or random field screening.

57. GOB will initiate regular on-the-spot random blood alcohol testing of vehicle drivers and motorcycle riders, especially during evenings and weekends, accompanied by the enforcement of penalties for driving whilst exceeding the prescribed blood alcohol level.
58. The Government will publicise the impending enforcement of mandatory seatbelt-wearing provisions, followed by active and nationwide enforcement.

### **Higher female life expectancy**

The increasing life expectancy of women – combined with the fact that they usually marry older men – also means that many older women are living without a spouse, and may be suffering more from conditions such as disability and ill health associated with aging, and mental disorders. The treatment for such conditions often also requires more costly health care: expensive pharmaceuticals and equipment, and specialist personnel. The leading causes of hospitalisation of the over-50 age group are cardiovascular diseases, malignant tumours and diabetes. The leading causes of death of this age group are chronic and degenerative diseases.

These are all conditions which may be minimised – even eliminated – with appropriate early intervention.

59. Specific research is required of the health status of over-50 year old Belizeans, including attention to gender issues, preventative strategies, and cost/service implications, as well as informing the basis of regular monitoring of trends and priorities.
60. An early intervention campaign will be introduced to promote access to and use of early screening and preventative measures, coordinated via public health clinics.
61. The National Sports Council will develop and implement specially designed and relevant fitness classes for those aged over 50 years.

### **Mental health**

There are very inadequate data concerning mental health in Belize. The high levels of substance abuse – especially by men – and onset of various psycho-social conditions associated with ageing – especially for longer-living women – indicate the potential importance of attention to mental health. There is concern that the one national psychiatric hospital, the Rockview Hospital, suffers from sub-standard conditions and is too isolated from the family and friends of resident patients.

62. Specific research is required of the nature and prevalence of mental health problems in Belize, with particular regard to gender and aging issues.
63. A review will be undertaken of existing and preferred psychiatric services, for both inpatients and outpatients, with particular regard to issues of gender and access.

### **Water and sanitation**

The place of water in domestic usage – especially in rural areas – makes its provision and access an important gender issue. In rural areas without a domestic piped water supply, women continue to carry the burden of water collection and carriage. Belize has established almost universal access to safe water, with 82% coverage of rural areas by 1999. However, it is noted that, in rural areas, ‘safe’ water may simply denote water that is not contaminated, rather than water that is chemically treated. Sanitation coverage remains inadequate, with urban coverage of 72% and rural coverage of just 25%, by 1999. Nevertheless, there has been a substantial lowering of the incidence of cholera in Belize, with no cases reported in either of 2000 or 2001.

64. Rural access to safe water will aim to reach 90% coverage by 2005.
65. Targets need to be established for the connection of households to piped water supply services.
66. Access to sanitation will aim to reach 80% urban and 40% rural coverage by 2005.

## **4.2 WEALTH & EMPLOYMENT GENERATION**

Whilst GDP has grown – especially in recent years – to provide one of the region’s highest per capita rates, wealth distribution remains extremely inequitable, as is evidenced by very high

poverty rates. This conversely suggests a very high rate of wealth accumulation in some sections of the population, and an inequitable basis for distribution, largely through poor wage and salary levels. Women are hardest hit, due to their greater presence in less well-paid jobs, their greater domestic responsibilities and associated domestic consumption, the greater burden this imposes upon them within low-income households, their continuing additional roles in the care of children and older family dependents, and their substantially greater representation in single-parent households.

To compound those gender burdens, women continue to suffer discrimination within the labour force. “The female labour force is more highly educated but less well paid, less likely to be employed, and more likely to experience long-term unemployment than the male labour force.” (Johnson 1994, p 5) Although women continue to need to be better qualified in order to secure employment, they also continue to experience greater difficulties in accessing credit to improve their economic status.

### **Minimum wage levels**

Minimum wage rates are established for manual, domestic, retail, agricultural and piece-rate workers. They heavily impact the economic well-being of substantial numbers of women. Raising the minimum wage rate is an efficient means by which local economic demand is stimulated (all such income is committed to local consumption), household poverty levels are reduced and the financial situation of women is improved. Many of the women on minimum wages are employed by upper-income workers or in sectors which have become economically more sustainable over the past decade and in which productivity gains have not been equitably passed onto the workers. In April 2002, GOB increased the minimum wage for shop assistants and domestic workers to \$2.25 per hour, which represents a 28.6% increase, and brings them into line with manual workers. This will have a marked impact upon minimum wage employment for many women.

67. A uniform minimum wage will be established (viz. including agricultural and other workers).
68. The compliance of less well organised workforces (eg. domestic labour and piece-rate workers) with the minimum wage rate will be researched.

### **Equal pay for work of equal value**

Legislative action to introduce equal pay for work of equal value was originally made by the Governor-General in his speech to open the National Assembly in September 1994. Such action is overdue, as this is a most inequitable situation – when equally productive and value-adding labour is unequally compensated – and primarily impacts women. In June 2000, the present Government entered the relevant ILO Convention (No. 100) into force, which contains specific undertakings with respect to equal pay for work of equal value.

69. Legislation to provide for equal pay for work of equal value – and consistent with the obligations contained in ILO Convention No. 100 – will be drafted and introduced into the National Assembly.

### **The unpaid economic value of domestic labour**

Traditionally, national economic wellbeing is measured from activities which involve payment by cash or credit, such that unpaid activities and the work of households and communities are disregarded. Globally, there is an increasingly widespread view that unpaid household work, in the form of domestic and personal services produced by household members for their own consumption, be measured and included within the System of National Accounts. This is important in decision-making for resource allocation because the invisible value of unpaid domestic labour leads to a failure to recognise its importance in policy-making and budget-setting.

In practice, however, this has proven technically very difficult, but this must not prevent planners and administrators from incorporating such appreciation into such decision-making. Significantly, amendments by the Government in 2001 to the *Supreme Court of Judicature Act* provide for the value of unpaid domestic labour, including child-rearing, to be included in the distribution of property upon the termination of a marriage or common-law union. At present, this is determined arbitrarily on the basis of arguments by the legal representatives for each party, which means a disadvantage to the party with poorer means of legal representation – often the woman with greater domestic roles (and correspondingly lesser likelihood of being in paid employment).

70. The practice of the Supreme Court in valuing unpaid domestic labour will be reviewed, with a view to establishing appropriate criteria and guidelines.
71. GOB will urgently review the current adequacy of provisions for assistance to those who cannot afford access to legal representation, and whose access to justice is thus limited, in order to introduce or expand appropriate legal assistance provisions (this extends beyond the issue of divorce or settlement).

### **Gender equity in employment opportunities**

Despite better educational qualifications, women continue to be denied equal opportunities in employment: in recruitment, promotion, salary rates and employee benefits. Short of adopting gender employment quotas or implementing affirmative action provisions, there is a need to closely monitor employer practices and enforce equality of treatment in the labour market.

72. The Labour Department – in consultation with the Women's Department – will develop and adopt a strategy to routinely monitor and promote equal employment opportunities, including the promotion of national awareness of provisions and requirements, the distribution of information on rights and complaints mechanisms, the development and dissemination to employers of 'best practice' standards, and the collation of relevant data for monitoring purposes.
73. The Labour Act and other laws governing employment conditions will be reviewed, and revised in order to remove any gender discriminatory provisions.

### **Child-care opportunities**

Even under conditions of labour market equality in employer practices, women will continue to be discriminated against whilst they remain primarily responsible for domestic and child-care roles under conditions of inadequate places in child-care services. There has been a steady expansion of child-care capacity, especially in urban centres, and agencies like the YWCA and National Committee for Families and Children (NCFC) have played an important role in

developing child-care standards. Nevertheless, there remains a substantial unmet demand for child-care places, which must also ensure that it remains affordable whilst women continue to be more poorly remunerated than are men.

74. The NCFC, in collaboration with the Ministry of Human Development and YWCA, will develop a Plan of Action to expand available child-care places, in appropriately regulated centres, with attention to demand, access and affordability.
75. GOB will develop a proposal to establish work-based child care services for public officers, on a cost-recovery basis which is subsidised for lower-income employees, for initial trialling in Belmopan and Belize City.

### **Employee pension entitlements**

Existing laws treat male and female employees, and male and female beneficiaries, differently. This includes:

- *Pensions Act, School Teachers' Pension Act*: the eligibility of an employee to a pension upon retirement, unless a female officer is retiring due to marriage
- *Pensions Act, School Teachers' Pension Act*: a female officer retiring due to marriage is eligible for a gratuity in lieu of a pension, provided that she has at least five year's service and has not been married for more than six months (the *Belize City Council Act*, *Belmopan City Council Act* and *Town Councils Act* make similar provisions, but without the provisos, except that they refer to a woman being "required" to retire due to marriage)
- the *Widow's and Children's Pensions Act* doesn't apply to women employees/contributors.

The *Widow's and Children's Pensions Act* does not, in its application or effect, provide any benefit which is not already provided through Social Security Board pensions. It is, however, inequitable in its application and its effect.

76. The *Pensions Act, School Teacher's Pensions Act, Belize City Council Act, Belmopan City Council Act* and *Town Councils Act* will be reviewed with attention to ensuring gender equity in their provisions for employees eligible to contribute.
77. The *Widow's and Children's Pensions Act* will be abolished and contributors afforded the option of transferring their funds to the Social Security pension fund or, if applicable, liable contributors required to fulfil those liabilities.

### **Pension entitlements for the employee's spouse and dependents**

Some of these Acts also make provisions for entitlements to the spouse and dependents which are gender discriminatory:

- *Pensions Act, Widow's and Children's Pensions Act*: a dependent child's entitlements are forfeited if the child is a female who marries or is married
- *Pensions Act*: a widow forfeits her entitlement if she marries, or lives in a common law relationship with someone else

- *School Teachers' Pension Act*: a widow forfeits her entitlement if she marries, or if she fails to remain "of good character" (a similar provision applies if the beneficiary is the deceased employee's mother).

There is also an apparent anomaly, disadvantageous to women, in the treatment of common law relationships in the *Pensions Act*, with respect to a pension entitlement: if the erstwhile eligible widow subsequently joins in such union with another person that union is recognised (to thus cancel her pension eligibility) but if she was in such union with the contributing employee at the time of the pension being payable that union is not recognised (thus also denying her pension eligibility).

78. The *Pensions Act*, *Widow's and Children's Pensions Act* and *School Teacher's Pensions Act* will be reviewed with attention to ensuring gender equity in their provisions for eligible beneficiaries.
79. Those Acts will also be amended to make reasonable provision for the recognition of common-law unions.
80. The *School Teacher's Pensions Act* requirement that a woman be of 'good character' to retain her pension entitlement will be abolished.

### **Maternity leave provisions**

The *Social Security Act* makes provision for the payment of maternity benefits to an insured person. Government has made substantial improvements in levels of maternity assistance since January 2001:

- the Cash Payment Benefit for maternity and sickness increased, for both the minimum and maximum rates (for example, the minimum rate of \$24 per week for a person on less than \$40 per week has increased to \$44 per week for those on less than \$70 per week; the maximum rate of \$104 per week for those at least \$110 per week has increased to \$256 per week for those on at least \$300 per week)
- the cash Maternity Grant, paid on the date of confinement, has been increased from \$100 to \$300 per confinement
- the maternity leave period for which benefits apply has been extended from 12 weeks to 14 weeks

and there has been a corresponding increase in contribution payments.

There continue to be reports of some women employed in the private sector being fired as soon as the employer learns that they are pregnant, often simply claiming that they are no longer needed, but are then replaced: this is contrary to obligations under ILO conventions, and doubly penalises the woman by then denying her full entitlements to maternity allowances. In general terms, there remain opportunities to improve work-based measures in support of maternity – and paternity – although it is likely that this is often best addressed through GOB leading by example. This should also be viewed in conjunction with separate proposals concerning the introduction of improved workplace infant-feeding and child-care services.

81. GOB will review public service regulations in order to improve provisions in support of paternity leave.

82. GOB will support women's groups in better informing women of their labour rights – especially when they become pregnant – and of their right to pursue a formal complaint for discriminatory or unjust treatment.
83. The Ministry of Labour will rigorously pursue complaints of women's employment being terminated due to them becoming pregnant.

### **Child & spousal maintenance provisions**

For many women, receipt of authorised child and spousal maintenance is crucial to the quality of their livelihoods and economic well-being. Reforms to maintenance have made it more equitable (at least for parties to a common law union), insofar as both ex-partner's means are taken into account in determining the male's contributions. Problems are largely concerned with the different treatment of marital and common law relationships, and the timely payment or subsequent recovery of those payments.

Whilst the *Married Persons (Protection) Act* sets upper weekly limits of \$100 and \$50 per spouse and child, the rates for a former partner and the children of a common law union has no such limits and is determined according to financial means (*Families and Children Act*). There are also different upper age limits for the child. There are also different provisions made for collection, which disadvantage the spouse and child of a former marital relationship.

The Family Court reports that – in Belize district – around 30% of child maintenance orders are not being complied with. The rate is likely to be higher in the districts, where there are reports of poorer enforcement efforts through the Police (in collaboration with the magistrates courts), as well as a practice whereby the mother is levied a fee for the collection of unpaid maintenance. (In the Belize district, the Family Court levies this fee on the non-complying male.) Although an available mechanism, garnisheeing of wages is rarely used. The consequence of non-compliance is often a term of imprisonment, which is in nobody's interests (recent changes to the laws may enable maintenance defaulters to instead carry out a community service order). The absence of a reciprocal maintenance collection agreement with the USA is also a serious impediment to securing the necessary financial means for child and household maintenance.

84. The provisions of the laws concerning spousal and child maintenance of marital and common law relationships (*Families and Children Act* and *Married Persons (Protection) Act*) will be reviewed to ensure consistent and more equitable treatment.
85. Protocols must be developed, introduced and enforced for the nationally-uniform, timely and rigorous collection and payment of court-ordered maintenance obligations.
86. Any necessary efforts to better sensitive court and police officers to the importance of maintenance compliance shall be adopted and implemented.
87. Any costs of collection of late or defaulted payments shall be levied on the defaulting payer, and not on the payee (or, more accurately, the child).
88. Reciprocal maintenance agreements and associated collection arrangements will be established with other countries, and especially the USA.

89. Arrangements will be established by the Family Court to permit the automatic transfer of maintenance payments from the payer's to the payee's bank account, and of garnisheed wages by the employer to that account.
90. Attention will be given by GOB to ensure the new penal reform (alternative sentencing) provisions specifically accommodate maintenance defaulters, without any financial penalty to the payee parent (viz. minimising their imprisonment and maximising their capacity to keep financially supporting their child).

### **Access to credit**

Access to credit is critical to achieving economic independence (including through home purchase), and for many people is the only opportunity they will have of establishing adequate income. About one-third of loans from non-commercial institutions go to women (1999 data), despite the efforts of those institutions to better accommodate them (including due to a requirement by the present Government to strengthen women's access to credit). The situation is worse in the formal financial market, despite women having a better repayment record, but where they continue to have difficulty providing collateral and borrowing independently of a male partner.

The experience of Belize Enterprise for Sustainable Technology (BEST), the Development Finance Corporation (DFC) and the Small Farmers and Business Bank (SFBB) is that:

- men receive more loans than women because they make more applications (viz. this is not an indicator of gender-discriminatory loan approval processes) (even so, in DFC's micro-enterprise program, women may receive perhaps 45% of all such loans; for the SFBB, women comprise a little less than 30% of borrowers, with a higher approval rate of female than male applications; for BEST, 56% of borrowers are women)
- men receive larger loans because they apply for larger loans (viz. the nature of the business requires it: women often borrowing for small-scale trading, retailing and food preparation, men often borrowing for agricultural, trading or building purposes) (eg. in DFC's micro-enterprise program, women typically apply for \$3-5000, men for double that amount; in BEST's micro-enterprise credit scheme, women typically apply for 90% of that of men)
- women are much more reliable in meeting loan repayment obligations than are men, and are more likely to save (for BEST, of those borrowers who are saving, 58% are women, and they make up 62% of all savings)
- for cultural reasons, women in southern districts are less likely to apply for a loan without their male partner.

Non-commercial financial agencies are also more flexible in securing collateral. For example, SFBB may seek a guarantor *in lieu* of collateral, or lend against business chattels, or accept in-kind contributions. BEST similarly gives greater emphasis to the individual, than to a uniform formal financial obligation in securing collateral. For DFC's special mortgage program, priority is given to single women, by allocating them extra points in the loan approval process.

Whilst the actual interest rate may be less critical in commercial lending, it is clearly of greater importance in home purchase lending, especially for single-income or female-headed households. In this context, the practice of some agents to on-lend DFC funds with an added

interest premium (eg. borrowing from DFC at 8.5% and on-lending at 12%) may be a barrier to many women in home purchasing.

91. GOB will examine the possible merit of amending banking legislation to establish the right of a woman to apply as a *feme sole* for a loan.
92. GOB will examine possible measures to ease the burden for women in meeting collateral requirements for bank loans, including the adoption of appropriate alternatives.
93. The Women's Department will liaise and consult with BEST, DFC and SFBB to develop local strategies for facilitating access to finance by women in southern districts.
94. Measures will be examined to facilitate women's access to affordable credit for home purchase, and Ministry of Housing policies will make special provision for single-headed households, via reduced interest rates.
95. The Women's Department will collaborate with credit providers in the development and implementation of in-service training of credit officers on gender issues in accessing credit.
96. Barriers to women accessing credit due to the small amounts sought compared to the administrative requirements will be examined.
97. Gender-disaggregated data on lending by banks, credit unions and non-commercial financial institutions will be collected and collated, and forwarded annually to the SIC and Women's Department.

### **4.3 VIOLENCE-PRODUCING CONDITIONS**

Despite a range of efforts over the past decade to address violence and abuse, the prevalence of such conditions persist. The adoption of the *Domestic Violence Act* and the *Protection Against Sexual Harassment Act*, reforms to the legislative provisions for sexual violence against women and girls, the establishment of Family Violence Units within Police districts, the introduction by the Women's Department of training of professionals and public education about rights and services, and the adoption of more systematic reporting and enforcement arrangements, have done as much to reveal the extent of such problems as to contain them.

Reported domestic violence cases average around 40 per month. More than 80% of reports are from urban areas, and more than 90% of reports are of violence against women. It is likely that many – if not most – cases of domestic violence continue to go unreported. Approximately 40-50% of cases involve common-law unions, and 20-35% of cases involve married couples. The perpetrators and the victims are typically aged 20-39 years. Alcohol or other drug abuse features in the majority of cases, along with extramarital relationships and poor capacity to cope with financial stress.

With the introduction of mandatory reporting of abuse of children – including sexual abuse – there has been almost a trebling of referrals, with a six-fold increase in referrals for sexual abuse of children.

This section primarily considers domestic violence, and sexual abuse and assault (especially of children). It also addresses the abandonment of children by virtue of parental use of

‘uncontrollable behaviour’ by children (as a severe and prevalent form of psychological abuse and neglect), and commercial sex work to the extent that participation in that industry is involuntary or exploitative. Some issues relevant to this section are covered elsewhere in this chapter, notably corporal punishment and reports of girls submitting (‘consenting’) to sexual abuse in exchange for financial assistance in continuing with their schooling.

### **Domestic violence framework**

Belize now has a strong legislative, enforcement and monitoring framework for responding to and tackling domestic violence. The legislation is viewed as strong and appropriate, and is gender neutral in its wording and intent. Even so, there continues to be a need to promote awareness of rights and of the importance of reporting occurrences of domestic violence to the authorities.

98. There shall be stronger efforts in promoting community awareness of domestic violence provisions, rights and services within rural areas of Belize.
99. The procedures for receiving, handling and pursuing complaints will be evaluated in order to identify measures to strengthen such practice, including an assessment of the adequacy of existing services and of access to those services.

### **Domestic violence and child abuse registration system**

The implementation and monitoring of domestic violence and child abuse measures has been strengthened with the development and adoption of a uniform reporting and data collection system. This requires optimal compliance by professionals and referring agencies in order to ensure a comprehensive national approach. This is not presently the case.

100. Measures will be adopted to ensure comprehensive participation in the domestic violence and child abuse registration system.
101. Efforts to train personnel in the registration system will be continued, and there will be a review of the adequacy of the data collection process in providing the necessary information.
102. The improved database afforded by more comprehensive reporting compliance will be evaluated to identify characteristics concerning violence and abuse to inform the development of preventative strategies, to improve the targeting of public education and community awareness efforts, and to review the adequacy of legislative provisions.

### **Sexual abuse provisions**

The legislation has recently been strengthened with respect to mandatory reporting (concerning children), penalty provisions, applicable ages (for girls), the relevance of evidence (concerning the defence examination of rape victims), and the scope of rape (extending to within marriage). In a number of instances, the legislation continues to presume that perpetrators are male and that victims are female, when such presumptions may conceal instances of such abuse, and when the removal of such gender assumptions would not diminish the value of the legislation.

103. Child sexual abuse laws shall extend coverage to afford protection of boys.

104. Sexual abuse laws will be reviewed in order to remove inappropriate or unnecessary assumptions about the sex of the perpetrator.
105. The adequacy of existing regulations requiring child abuse matters to be investigated in instances where the parent seeks to withdraw such a complaint shall be examined.
106. Measures will be adopted to make parents more aware of the consequences and effects of child abuse, in view of the persistent widespread acceptance of such treatment of children.
107. Provisions will be adopted and enforced which classify so-called 'date rape' drugs (such as rohipnol) as prescription drugs, and the non-prescribed use of such drugs shall be made an offence.

