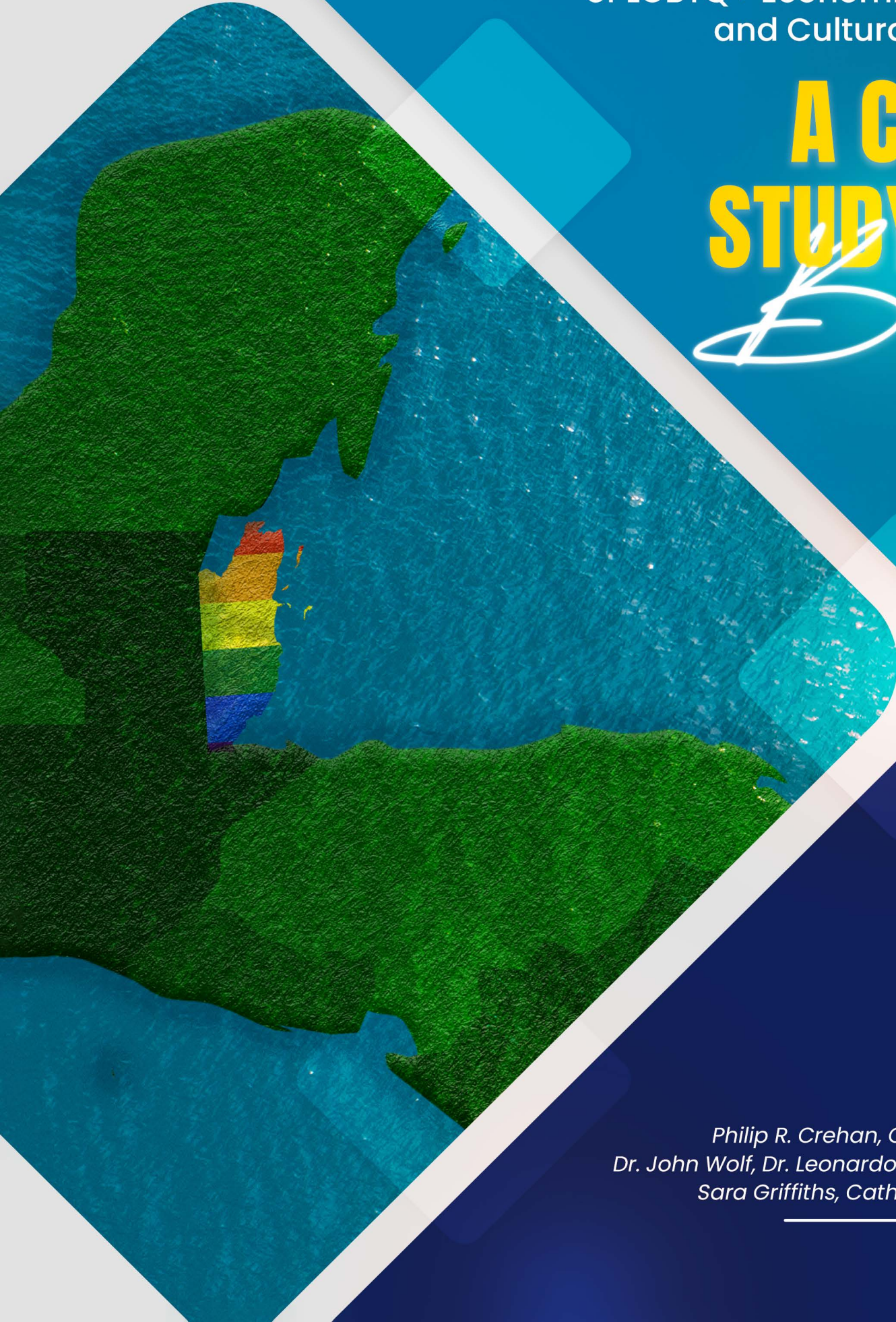


A Legal and Empirical Analysis
of LGBTQ+ Economic, Social
and Cultural Rights:

**A CASE
STUDY OF**
Belize



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Key Definitions and Acronyms	
Sexual Orientation	Refers to a person’s physical, romantic, and/or emotional attraction toward other people. Gay men and lesbians are attracted to people of the same (as their own) sex. Heterosexual or “straight” people are attracted to people of different (from their own) sex. Bisexual people may be attracted to people of the same or different sex.
Gender Identity	Reflects a deeply felt and experienced sense of one’s gender. A person’s gender identity can be aligned with the sex assigned to them at birth, or not. Transgender (or trans) is an umbrella term for people whose gender identity and/or expression differs from cultural expectations based on the sex they were assigned at birth. Trans women identify as women but were assigned male at birth, while trans men identify as men but were assigned female at birth. Other transgender people do not identify with the traditional binary gender identities at all. Cisgender refers to people whose gender identity matches their sex assigned at birth.
ESC Rights	Economic, Cultural and Social Rights, or the freedoms, privileges, and entitlements that all people need in order to live a life of dignity, especially focused on the economic and social realms. More specifically, this includes the right to the basic necessities of life, like food and water and fair work, as well as more identity-driven rights, like non-discrimination and cultural identity. Like all human rights, states have the responsibility to protect, respect, and fulfill ESC rights—specifically by