### **Access to justice**

One aspect of violence and abuse matters that needs to be addressed in order to better guarantee the rights of victims is that of their access to justice: affordable, appropriate and timely. Women and children are particularly vulnerable to the effective denial of adequate advice and representation. This includes concerns about delays in hearing sexual abuse and rape cases. Besides the compounding of distress for the victim, there are reports of the death or progressive memory loss of older women rape victims and consequential acquittal of the alleged perpetrator.

108. Measures will be examined to enable more timely prosecution of sexual abuse and rape cases, especially where the victim is an older person.
109. The adequacy of current access to legal assistance by victims of violence and abuse will be ascertained, in order that measures may be taken to strengthen such assistance, and to ensure that no incident of violence or abuse goes unprosecuted for that reason.
110. GOB will examine the merit of introducing a national legal insurance scheme, funded from a tax levy similar to that for health insurance, to ensure means-tested access to legal representation.
111. Child victims of abuse or violence shall be visually screened from the alleged perpetrator when called upon to give evidence in court proceedings on that offence.
112. Measures will be examined to enable child victims of abuse or violence to give evidence in such proceedings separate from the formal court hearing.

### **Victims and survivors of abuse**

For the victims of domestic violence or abuse – and especially sexual abuse – there will normally be longer-term issues in successfully surviving and moving on from that act of violence. This means that the prosecution of an offence may be but one small starting point in surviving that traumatising experience. This will especially be so where the perpetrator and victim are connected by family or personal relations, including marriage. In many instances, the victim – and perpetrator – will desire to try to resolve such behavioural problems in order to maintain the family unit.

The role of shelters must also be acknowledged in providing crucial temporary refuge for, and preliminary rehabilitation of, the victim, including of children in violent domestic settings. The one shelter in Belize City is normally at capacity for women victims of domestic violence and

their children, as is the home in Belmopan where child victims of abuse are accommodated. Nevertheless, in too many instances, it is the victim – rather than the alleged perpetrator – who is removed from, or leaves, the home for alternative accommodation, and this not only places a greater burden on the provision of such services, but is also considered to be inequitable.

113. The Women's Department will prepare advice for GOB on the nature of post-abuse counselling and monitoring services and family rehabilitation services required to more effectively assist the victims and survivors of abuse and suitable retention of the family unit.
114. The level of unmet demand for shelter accommodation for victims of abuse and violence shall be ascertained, with attention to the necessary level of capacity and location, and associated resource requirements.
115. As far as is possible in the circumstances, the authorities shall endeavour to ensure that it is the alleged perpetrator – and not the victim (whether adult or child) – who is removed from the normal place of residence.

### **Perpetrators of abuse**

Normally, the act of violence conceals a more entrenched issue for the perpetrator, and often – in cases of domestic violence – for the couple. Efforts to deal with the actual instance of violence need to take account of larger personal and/or interpersonal factors, especially in minimising the prospects for a repeat of the offence. As essential as prosecution is of such abuse, it is at least as essential to address the perpetrator's rehabilitation. The minimisation of recidivism in this regard must be a high priority – not just an important intervention for the victim's capacity to function appropriately within the community, but also as an investment on behalf of other family members and the improved safety of the community. This becomes a higher priority alongside steps taken to strengthen the penalty provisions for such offenders. At the same time, approximately a half of all cases of domestic violence are withdrawn by the victim prior to prosecution. These instances need scrutiny and response where deemed appropriate, despite difficulties in pursuing such matters where the victim declines to assist or cooperate. Similar provisions have been instituted for child abuse and neglect matters.

116. All instances of the (alleged) victim's withdrawal of a charge of domestic violence will be investigated by the Police Family Violence Unit, in collaboration with the Women's Department.
117. There will be appropriate intervention, including counselling and measures to promote awareness of actions and genuine remorse, for (alleged) perpetrators of abuse, in instances where the victim seeks to withdraw charges.
118. Those found guilty of a charge of violence or abuse (including sexual abuse) will be required to undertake education and counselling – within and outside of prison – concerning the nature of their behaviour and assistance in behaviour modification.
119. To allow for the successful rehabilitative intervention with sentenced perpetrators, the merit of some flexibility in parole provisions will be examined.
120. As one medium for the promotion of a 'culture' of violence, GOB should aim to liaise with other English-speaking Caribbean states to curb the incursion into Belizean households of unacceptable or undesirable cable TV programming from North America, and to develop more culturally relevant regional TV programming.

## **Sexual harassment**

Belize adopted sexual harassment legislation in 1996 in recognition of the prevalence of such unwanted behaviour in workplaces, institutions (including schools) and in accommodation. However, it is understood that the legislative provisions have never been utilised, even though such practice remains widespread.

121. The adequacy, operation and public awareness of the *Protection Against Sexual Harassment Act* will be reviewed, with a view to developing appropriate measures, in either amending the legislation, professional development to ensure enforcement, or strengthening public awareness of its provisions.
122. The Ministries of Labour, Education and Housing – in collaboration with the Women’s Department – will develop and promote awareness of sexual harassment provisions and of complaints mechanisms, which shall be assured of being free of any adverse consequences.
123. The Ministries of Labour and Education – in collaboration with the Women’s Department – will prepare model workplace sexual harassment policy and internal complaints-handling procedures, and actively promote them within local worksites, including the private sector and denominational school management authorities.
124. GOB will examine the merit of introducing regulations to provide for the mandatory reporting of sexual harassment.

## **Child abandonment and neglect**

There are too many instances whereby parents resort to the use of current provisions for ‘uncontrollable behaviour’ to effectively abandon their child to institutional care. Almost a half of all committed and remanded young people are cases of ‘uncontrollable behaviour’. In many cases, this conceals poor parenting skills or a parent’s new relationship (making the presence of the child ‘inconvenient’) or a parent’s alcohol or drug abuse. The effect is a serious form of neglect, and frequently a particular form of (usually psychological) abuse of the child, with very long-term consequences. The duration of institutionalisation – often extending until the child turns 18 years – can exceed the length of institutionalisation of an adult guilty of a serious offence. Of course, the child’s institutionalisation aims to be constructive, but this is not necessarily the case; as an example, there is evidence that many beneficiaries of protective care in the former Listowel Boys’ Home simply graduated to the prison and to repeat offending.

Resort to ‘uncontrollable behaviour’ also discriminates against girls. Of females committed or remanded in 1999, 67% and 76% respectively were for ‘uncontrollable behaviour’, whilst the corresponding rates for boys were 29% and 23% (although the actual number of boys exceeded that of girls). These young people share facilities with young people remanded or committed for serious offences, including murder and sex offences.

125. Institutionalisation solely for the ‘offence’ of ‘uncontrollable behaviour’ will be abolished.
126. For alleged instances of ‘uncontrollable behaviour’, a pre-condition for any intervention shall be mandated parental participation in parent effectiveness training.

127. Counselling and psychological support services will be made available to all children whose parent secures public intervention on the grounds of the child being 'uncontrollable'.
128. In any instances where a child is placed in institutional care for 'uncontrollable behaviour', cost-recovery provisions (already contained within legislation) from the parent will be applied on a case-by-case basis, as well as the reassignment of any court-ordered child maintenance payments to offset the institutional care of the child.
129. Government approval of institutionalisation for 'uncontrollable behaviour' must ensure no possibility of a parent abandoning the child, to ensure no abetment in that form of child neglect.
130. Government will adopt a policy and guidelines for handling reports of 'uncontrollable behaviour', and promulgate these with training workshops for relevant officers within the judicial system and the Department of Human Services.

### **Commercial sex work**

The terms 'prostitute' and 'prostitution' are used in legislation, which construct the notion of the (lack of) morality of the worker (in 'prostituting' her self), without any reference to the client who creates the demand. In practice, despite the provision of laws concerning the client, enforcement continues to be one-sided in focussing on the worker. The terms 'commercial sex worker' and 'commercial sex work' are preferred, as they are clearer about the nature of the activity, in which the worker and client make a commercial agreement about sexual contact, thus including the client into the equation.

Commercial sex work is a gender issue which is of particular concern whilst workers are likely to bear the brunt of law enforcement, to continue to be engaged in the industry involuntarily, to be under forms of coercion or exploitation (eg. where the worker is not in control of their own labour, not free to leave when they choose, derive a meagre share of their earnings), and to be obliged against their wishes to expose themselves to violent, degrading or risky behaviour. It is also a particular concern with respect to the prevalence of male control of female workers, of the criminal exploitation of under-age females, and of the lack of legislative attention to males within the industry.

Accurate data are difficult to derive, however, a recent UNICEF survey revealed the sizeable numbers of under-age females in the industry, the frequency with which women workers are being trafficked into Belize (often believing they are to get domestic or waitressing work), and the extent of workers being required to work very long hours per day and most days per week. It also concluded that there is widespread indifference by local police to the operations of the industry, in particular the plight of women workers within it. This is reportedly linked to the local use made by police officers and associated law enforcement officials of sex workers, including the frequency with which they demand sex from bar-workers.

By and large, male-to-male commercial sex work operates very differently, usually comprising individual workers operating outside of established premises. Again, a significant proportion of the male industry is understood to be under-age, and they are predominantly focussed in foreign tourist destinations. Male workers are less likely to be exploited by male operators and traffickers, but are often more vulnerable to violence from and exploitation by clients.

A legislative focus on criminalising the worker not only has the effect of victimising women and ignoring men, but also makes effective regulation of the industry impossible. Of primary importance is the need to eliminate coercion and exploitation, prohibit the involvement of under-age workers (predominantly girls), and implement public health standards.

MoH has been developing a National Screening Program for Commercial Sex Workers, primarily aimed to prevent and control STI and HIV transmission within that population. The emphasis on voluntary cooperation between health authorities and sex workers follows experience in Guatemala and Mexico where such an approach has kept infection rates amongst workers at below 1%. MoH's work to-date indicates the high level of cooperation to be expected from both workers and the owners/operators of facilities where they are engaged.

131. Legislation will be reviewed with a view to replace 'prostitution' and 'prostitute' with 'commercial sex work' and 'commercial sex worker' respectively.
132. GOB will more rigorously enforce provisions for trafficking in, employing or soliciting under-age workers (viz. with a legal minimum age of 18 years).
133. GOB will adopt and implement the National Screening Program for Commercial Sex Workers.
134. The provisions of the *Criminal Code Act* will be reviewed alongside other legislation to formulate amendments to treat male and female commercial sex workers and clients equally.

#### **4.4 EDUCATION & SKILLS TRAINING**

Belize's education system depends upon active cooperation between government and the churches. Various denominations manage 74% of primary schools and 49% of secondary schools, with government generally meeting the costs of school operations, paying 100% of teacher salaries and 70% of maintenance costs at the primary level and 70% of teacher salaries, 50% of maintenance costs and 100% of student tuition costs at the secondary level. In recent years, there have been improvements in the geographic distribution of – and associated student access to – schools, in the proportion of trained teachers, and in the quality of the school curriculum.

Nevertheless, problems persist with poor literacy rates and low participation, retention and completion rates, in some gender-based disparities in participation, and in the treatment of female students and teachers. A particular issue in this regard is that of the rights and responsibilities of the Ministry of Education, Youth & Sports (MEYS) in establishing policies and practices across the national education system, regardless of whether schools are government-managed, denominational or even fully independent of Government financial assistance.

##### **Literacy**

Although there is no apparent gender disparity in available literacy data, it is noted that such data demand resolution in terms of definitions and measurement. Geographic and ethnic disparities in turn give rise to gender concerns, to the extent that literacy is lower in communities where

there are greater gender-role divisions and lower household income levels, with associated greater demands being placed upon women in terms of family wellbeing and in transcending poverty.

135. A formal national definition of literacy must be adopted and literacy levels regularly monitored with respect to geography, gender and ethnicity.
136. A national literacy program must address geographical and ethnicity based differences.

### **Gender stereotyping**

Gender perceptions are shaped from an early age, and schools are fundamental to imparting appropriate gender perceptions. Within the school setting, this is impacted by teaching techniques and attitudes, as well as teaching materials. Despite earlier national attention to traditional gender stereotyping in Belizean textbooks, a number of officially promoted and popularly used textbooks continue to teach such stereotypes: being generally biased towards male students, neglectful of the presence and participation of women in society, and portrayal of women as primarily relegated to household roles (Leacock, Carolyn (1996?).

137. Teacher training will include elements concerning gender studies, and student teachers will be encouraged to undertake research on gender studies as a part of their training.
138. School-based programs will be developed which aim to eliminate 'macho' conditioning and the imparting of gender stereotyping, combined with parenting effectiveness efforts containing similar objectives.
139. A timeframe shall be established within which all non-Belizean-sourced textbooks and all Belizean-produced textbooks shall be free of gender stereotyping, including direct lobbying of Caribbean publishers.
140. The use of gender-neutral or gender-sensitive textbooks shall be given universal national effect through an appropriate amendment to the *Education Rules*.
141. Research needs to be carried out on the stereotyping impact of the sex of the teacher in the early years of schooling.

### **Pre-school education**

Pre-schools in Belize are privately managed, with GOB providing minimal resource assistance. Pre-schools – catering as they do to under-5 year olds – operate outside the formal education system, even though there is cooperation between pre-schools and MEYS in in-service training and standard-setting. There continues to be inadequate capacity across districts, and gender disparities in enrolment between districts. In particular, boys outnumber girls in Orange Walk district, and girls outnumber boys in Stann Creek (differences in other districts are small, and the total number of children in Toledo district is small).

142. GOB will review its resource commitment to pre-schools, and associated strengthening of linkages between pre-schools and the formal education system.
143. GOB will ascertain the level of unmet demand for pre-school places, on the basis of a national policy of promoting increased pre-school participation.

144. GOB will research the relationship between pre-school participation and early primary academic performance (especially repetition rates), with attention to gender performance.
145. Factors contributing to the comparative participation of boys and girls in pre-schools, especially district-based differences, will be ascertained, in order to inform GOB policy toward pre-schools.

### **The Primary School Repetition Rate**

Primary school repetition rates are approximately 9-10%, but are 16% for Infant I (2000/01). A major factor in primary school grade repetition rates can be attributed to the practice of church-run schools having unregulated beginners' classes, contrary to stated education policy (viz. 21% of 'automatic fails' were of five-year olds in these classes). This is considered to have a counter-productive and formative impact on these infant students. It also costs GOB approximately \$5.7M per annum: a considerable drain of education resources away from more productive purposes. Boys are 39% more likely to repeat than are girls (primary school rates of 10.7% and 7.7% respectively), and this is a pattern established from beginners' and Infant I classes (boys' rates exceeding girls' rates by 80% and 26% respectively). Significantly, the total repetition rate for beginners' classes is confined to the Belize and Cayo districts, although total numbers are very small. The highest repetition rates are for boys in Infant I in Orange Walk, Stann Creek and Toledo districts (all over 20%). At the same time, the overall primary school participation rate has fallen (from around 90% for both boys and girls in 1990/91) by a greater rate for girls (to 76%) than for boys (to 82%) in 1999/2000.

146. Gender-based research shall be initiated to establish factors in the decline in primary education participation rates, including gender disparities leading to the greater decline for girls.
147. National education policy prohibiting unregulated beginners classes shall be enforced nationally, with public budgetary penalties for non-compliance.
148. Associated cost-savings shall be directed to improving standards of and access to preschools and to the adoption of gender-sensitive or -neutral textbooks within the primary school system.
149. Student learning support centres need to be developed and introduced within schools, including the provision of assistance in remedial learning, English as a second language, promotion of specialised teaching methodologies, counselling and special tuition (including for girls in science, mathematics and technology).

### **Compulsory school-age engagement in the informal workforce**

Reliable anecdotal reports persist from community workers and teachers of the numbers of children of compulsory school age engaged in a range of labour activities: girls and boys engaged in often unremunerated commercial activities (such as selling foodstuffs at markets and bus terminals), (predominantly) girls engaged in domestic labour within the household, and (predominantly) boys engaged in often family-based agricultural labour, both during school hours and outside of school hours (to the evident detriment of their capacity to adequately function within the classroom). The CSO notes (through its Child Labour Activity Survey) that households which withdraw their children from school to work during school hours are not normally the most financially disadvantaged. The Ministry of Labour (SIMPOC project) and the

National Organisation for the Prevention of Child Abuse (NOPCA) (Corozal child labour project) have also recently completed research in this area.

150. The Women's Department and MEYS shall liaise directly with SIC in examining available child labour data (viz. from several 2001/02 studies and surveys).
151. The Ministry of Labour, MEYS and Women's Department shall determine appropriate policies – including in implementing Labour regulations and in amending and/or enforcing the *Education Rules* – to eliminate school absenteeism for such reasons (including identifying positive measures to facilitate parental support for their child's school attendance).
152. Schools should be urged to discourage students – and especially girls – from the practice of selling raffle door-to-door, due to security and safety concerns.

### **Primary to secondary school transition rates**

Despite data limitations – which may fluctuate on a year-to-year basis – transition rates from the primary to secondary education sectors display overall improvement (eg. from 76% in 1991, to 82% in 1998, to 87% in 2001). This appears to be primarily attributable to improvements in the rates for boys (70%, 82% and 84% respectively: a 14 percentage point increase; girls being 82%, 82% and 90% respectively: an 8 percentage point improvement). This suggests that existing efforts to improve the alarmingly low transition rate for boys are proving to be successful. Nevertheless, district-based gender disparities remain, with the rate for girls being 14% less than for boys in Toledo, and the rate for boys being 21% and 13% less than that for girls in Cayo and Stann Creek, respectively. (However, it is important to note data limitations due to transfers from districts to urban secondary schools.) Of course, an increasing transition rate may result in an increasing early secondary school repetition rate, and this needs to be taken into account in any measures taken.

153. Primary-to-secondary education transition rates shall be specifically monitored by MEYS to ensure that the rate for boys continues to move toward the 90% rate, whilst identifying factors which facilitate that trend for continued emphasis, with no associated deterioration in early secondary school repetition rates.
154. The MEYS shall similarly monitor the transition rates for girls to ensure that they be maintained at at least the 90% national rate, with no associated deterioration in early secondary school repetition rates.
155. Methods of intervention in optimising transition rates shall be adopted, especially via the introduction in primary schools of student learning support systems.
156. Gender-based disparities between districts will be assessed to identify factors which may be addressed, with respect to both boys and girls.

### **Secondary school retention rates adversely affected by fees**

Prior to 1996, GOB controlled tuition fees. Since 1996, it has met the full tuition costs for secondary school students. However, individual schools have discretion in levying other fees, and there has been a seemingly growing variety of such charges. Furthermore, the more affluent non-governmental schools appear to receive a disproportionately high share of the education budget by virtue of setting higher tuition fees on the basis that they provide higher quality inputs

(eg. higher-trained teachers, better materials and equipment, lower student:teacher ratios). The combination of wealthier schools deriving greater per capita tuition fees from GOB, and schools generally levying a growing range of more onerous other fees, is not evidently gender-discriminatory in itself, but is so in its apparent effect. With the average annual cost of secondary school education calculated at \$1820 per student (Gillett & Ijo (1999)), there are reliable anecdotal reports of

- boys being withdrawn from the school system in order to earn supplementary household income
- girls submitting (often allegedly ‘consensually’, often reportedly at parental urging) to sexual liaisons (viz. sexual assault or carnal knowledge) in exchange for financial assistance to remain at school.

The MEYS has become sufficiently concerned by trends in the levying of fees and differential school practices in setting tuition costs for GOB reimbursement, that it is reviewing such practices and policies.

157. Revised MEYS policies and practice will be adopted which ensure more equitable allocation of tuition costs and which establish clearer regulations concerning the levying of fees by secondary schools.
158. Such policy concerning tuition costs will endeavour to establish uniform per capita rates for all secondary schools, such that the cost of higher educational inputs is solely met on a ‘user pays’ basis (viz. from school-based fees), with a ‘cap’ set for government-managed schools.
159. Urgent research is required on the nature and extent of the alleged sexual exploitation of girl students, and will commence with dialogue with key stakeholders (including NOPCA, Youth Enhancement Service (YES) and YWCA) to determine how best to undertake and structure such research.

### **Students with unpaid fees**

There are various reports that – regardless of Government policy in this regard – students for whom school fees remain unpaid are sometimes denied permission to sit examinations or be otherwise assessed academically. This is a breach of the *Education Rules* (S. 146 (3) & (4)) which provides only that a school may withhold reports and transcripts but may not prohibit attendance, and occurs at the discretion of individual school administrations. It is also a matter for which it is very difficult to obtain reliable data, although it is assumed that it especially impacts low-income households and it is likely that it may primarily impact girls (to the extent that households may have to make a gender-based choice about the comparative value of completing a particular year of schooling). Regardless, this is a practice which needs to be eliminated. For GOB, it also represents a loss of its ‘investment’ in that student due to an external decision by the school. (In 1998/99, the annual tuition contribution by GOB was \$1431 per student.)

160. The *Education Rules* shall be reviewed to ascertain whether the existing provisions are adequate in prohibiting schools from denying academic assessment to students whose fees are unpaid.
161. The penalty for a school which denies such assessment shall be the recovery of that school’s annual per capita tuition fee for that student.

## Secondary school repetition and drop-out rates

The secondary school repetition rate is 7.9%, with gender- and district-based disparities (ranging from a high of 12.0% (Toledo) to a low of 6.6% (Belize) for boys, and from 10.4% (Cayo) to 5.1% (Stann Creek) for girls; nationally: 8.5% for boys and 7.4% for girls). The drop-out rate is estimated at 8.0%, with similarly gender- and district-based disparities (ranging from 16.0% (Corozal) to 2.9% (Stann Creek) for boys, and from 11.9% (Orange Walk) to 2.8% (Stann Creek) for girls; nationally: 9.0% for boys and 7.2% for girls) (2000/01 data).

It is popularly assumed that boys are more likely to drop-out than are girls because they find the curriculum irrelevant or uninteresting (eg. NHDAC (2001), p. 58). However, it is also likely that it is a function of their older average age than girls in corresponding years due to their greater repetition rate (that is, either their poorer academic application or poorer academic capacity) or, as mentioned earlier, household pressures to earn an income or a reaction to unaffordable secondary school costs. For example, of students in Form IV in 2000/01, 11% of boys and 9% of girls were aged over 17 years. It is reported that girls are more likely to drop-out due to financial constraints, as well as pregnancy, domestic responsibilities or failure. Regardless, it is noted that there are recording problems with drop-out data, which may also simply reflect a decision to transfer to another school.

162. Secondary school repetition and drop-out reporting must be systematised, in order to better understand contributing factors and the extent and pattern of such rates.
163. Education strategies to reduce repetition rates must be adopted, as a primary means by which overall participation and completion rates may be improved, associated drop-out rates reduced, and resources freed for more appropriate education purposes.

## Corporal punishment practices

From all reports, the continued and widespread use in schools of corporal punishment primarily impacts boys. Corporal punishment is sanctioned by the *Education Rules* (S 141 (3)) provided that it may only be used as a last resort for serious and repeated offences (*Education Act*, S. 24C). In practice, this is frequently not the case, with such punishment being inflicted for lesser and/or one-off behaviour, often with lack of regard for alternatives (viz. not as a last resort), and evidently often not with the principal's explicit authorisation. Such practices are of concern not just because they clearly constitute a breach of the Act for which teachers are presently open to prosecution (should a student or parent elect to pursue a charge), or because such practices are so frequently counter-productive, but also because they impact upon the student's attitude to school and subsequent retention. Compliance with the provisions of the *Education Act* in this regard is the minimal essential requirement, and ought also to be viewed as in the teacher's best interests should a prosecution arise.

164. There shall be a uniform national application of the provisions of the *Education Act* and *Education Rules* with respect to the use of corporal punishment (viz. as a last resort, with the principal's approval, and only for 'serious and repeated offences').
165. For an offence to be both serious and repeated it shall be recorded in the Log Book which all schools are required to maintain, with confirmation that the student has been duly

warned of the possible 'last resort' consequences of a repeat of such serious offence, along with the date, nature of the offence and the teacher administering the warning.

166. The administration of corporal punishment shall be entered in the Log Book, along with the date, the student's name, the nature of the offence, the date of the previous such offence by that student, the administering teacher, and the principal's authorisation.
167. The *Education Rules* shall be reviewed to establish whether any further clarification is required of what does and does not constitute a serious offence and of appropriate alternative forms of discipline.
168. Appropriate measures shall be taken to mandate observance of the *Education Act* in this regard by all schools in Belize, regardless of whether or not they receive any assistance from GOB, and of the associated provisions of the *Education Rules* by all schools in receipt of GOB assistance.
169. Measures to promote alternative forms of discipline shall be extended to all government and government-assisted schools.

### **Pregnant students**

Any action by a school to discipline, suspend or expel a student due to pregnancy-related reasons must fully conform with the *Education Rules* or be approved by the Chief Education Officer (*Education Act*, S. 37A). Nevertheless, individual schools continue to exercise their own discretion in the expulsion or coerced withdrawal of students from school who are pregnant or are known to have procured an abortion, including when the student is of compulsory education age. Expulsion for a legal abortion is unacceptable (especially that a factor in that decision may often be the girl's age and need to continue in education); if it is an illegally procured abortion, then it is a matter for the *Criminal Code* and, if convicted, then the *Education Rules* (S 139(f)) will apply in taking disciplinary action. It is rare for a male student who has fathered a child to be similarly treated, allegedly due to the school rarely being aware of it. In some instances, the father may be a male teacher, and it is understood that he would be suspended pending a review. The penalisation, including expulsion, of pregnant students is considered highly discriminatory – regardless of whether the school is government-managed, government-assisted or independent of government support: this is an issue of the nationally-enforced right of a person, regardless of sex, to an education, as well as of the limits on institutional incursions into personal matters.

Schools make their own decisions about the expulsion of a pregnant student – although, often, the parent will pre-empt such action and withdraw the student – which is related to the visibility of the pregnancy rather than the student's incapacity to continue with her learning. The antenatal return to school also depends upon the individual school, which may claim that it has 'insufficient space' or may simply decline to readmit her. Different schools vary in their practice, although government-managed schools normally readmit a student wishing to return to school. It is reported that most students do not return to school after their child's birth.

There are a range of undesirable and unwanted implications of existing practice by individual schools (see Paredes (2002), section 2.1.8) towards pregnant students (and teachers). A decision to temporarily withdraw – if of compulsory school age – should follow from an assurance of access to support services to facilitate continued education. A decision to withdraw from schooling – if of school-leaving age – should be the decision of the student, in the light of her consideration of such factors as her capacity to continue in school at different stages of her

pregnancy and early post-natal period. Following a 2001 study on educational discrimination of pregnant students and teachers, MEYS and the Women's Department have been developing an advocacy plan and standardised policies.

170. The MEYS shall develop, adopt and enforce a uniform national prohibition – if necessary, involving an amendment to the *Education Act* – on the expulsion, suspension or coerced withdrawal of a female student due to pregnancy or her procurement of an abortion (the latter being a matter for the provisions of the *Criminal Code Act*).
171. Students who choose to withdraw from school due to pregnancy shall be guaranteed a right of return if and when they so determine as being appropriate to their circumstances.
172. The MEYS and Women's Department shall collaborate to identify appropriate measures to support pregnant students and teenage mothers – in particular those of compulsory school age – to continue in or resume their schooling.
173. The MEYS and Women's Department shall review current GOB support for, and formulate an appropriate policy for recurrent GOB assistance to, NGOs (such as YES and the YWCA) which explicitly accommodate pregnant teenagers and teenage mothers otherwise seeking to return to formal education, which is cognisant of the socio-economic 'investment' benefits of such interventions.

## **Pregnant teachers**

Teachers are employees of their school management bodies even though GOB pays their salaries. Far from having a uniform labour code governing the teaching profession, denominational schools adopt discretionary practices in the treatment of female teachers who become pregnant, normally constituting 'disciplinary action' if the teacher is either unmarried or in a common law union. Married pregnant teachers receive half of their salary for three months if they are new and, if they are qualified and have completed probation, they receive full salary for three months. Unmarried teachers do not, although those in the government-managed system at least retain their eligibility for maternity benefits from the Social Security Board. Unmarried teachers in denominational schools suffer a double financial penalty (loss of salary entitlements and denial of maternity benefit entitlements) as well as normally also losing their jobs, even though GOB pays their salaries.

It is common practice for a school to counsel a pregnant teacher into marriage, and to otherwise impose disciplinary action which may include 'releasing' the teacher from her duties into unpaid leave of absence. Often, subsequent return to work proves difficult to secure with the school management body. Whilst the *Education Rules* emphasise that all female teachers are entitled to receive maternity benefits from social security, this is dependent upon them remaining employed during this period, such that school-based practice frequently serves to deny an unmarried teacher's access to such entitlements. It is reported that in some instances of a pregnant teacher living in a common law union, she may report being in a visiting relationship in order to receive more equitable treatment. This is particularly anachronistic in view of legal recognition of common law unions in the *Supreme Court of Judicature Act* and the *Social Security Act*.

Within government-managed schools, teachers are provided maternity leave regardless of marital status. Anglican-managed schools similarly treat teachers, also offering counselling to unmarried pregnant teachers: it is understood that such schools have never administered 'disciplinary action' or otherwise 'released' such teachers. Government needs to ensure uniform

labour rights across all aspects of the education system, and to mitigate the potential resort by such penalised teachers to judicial review to establish their rights and entitlements. The responsibility of the MEYS in this regard is the authority of the Chief Education Officer to specifically approve the employment terms and conditions of contracts between school management authorities and their teachers (*Education Rules*, S. 70 (2)) and duties concerning suspension or dismissal (*Education Act*, S. 16). Maternity leave is covered in the *Education Rules* (S. 79).

174. The Chief Education Officer shall formulate and promulgate across the national education system, conditions and terms of teacher employment to ensure that no teacher is automatically suspended or terminated in instances of pregnancy outside of wedlock and ensure retention of entitlements to maternity leave provisions.
175. Provisions in the *Education Rules* (Ss 93(1)(g) & 139(f)) for disciplinary action on the basis of 'moral turpitude' need to be clarified, to the extent that they appear in their application to subjectively penalise the personal actions of female staff and to reflect the moral judgements of school authorities rather than the employment rights of teachers.
176. The triennial inspections of schools (*Education Rules*, S 51) shall include specific reference to the school's practice in the handling of staff – and student – pregnancies in preparing its reports, and an annual compilation of the gender issues within school-based reports (sub-section (g)) will be forwarded to the Women's Department for its information.
177. In instances where a school authority penalises a teacher either during her pregnancy or following delivery and her desired return to teaching duties, GOB shall levy such school the equivalent of a full year's contribution to her salary, in recognition of the economic cost to GOB of its investment in that teacher and need to reinvest in additional teacher training.
178. In the event that a teacher penalised by a school authority due to pregnancy decides to pursue judicial review, GOB shall offer to meet 50% of her costs in that legal process, in order to try to establish a precedent applicable across the education sector.

### **Rural-to-urban student drift**

Whilst enrolment rates are generally higher in urban than in rural areas, and display some gender variations in this regard in higher years of schooling, such trends may conceal the movement of students to urban schools for later years of study. This is a difficult issue to analyse, as it also may explain – or be explained by – unreliable data on drop-out rates, and gender:age differences in higher years. The CSO has noted a rural:urban drift for further schooling in order to improve subsequent job prospects. At the same time, Belize continues to experience a sizable influx of Central Americans, especially into rural areas, who are generally less educated. The combined impact is to depress education indicators for rural areas (including apparent retention and completion rates) and inflate those for urban areas, without necessarily reflecting the quality of rural schooling (even though it is acknowledged that it suffers comparatively poorer resourcing) or educational aptitudes of rural populations.

179. The potential rate of student transfer to higher education in urban centres needs to be reviewed to determine any level of unmet demand, including to the extent that there may be a need for the provision of hostel accommodation for either male and/or female students.
180. The reasons for such movement need to be examined to determine whether male or female students are transferring mainly due to lack of educational choice in their home

district, as well as whether there are gender issues inhibiting student movement to urban centres where local options are absent.

### **Desire to return to school**

The MEYS has estimated that more than 1000 early school leavers returned to school in the two years to 2001, primarily in Belize district. Due in large part to inadequate assistance to schools in this regard, there is likely to be similarly substantial potential to accommodate larger numbers of returnees. In view of the gendered factors in early school leaving and the large numbers of young people (including of compulsory school age) not in school, this needs to be viewed as a priority and valuable investment in Belize's young people. Reference has earlier been made to NGO efforts to facilitate the re-entry of 'at risk' girls to education: it is important to mainstream these girls within the formal education sector, as well as to initiate similar assistance to boys.

181. GOB will ensure sufficient resource budget capacity to fully accommodate the return to school of students of compulsory school age.
182. GOB will examine the level of potential demand for return to education of both boys (especially early school leavers due to poor academic performance or being 'at risk') and girls (especially teenage mothers or otherwise 'at risk') and formulate strategies to fully meet those levels of demand.

### **Non-traditional training**

Although there are no gender disparities in participation in post-compulsory education, there are strong disparities within courses, based on traditional gender roles. Gender equality in the student population of the University of Belize (even, in fact, females slightly outnumbering males) reflects recent restructuring whereby traditional female training courses (Belize Nursing School and Belize Teachers Training College) have been incorporated within the University. Within Centers for Employment Training (CETs) male students exceed female students, reportedly due to the factors of traditional gendered roles, lack of support services such as childcare, and the financial costs of study. The need is not so much one of ensuring gender equality within courses, whether traditional or non-traditional, but of ensuring no barriers to entry to such courses.

183. The extent to which various factors (such as location, access to child-care, administrative or recruitment practices) may act as barriers to improved gender equity in non-traditional courses will be ascertained, in order that GOB may develop strategies and resource agreements to overcome such impediments.
184. The provision in the *Labour Act* (S 162(2)) to accommodate 16-17 year old males in night-time employment for the purposes of apprenticeship or vocational training will be reviewed to the extent that it is discriminatory against females and a barrier to their entry into non-traditional training.

### **The teaching of sport within schools**

Within primary schools, it is reported that female teachers are often not required to conduct physical education sessions, whilst male teachers are actively encouraged to do so, even to the extent of assuming the responsibility of the female teacher in this respect. Correspondingly, female students are less accommodated and encouraged in sports activity in schools:

participation in sport and physical education encourages leadership and assertiveness, and girls are passing through the education system at a decided disadvantage in terms of self-esteem and healthy lifestyle.

185. Provisions need to be established to ensure equal gender access to and participation in sports and physical education within the education system.
186. Changes in teacher training, inservice training, administrative practice and curriculum development shall be adopted in order to promote the participation of women teachers in sports and physical education within the school setting.

### **Inspection and reporting of gender bias**

The *Education Rules* (S 51) provide that there shall be at least triennial inspections of all schools and the preparation of a report which shall comment on and make recommendations about a number of areas, including (sub-clause (2)(g)) “gender and other biases”.

187. MEYS and the Women’s Department shall collaborate to determine core gender criteria which inspections will ascertain and report on.
188. MEYS shall transmit to the Women’s Department each year a report on its school inspections and comments and recommendations on gender biases, for consultation between the two agencies.

## **4.5 POWER & DECISION-MAKING**

It is surely indisputable that men hold key positions of power and decision-making, in government, commerce, trade, economic production – and in domestic settings. Most effort to redress this crucial dimension of inequality has occurred within the public sphere, where men have continued to hold the vast majority of key positions, as women have been more likely to occupy secretarial and clerical positions, and professional occupations of teaching and nursing.

This imbalance is not for women’s want of trying – whether in parliamentary or senior public administration spheres. An NWC study concluded

“that women are interested in political leadership but lack access to it because of family obligations, male impediments, lack of skills and lack of training. Women’s intentions for seeking power are more to make improvements in social systems (e.g. schooling, health, sanitation). They are less focused in analyzing systems per se, or in changing them.

Those who have achieved positions of political leadership have been troubled by a tendency not to be heard, or to be heard but not taken seriously.” (Rosberg & Catzim (2001), p 10)

(Even so, compared to other nations, Belize is performing comparatively well. In 2001, Belize was ranked 35<sup>th</sup> and 9<sup>th</sup> respectively, out of 64 nations, in women’s share of parliamentary seats and ‘female legislators, senior officials and managers’. (See Chapter 2.2.))

Not only do women continue to be under-represented in positions of power and decision-making, but women continue to be under-represented in their share of public budgetary provisions: which perpetuates the secondary position of women throughout society and reinforces the notion of women as secondary in socio-economic relations.

Such persistent inequalities have prompted various responses, including action by the Women's Department to achieve:

- greater recognition of the need to recast policy analysis within a gender framework
- the associated adoption of measures to 'mainstream' gender into management positions
- the undertaking of gender-based analysis of national budgets.

At the political level, there has not been uniform consensus about the merit of setting quotas. If a major motivation for women to be more politically involved has been a desire to 'make a difference', or to inject some different perspectives and priorities into policy decision-making, the experience has been rather equivocal. Across the English-speaking Caribbean, the entry of women into political office has often been perceived as leaving the status quo unchanged, likely due to the pervasive nature of party politics. (*ibid*, p 72)

In the 1998 general elections, two women were elected, one of whom was appointed to a Cabinet position. At the city/town/village councils level, women comprise less than a quarter of elected officials, and this is seen as a potentially valuable point of entry for more women into the political process.

Finally, cultural factors require different strategies in different parts of Belize, in particular, the nature of family and community structures in the lives of rural women.

"This fact must affect any strategies undertaken to increase the participation of women as political leaders. For example, it would be difficult to work with many rural women around the issue of economic activity if their male partners saw this as a threat to their economic predominance." (*ibid*, p 29)

As much as anything, this is a reminder of the central place of gender-aware education in providing the necessary condition for effectively tackling such barriers to women's equitable access to power and decision-making. But education may need to be complemented by more interventionist measures, as the notion of 'power-sharing' may provoke a reaction in some quarters in terms of who may be seen as having something to 'lose' in this process.

189. The SIC needs to monitor and produce annual gender-disaggregated data on participation in power and decision-making: in the national assembly, city/town/village councils, diplomatic posts, publicly-appointed boards, and Ministry and Departmental heads.
190. Government will institute – by 2004 – a unified central mechanism for incorporating gender analysis into the budget-setting process.
191. The Women's Department will institute – by 2004 – a formalised process for producing a gender-based analysis of the annual budget.
192. Government will commit itself to the full adoption and implementation of the Gender Management System (GMS) being developed by the Women's Department.
193. The Women's Department will consult with the Gender Integration Committee (GIC), and forward advice to GOB on the merit of setting quotas for the appointment of Ministry heads, and the employment of Departmental Directors.
194. The GIC will advise GOB on a strategy for the non-partisan delivery of training programs to develop political skills and knowledge of women interested in being involved in the political process.

195. The Women's Department will advertise annually for women who wish to have their names and details recorded on a national 'women's register', for potential Government appointment to public boards and committees.
196. The NWC and Women's Department will develop a campaign to promote greater involvement by women in city/town/village council elections, especially as potential candidates.
197. The Government will support the development of a non-partisan 'women's voters league' and/or a gender issues capacity within existing NGOs.

## 4.6 COORDINATION & IMPLEMENTATION

The two common failings in the policy process are:

- 'implementation failure': often due to such factors as a poor sense of 'ownership' by relevant personnel of the policy instrument (a gap between the formulators and the implementors), loss of political will, inadequate technical skills in translating the policy into action, etc
- 'policy evaporation': often due to the passage of time, a perception that the production of a policy document is the end rather than the beginning of the policy reform process, a shift in political priorities, etc.

These are two intimately related and overlapping dilemmas. They mean that it is essential to incorporate into the policy document attention to the mechanisms for ensuring that the desired changes occur. It is usually preferable that existing mechanisms are utilised in this regard. For good reason, such structures are focussed on the situation of women, and women's organisations – government and non-governmental alike – have been the locus of the emerging attention to gender issues.

This recognises that in continuing to tackle discrimination against women and girls (in terms of both their position and their condition) within the context of a gender perspective, requires parallel attention to the position – but especially the condition – of men and boys as well. As a result, a gender policy aims to not only eliminate all forms of discrimination against the female, but to – as a direct consequence – produce an overall improvement in the collective situation for both female and male.

### **National bodies for women and gender**

Occasional calls for women-focussed agencies to be replaced by gender-explicit agencies or supplemented by men-focussed agencies, fail (or choose not) to see the persistence of discrimination against females and the systemic nature of resistance to gender equity as it impacts women (which is a substantially different issue than those factors which might characterise forms of discrimination against men). In terms of continuing effort in achieving gender equity, day-to-day emphasis needs to remain on the situation of women and girls, within a gender-aware context. This need not – and must not – ignore issues confronting men and boys, which in many respects remain part of the gender-based responses to systemic barriers to equity for women and girls.

198. The NWC and the Women's Department will retain their present focus on women and girls, from a gender perspective, as the appropriate means by which gender discrimination may be eliminated and gender-based progress advanced.

### **Gender Management System**

A GMS – as developed through the Commonwealth Secretariat and embraced by Belize – aims to mainstream gender into all government policies, programs and activities. This requires close cooperation between the Women's Department, GFPs, the GIC, and the NWC. The Women's Department is responsible for the introduction and operation of the GMS in Belize.

199. The GMS will be guaranteed a high priority by GOB, in its application across the whole-of-government.
200. The Women's Department will ensure close collaboration between GFPs, the GIC and the NWC (and the SIC, in qualitative data collection and analysis) in the implementation of the GMS.

### **Gender Focal Points**

The Women's Department has identified an officer to serve as a GFP in each of fifteen Government Ministries/agencies, based on a Cabinet decision in this regard. The Women's Department is presently developing manuals to enable GFP training.

201. The GOB will afford strong recognition of GFPs, in their roles in raising gender-awareness within the operations and planning of participating agencies, and in assisting more integrated gender-focussed development across the whole-of-government.
202. GFPs will be central and senior agency-based personnel, instrumental in the implementation of Government's GMS.
203. The GOB will formalise a process whereby GFPs are required to comment on the gender dimensions of Cabinet Submissions, to ensure compliance with Government's gender priorities and uniformity with the National Gender Policy.
204. GFPs will be trained and fully functional by 1 January 2003, regularly supported by the Women's Department, and afforded at least quarterly meetings to review their work and issues requiring attention to strengthen their roles.

### **Gender Integration Committee**

The GIC comprises government and non-governmental membership, and provides an advisory role to the Women's Department, in respect of gender issues. It will need to adopt a more formal role in the GMS and associated gender development in Belize.

205. The GIC will be formalised, with expanded membership to include the NWC, and its role adapted to also serve as the gender management team within the GMS.

### **Revision of gender provisions within the laws**

Recent law reform has provided a very sound basis upon which remaining gender inequities or disparities may be addressed. Further reform opportunities are discussed in Chapter 3, and provisions of the Laws of Belize are set down in Attachment B.

206. The GIC will collaborate with the Solicitor-General's Department to determine opportunities to amend existing laws to achieve improved gender equity.

### **Gender awareness of the media**

In late 2001, Help for Progress conducted a seven-week training program for the media in gender awareness, associated with a Caribbean initiative that included Suriname and Trinidad & Tobago.

207. The Women's Department will collaborate with Help for Progress and the national media in ascertaining further opportunities – preferably at the instigation of the media, but actively supported by GOB – for regular media training initiatives in gender awareness.

### **Statistical monitoring and analysis**

Attempts to establish gender databases have proved problematic in their adequacy, relevance, maintenance and utility. Statistical collation and analysis requires collaboration with the CSO, and is best achieved via the SIC, in order to strengthen cooperation with and the awareness of other relevant Ministries. For broader gender-based data, useful reference may be made to ECLAC (1999b, pp 68-82) and the Commonwealth Secretariat (Beck, Tony (1999), pp 18-33) (see Attachment G).

208. The Women's Department and the SIC will jointly determine the nature of periodic or timeline data requirements with respect to gender, with particular attention to the gender database frameworks described by ECLAC and the Commonwealth Secretariat.
209. The SIC will produce annual statistics related to the GDI (national and district-based) and GEM, the latter complemented by data concerning power and decision-making.
210. National Human Development Reports will include reference to nationally- and globally-derived GDI and GEM.

### **International treaty obligations**

There needs to be regular monitoring of progress against international treaties to which Belize is a state's party, as well as a consultative approach taken in considering joining as a party to new treaties. The early 2002 initiative to appoint a Treaties Officer in the Ministry of Foreign Affairs and Cooperation is a welcome step in facilitating such monitoring and consultation.

211. The GIC and the NWC will review and advise on the merit and implications of Belize joining as a state's party to gender-relevant instruments to which it is not a current party (refer Attachment F).
212. The GIC and the NWC will liaise with the Ministry of Foreign Affairs and Cooperation to determine suitable and effective monitoring of instruments of a gender-based nature to which Belize is a party, to strengthen progress in compliance on gender-based issues between reporting periods.

## **Monitoring of policy implementation**

213. Within six months of Cabinet's adoption of the National Gender Policy, the NWC will ensure the formulation of a Gender Plan of Action to give effect to the Policy, with attention to priorities and timelines, and of points of responsibility for each policy undertaking (this is to mitigate 'implementation failure').
214. The NWC will ensure that the implementation of the Gender Plan of Action is monitored on a regular basis, preferably with a formal requirement of annual progress reports by relevant agents (this is to mitigate 'policy evaporation').
215. The NWC will ensure that a national workshop is conducted within a year of Cabinet's adoption of the National Gender Policy – and annually after that – to review the content of the Policy, its relevance to changing circumstances, and the adequacy of its implementation (this is to ensure policy relevance).

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# ATTACHMENT A

## THE LAWS OF BELIZE, 2000: SCHEDULE OF CITED LEGISLATION

<b>Chapter</b>	<b>Title</b>
197	Administration of Estates Act
160	Aliens (Registration) Act
244	Bankruptcy Act
85	Belize City Council Act
4	Belize Constitution Act
161	Belizean Nationality Act
86	Belmopan City Council Act
250	Companies Act
90	Court of Appeal Act
101	Criminal Code Act
135	Defence Act
136	Deportation (British Subjects) Act
97	District Courts (Procedure) Act
178	Domestic Violence Act
36	Education Act
95	Evidence Act
296	Factories Act
173	Families and Children Act
96	Indictable Procedure Act
1	Interpretation Act
128	Juries Act
297	Labour Act
174	Marriage Act
175	Married Persons (Protection) Act
176	Married Women's Property Act
39	Medical Services & Institutions Act
30	Pensions Act
107	Protection Against Sexual Harassment Act
157	Registration of Births and Deaths Act
195	Rent Restriction Act
42	School Teachers' Pension Act
44	Social Security Act
98	Summary Jurisdiction (Offences) Act
91	Supreme Court of Judicature Act
87	Town Councils Act
32	Widow's and Children's Pensions Act
No. 41 of 2001	Penal System Reform (Alternative Sentences) Act

## ATTACHMENT B

### THE LAWS OF BELIZE: INVENTORY OF SEX- AND GENDER-BASED PROVISIONS (as at 31 March 2002)

CAP	TITLE	Sec.	PROVISION
1	Interpretation	5(1)	Words and expressions importing the masculine gender include the feminine [Note: <ul style="list-style-type: none"> <li>• Not vice versa (references to the feminine are specific to the feminine)</li> <li>• Does this include references to, eg. 'father' (eg. <i>Constitution Act</i>, S 29(2))?</li> <li>• Some contexts seem to preclude the feminine]</li> </ul>
4	Belize Constitution	2(e)	Amends (underlined) the Preamble's requirements for "policies of state which protect and safeguard the unity, freedom, sovereignty and territorial integrity of Belize; which eliminate economic and social privilege and disparity among the citizens of Belize whether by race, colour, creed, <u>disability</u> , or sex <u>which ensures gender equality</u> , ... "
		3	Guarantees "fundamental rights and freedoms of the individual, that is to say, the right, whatever his ... sex, ..."
		16(1)	"... no law shall make any provision that is discriminatory... ", except for, <i>inter alia</i> , <ul style="list-style-type: none"> <li>• S 4(c) "... the law with respect to adoptions, marriage, divorce, burial, devolution of property on death or other like matters... "; or</li> <li>• S 4(d) "whereby persons... subjected to any disability or restriction or may be accorded any privilege or advantage that... is reasonably justifiable"</li> </ul>
		16(2)	"... no person shall be treated in a discriminatory manner by any person or authority" except for specific provisions, including, <i>inter alia</i> , S(4)(c)&(d)
		16(3)	Defines "discriminatory": "affording different treatment to different persons attributable wholly or mainly to their respective descriptions by sex,... [etc]"
5	Ombudsman	12(1)	Ombudsman may investigate a matter where there is reasonable cause to believe a person "may have sustained injustice, injury or abuse as a result of any action taken by an authority or an officer or member of such authority", where (S 12(2)) abuse "shall include... any act motivated by discrimination based on... sex... "
30	Pensions	6(1)	Provides that a pension shall be granted to a public officer upon retirement, except "in the case of a female officer who retires for the reason that she has married or is about to marry"
		6(2)	Provides that, for such a female officer, "a gratuity may be granted" [Note: what is the practice?]
		12	A pension may be transferable or assignable if (b) there is a court order for the payment of child or wife maintenance
		13(1)	(1) says that a pension shall cease if the person is declared bankrupt, but that (3) the Governor-General may direct partial payments for the maintenance of the person, his wife and child dependents, except that (6) this will not include a female child who has married, or other children who attain 18 years
		18	An officer who dies as a result of a work-related injury or disease will have a pension paid to his widow and/or children until they turn 18 years, or to his mother if she maintained him (or to his father if no widow or mother and father maintained him) (or to brothers/sisters, if no children, and they were dependent upon him), except that, <i>inter alia</i> : <ul style="list-style-type: none"> <li>• There is discretion for children dependent/incapacitated beyond 18 years</li> <li>• Widow not entitled to pension if they were not married at the time, or if married but she was living with someone else</li> <li>• Another female (eg a sister or daughter) is ineligible if she was &lt;18 years but married to or living with someone else (with discretion to waive that non-entitlement)</li> </ul> [Note: does this mean it doesn't apply to a female officer who dies? (notwithstanding Interpretation Act, S 5(1))]

		6 <sup>th</sup> Sch	A female officer confirmed in the service (at least 5 years) who “retires or is about to retire for the reason that she is about to marry, or has married”, may be granted a gratuity in lieu of being ineligible for a pension (but shall not be paid if she’s been married more than 6 months at the time of retirement)
32	Widow’s and Children’s Pensions	2(1)	<ul style="list-style-type: none"> <li>• ‘public officer’ means a male officer</li> <li>• ‘wife’ doesn’t include wife if they marry after the retirement</li> </ul> <p>[Note: this Act applies to contributions to pension scheme, and</p> <ul style="list-style-type: none"> <li>• Denies access to female officers</li> <li>• Denies eligibility to common-law spouses</li> <li>• Doesn’t apply if wife is living with someone else at time of death or remarries (S 7(1))</li> <li>• Doesn’t apply to spouse if officer dies within one year of marriage</li> <li>• Doesn’t apply to stepchild, adopted child or illegitimate child of officer unless “wholly or partly dependent” on him at time of death (S 10(2)): viz. children are penalised if he’d been defaulting on his maintenance obligations?</li> <li>• Denies children’s pension to daughter otherwise eligible if she’s married or living with someone else</li> <li>• Doesn’t recognise common-law unions for spouse eligibility, but does recognise common-law unions to otherwise disqualify eligibility!]</li> </ul>
36	Education	24(2)	“No person shall be refused admission to any school on account of gender, except where such schools are historically non-coeducational”
		24A	Guarantees gender equity in education access “at all levels”, sensitivity “to the particular needs of the female gender”, and freedom from gender bias
		24B	“School authorities shall ensure that pupils are free from, <i>inter alia</i> , sexual harassment and exposure to pornography and “morally... harmful activities”
			Note: Reference needs also to be made to the <i>Education Rules 2000</i> , which includes such provisions as: S77(4) – staff leave applies to a “teacher or male member of staff” S114 – (only) coeducational schools shall be free of gender bias (viz. this seems applicable to instruction) S115(2) – requires MEYS to develop, and school authorities to enforce, regulations to prevent sexual harassment and forms of abuse of students
39	Medical Services & Institutions	59	Makes it an offence for a male to “take any indecent liberty” with any female inmate of the mental hospital, with or without consent
		67	Provides that, for a man married to a woman who – at that time – had children (viz. not necessarily his), he remains liable to contribute to the cost of maintaining that child as an inmate of a mental hospital, hospital or certified institution [Note: seems to absolve the biological father, whether or not he’s paying maintenance]
42	School Teachers’ Pension	11(2)	A female teacher with at least 5 years service who retires because she is about to marry or has married and is ineligible for a pension, may be granted a gratuity, unless she was married for at least 6 months at the time of retirement
		22	Where a teacher dies as a result of the discharge of his duty, in addition to a gratuity, a pension may be granted to his widow, <ul style="list-style-type: none"> <li>• provided that she is “unmarried and of good character” (1)(i) and to dependent &lt;18 year old children</li> <li>• except for a female who marries (4)</li> </ul> or, if there are no eligible widow and if his mother has been largely responsible for his care, then his mother <ul style="list-style-type: none"> <li>• provided she is “of good character and without adequate support” (1)(v)</li> </ul>
44	Social Security	11(b)	Benefits shall include “a maternity benefit, that is to say payment – <ul style="list-style-type: none"> <li>(i) to an insured woman of a maternity allowance by means of periodic payment in the event of her pregnancy or confinement;</li> <li>(ii) of a grant to an insured man in respect of his wife’s confinement or to an insured woman”</li> </ul>
		14(2)	Establishes an entitlement to a benefit in explicitly gender neutral terms, including with respect to common-law relationships (with discretion to the Manager); provides (d) that, in making a determination of entitlement for a spouse “the meaning of the word “marriage” [shall] include the association of a woman with a man... ; and the words “wife”, “husband”, “widow”, “widower”, and “spouse” shall be construed accordingly”.

85	Belize City Council	40	(1) provides gender neutrality in garnisheeing wages for maintenance payments (2) & (3) assume male as employee liable to pay maintenance Note: This may be an entirely reasonable assumption, but is inconsistent with the gender neutrality of (1)
		45(1)	"Where a female officer retires or is required to retire for the reason that she is about to marry or is married... " etc., concerning gratuity
86	Belmopan City Council	40	As for Cap 85
		45(1)	As for Cap 85
87	Town Councils	40	As for Cap 85
		45(1)	As for Cap 85
90	Court of Appeal	20(c)	Concerns the receipt of evidence by a party's spouse in hearing appeals in civil matters [Note: what of the entitlement of common-law spouses (not defined in Act, nor in Interpretation Act)]
91	Supreme Court of Judicature	148A	Provides for equality between a husband and wife during divorce proceedings in respect of property interests and rights, (5) with attention to the financial or non-financial contribution of each, including, <i>inter alia</i> : (b) "any contribution made in the capacity of housewife, homemaker or parent", (e) "the non-financial contribution made by the wife in the role of wife and/or mother and in raising any children born from the marriage", (f) either spouse's eligibility to a pension or gratuity, etc, and (h) "the need to protect the position of a woman, especially a woman who wishes to continue in her role as a mother"
		148D	Defines a common law union as "the relationship that is established when a man and woman who are not legally married to each other and to any other person cohabit together continuously as husband and wife for a period of at least five years"
		148E	Deals with a declaration of interests in property and the alteration of property rights, and provides similarly to 148A (5) above
		148I	Establishes that a party to a common law union has the same rights as a spouse to a marriage in respect of themselves or the children of that union in applying to the courts for maintenance
95	Evidence	56, 58, 60, 63	Equal provisions for husbands and wives in evidence [Note: what of the entitlement of common-law spouses]
		74	In evidence in rape trials, there is a presumption that the perpetrator is male and victim is female
		96(1)	In complaints in sexual cases, (i) views victims as "women and boys", and (ii) refers to "offences of indecency between male persons"
		2 <sup>nd</sup> Sch	Part II: deals with man deserting his wife, family, child
96	Indictable Procedure	127(1)	For a woman charged with the murder of her infant child (less than one year), if the jury believes she was disturbed due to antenatal factors, it may change the verdict from murder to infanticide [Note: same provision as in <i>Criminal Code</i> (S 110)]
		130, 132	Rape: gender-neutral treatment
		147	If a woman convicted of a crime punishable by death and is found to be pregnant, sentence shall be life imprisonment with hard labour
		173	Provides for parent or guardian proved to have caused or encouraged the seduction or prostitution of their daughter aged under 18 years, under Ss 47-49 of the <i>Criminal Code</i> (carnal knowledge, repeated rape or carnal knowledge (habitual sex offender), procuration (sex work)), to be deprived of that parental authority, and for a guardian to be assigned until she reaches 18 years
97	District Courts (Procedure)	9	"A married woman may sue or be sued alone as if she were a <i>feme sole</i> ."
98	Summary Jurisdiction (Offences)	3(1)	A petty misdemeanour includes: • Refusing to maintain the family as an idle and disorderly person (vii) • Running away and leaving a wife and child dependent on public funds (xv)
		4(1)	A petty offence includes: • Loitering for prostitution • Neglecting to maintain self or family • Being a 'common prostitute'

		15	Reference to keeping a brothel is gender-neutral, except for the definition of brothel: “a place where people of opposite sexes are allowed to resort for illicit intercourse, whether the women are common prostitutes or not... “
		17(1)	Provides for a search warrant to be issued for premises where “there is reason to suspect that any woman or girl is unlawfully being detained for immoral purposes”
		17(5)	‘unlawfully detained’ is defined as applying to a female detained “for the purpose of being unlawfully and carnally known by any man” and: <ul style="list-style-type: none"> <li>• &lt;16 years, or</li> <li>• 16-17 years and against her or her parent’s will, or</li> <li>• 18+ years and against her will</li> </ul>
		18	Offence for a male to be living off or soliciting for (trading on) prostitution
99	Summary Jurisdiction (Procedure)	70(1)	For non-payment of a court order to pay a sum, there is provision to allow time to pay a penalty under a court order, except (8) for child maintenance
		Part IX	Maintenance Orders (Facilities for Enforcement): covers all Commonwealth countries – gender neutral
101	Criminal Code	12(b)	Consent is void if the person giving it is a female aged <14 years
		29	Any law which presumes that “a crime committed by a wife in the presence of her husband is committed under the coercion of her husband” is abolished
		45	An aggravated assault includes (f) “indecent assault on any person, whether male or female” and (g) an “assault upon any male child or any female of such a nature” not adequately covered by S44 (common assault), with a penalty of 2 years imprisonment, except that, “in respect of an indecent assault upon a female or an aggravated assault upon any male child or any female”, the penalty is 3 years
		46:01	Provides for the offence of deliberately or recklessly spreading HIV/AIDS: summary conviction up to 5 years in prison, conviction on indictment up to 10 years in prison
		47(1) & (2)	Carnal knowledge: <ul style="list-style-type: none"> <li>• Carnally knowing a ‘female child’ aged &lt;14 years, with or without her consent</li> <li>• Unlawfully and carnally knowing a ‘girl’ aged 14-15 years or a “female idiot or imbecile woman or girl, under circumstances which do not amount to rape”, knowing that she is an idiot or imbecile; except that for a 14-15 year old girl: <ul style="list-style-type: none"> <li>• if the accused is &lt;18 years and believed she was &gt;16 years, this is a ‘valid defence’ on the first occasion</li> <li>• if the accused is 18+ years and believed she was &gt;16 years, this is a ‘mitigating circumstance’ on the first occasion (the mandatory 5 year minimum sentence doesn’t apply)</li> </ul> </li> </ul>
		47(3)	Where a marriage is void due to a party being <14 years, a male charged with indecent assault of a female with whom he went through a marriage ceremony, may be exonerated if he reasonably believed he was married to her at the time
		48	A person convicted of rape, or of carnal knowledge of a girl <14 years, or either, on >2 occasions, shall be sentenced to mandatory life imprisonment
		49	A person procuring, or attempting to procure (a) a female <18 years (“not being a common prostitute or of known immoral character”) to have unlawful carnal knowledge, or (b) “any female to become, either within or without Belize, a common prostitute”, or (c) any female to leave Belize to work as a prostitute, or (d) any female to leave home to become a prostitute, shall be imprisoned for 5 years
		50	A person procuring, or attempting to procure, any female for any unlawful carnal knowledge, or who procures a female (“not being a common prostitute or of known immoral character”) for unlawful carnal knowledge, or who uses any drug in order to overpower a female for the purposes of unlawful carnal knowledge, shall be imprisoned for 3 years
		51	A householder permitting premises to be used for a man to unlawfully and carnally know any female, shall be liable to imprisonment of life imprisonment (if the female is <12 years) or 2 years (if female is aged 12-15 years)
		53	“Every person who has carnal intercourse against the order of nature with any person or animal shall be liable to imprisonment for ten years”
		56	“Every person who is guilty of an abduction of an unmarried female under eighteen years of age shall be liable to imprisonment for two years”

	57	“Every person who takes away or detains against her will a female of any age with intent to marry or carnally know her, or to cause her to be married or carnally known by any other person, shall be liable to imprisonment for thirteen years”
	62	(1) Incest: the male is liable to 7 years in prison, but if the female is <12 years, then S47 applies as for a <12 year old (viz. 12 years to life imprisonment) [Note: S47 provides for <14 year olds – S62(1) probably needs amendment; as presently worded, S47 carnal knowledge of a, say, 13 year old carries 12 years to life, but S62 carnal knowledge of a 13 year old relative carries 7 years] (2) consent is not an offence (3) an attempt to commit incest: 2 years in prison (4) a male convicted for incest with an <18 year old female shall have his guardianship responsibilities removed
	63	Any female aged 16+ years who consents to incest is liable to 7 years in prison
	71	(1) “Rape is the carnal knowledge of a female of any age without her consent” (2) provides for a man’s belief of the woman’s consent
	72	(1) marital rape defined: by male spouse (3) “In this section, “spouse” means a party to marriage and does not include a party to a ‘common law union”
	73:01	Provides for an offence where a person knows he is infected with HIV/AIDS and has sex with another person and doesn’t inform them the he is infected; or who knows he is infected and donates blood [Note: no specific provision as to when the person must inform the other person]
	74	“If a female be compelled to marry another person by such force or duress as avoids the marriage or makes it voidable the marriage is of no effect for the purposes of Part I with respect to consent” (Part I: Assaults)
	77	(1) Abduction is of a female, “with intent to deprive of the possession or control of the female, any person entitled thereto, or with intent to cause her to be married to or carnally known by any person”, unless (3) he reasonably believed she was in someone else” control (78(2)(a) provides that there is, however, no exception from liability if he abducted her for any immoral purpose
	100(1)	A man must supply the necessaries of life and health to his wife and dependent legitimate or illegitimate children under his control
	100(3)	A woman who gives birth to a child (whether or not legitimate) has a duty “so far as she is able” to care for and preserve that child
	100(8)	“If a person being under a duty to supply any of the necessaries of health and life to another person lawfully charges his wife... with the supply of such necessaries and furnish the means for that purpose, his wife... is under a duty to supply such necessaries accordingly”
	110	Infanticide: for a woman charged with the death of her child aged under 1 year, if she was disturbed due to antenatal factors, the charge may be changed from murder to the felony of infanticide, as per the crime of the manslaughter of a child
	111	Abortion: (1) the intentional and unlawful causing of an abortion or miscarriage: 14 years in prison (2) a pregnant woman or any other person who uses any means to cause her abortion or miscarriage: life imprisonment (3) the purchase or supply of any poison or object for the purpose of a miscarriage: misdemeanour (4) “any wilful act [that] causes a child to die before it has an existence independent of its mother” is a felony of ‘child destruction’: life imprisonment (except if the act was in order to preserve the mother’s life) (5) <i>prima facie</i> proof of the potential independence of the child is that the pregnancy is not greater than 28 weeks
	112(1)	There is no offence of abortion or miscarriage by a registered doctor, if two registered doctors are of the opinion that (a) continuation of the pregnancy would risk the mother’s life or physical or mental health, greater than if the pregnancy was terminated, or (b) there is substantial risk that the child would suffer serious handicap ((2) provides that, for (1)(a), account may be taken of the woman’s “actual or reasonably foreseeable environment”)

		113	Provides for conscientious objection to any treatment except for “treatment which is necessary to save the life or to prevent grave permanent injury to the physical or mental state of a pregnant woman” [Note: cannot sacrifice the mother’s life for the baby’s birth, regardless of the woman’s or her husband’s wishes]
		119(d)	A woman who causes her “recently born” infant’s death, who – whilst not insane – has diminished self-control due to a disease or mental disorder due to childbearing, is guilty of manslaughter rather than murder
		120	Provides for “extreme provocation” as a defence in instances of the death of a person committing (c) adultery with or by the spouse of the accused, or unnatural carnal knowledge committed upon the accused’s wife or child, or (d) violent assault or any sexual offence upon the accused’s spouse, child or parent
		127(2)	Abortion or miscarriage can include causing prenatal delivery with intent to cause or hasten the death of the child
		130	“Where any person does an act in good faith for purposes of surgical or medical treatment, an intent to cause death shall not be presumed from the fact that the act was or appeared likely to cause death”
		142(1)	A person can only be convicted of stealing a thing with the owner’s wife’s consent, if he had notice that the wife had no authority to give that consent
		142(2)	“If it appears that he had committed or designed to commit adultery with the wife, he shall be deemed to have had such notice, but he shall not in such case be deemed guilty of stealing by reason only of his appropriation, with the consent of the wife, or of his assisting the wife to appropriate, any wearing apparel of the wife, or any money or other thing of which the wife is apparently permitted to have the disposal for her own use”
102	Crime Control and Criminal Justice	13(2)	Provides for the power of security forces to use reasonably justifiable force, but confines the search of a female to be carried out by another female
107	Protection Against Sexual Harassment		This is gender neutral legislation, but does it have adequate scope, and adequate provision for usage (given its lack of use)?
119	Juvenile Offenders	14	(1) A child <16 years may be brought before a juvenile court who (c) is illegitimate and whose mother is in prison, or (e) “is the daughter, whether legitimate or illegitimate, of a father who has been convicted of an offence involving gross indecency”; and the court may commit the child to the care of another person or institution until the child turns 16 years (2) Says that (1) doesn’t apply to a child <16 years who frequents the company of a prostitute who is its mother and who exercises proper guardianship
120	Probation of Offenders	12(2)	A female probationer may only be placed under the supervision of a female community rehabilitation officer
128	Juries	6(1)	Provides exemption for jury service for (i) women in religious orders and living in convents
		15	Jury composition: (4) gender balance must reflect that in the Jurors’ Book; (5) a husband and wife shall not both be on the same panel [viz. no suggestion of priority, which should be according to achieving (4)]
		24(2)	An accused person may challenge a juror on the basis of (c) “the relationship of the juror as husband... to the person alleged to be [the victim]” Note: other sub-clauses are gender inclusive, viz. “wife or husband”
		37(2)	A woman may be exempted from jury service if she satisfies the judge that she has responsibility for a child <12 years
135	Defence	167(1)	Provides “for the calling out of men for national service”, and solely refers to “men” throughout that section, despite S 16(2) referring to “person” in regular enlistment Viz. does S 167 include women?
136	Deportation (British Subjects)	2(2)	A British subject shall be considered to be Belizean if (d) she is the wife of, and living with, a Belizean
138	Police	33(3)	Provides (a) that the Commissioner may sanction payments from the Police Welfare Fund to assist the wives or families of deceased Police Officers or those discharged as medically unfit
156	Immigration	2(1)	“dependent” means (a) “the wife of such person, unless she is living apart from him under a deed... or... decree... “
		5(1)	Prohibited immigrants include (e) “any prostitute or homosexual or any person who may be living on... the proceeds of prostitution or homosexual behaviour”

157	Registration of Births and Deaths	2	“parent” means, in the case of a legitimate child, the father or, if the father is dead or absent, then the mother and, in the case of an illegitimate child, the mother”
		10	The ‘parent’ is responsible for the birth registration except that the father has no such responsibility if he was not married to the mother at the time of both conception and birth
		13	Where the parents were not married at the time of conception and at birth, the father’s details won’t be entered in the register except where the parents jointly request such entry or jointly declare parentage; if the mother is dead, then the father’s consent alone is sufficient
		14	Where the parents were not married at the time of birth, the father’s details can be entered in the register if the registrar is satisfied that they were married at the time of conception or if there is a declaration of paternity; if the mother is dead, then the father’s consent alone is sufficient
		15	Where the parents were not married at or before the child’s birth, but subsequently marry, the father’s details may be entered in the register, on joint application or declaration of paternity
		44(3)	A birth certificate shall include the surname of the father for a legitimate person, or of the mother for an illegitimate person (or, if more than one surname is recorded, the surname the applicant requests)
		1 <sup>st</sup> Sch	Register of Births requires the father’s surname, the mother’s maiden name, and “rank, occupation and address of Father, or in default, of no mother”
		9 <sup>th</sup> Sch	Register of Still-births requires the father’s surname, the mother’s maiden surname, and the father’s “Rank or Profession”
160	Aliens (Registration)	Sch. 3	Persons exempt from registration (S 12(1)) include (3) the wife of any person similarly exempted (eg. government or diplomatic officers, students >16 years authorised to study overseas)
161	Belizean Nationality	9	Reference to a father’s nationality at the time of a person’s birth shall, if the father dies before that birth, be a reference to his nationality at the time of the father’s death [viz. a sex-based provision, which can’t similarly apply to the mother]
173	Families and Children	15(1)	The father of a child born out of wedlock may only appoint a guardian of the child for after his death if he has been granted custody
		16	The mother of a child born out of wedlock (1) shall be the child’s guardian and (2) shall have and be entitled to that child’s custody until it turns 18 years, except that (3) the court may revoke that guardianship or custody if it considers her unfit in that regard, or if the father successfully applies for custody
		33(2)	Where a child’s parents were not married at the time of birth, the legal relationship between the father and child shall follow if (a) the parents subsequently marry, or (b) paternity has been admitted or established
		37(1)	As for S 33(2), with respect to succession to property, etc
		40-45	Provides the court’s powers in declaring paternity, including DNA testing
		48	Every man must maintain his own children and also (a) every child, whether born in wedlock or not, living with his wife at the time of their marriage, and (b) the children of any child of his, where the children are unable to maintain themselves and, for (b), where the child’s parents are ill or can’t be located
		49(1)	Every widow and unmarried woman must maintain her own children, and every woman must maintain the children referred to in S 48 in the event that the man fails to do so; and to do so until the child turns 18 years or whilst they are unable to maintain themselves by virtue of infirmity
		52-58	Provide gender neutrality in applications for child maintenance orders, and so do many of Ss 63-76 dealing with maintenance collection, But some sections make specific (and perhaps reasonable) assumptions that the father is the liable parent (Ss 64(5)&(6), 65(1), 69, 72(1))
		79	For a child’s parentage, defines ‘single woman’ to include a widow or married woman living apart from her husband
		80	Provides for a single woman to apply for a summons for a declaration of parentage
		81-82	Set down the application procedure
83	Provides that, where a person makes “written admission” of paternity of a child born out of wedlock, that will be accepted as prima facie evidence		

		84	Provides that monies due under a maintenance order are payable to a single woman or, at a magistrate's discretion, another person with the child's custody whilst the mother is in prison or of unsound mind or dies
		85	Provides that the father of a child born out of wedlock may apply for access to or custody of the child whilst <18 years, but a custody application must allege that the mother has deserted or abandoned the child or is unfit to have custody or it is otherwise in the child's best interests; the court having to be satisfied of the child's welfare and, if appropriate, the child's wishes
		95	Provides up to 6 months in prison for the mother of a child born out of wedlock who knowingly falsely accuses a man of being the child's father
		97	Says that a man charged with being the father of a child born out of wedlock may appeal that order
		135(2)	Prohibits the adoption of a female child by a sole male applicant, unless the court is satisfied that there are special circumstances
174	Marriage	5(c)	Provides that the mother alone may consent to the marriage of an infant where the parents have never been married and are living apart and the infant is not living with either parent
		64	Provides for marriage at a time of impending death ( <i>articulo mortis</i> ), in which case (4) the details are entered on Form 9, which requires the father's (not the mother's) name and address
		78	Validates a marriage between a man and his deceased wife's sister (apparently concerns historical provisions, and now sanctioned by virtue of 1 <sup>st</sup> Schedule, Part B)
175	Married Persons (Protection)	2 & 4	A person may apply for an order (a) that they may be no longer bound to live with their spouse on the grounds of cruelty, (b) that they have legal custody of their children, (c) that the husband shall pay the wife maintenance (not exceeding \$100 per week and having regard to both parties' means), (d) that the husband shall pay maintenance (not exceeding \$50 per week per child until 16 years having regard to both parties' means), and (e) specify the share of court costs between each party.  Note that 4(d) provides for payment of child maintenance to the wife (technically) regardless of who has custody (no specific equivalent provision in 2(d): conditional upon the wife having legal custody)
		3 & 5	Specify the grounds for an application by a married person, being desertion, persistent drunkenness, adultery, or persistent cruelty to the applicant or their children; in addition, for an application by a female: that he had sex with her knowing he had an STI, that he compelled her into prostitution, that he has been convicted of assault or aggravated assault, or that he has wilfully neglected to reasonably provide for her or their children
		7	Provides that a man shall not be liable to spousal maintenance if the wife "committed adultery without the husband's connivance or consent"
		8	Provides for an interim order of no more than 3 month's duration of wife or child maintenance pending a final determination
		9	Provides that, if a woman voluntarily resumes living with her husband, the order shall be discharged, except that the court may make a new order that the legal custody of the children remains with her and that the husband may continue to pay child maintenance not exceeding \$20 per week per child until 16 years
		11	Empowers the court to make an order for the judicial separation of a husband and wife, and for the payment of alimony by the husband to the wife, with exception from consideration of any property belonging to the wife
		12	Enables a married woman to apply for up to 2 years continuance of child maintenance payments (beyond 16 years) for a child engaged in education or training, or suffering a disability
176	Married Women's Property	3(1)	Provides that a married woman be treated within the Act as if she were a <i>feme sole</i>
		3(2)	Terminates any rights of the husband over any property of the wife acquired before or after marriage, removes any liability by the husband for the wife's debts or obligations, and makes liable every married woman to sue or be sued without the intervention of the husband (subsequent Ss 4-11 elaborate those provisions, with respect to debts, savings, trust estates, stocks, joint investments and stocks)
		12	Provides that any investments made by a woman by means of her husband's money without his consent may be transferred or paid to the husband

		15	Provides that a wife continues to be liable for all debts and liabilities by her prior to her marriage
		17	Refers to the rights of a married woman – as a <i>feme sole</i> – as an executrix of an estate or property trustee
		20	Provides that a married woman has full power to appoint a power of attorney
		21	Provides that the legal representative of a married woman shall, in respect of her estates, have the same rights and liabilities and jurisdiction as would the woman if she were alive
		22	Empowers a court to bind her interest in a property belonging to her if she is unable to dispose of or bind such property
		23	Provides that the will of a married woman shall be executable following her death and is not required to be reexecuted or republicised after her husband's death
178	Domestic Violence	2	Defines, <i>inter alia</i> , 'conduct of an offensive or harassing nature', 'prescribed offence', 'harassment'
		3	Provides for the application of a protection order in relation to a 'domestic violence offence' (a prescribed offence against the applicant's spouse, child, dependent or parent) [Note: the entire Act is gender-neutral]
195	Rent Restriction	10(1)	Says that exceptions to restrictions on ejecting a tenant include (b) where the premises are reasonably required by the landlord or, <i>inter alia</i> , "his wife"
197	Administration of Estates	3(1)	Refers to real estate and property inheritance, and abolishes: (b) "tenancy by the curtesy and every other estate and interest of a husband in real estate as to which his wife dies intestate... ", and (c) "dower and freebench and every other estate and interest of a wife in real estate as to which her husband dies intestate... " (unless there is a right attached prior to the Act which cannot be legally barred by the husband)
		54A	Provides for the succession rights of parties to a common law union, and says that every reference to 'wife', 'husband', 'issue' or 'child' in Part V (which deals with the distribution of residuary estates, Ss 54-59), also applies to the female party, male party, issue or child, respectively, of a common law union [Note: 1 the definition of common law union is as per the <i>Supreme Court of Judicature Act</i> (S 148D) 2 reference to Part V may intend to be a reference to Part VI]
202	Trusts	10	Provides for the beneficiaries of a Trust and (3) in respect of a class of persons, says that (b) "a woman over the age of 60 years shall be deemed to be no longer capable of bearing a child" [Note: 7.3% of all births (14,087) were to woman aged 60+ years (2000 Census)]
203	Wills	6	"Every married woman shall be capable of making a will, codicil or other testamentary disposition as fully and effectually as if she were a <i>feme sole</i> "
		35	Provides that, where a person dies domiciled in Belize leaving a spouse, or a daughter (never married) or a son who is incapable of self-maintenance by reason of disability, or of an infant son, and leaves a will, then that 'dependent' of the testator may apply to the court to make adequate provision (where the will is deemed to make inadequate provision) for that dependent's maintenance (unless the will leaves at least two-thirds of the estate to a surviving spouse, upon whom the applicant is dependent)
		36	Provides that maintenance be by periodic payments until no later than, <i>inter alia</i> , a daughter marries, or a son turns 18
211	Belize Agricultural Health Authority	8(7)	empowers the Authority to maintain a pension fund which enables it to, <i>inter alia</i> , (b)&(d) grant funds to the employees or officers, or to their "widows, families or dependents"
233	Belize Port Authority	14(2)	Says that the Authority may (a) grant allowances to, or (c) secure allowances for, its employees or their "widows, families, or dependents"
244	Bankruptcy	25(1)	Refers to the debtor's "wife"
		40(1)	Refers to the debtor's "wife"
		43	(1)&(2) refer to the settlor's "wife"
		99	Refers to the debtor's "wife"
245	Bills of Exchange	Sch	Text of Form of Protest commences "Know all men that... "
250	Companies	133(4)	Providing that, in applications to wind up a company, where both a husband and wife are contributorys, any of the husband's shares held in his wife's name (within particular circumstances) shall be deemed to be in his name

		245(2)	"In the event of the death, bankruptcy, or insolvency, of any contributory, or marriage of any female contributory, this Act with respect to the personal representatives, and devisees of deceased contributories, to the trustees of bankrupt or insolvent contributories, and to the liabilities of husbands and wives respectively, shall apply"
		251	(11)(h) says that "References to a former christian name or surname do not include – [...] (iii) in the case of a married woman, the name or surname by which she was known prior to the marriage"
		1 <sup>st</sup> Sch	1. provides that "unless the context otherwise requires... words importing the masculine gender shall include females... "
251	Insurance	36(1)	(b)&(c) refer to a company director's "wife"
296	Factories	12(1)	Says that regulations may be made to ensure the health and safety of factory workers, and in particular: (j) the number of hours per day and per week to be worked and meal and rest breaks, for every woman and young person employed in a factory, and "the requirement of a certificate of fitness for every such woman and young person"
297	Labour	4(d)	Says that the duties of the Labour Commissioner include to collect, analyse and publish statistics concerning (iii) "employment of women, children and young persons"
		33	Provides that a worker on a contract of service shall be terminated one month from the date of death or bankruptcy of an employer, and is bound to perform services for the dead or bankrupt employer's widow or representative for that period, and that widow or representative is bound to fulfil the associated contracted stipulations for that employee
		Part VII	Deals with written contracts of service, and says that (S 49(2)) a "'family" in relation to a worker means his wife and unmarried children except adult males"
		Part VIII	Deals with labour recruitment, and says that (S 65) a "'family" in relation to a recruited person means the wife and the unmarried children, if any, except adult males, of the recruited person"
		72	Provides that (2) where his wife or child has been authorised to accompany a recruited person, they shall not be separated from him except at his express request, and (3) such authorisation shall, in default of a contrary agreement prior to departure from the place of recruitment, mean that such wife and child remain with him for the full duration of his term
		Part XV	Deals with the employment of women and children and says that (S 160(1)) "'family" means the employer and the spouse and any children of the employer" [Note: is this supposed to refer to an employee?]
		161(1)	Says that no woman or child (<18 years) may be employed in a public or private industrial undertaking at night, with specific exceptions (S 162(1))
		162	Permits the night-time employment, after consultation with any workers' or employers' organisation, of 16-17 year old males (2) for the purpose of apprenticeship or vocational training, or (3) when in a case of serious emergency, "the public interest demands it", or (4) due to an unforeseen emergency; and (5) provides that the Minister may permit women and 16-17 year old males to be employed between 7-11pm
		163	Requires industrial employers to maintain a register of the names, dates of birth and hours of work of all women and child employees
		176	Provides that Part XV is in addition to, and not in derogation of, any other provisions relating to the employment of women and children
			Part XVI
	177(1)	(1) Says that a woman (a) is not permitted to work during the 6 weeks following confinement, (b) may leave work if she produces a medical certificate stating that her confinement will probably take place within 6 weeks, (c) be paid not less than 50% of her normal wages during absences as per (a) and (b); provided that during the 12 months preceding confinement she was employed by that employer for at least 150 days (2) says that (1)(c) doesn't apply if she's entitled to a Social Security maternity allowance (3) exempts an employer from any liability for the medical costs of her pregnancy or confinement	

		178	Provides that where a woman is absent from work due to a S 177 confinement, or is in receipt of a Social Security maternity allowance, or is off work due to pregnancy-related illness certified by a doctor, she may not be dismissed during that time
		180	Provides for maternity benefits to be paid in two instalments linked to the stage of confinement
		Part XVII	(S 182) says that this Act applies to domestic servants
300	Trade Unions	31	Prevents the intimidation of another person, including (a) "his wife or children"
304	Trade Unions and Employers' Organisations (Registration, Recognition and Status)	9(3)	Prohibits such employee unions or employer associations from discriminating "in its Constitution or through any other medium, against any person applying for membership" on the grounds of, <i>inter alia</i> , sex pregnancy, marital status or family responsibility
310	Building Societies	2 <sup>nd</sup> Sched	Commences "Know All Men ..."
312	Clubs (Registration)	6(1)	Limits the grounds for objection to the registration or renewal of a club certificate to, <i>inter alia</i> , (m) the denial of membership or guest admission on the ground of colour, race or creed ( <i>viz.</i> no provision for sex)
		9(1)	Provides that a club is eligible for registration if, <i>inter alia</i> , (l) no person is ineligible for membership or guest admission on the grounds of colour, race or creed ( <i>viz.</i> no provision for sex)
315	Non-Governmental Organisations	7	Says that, for an NGO to be designed to contribute to 'sustainable human development', its programs may include, <i>inter alia</i> , (f) promotion of the legal rights of women (amongst other activities), and (k) activities that promote "the participation of women in all spheres of national development, and that promotes gender awareness issues and sensitivity"
324	Registration of Nursing Homes	2	Defines a 'maternity home' as premises "for the reception of pregnant women, or of women immediately after childbirth", and defines a 'nursing home' as including a maternity home
		15	Provides that regulations may be made prescribing (a) "the records to be kept of all patients received into a nursing home; and in the case of a maternity home, of any miscarriages occurring in the home, ..."

**Legislation adopted 1 January 2001 – 31 March 2002:**

Amendments in this period to existing laws have been incorporated into the above schedule; relevant new legislation is listed below

No. 41 of 2001	Penal System Reform (Alternative Sentences)	4(a)	Says that the Community Rehabilitation Department shall prepare court reports which (iv) include information, where applicable, on (gg) the earning capacity of an offender who is a father in default of child maintenance payments
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# ATTACHMENT C

## PRINCIPAL AREAS OF CONCERN AND RECOMMENDATIONS OF THE UN CEDAW COMMITTEE ON BELIZE'S REPORTS (1999)

In its consideration of Belize's combined initial and second periodic reports concerning CEDAW, the UN Committee identified a number of areas where Belize may strengthen its compliance with that Convention. These are summarised here for reference (the relevant paragraph within the Committee's report is appended).

The Committee, at the outset, singles out for special mention that the Church-State system of education perpetuates an intermingling of the secular and religious spheres, which is a serious impediment to the full implementation of the Convention (48), and that the multi-ethnic and multicultural character of the population and the influence of religion in public affairs represents a particular challenge to Belize in achieving equality for women and in fully implementing the Convention (49).

The Committee expressed its concern (noted, etc) that:

1. Article 1 of the Convention, providing a definition of discrimination, covering both direct and indirect discrimination by public as well as private actors, is not fully reflected in legislation (50)
2. Female-dominated jobs currently have a substantially lower minimum wage than jobs held predominantly by men, and women have a low and falling labour force participation rate (54)
3. The lack of childcare increases women's disadvantage in the labour market (54)
4. The high incidence of teenage pregnancy, combined with the prevention of teenage mothers from pursuing their education, is predestined to reduce women's economic opportunities and thus increase their level of poverty (56)
5. Abortion laws are restrictive, such that 'unspecified abortions' (abortions initiated outside the formal health sector) are a major cause of hospitalisation, and hospitals discriminate against these women in the provision of services and care (56)
6. The level of maternal mortality due to clandestine abortions may indicate that Government does not fully implement its obligations to respect the right to life of its women citizens (56)
7. Despite the absence of legal barriers, the need for contraception remains unmet (56)
8. There is a high incidence of HIV/AIDS infection (58)
9. Recent revisions of the Criminal Code with regard to sexual offence cases still demand higher evidentiary requirements in these cases than for other crimes, thus impeding women's access to justice and the elimination of discrimination (61)
10. The differential treatment of married, common-law and 'visiting' spouses under common law with regard to the distribution of matrimonial property following the break-up of the relationship (63)
11. A lack of data disaggregated by sex and age, including a breakdown by urban and rural categories, on health issues, illiteracy rates and the situation of immigrant women (65)

The Committee recommended (urged, encouraged, etc) that:

1. A legislative definition of discrimination ensure that women have effective remedies against indirect discrimination and discrimination by non-State actors (51)
2. Government place the highest priority on eliminating discrimination against women and girls in education because of pregnancy, through both legislative provisions and adequate policy measures (53)

3. The role of the National Council of Education be strengthened in protecting girls' and teachers' rights in education (53)
4. Government formulate needed policy and legislative measures to ensure de facto adherence to articles 10, 11 and 12 of the Convention (53)
5. A single minimum wage be implemented (55)
6. A national childcare policy be developed to support working mothers (55)
7. Government assess the reasons for women's lower earnings, and for their voluntary departure from the labour market with a view to adopting adequate measures to reverse this trend (55)
8. Government intensify programs for women entrepreneurs, including access to loans, credits and skill development (55)
9. Government ensure that educational and vocational training opportunities for girls include non-traditional and emerging areas of the economy, such as the information and communications field (55)
10. Government ensure that women can fully exercise their right to unionise, and that all applicable legislation in this regard is enforced, including in special economic zones (55)
11. The Ministry of Women's Affairs initiate dialogue with the Ministry of Labour to ensure proper implementation and monitoring of existing labour laws, to enable women to benefit from the employment protection found in these laws (55)
12. The abortion laws be revised, especially given that existing penalising legislation is not strictly enforced (57)
13. Government include age-appropriate sex education in school curricula and conduct awareness campaigns to reduce teenage pregnancy rates and increase women's life choices (57)
14. Government implement programs and policies aiming to increase knowledge about, and availability of, various types of contraceptives, with the understanding that family planning is a joint responsibility of both partners (57)
15. Government implement awareness-raising programs and policies about the prevention of HIV/AIDS and encourage the use of condoms (59)
16. Government assess the mental health status of women in Belize (and report thereon in its next report) (60)
17. Review the Criminal Code with a view to placing sexual offence and violence on a par with other criminal offences (62)
18. Government ensure that investigation and prosecution of rape and sexual offence cases are conducted as rigorously as in other criminal cases (62)
19. The repeal of the Criminal Code provision for marital immunity relating to rape (62)
20. Revision of the differential treatment of different forms of union under common law in the distribution of matrimonial property following the break-up of that relationship, taking into account the examples of civil law systems and community of matrimonial property approaches (64)
21. Improvement of data collection through the Census to create a better basis for gender-sensitive policy-making (66)
22. An assessment of progress in introducing the Commonwealth gender management system be included in the Government's next report (67)
23. The Committee's concluding comments be widely disseminated, along with the Convention, the Committee's general recommendations and the Beijing Declaration and Platform for Action (69).

Reference: A/54/38/Rev.1, pp 51-55

# ATTACHMENT D

## 'THE WOMEN'S AGENDA 1998': COMMITMENTS

On 11 March 1998, the People's United Party adopted 'The Women's Agenda 1998: Empowering Belizean Women for the Third Millennium'. The document contained the following commitments.

### **The Legal Status of Women**

- A. Pass legislation which will ensure that there will be equal pay for work of equal value so that the minimum wage will be more equitable.
- B. Remove and repeal the discriminatory provision contained in the *Married Persons (Protection) Act* (section 8) so that the granting of orders by the court relating to the custody and maintenance of children no longer depends on the mother's private life.
- C. Legislate that an economic/monetary value be placed on care of the home and domestic duties such as child rearing and house keeping when the division of matrimonial property is being considered by the Courts and codify property rights acquired in the course of marriage or established common-law unions.
- D. Legislate that common-law spouses should be given the protection of the law in situations of inheritance and maintenance as well as property rights.
- E. Legislate to recognise the offence of marital rape and so provide protection for a woman who has separated from her husband.
- F. Amend the law regarding sexual offences which will recognise the sensitivity needed in such cases and seriously amend provisions regarding past sexual history of a victim and evidence laws which now make convictions for sexual offences so difficult to obtain.
- G. Implement policies which will provide for better protection of women in situations of violence, one of these being to put in place a domestic violence unit of the Police Force which will work closely with personnel of the Family Court.
- H. Review existing legislation relating to women in order to modify or repeal outdated and inappropriate laws.

### **Sociopolitical Issues Affecting the Development of Belizean Women**

- A. Include more women in key leadership positions with a target of 30% of the appointees to Statutory Boards, advisory bodies, and the Public Service.
- B. Ensure that appointees to key leadership positions in the National Assembly and other bodies include women.
- C. Move quickly to increase Social Security benefits for widows and orphans as well as for domestic and other workers and review the scheme of benefits for maternity and illness or special needs related to maternal health.
- D. Recognise the particular needs of women-headed and other truly needy households and place emphasis on fulfilling their basic needs such as health, housing, water and other services.
- E. Increase the resources allocated for human development so that these will target social institutions that most directly impact on the needs of women.
- F. Promote public awareness of and sensitivity towards discriminatory practices and attitudes and encourage the education of women in non-traditional vocations in schools and centres for employment training.
- G. (Internal Party commitment)

### **The Economic Empowerment of Belizean Women**

- A. Establish a grassroots, cooperative-style Bank along the lines of the Grameen Bank, so that women and other creditors can have increased access to affordable credit utilising unconventional collateral.
- B. Through the Department of Cooperatives, ensure the development of and support for women's cooperatives.
- C. Ensure that women are involved at all levels of trade and commerce discussions and negotiations in advisory and decision making capacities.
- D. Ensure that macro-economic policies are 'gender-aware' so that the country's resources are used in the most effective and equitable way.

# ATTACHMENT E

## GENDER-RELATED DEVELOPMENT INDEX (GDI) (BELIZE): CALCULATION & TECHNICAL NOTES

The purposes of this technical note are to:

- describe how to calculate the GDI for Belize and for its Districts
- clarify the composite variables and, where possible, provide accompanying data
- define the differences between data for those variables, where they likely vary from those data used in UNDP's HDRs
- provide the basis for subsequent statistical work to enable the GDI to be regularly generated for Belize.

It is thus noted that the national figure will differ from that presented in UNDP's HDRs. This is because the GDI (and HDI) aggregate data derive, in several cases, from different sources. These differences are described below, along with the statistical basis of calculation, and – where available – current data.

The calculation of the GDI involves three steps:

**Step 1:** Female and male indices in each of the three dimensions (life expectancy, education, income) are calculated according to the formula:

$$\text{dimension index} = \text{actual value} - \text{minimum value}$$

**Step 2:** Female and male indices in each dimension are combined with a weighting that penalises gender differences to produce the 'equally distributed index' as follows:

$$\text{equally distributed index} = \{[\text{female population share} (\text{female index}^{-1})] + [\text{male population share} (\text{male index}^{-1})]\}^{-1}$$

(For an explanation of the use of an exponent of  $-1$ , derived by use of an adjusted measure of the aversion to equality, refer to UNDP (2001), p 242.)

**Step 3:** The GDI is calculated by combining the three equally distributed indices in an unweighted average.

Calculating the GDI requires the use of maximum and minimum values ('goalposts') for the four component indices (the education index aggregates two separate measures), as follows:

Indicator	Max. Value	Min. Value
Female life expectancy at birth (years)	87.5	27.5
Male life expectancy at birth (years)	82.5	22.5
Adult literacy rate (%)	100	0
Combined gross enrolment ratio (%)	100	0
Estimated earned income (PPP BZ\$)	80,000	200

The maximum and minimum 'goalposts' for life expectancy are five years higher for women to take into account their longer life expectancy.

PPP: purchasing power parity (adjusted)

The following data are required to calculate national and district GDIs (available data are shown):

Indicator	Sex	Max.	Min.	Symbol	Belize	Districts					
						Belize	Cayo	Corozal	Orange Walk	Stann Creek	Toledo
Life expectancy at birth (yrs) (Note 1)	F	87.5	27.5	LE <sub>f</sub>	74.1	..	..	..	..	..	..
	M	82.5	22.5	LE <sub>m</sub>	70.1	..	..	..	..	..	..
Adult literacy rate (%) (Note 2)	F	100.0	0	AL <sub>f</sub>							
	M	100.0	0	AL <sub>m</sub>							
Combined gross enrolment ratio (%) (Note 3)	F	100.0	0	GE <sub>f</sub>							
	M	100.0	0	GE <sub>m</sub>							
Est. earned income (\$BZ)	F	80,000	200	Y <sub>f</sub>							
	M	80,000	200	Y <sub>m</sub>							
Population share (%) (Note 6)	F	–	–	P <sub>f</sub>	49.5	50.1	49.7	49.8	48.7	48.1	49.7
Non-agriculture wage (Note 4)	F	–	–	W <sub>f</sub>							
	M	–	–	W <sub>m</sub>							
Economically-active population (%) (Note 5)	F	–	–	EA <sub>f</sub>	24.1	43.7	32.4	26.4	21.3	33.5	33.1
Total GDP (BZ\$) (Note 7)		–	–	Y							
Total population (Note 6)	F	–	–	N <sub>f</sub>	123,720	37,115	26,720	16,600	19,365	12,085	11,835
	M	–	–	N <sub>m</sub>	126,080	36,950	26,995	16,735	20,395	13,025	11,980

– not applicable

.. not known

### Notes:

1. Life expectancy data are derived from the 1991 Life Tables; updated data should soon be available from the 2000 Tables. These data are unreliable (skewed) for death reports, and for a truer estimate it will be necessary to combine data with 1999 and 2001 data. Even then, it is statistically problematic to disaggregate these data by district.
2. Adult Literacy data are derived from the Census, and is defined as those completing at least seven years of schooling for those aged at least 14 years. These data need to be extracted from the Census database.
3. Combined gross enrolment ratio is the combined gross enrolment data for each of primary and secondary schools and tertiary institutions as a proportion of the total population of 6-21 year olds. At the time of writing, data for tertiary institutions were in the process of being collated. Available enrolment data for 2000 are as follows:

	Belize (nat'l)	Belize	Cayo	Corozal	Orange Walk	Stann Creek	Toledo
Primary (F)	27,512	7,422	6,204	3,646	4,140	3,288	2,812
Secondary (F)	6,855	2,758	1,475	736	821	686	379
Tertiary (F)							
Total (F)							
5-21 Pop'n (F)	50,834						
Primary (M)	29,047	7,708	6,775	3,564	4,452	3,511	3,037
Secondary (M)	6,288	2,254	1,332	822	862	582	436
Tertiary (M)							
Total (M)							
5-21 Pop'n (M)	51,875						

4. Non-agricultural wage data are used because data on wages in rural areas and in the informal economy are rare, with the assumption made that the ratio of female:male wages are comparable across those sectors. Furthermore, where such data are unavailable, then a value of 75% (the unweighted average for countries with available data) is used. (See HDR 2001, p 245)
5. Economically-active population data are based on data for the ‘currently economically active’ (those working and those available and able to work) from the 1999 Labour Force Survey
6. Population data are from the national Census (2000).
7. Total GDP is calculated by multiplying the total population ( $N_f, N_m$ ) by GDP per capita; GDP data are only available at a national level. In this context, data are not adjusted for purchasing power parity (PPP) (as they are at a global level), as such adjustments are unavailable, and the GDI is advocated here for national use: both for district-based comparisons and for monitoring trends over time, so that such an adjustment is of minimal utility. (See Note 9)
8. Data used in UNDP HDRs may differ from those used here for the following reasons (see HDR 2001, pp 136-138):
  - Life expectancy data are from the UN database World Population Prospects: the 2000 revision includes provision for the demographic impact of HIV/AIDS and are five-year averages
  - Adult literacy data are based on UNESCO’s February 2000 literacy assessment, in turn based on national Census data (the rate used in HDR 2001 is 93.1% (aged at least 15 years); national estimates put adult literacy in the low 70s)
  - Combined gross school enrolment data are estimates from UNESCO; net enrolment data are preferred (gross data conceal distortions) but are frequently not available
  - GDP per capita (PPP) data are provided by the World Bank or otherwise are estimates from Penn World Tables.
9. PPP rates of exchange are used for comparing economic measures across countries, and are conventionally expressed in a single currency (US\$). PPP rates allow account to be taken of price differences between countries. By eliminating differences in national price levels, the method facilitates comparisons of real values for income, poverty, inequality and expenditure patterns. (See also HDR 2001, p 245)

## Calculating the GDI

### 1. Calculating the equally distributed life expectancy index (EDI(L)):

$$EDI(L) = \left\{ (P_f/100) \left\{ \left[ \frac{LE_f - LE_{f(\min)}}{LE_{f(\max)} - LE_{f(\min)}} \right]^{-1} \right\} + (1 - P_f/100) \left\{ \left[ \frac{LE_m - LE_{m(\min)}}{LE_{m(\max)} - LE_{m(\min)}} \right]^{-1} \right\} \right\}^{-1}$$

$$= \left\{ (P_f/100) \left\{ \left[ \frac{LE_f - 27.5}{60} \right]^{-1} \right\} + (1 - P_f/100) \left\{ \left[ \frac{LE_m - 22.5}{60} \right]^{-1} \right\} \right\}^{-1}$$

### 2. Calculating the equally distributed education index (EDI(E)):

$$EDI(E) = \left\{ (P_f/100) \left[ \frac{2}{3} \left( \frac{AL_f}{100} \right) + \frac{1}{3} \left( \frac{GE_f}{100} \right) \right]^{-1} + (1 - P_f/100) \left[ \frac{2}{3} \left( \frac{AL_m}{100} \right) + \frac{1}{3} \left( \frac{GE_m}{100} \right) \right]^{-1} \right\}^{-1}$$

### 3. Calculating the equally distributed income index (EDI(Y)):

Calculate the total female share of GDP ( $GDP_f$ )

$$GDP_f = Y \left\{ \frac{W_f}{W_m} (EA_f) \right\} / \left\{ \frac{W_f}{W_m} (EA_f) \right\} + (100 - EA_f)$$

$$EDI(Y) = (P_f/100) \left\{ \left[ \frac{\log(GDP_f / N_f) - \log(Y_{f(\min)})}{\log(Y_{f(\max)}) - \log(Y_{f(\min)})} \right]^{-1} \right\} +$$

$$(1 - P_f/100) \left\{ \left[ \frac{\log(Y - GDP_f) / N_m - \log(Y_{m(\min)})}{\log(Y_{m(\max)}) - \log(Y_{m(\min)})} \right]^{-1} \right\}^{-1}$$

$$= (P_f/100)\{[\log(\text{GDP}_f / N_f) - \log(200)] / [\log(80,000) - \log(200)]\}^{-1} + \\ (1 - P_f/100)\{[\log(Y - \text{GDP}_f) / N_m] - \log(200)\} / [\log(80,000) - \log(200)]\}^{-1}$$

#### 4. Calculating the GDI:

$$\text{GDI} = [\text{EDI}(\text{L}) + \text{EDI}(\text{E}) + \text{EDI}(\text{Y})] / 3$$

### Gender-related Income Data

Besides the usefulness of the GDI (and GEM) for an analysis of gender-based discrepancies between and within districts, and nationally, over time, other gender indicators may also be derived. For example, in the course of calculating the equally distributed income index, it is possible to estimate female shares of the wage bill and of earned income.

$$\text{Female share of the wage bill (S}_f) = [W_f / W_m (EA_f)] / [W_f / W_m (EA_f) + EA_m] \\ = [0.75 (24.1)] / [0.75 (24.1) + 75.9] = 0.192$$

That is, the female share of the national wage bill is calculated as being 19.2% (conversely, the male share is calculated as being 80.8%).

$$\text{Female share of earned income (Y}_f) = [S_f (Y)] / N_f \\ = 0.192 (1,546\text{M}) / 123,720 = 2399$$

$$\text{Male share of earned income (Y}_m) = [Y - S_f (Y)] / N_m \\ = [1,546\text{M} - 0.192 (1,546\text{M})] / 126,080 = 9908$$

That is, the female share of national earned income is calculated as being \$2399 per annum, whilst the male share is calculated as being \$9908 per annum.

Male shares of the national wage bill and of national earned income are therefore estimated as being at least four times that for females. This is a graphic reminder of the 'feminisation' of poverty.

# ATTACHMENT F

## SCHEDULE OF INTERNATIONAL CONVENTIONS RELEVANT TO WOMEN AND GENDER

CONVENTION	BELIZE'S STATUS
Convention on the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, 1947	Not a Party
Convention Relating to the Status of Refugees, 1951	Acceded to 27 June 1990 (declaration under section B of article 1 of the Constitution)
Convention on the Political Rights of Women, 1953	Not a Party (or, by extension 24 February 1967 (accession)?)
Convention on the Nationality of Married Women, 1957	Not a Party (or, by extension 18 March 1958?)
UNESCO Convention on Discrimination in Education, 1960	By extension 29 May 1964
Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages, 1962	Not a Party
Convention on the Elimination of All Forms of Racial Discrimination, 1966	Ratified 14 November 2001
Convention on the Elimination of All Forms of Discrimination Against Women, 1979	Ratified 16 May 1990
Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 1984	Accession 17 March 1986
Convention on the Rights of the Child, 1989	Ratified 2 May 1990
Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, 1990	Not a Party
Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women (Convention of Belém do Pará) (1994)	Ratified 25 November 1996
Inter-American Convention on Support Obligations	Ratified 11 July 1997
ILO Convention No. 100: Equal Remuneration for Men and Women Workers for Work of Equal Value, 1951	Entered into force 22 June 2000
ILO Convention No. 103: Maternity Protection, 1952	Ratified 6 March 2000
ILO Convention No. 111: Discrimination with Respect to Employment and Occupation, 1958	Entered into force 22 June 2000
ILO Convention No. 156: Equal Opportunities and Equal Treatment for Men and Women Workers, Workers with Family Responsibilities, 1981	Entered into force 22 June 2000
ILO Convention No. 175: Part-time Work, 1994	Not a Party
ILO Convention No. 177: Home Work, 1996	Not a Party
ILO Convention No. 183: Maternity Protection Convention, 2000	Not a Party
Hague Convention on the Recognition and Enforcement of Decisions relating to Maintenance Obligations	Not a Party

Whilst not binding international instruments, the following declarations and action platforms are also of direct relevance:

- Vienna Declaration and Programme of Action (1993)
- Declaration on the Elimination of All Forms of Violence Against Women (1993)
- Cairo Programme of Action (1994) (International Conference on Population and Development)
- Beijing Declaration and Platform of Action (1995) (Fourth UN World Conference on Women)
- Beijing+5 Outcome Document (2000).

# ATTACHMENT G

## NATIONAL GENDER INDICATORS

From ECLAC (1999b), *Gender Indicators*, pp 68-82, and Beck, Tony (1999), *Using Gender-Sensitive Indicators*, pp 18-33. Both of these references present additional useful guidance in determining national gender indicators, which clarify their statistical measurement or definition, such that it is advisable to consult those source documents.

### SUMMARY OF PROPOSED INDICATORS (ECLAC)

#### Women and Poverty

- Gender gap in ownership of agricultural land
- Gap in the coverage of technical assistance programs for small farmers, by sex of recipient
- Business ownership by sex
- Female employers' job creation capacity by comparison with that of male employers
- Equality of access to social housing programs
- Gender gap among owner-occupiers in poor households
- Differential poverty by sex of the head of household
- Gender gap in the roles of young people from poor households

#### Education and Training of Women

- School attendance rates by sex and age group
- Gender differences in school attendance
- Overall literacy rate by sex
- Gender differential in the overall literacy rate
- Literacy rate of young people, by sex
- Gender differential in the literacy rates of young people
- Gender differential in tertiary enrolment
- Access to tertiary education by study area and sex
- Access to scholarships and fellowships
- Measures implemented to eliminate sexual stereotypes in the educational process
- Inclusion of sex education in the educational process

#### Women and Health

- Existence of a national functional committee or norms and standards for reproductive health, including family planning and sexual health
- Fertility among teenage women
- Rates of change in the numbers registered as being infected with HIV/AIDS, by sex
- Workplace accident rates by sex
- Coverage of cervical cancer screening
- Prevalence of cervical cancer among women
- Prevalence of breast cancer among women
- Prevalence of malnutrition among boys and girls aged 36 months and under
- Demographic gender gap among the elderly
- Special health care for elderly women

#### Violence Against Women

- Sexual violence against individuals
- Extent to which statistics exist on domestic violence
- Deaths and non-fatal injuries due to domestic violence
- Annual coverage of activities to provide training in human rights and humanitarian law to State officials
- Legal sanctions for violence against women
- Spending per woman on the prevention of violence

#### Women and the Economy

- Legal measures
- Gender wage differences
- Access to occupations dominated by the opposite sex
- State budget allocations intended to benefit women in the unstructured sector
- Gender differentiation within the unstructured sector
- Gender inequality in earnings received by own-account workers
- Coverage for risks of own-account workers
- Access to credit
- Differentiated access to training
- Change in gender patterns of employment through placement services
- Female participation in highly skilled jobs and senior management positions
- Rights to child-care
- Coverage of child-care services
- Contribution made by family economies to GDP
- Differential indicator of total workload
- Division of labour by sex

#### Women in Power and Decision-Making

- Public sector employment practice that does not discriminate by gender
- Opportunities for women to be elected to parliament
- Women serving as town councillors
- Labour law framework that encourages sharing of parental duties

#### Women and Armed Conflict

- Specific assistance to refugee women

#### Human Rights of Women

- Existence and coverage of legal literacy programs for women

### **Institutional Mechanisms for the Advancement of Women**

- Degree to which inter-ministerial relations in policy areas with a gender perspective are institutionalised
- Public spending on the advancement of women, per woman
- Institutionalisation structure organisations

### **Women and the Media**

- Female representation in managerial positions at national television channels and newspapers with national circulation
- Female representation in the management of the official body and of NGOs dealing with the environment

## **GENDER-SENSITIVE INDICATORS (Commonwealth Secretariat)**

### **Population Composition and Change**

- Size of the population by sex, total and % under 15
- Sex ratio (number of females to males)
- Births and deaths by sex (numbers and rates per 1000), annually
- Net international migration rates by sex
- Net internal migration rates by sex

### **Human Settlements and Geographical Distribution**

- Number, % distribution and density of population by sex, geographical area and urban/rural
- Degree of discrimination against rural women: rural and urban mortality rates, life expectancy and nutritional status
- Stock and characteristics of housing (materials used in construction of outer walls, floors and roofs; number of rooms; kitchen and bathroom facilities; availability of water and bathroom facilities), by region and by female- and male-headed households
- Tenure of household, by region and by female- and male-headed households
- Domestic household energy consumption by region and by female- and male-headed households
- Time-use in connection with household activities (collection of water, fuel, food), by region and by female- and male-headed households

### **Households and Families, Marital Status, Fertility**

- Number and % distribution of households
- % distribution of population in households by size
- % of households headed by women/men
- Crude birth rate, per 1000 women in specified age group

### **Education**

- Number and % of literate persons, by sex and age
- Years of schooling completed, by level and sex
- Access to specialised training programs (vocational, technical and professional) at the secondary level and above, by sex
- % of women/men graduating in the fields of law/science/medicine
- Gross primary and secondary school enrolment ratio for girls/boys
- Enrolment ratios of women and men in tertiary education and university
- Female/male dropout rates at primary, secondary and tertiary levels
- % of female/male teachers at primary, secondary and tertiary levels

- % of female/male school principals and university heads of department

### **Health, Health Services, Nutrition**

- % of government expenditure devoted to women's health needs in (a) productive and (b) non-productive areas
- Number of/access to primary health care centres by sex
- Number of visits to and number of bed-nights spent in hospital by women/men; number of hospital beds as % of population
- Proportion of girls and boys immunised against specific diseases
- Proportion of births attended by a physician, midwife or trained auxiliary
- Mortality and length of life, by sex
- Maternal mortality rates (per 1000 live births)
- Infant mortality rates and female/male ratio
- Number and/or incidence of selected communicable diseases of public health importance, including AIDS, by sex
- Calorie consumption as a % of minimum requirements, by sex
- % of women's/men's incomes spent on food
- Access to sanitation and clean water, by sex

### **Economic Activity and Labour Force Participation**

- % of female/male labour force in agriculture, industry and services (ages 15 and over)
- % of female/male labour force in managerial and professional occupations
- % of female/male labour force who are unpaid family workers or are working in the informal sector (ages 15 and over)
- Employment/unemployment rate of women/men, urban/rural
- Time used in selected activities (including unpaid housework and child care)
- Incidence of part time/ full time work of women and men
- Right to maternity leave/number of women and men
- % of available credit and financial and technical support going to women/men from government and non-government sources
- Salary/wage differentials of women/men, by class of workers
- % of employers providing child care and % of children aged 0-3 and 3-6 in child care

### **Access to Land, Equipment and Credit**

- % of property owned or accessible by women (land, houses, livestock), across income groups
- % of women who have access to credit, vis-à-vis men
- % of rural households where female/male head is the main household earner
- % of female/male headed households without land
- % average wage rates for agricultural labourers, by sex
- % of women/men who have received land titles under land reform schemes

### **Political and Public Life**

- % of seats held by women and men in national parliaments and local government/decision-making bodies
- % of women and men in decision-making positions in government
- % of women and men electoral candidates/officers in political parties
- % of women in the civil service, at four highest levels of office
- % of women employed in the public sector, at administrative and managerial levels
- % of women/men registered as voters/% of eligible women/men who vote
- % of women in senior/junior decision-making positions within unions

- % of women judges, justices and prosecutors
- % of women in the police force, by rank

### **Indicators of Gender-Related Violence**

- Number of reported cases of domestic violence
- Number of reported cases of sexual assault and rape
- Number of reported cases of sexual harassment
- Conviction rates of accused violent offenders against women
- Number of immediate protective measures taken to assist abused women (legal aid, financial assistance, housing assistance, shelters, police action, NGO efforts)
- Increase/decrease of violence against women during armed conflict

### **Macroeconomic Policy and Gender**

- Private consumption expenditure of households
- Total government expenditure and as % of GDP
- Breakdown of government expenditure by sector
- Proportion of persons and households at risk by social security and similar schemes
- Proportion of potentially eligible persons and households receiving social insurance, social assistance and similar benefits

# ATTACHMENT H

## NATIONAL GENDER POLICY: COMMITMENTS (EXTRACT FROM CHAPTER 4)

### 1 HEALTH

#### Unsatisfactory breastfeeding practice

1. The National Breastfeeding Policy shall be implemented, accompanied by the appointment of a breastfeeding coordinator within the MCH Unit.
2. A breastfeeding counsellor should be employed within each district hospital to implement such practices, and attached to the MCH Unit.
3. District-level programs of action on breastfeeding shall include workshops specifically for fathers, on pregnancy, breastfeeding and child care.
4. District-level programs will more actively promote breastfeeding as a part of prenatal care and at the time of giving birth.
5. Breastfeeding data will be disaggregated by the infant's sex to ascertain any possible differences in feeding practice that may be a contributing factor.
6. A nationwide media campaign will be initiated which targets myths and nutritional facts about breastfeeding, aims to overcome social resistance to breastfeeding in public, and portrays positive roles for men in breastfeeding practices.
7. The Ministries of Health and Labour will jointly promote the merit of expressing breastmilk (including within workplaces) in order to enable working women to continue breastfeeding, and will complement this effort with the joint development of measures to improve workplace opportunities for employees to express and store breastmilk as well as to breastfeed their babies.

#### Growth retardation and stunting

8. The improved Care and Growth Charts of the MCH Unit shall be used to more closely monitor growth retardation and early signs of stunting.
9. Growth retardation will be addressed by the introduction of universal ultrasound testing during the second trimester.
10. Primary health nurses will be trained in the use of primary-level ultrasound, to enable them to detect and define the type of growth retardation.
11. Stunting will be addressed by the introduction of a supplementation program to boost calorie intake from the pre-school level.
12. Dialogue needs to occur between the MCH Unit and SHAPES in order to better ensure the collection of consistent and useful timeline data between birth and, say, age 9 years.
13. A national strategy shall be devised to promote improved gender equity of children's participation in domestic roles, especially food preparation; this should especially impact the primary school curriculum and parenting education.
14. Primary school-based feeding and nutrition programs currently delivered via SHAPES shall be progressively expanded from existing levels of coverage.
15. The importance of food and nutrition to early childhood learning will be introduced into the teacher training curriculum.

16. A national child height census shall be developed and carried out on a regular basis (eg. each three years), and should aim to derive clearer data on causal factors, including with respect to gender.

### **Iron deficiency anaemia in pregnant women**

17. The iron supplementation program will be maintained, but implementation during the antenatal period must be strengthened.
18. Stocks of iron supplements must be closely monitored at the community level to ensure sufficient quantities when nurses visit rural and remote areas.
19. Blood testing shall be done twice during the pre- and ante-natal period to ensure that iron supplements are being taken and are having the necessary effect.
20. Nurses will be trained in the use of equipment which provides immediate results of haemoglobin tests.
21. Referrals for more specialised care shall be followed up by nurses to ensure that the female client is receiving the required treatment.
22. Promotional material shall give prominence to the importance of producing local crops with a high iron content, and in promoting domestic preparation of foods rich in iron (and in a way which retains that content).
23. Government will aim to achieve a 50% reduction in the number of women with iron deficiency anaemia by year 2003.
24. Government will introduce a folic acid supplementation program for 15-44 year old women by 2005.

### **The impact of food insecurity**

25. The Government shall establish the Food and Nutrition Commission (as per the 2001 Policy).
26. A Secretariat shall be established to implement the Commission's objectives, which include to "ensure adequate intake of macro and micronutrients combined with adequate health care, especially women and children throughout the country".

### **Reproductive health**

27. The draft National Reproductive Health Policy shall be urgently adopted and accompanied by an implementation strategy.
28. Principal quantitative indicators of reproductive health shall be formulated and regularly monitored by MoH.
29. Recognising the poorer use made by men of sexual and reproductive health services, measures will be adopted to promote male use of such services.
30. Universal access to family planning will be ensured by the removal of legal, clinical and regulatory obstacles to information and access to contraceptive methods.
31. TBAs shall be trained, monitored and certified by MoH, and re-certified every five years, to enable them to practice their profession competently.

### **Teenage fertility rates**

32. Public education campaigns – including school-based – on reproductive health shall be maintained *at least* at current levels.
33. School-based information on reproductive health will appropriately promote acceptance of the merits of delaying the age of first sexual union, as well as encourage self-confidence and self-esteem to minimise the resort to sexual activity in order to 'prove' oneself.

34. Given that young males continue to be less knowledgeable of contraceptive methods than young females, specific targeting of information to them needs to be developed, along with an improved awareness of their responsibilities in such consequences of sexual activity as pregnancy, child care, STIs and HIV.

### **Cervical cancer screening and pap smear testing**

35. The MoH will ensure that the target of 400 pap smear tests per month is met by mid 2003, and maintained.

### **Male screening program**

36. Locally-targeted campaigns will promote the importance to men of regular health checks and of early detection of communicable diseases, including STIs and HIV.
37. The MoH shall review the possible need for changes in the design and presentation of health centres and mobile clinics, to the extent that they may be viewed as more amenable to male access.
38. Measures will be taken to address continuing concerns about a lack of absolute confidentiality in medical services, especially to the extent that this may hinder routine use of primary health care.
39. A public awareness campaign will be adopted, targeted to men, which aims to promote wider acceptance of preventative health care and regular checkups in dealing with a range of health issues, including the promotion of positive role models and the positive roles to be played by men in ensuring healthy families.

### **The prevention of unwanted pregnancies**

40. Women who have an unwanted pregnancy shall be afforded access to confidential and compassionate counselling and reliable information on all options which they have available to them, as a means of enabling a woman to make a fully-informed decision free of imposed options.
41. Counselling, information and services shall be provided for women who encounter complications during pregnancy, and which result in the loss of the foetus, including services in the event of post-operative complications.
42. In consultation with relevant stakeholders, GOB will begin the process of reviewing all laws containing punitive measures against women who have procured illegal abortions.
43. Statistics collated through the National Health Information System will seek to make a distinction between miscarriages and induced abortions.

### **HIV transmission rates**

44. A clear and transparent protocol will be developed and adopted for the administration of antiretrovirals, including with attention to a person's lack of affordability.
45. Current efforts to raise public awareness of HIV/AIDS and to promote safe sex practices by both men and women will be maintained at a growing level consistent with the growth in the virus.
46. HIV education initiatives will include awareness-raising of the risks of unprotected sexual contact, particularly other than through penis-vagina intercourse.
47. The effective implementation of the national HIV/AIDS protocol will be an immediate priority.
48. Discrimination against HIV-positive people will be addressed by the elimination of employer practices that deny employment to, or lead to the dismissal of, people who are HIV-positive.

### **Female vulnerability to HIV/AIDS**

49. The recent criminalisation of the knowing and wilful transmission of HIV will be forcefully applied and breaches prosecuted (the sooner a successful prosecution occurs, the sooner a strong message will be sent to the target population).
50. Current efforts to empower women in negotiating safe sex will be maintained, and promoted as a primary right of women to protect themselves.

### **Mother-to-child HIV transmission**

51. The Mother to Child Prevention of HIV Transmission program will be maintained at necessary levels, and 'best practice' within districts promoted within the program.
52. HIV testing shall be a standardised routine procedure within health centres, in order to institute early interventions of antiretrovirals, counselling, the promotion of safe sex practices and information on safe infant feeding.
53. District-level screening rates of pregnant women will be monitored, with a view to achieving full national compliance by end-2003.
54. There will be expanded training of health workers in counselling on Mother to Child HIV Transmission.
55. Antiretrovirals will be provided to all HIV-positive women for the benefit of both the woman and the infant.
56. The MCH Unit will institute routine infant testing beyond the 10-month mark, given that the child has a 30% chance of a subsequent infection status.

### **Lower male life expectancy**

57. GOB will initiate regular on-the-spot random blood alcohol testing of vehicle drivers and motorcycle riders, especially during evenings and weekends, accompanied by the enforcement of penalties for driving whilst exceeding the prescribed blood alcohol level.
58. The Government will publicise the impending enforcement of mandatory seatbelt-wearing provisions, followed by active and nationwide enforcement.

### **Higher female life expectancy**

59. Specific research is required of the health status of over-50 year old Belizeans, including attention to gender issues, preventative strategies, and cost/service implications, as well as informing the basis of regular monitoring of trends and priorities.
60. An early intervention campaign will be introduced to promote access to and use of early screening and preventative measures, coordinated via public health clinics.
61. The National Sports Council will develop and implement specially designed and relevant fitness classes for those aged over 50 years.

### **Mental health**

62. Specific research is required of the nature and prevalence of mental health problems in Belize, with particular regard to gender and aging issues.
63. A review will be undertaken of existing and preferred psychiatric services, for both inpatients and outpatients, with particular regard to issues of gender and access.

### **Water and sanitation**

64. Rural access to safe water will aim to reach 90% coverage by 2005.

- 65. Targets need to be established for the connection of households to piped water supply services.
- 66. Access to sanitation will aim to reach 80% urban and 40% rural coverage by 2005.

## **2 WEALTH & EMPLOYMENT GENERATION**

### **Minimum wage levels**

- 67. A uniform minimum wage will be established (viz. including agricultural and other workers).
- 68. The compliance of less well organised workforces (eg. domestic labour and piece-rate workers) with the minimum wage rate will be researched.

### **Equal pay for work of equal value**

- 69. Legislation to provide for equal pay for work of equal value – and consistent with the obligations contained in ILO Convention No. 100 – will be drafted and introduced into the National Assembly.

### **The unpaid economic value of domestic labour**

- 70. The practice of the Supreme Court in valuing unpaid domestic labour will be reviewed, with a view to establishing appropriate criteria and guidelines.
- 71. GOB will urgently review the current adequacy of provisions for assistance to those who cannot afford access to legal representation, and whose access to justice is thus limited, in order to introduce or expand appropriate legal assistance provisions (this extends beyond the issue of divorce or settlement).

### **Gender equity in employment opportunities**

- 72. The Labour Department – in consultation with the Women’s Department – will develop and adopt a strategy to routinely monitor and promote equal employment opportunities, including the promotion of national awareness of provisions and requirements, the distribution of information on rights and complaints mechanisms, the development and dissemination to employers of ‘best practice’ standards, and the collation of relevant data for monitoring purposes.
- 73. The Labour Act and other laws governing employment conditions will be reviewed, and revised in order to remove any gender discriminatory provisions.

### **Child-care opportunities**

- 74. The NCFC, in collaboration with the Ministry of Human Development and YWCA, will develop a Plan of Action to expand available child-care places, in appropriately regulated centres, with attention to demand, access and affordability.
- 75. GOB will develop a proposal to establish work-based child care services for public officers, on a cost-recovery basis which is subsidised for lower-income employees, for initial trialling in Belmopan and Belize City.

### **Employee pension entitlements**

- 76. The *Pensions Act*, *School Teacher’s Pensions Act*, *Belize City Council Act*, *Belmopan City Council Act* and *Town Councils Act* will be reviewed with attention to ensuring gender equity in their provisions for employees eligible to contribute.
- 77. The *Widow’s and Children’s Pensions Act* will be abolished and contributors afforded the option of transferring their funds to the Social Security pension fund or, if applicable, liable contributors required to fulfil those liabilities.

### **Pension entitlements for the employee's spouse and dependents**

78. The *Pensions Act*, *Widow's and Children's Pensions Act* and *School Teacher's Pensions Act* will be reviewed with attention to ensuring gender equity in their provisions for eligible beneficiaries.
79. Those Acts will also be amended to make reasonable provision for the recognition of common-law unions.
80. The *School Teacher's Pensions Act* requirement that a woman be of 'good character' to retain her pension entitlement will be abolished.

### **Maternity leave provisions**

81. GOB will review public service regulations in order to improve provisions in support of paternity leave.
82. GOB will support women's groups in better informing women of their labour rights – especially when they become pregnant – and of their right to pursue a formal complaint for discriminatory or unjust treatment.
83. The Ministry of Labour will rigorously pursue complaints of women's employment being terminated due to them becoming pregnant.

### **Child & spousal maintenance provisions**

84. The provisions of the laws concerning spousal and child maintenance of marital and common law relationships (*Families and Children Act* and *Married Persons (Protection) Act*) will be reviewed to ensure consistent and more equitable treatment.
85. Protocols must be developed, introduced and enforced for the nationally-uniform, timely and rigorous collection and payment of court-ordered maintenance obligations.
86. Any necessary efforts to better sensitive court and police officers to the importance of maintenance compliance shall be adopted and implemented.
87. Any costs of collection of late or defaulted payments shall be levied on the defaulting payer, and not on the payee (or, more accurately, the child).
88. Reciprocal maintenance agreements and associated collection arrangements will be established with other countries, and especially the USA.
89. Arrangements will be established by the Family Court to permit the automatic transfer of maintenance payments from the payer's to the payee's bank account, and of garnisheed wages by the employer to that account.
90. Attention will be given by GOB to ensure the new penal reform (alternative sentencing) provisions specifically accommodate maintenance defaulters, without any financial penalty to the payee parent (viz. minimising their imprisonment and maximising their capacity to keep financially supporting their child).

### **Access to credit**

91. GOB will examine the possible merit of amending banking legislation to establish the right of a woman to apply as a *feme sole* for a loan.
92. GOB will examine possible measures to ease the burden for women in meeting collateral requirements for bank loans, including the adoption of appropriate alternatives.
93. The Women's Department will liaise and consult with BEST, DFC and SFBB to develop local strategies for facilitating access to finance by women in southern districts.

94. Measures will be examined to facilitate women's access to affordable credit for home purchase, and Ministry of Housing policies will make special provision for single-headed households, via reduced interest rates.
95. The Women's Department will collaborate with credit providers in the development and implementation of in-service training of credit officers on gender issues in accessing credit.
96. Barriers to women accessing credit due to the small amounts sought compared to the administrative requirements will be examined.
97. Gender-disaggregated data on lending by banks, credit unions and non-commercial financial institutions will be collected and collated, and forwarded annually to the SIC and Women's Department.

### **3 VIOLENCE-PRODUCING CONDITIONS**

#### **Domestic violence framework**

98. There shall be stronger efforts in promoting community awareness of domestic violence provisions, rights and services within rural areas of Belize.
99. The procedures for receiving, handling and pursuing complaints will be evaluated in order to identify measures to strengthen such practice, including an assessment of the adequacy of existing services and of access to those services.

#### **Domestic violence and child abuse registration system**

100. Measures will be adopted to ensure comprehensive participation in the domestic violence and child abuse registration system.
101. Efforts to train personnel in the registration system will be continued, and there will be a review of the adequacy of the data collection process in providing the necessary information.
102. The improved database afforded by more comprehensive reporting compliance will be evaluated to identify characteristics concerning violence and abuse to inform the development of preventative strategies, to improve the targeting of public education and community awareness efforts, and to review the adequacy of legislative provisions.

#### **Sexual abuse provisions**

103. Child sexual abuse laws shall extend coverage to afford protection of boys.
104. Sexual abuse laws will be reviewed in order to remove inappropriate or unnecessary assumptions about the sex of the perpetrator.
105. The adequacy of existing regulations requiring child abuse matters to be investigated in instances where the parent seeks to withdraw such a complaint shall be examined.
106. Measures will be adopted to make parents more aware of the consequences and effects of child abuse, in view of the persistent widespread acceptance of such treatment of children.
107. Provisions will be adopted and enforced which classify so-called 'date rape' drugs (such as rohipnol) as prescription drugs, and the non-prescribed use of such drugs shall be made an offence.

#### **Access to justice**

108. Measures will be examined to enable more timely prosecution of sexual abuse and rape cases, especially where the victim is an older person.

109. The adequacy of current access to legal assistance by victims of violence and abuse will be ascertained, in order that measures may be taken to strengthen such assistance, and to ensure that no incident of violence or abuse goes unprosecuted for that reason.
110. GOB will examine the merit of introducing a national legal insurance scheme, funded from a tax levy similar to that for health insurance, to ensure means-tested access to legal representation.
111. Child victims of abuse or violence shall be visually screened from the alleged perpetrator when called upon to give evidence in court proceedings on that offence.
112. Measures will be examined to enable child victims of abuse or violence to give evidence in such proceedings separate from the formal court hearing.

### **Victims and survivors of abuse**

113. The Women's Department will prepare advice for GOB on the nature of post-abuse counselling and monitoring services and family rehabilitation services required to more effectively assist the victims and survivors of abuse and suitable retention of the family unit.
114. The level of unmet demand for shelter accommodation for victims of abuse and violence shall be ascertained, with attention to the necessary level of capacity and location, and associated resource requirements.
115. As far as is possible in the circumstances, the authorities shall endeavour to ensure that it is the alleged perpetrator – and not the victim (whether adult or child) – who is removed from the normal place of residence

### **Perpetrators of abuse**

116. All instances of the (alleged) victim's withdrawal of a charge of domestic violence will be investigated by the Police Family Violence Unit, in collaboration with the Women's Department.
117. There will be appropriate intervention, including counselling and measures to promote awareness of actions and genuine remorse, for (alleged) perpetrators of abuse, in instances where the victim seeks to withdraw charges.
118. Those found guilty of a charge of violence or abuse (including sexual abuse) will be required to undertake education and counselling – within and outside of prison – concerning the nature of their behaviour and assistance in behaviour modification.
119. To allow for the successful rehabilitative intervention with sentenced perpetrators, the merit of some flexibility in parole provisions will be examined.
120. As one medium for the promotion of a 'culture' of violence, GOB should aim to liaise with other english-speaking Caribbean states to curb the incursion into Belizean households of unacceptable or undesirable cable TV programming from North America, and to develop more culturally relevant regional TV programming.

### **Sexual harassment**

121. The adequacy, operation and public awareness of the *Protection Against Sexual Harassment Act* will be reviewed, with a view to developing appropriate measures, in either amending the legislation, professional development to ensure enforcement, or strengthening public awareness of its provisions.
122. The Ministries of Labour, Education and Housing – in collaboration with the Women's Department – will develop and promote awareness of sexual harassment provisions and of complaints mechanisms, which shall be assured of being free of any adverse consequences.
123. The Ministries of Labour and Education – in collaboration with the Women's Department – will prepare model workplace sexual harassment policy and internal complaints-handling

procedures, and actively promote them within local worksites, including the private sector and denominational school management authorities.

124. GOB will examine the merit of introducing regulations to provide for the mandatory reporting of sexual harassment.

### **Child abandonment and neglect**

125. Institutionalisation solely for the 'offence' of 'uncontrollable behaviour' will be abolished.
126. For alleged instances of 'uncontrollable behaviour', a pre-condition for any intervention shall be mandated parental participation in parent effectiveness training.
127. Counselling and psychological support services will be made available to all children whose parent secures public intervention on the grounds of the child being 'uncontrollable'.
128. In any instances where a child is placed in institutional care for 'uncontrollable behaviour', cost-recovery provisions (already contained within legislation) from the parent will be applied on a case-by-case basis, as well as the reassignment of any court-ordered child maintenance payments to offset the institutional care of the child.
129. Government approval of institutionalisation for 'uncontrollable behaviour' must ensure no possibility of a parent abandoning the child, to ensure no abetment in that form of child neglect.
130. Government will adopt a policy and guidelines for handling reports of 'uncontrollable behaviour', and promulgate these with training workshops for relevant officers within the judicial system and the Department of Human Services.

### **Commercial sex work**

131. Legislation will be amended to refer to 'commercial sex work' and 'commercial sex worker' rather than 'prostitution' and 'prostitute'.
132. GOB will more rigorously enforce provisions for trafficking in, employing or soliciting under-age workers (viz. with a legal minimum age of 18 years).
133. GOB will adopt and implement the National Screening Program for Commercial Sex Workers.
134. The provisions of the *Criminal Code Act* will be reviewed alongside other legislation to formulate amendments to treat male and female commercial sex workers and clients equally.

## **4 EDUCATION & SKILLS TRAINING**

### **Literacy**

135. A formal national definition of literacy must be adopted and literacy levels regularly monitored with respect to geography, gender and ethnicity.
136. A national literacy program must address geographical and ethnicity based differences.

### **Gender stereotyping**

137. Teacher training will include elements concerning gender studies, and student teachers will be encouraged to undertake research on gender studies as a part of their training.
138. School-based programs will be developed which aim to eliminate 'macho' conditioning and the imparting of gender stereotyping, combined with parenting effectiveness efforts containing similar objectives.

139. A timeframe shall be established within which all non-Belizean-sourced textbooks and all Belizean-produced textbooks shall be free of gender stereotyping, including direct lobbying of Caribbean publishers.
140. The use of gender-neutral or gender-sensitive textbooks shall be given universal national effect through an appropriate amendment to the *Education Rules*.
141. Research needs to be carried out on the stereotyping impact of the sex of the teacher in the early years of schooling.

### **Pre-school education**

142. GOB will review its resource commitment to pre-schools, and associated strengthening of linkages between pre-schools and the formal education system.
143. GOB will ascertain the level of unmet demand for pre-school places, on the basis of a national policy of promoting increased pre-school participation.
144. GOB will research the relationship between pre-school participation and early primary academic performance (especially repetition rates), with attention to gender performance.
145. Factors contributing to the comparative participation of boys and girls in pre-schools, especially district-based differences, will be ascertained, in order to inform GOB policy toward pre-schools.

### **The Primary School Repetition Rate**

146. Gender-based research shall be initiated to establish factors in the decline in primary education participation rates, including gender disparities leading to the greater decline for girls.
147. National education policy prohibiting unregulated beginners classes shall be enforced nationally, with public budgetary penalties for non-compliance.
148. Associated cost-savings shall be directed to improving standards of and access to preschools and to the adoption of gender-sensitive or -neutral textbooks within the primary school system.
149. Student learning support centres need to be developed and introduced within schools, including the provision of assistance in remedial learning, English as a second language, promotion of specialised teaching methodologies, counselling and special tuition (including for girls in science, mathematics and technology).

### **Compulsory school-age engagement in the informal workforce**

150. The Women's Department and MEYS shall liaise directly with SIC in examining available child labour data (viz. from several 2001/02 studies and surveys).
151. The Ministry of Labour, MEYS and Women's Department shall determine appropriate policies – including in implementing Labour regulations and in amending and/or enforcing the *Education Rules* – to eliminate school absenteeism for such reasons (including identifying positive measures to facilitate parental support for their child's school attendance).
152. Schools should be urged to discourage students – and especially girls – from the practice of selling raffle door-to-door, due to security and safety concerns.

### **Primary to secondary school transition rates**

153. Primary-to-secondary education transition rates shall be specifically monitored by MEYS to ensure that the rate for boys continues to move toward the 90% rate, whilst identifying factors which facilitate that trend for continued emphasis, with no associated deterioration in early secondary school repetition rates.

154. The MEYS shall similarly monitor the transition rates for girls to ensure that they be maintained at at least the 90% national rate, with no associated deterioration in early secondary school repetition rates.
155. Methods of intervention in optimising transition rates shall be adopted, especially via the introduction in primary schools of student learning support systems.
156. Gender-based disparities between districts will be assessed to identify factors which may be addressed, with respect to both boys and girls.

### **Secondary school retention rates adversely affected by fees**

157. Revised MEYS policies and practice will be adopted which ensure more equitable allocation of tuition costs and which establish clearer regulations concerning the levying of fees by secondary schools.
158. Such policy concerning tuition costs will endeavour to establish uniform per capita rates for all secondary schools, such that the cost of higher educational inputs is solely met on a 'user pays' basis (viz. from school-based fees), with a 'cap' set for government-managed schools.
159. Urgent research is required on the nature and extent of the alleged sexual exploitation of girl students, and will commence with dialogue with key stakeholders (including NOPCA, YES and YWCA) to determine how best to undertake and structure such research.

### **Students with unpaid fees**

160. The *Education Rules* shall be reviewed to ascertain whether the existing provisions are adequate in prohibiting schools from denying academic assessment to students whose fees are unpaid.
161. The penalty for a school which denies such assessment shall be the recovery of that school's annual per capita tuition fee for that student.

### **Secondary school repetition and drop-out rates**

162. Secondary school repetition and drop-out reporting must be systematised, in order to better understand contributing factors and the extent and pattern of such rates.
163. Education strategies to reduce repetition rates must be adopted, as a primary means by which overall participation and completion rates may be improved, associated drop-out rates reduced, and resources freed for more appropriate education purposes.

### **Corporal punishment practices**

164. There shall be a uniform national application of the provisions of the *Education Act* and *Education Rules* with respect to the use of corporal punishment (viz. as a last resort, with the principal's approval, and only for 'serious *and* repeated offences').
165. For an offence to be both serious and repeated it shall be recorded in the Log Book which all schools are required to maintain, with confirmation that the student has been duly warned of the possible 'last resort' consequences of a repeat of such serious offence, along with the date, nature of the offence and the teacher administering the warning.
166. The administration of corporal punishment shall be entered in the Log Book, along with the date, the student's name, the nature of the offence, the date of the previous such offence by that student, the administering teacher, and the principal's authorisation.
167. The *Education Rules* shall be reviewed to establish whether any further clarification is required of what does and does not constitute a serious offence and of appropriate alternative forms of discipline.

168. Appropriate measures shall be taken to mandate observance of the *Education Act* in this regard by all schools in Belize, regardless of whether or not they receive any assistance from GOB, and of the associated provisions of the *Education Rules* by all schools in receipt of GOB assistance.
169. Measures to promote alternative forms of discipline shall be extended to all government and government-assisted schools.

### **Pregnant students**

170. The MEYS shall develop, adopt and enforce a uniform national prohibition – if necessary, involving an amendment to the *Education Act* – on the expulsion, suspension or coerced withdrawal of a female student due to pregnancy or her procurement of an abortion (the latter being a matter for the provisions of the *Criminal Code Act*).
171. Students who choose to withdraw from school due to pregnancy shall be guaranteed a right of return if and when they so determine as being appropriate to their circumstances.
172. The MEYS and Women's Department shall collaborate to identify appropriate measures to support pregnant students and teenage mothers – in particular those of compulsory school age – to continue in or resume their schooling.
173. The MEYS and Women's Department shall review current GOB support for, and formulate an appropriate policy for recurrent GOB assistance to, NGOs (such as YES and the YWCA) which explicitly accommodate pregnant teenagers and teenage mothers otherwise seeking to return to formal education, which is cognisant of the socio-economic 'investment' benefits of such interventions.

### **Pregnant teachers**

174. The Chief Education Officer shall formulate and promulgate across the national education system, conditions and terms of teacher employment which prohibit enforced suspension or termination or disciplinary action in instances of pregnancy (regardless of marital status) and ensure retention of entitlements to maternity leave provisions.
175. Provisions in the *Education Rules* (Ss 93(1)(g) & 139(f)) for disciplinary action on the basis of 'moral turpitude' need to be clarified, to the extent that they appear in their application to subjectively penalise the personal actions of female staff and to reflect the moral judgements of school authorities rather than the employment rights of teachers.
176. The triennial inspections of schools (*Education Rules*, S 51) shall include specific reference to the school's practice in the handling of staff – and student – pregnancies in preparing its reports, and an annual compilation of the gender issues within school-based reports (subsection (g)) will be forwarded to the Women's Department for its information.
177. In instances where a school authority penalises a teacher either during her pregnancy or following delivery and her desired return to teaching duties, GOB shall levy such school the equivalent of a full year's contribution to her salary, in recognition of the economic cost to GOB of its investment in that teacher and need to reinvest in additional teacher training.
178. In the event that a teacher penalised by a school authority due to pregnancy decides to pursue judicial review, GOB shall offer to meet 50% of her costs in that legal process, in order to try to establish a precedent applicable across the education sector.

### **Rural-to-urban student drift**

179. The potential rate of student transfer to higher education in urban centres needs to be reviewed to determine any level of unmet demand, including to the extent that there may be a need for the provision of hostel accommodation for either male and/or female students.
180. The reasons for such movement need to be examined to determine whether male or female students are transferring mainly due to lack of educational choice in their home

district, as well as whether there are gender issues inhibiting student movement to urban centres where local options are absent.

### **Desire to return to school**

181. GOB will ensure sufficient resource budget capacity to fully accommodate the return to school of students of compulsory school age.
182. GOB will examine the level of potential demand for return to education of both boys (especially early school leavers due to poor academic performance or being 'at risk') and girls (especially teenage mothers or otherwise 'at risk') and formulate strategies to fully meet those levels of demand.

### **Non-traditional training**

183. The extent to which various factors (such as location, access to child-care, administrative or recruitment practices) may act as barriers to improved gender equity in non-traditional courses will be ascertained, in order that GOB may develop strategies and resource agreements to overcome such impediments.
184. The provision in the *Labour Act* (S 162(2)) to accommodate 16-17 year old males in night-time employment for the purposes of apprenticeship or vocational training will be reviewed to the extent that it is discriminatory against females and a barrier to their entry into non-traditional training.

### **The teaching of sport within schools**

185. Provisions need to be established to ensure equal gender access to and participation in sports and physical education within the education system.
186. Changes in teacher training, inservice training, administrative practice and curriculum development shall be adopted in order to promote the participation of women teachers in sports and physical education within the school setting.

### **Inspection and reporting of gender bias**

187. MEYS and the Women's Department shall collaborate to determine core gender criteria which inspections will ascertain and report on.
188. MEYS shall transmit to the Women's Department each year a report on its school inspections and comments and recommendations on gender biases, for consultation between the two agencies.

## **5 POWER & DECISION-MAKING**

189. The SIC needs to monitor and produce annual gender-disaggregated data on participation in power and decision-making: in the national assembly, city/town/village councils, diplomatic posts, publicly-appointed boards, and Ministry and Departmental heads.
190. Government will institute – by 2004 – a unified central mechanism for incorporating gender analysis into the budget-setting process.
191. The Women's Department will institute – by 2004 – a formalised process for producing a gender-based analysis of the annual budget.
192. Government will commit itself to the full adoption and implementation of the GMS being developed by the Women's Department.
193. The Women's Department will consult with the GIC, and forward advice to GOB on the merit of setting quotas for the appointment of Ministry heads, and the employment of Departmental Directors.

194. The GIC will advise GOB on a strategy for the non-partisan delivery of training programs to develop political skills and knowledge of women interested in being involved in the political process.
195. The Women's Department will advertise annually for women who wish to have their names and details recorded on a national 'women's register', for potential Government appointment to public boards and committees.
196. The NWC and Women's Department will develop a campaign to promote greater involvement by women in city/town/village council elections, especially as potential candidates.
197. The Government will support the development of a non-partisan 'women's voters league' and/or a gender issues capacity within existing NGOs.

## **6 COORDINATION & IMPLEMENTATION**

### **National bodies for women and gender**

198. The NWC and the Women's Department will retain their present focus on women and girls, from a gender perspective, as the appropriate means by which gender discrimination may be eliminated and gender-based progress advanced.

### **Gender Management System**

199. The GMS will be guaranteed a high priority by GOB, in its application across the whole-of-government.
200. The Women's Department will ensure close collaboration between GFPs, the GIC and the NWC (and the SIC, in qualitative data collection and analysis) in the implementation of the GMS.

### **Gender Focal Points**

201. The GOB will afford strong recognition of GFPs, in their roles in raising gender-awareness within the operations and planning of participating agencies, and in assisting more integrated gender-focussed development across the whole-of-government.
202. GFPs will be central and senior agency-based personnel, instrumental in the implementation of Government's GMS.
203. The GOB will formalise a process whereby GFPs are required to comment on the gender dimensions of Cabinet Submissions, to ensure compliance with Government's gender priorities and uniformity with the National Gender Policy.
204. GFPs will be trained and fully functional by 1 January 2003, regularly supported by the Women's Department, and afforded at least quarterly meetings to review their work and issues requiring attention to strengthen their roles.

### **Gender Integration Committee**

205. The GIC will be formalised, with expanded membership to include the NWC, and its role adapted to also serve as the gender management team within the GMS.

### **Revision of gender provisions within the laws**

206. The GIC will collaborate with the Solicitor-General's Department to determine opportunities to amend existing laws to achieve improved gender equity.

## **Gender awareness of the media**

207. The Women's Department will collaborate with Help for Progress and the national media in ascertaining further opportunities – preferably at the instigation of the media, but actively supported by GOB – for regular media training initiatives in gender awareness.

## **Statistical monitoring and analysis**

208. The Women's Department and the SIC will jointly determine the nature of periodic or timeline data requirements with respect to gender, with particular attention to the gender database frameworks described by ECLAC and the Commonwealth Secretariat.
209. The SIC will produce annual statistics related to the GDI (national and district-based) and GEM, the latter complemented by data concerning power and decision-making.
210. National Human Development Reports will include reference to nationally- and globally-derived GDI and GEM.

## **International treaty obligations**

211. The GIC and the NWC will review and advise on the merit and implications of Belize joining as a state's party to gender-relevant instruments to which it is not a current party.
212. The GIC and the NWC will liaise with the Ministry of Foreign Affairs and Cooperation to determine suitable and effective monitoring of instruments of a gender-based nature to which Belize is a party, to strengthen progress in compliance on gender-based issues between reporting periods.

## **Monitoring of policy implementation**

213. Within six months of Cabinet's adoption of the National Gender Policy, the NWC will ensure the formulation of a Gender Plan of Action to give effect to the Policy, with attention to priorities and timelines, and of points of responsibility for each policy undertaking (this is to mitigate 'implementation failure').
214. The NWC will ensure that the implementation of the Gender Plan of Action is monitored on a regular basis, preferably with a formal requirement of annual progress reports by relevant agents (this is to mitigate 'policy evaporation').
215. The NWC will ensure that a national workshop is conducted within a year of Cabinet's adoption of the National Gender Policy – and annually after that – to review the content of the Policy, its relevance to changing circumstances, and the adequacy of its implementation (this is to ensure policy relevance).

# ATTACHMENT I

## GLOSSARY OF TERMS

<b>Gender</b>	The socially constructed characteristics that define and relate to male and female ways of being and behaviour within specific contexts. Gender also refers to the web of cultural symbols, normative concepts, institutional structures and internalised self-images which, through a process of social construction, define masculine and feminine roles and articulate these roles within power relationships.
<b>Gender analysis</b>	<p>Quantitative gender analysis is the collection and analysis of sex-disaggregated data which reveals the differential impact of development activities on women and men, and the effect gender roles and responsibilities have on development efforts.</p> <p>Qualitative gender analysis is the tracing of historical, political, economic, social and cultural forces in order to clarify how and why these differential impacts, roles and responsibilities have come about.</p>
<b>Gender division of labour</b>	Generally, women and men are allotted different work roles. These work roles are discriminatory since women usually tend to be confined to menial, low-skilled, low status and poorly paid jobs while men usually have jobs with higher pay and status. Also, women tend to dominate in unpaid domestic work and subsistence food production while men dominate in waged employment and cash crop production.
<b>Gender-aware budget</b>	A statement or report from each government portfolio on its audit of policies, programs and related budgets. A gender-aware budget statement is an accountability report by government in relation to its gender equity objectives.
<b>Gender-aware/redistributive/transformational policies</b>	Policies which seek to transform existing gender relations by changing the distribution of resources and responsibilities to make it more equitable. These policies involve altering the existing balance of power between men and women, addressing not only practical gender needs, but strategic gender interests as well.
<b>Gender-inclusive language</b>	Language which challenges the assumption/tradition that masculine nouns, pronouns and adjectives include both male and female. Examples of gender-inclusive language are 'staff-hours' (rather than 'man-hours'), 'he or she' (rather than 'he'), and 'his or her' (rather than 'his'). Gender-exclusive language, by subsuming the female in the male, acts as both a cause and an effect of the invisibility of women's contribution.
<b>Gender mainstreaming</b>	This is both an integrationist and a transformational strategy. It is integrationist in that it implies that gender issues are addressed within existing policy, strategies and priorities, such that, throughout a program or a project cycle, gender concerns are integrated where applicable. It is transformational in that mainstreaming also implies agenda-setting, which transforms the existing agenda using a gendered perspective. These two concepts are not exclusive, but are complementary, and actually work best in combination.
<b>Gender-neutral policies</b>	Policies which have no significant gender dimension. However, government policies seldom if ever have the same effect on women as they do on men, even if at first sight they may appear to exist in a context where gender is irrelevant. Thus policies which may appear to be gender-neutral are often in fact gender-blind, and are biased in favour of males because they presuppose that those involved in and affected by the policy are males, with male needs and interests.

<b>Gender perspective</b>	<p>A way of</p> <ul style="list-style-type: none"> <li>• Analysing and interpreting situations from a viewpoint that takes into consideration the gender constructions in society (for women and men), and</li> <li>• Searching for solutions to overcome the gaps.</li> </ul>
<b>Gender-sensitive indicators</b>	<p>An indicator is a statistical measurement that shows the change in a particular context over a given period of time. A gender-sensitive indicator is therefore a measurement of gender-related change over time. For example, it could show the change in the status of women in a particular area, relative to men and over a period of, say, a decade. Quantitative data indicators will need to be sex-disaggregated. Gender-sensitive indicators can therefore be used to measure the effectiveness or success of, say, a gender-equity strategy in the labour market or in the adoption of a gender management system within government.</p>
<b>Gender-specific policies</b>	<p>Policies which take into account gender differentials, and target women or men specifically, but leave the current distribution of resources and responsibilities intact.</p>
<b>Incremental planning</b>	<p>The process of making slight adjustments to an existing framework without major changes to its goals or priorities.</p>
<b>Sex-disaggregated data</b>	<p>Data collected – via questionnaires, observation or other techniques – that reveal the different roles and responsibilities of men and women. Having data disaggregated by sex is extremely important to being able to assess the impact of a program or project on women separately from its impact on men.</p>
<b>Strategic gender needs</b>	<p>Relates to women’s empowerment and to what is required to overcome the subordinate position of women to men in society. Such needs vary according to the economic, political, social and cultural context. Most governments now acknowledge the need to create opportunities which enable women to address their strategic needs.</p>
<b>Women’s triple roles</b>	<p>Analysis of the gender division of labour has revealed that women typically take on three types of roles in terms of the paid and unpaid labour they undertake. These roles can be described as:</p> <ul style="list-style-type: none"> <li>• the <i>productive</i> role: market production and home/subsistence production undertaken by women which generates an income</li> <li>• the <i>reproductive</i> role: the child-bearing and child-rearing responsibilities borne by women, which are essential to the reproduction of the workforce</li> <li>• the <i>community management</i> role: activities undertaken by women to ensure the provision of resources at the community level, as an extension of their reproductive role.</li> </ul>

Adapted from the *Glossary of Terms* in Chinkin, Christine (2001), McGregor, Elizabeth & Fabiola Bazo (2001), Taylor, Vivienne (1999), Gender Management System Series, Commonwealth Secretariat, and from Budlender, Debbie, Rhonda Sharp & Kerri Allen (1998), How to do a gender-sensitive budget analysis: Contemporary research and practice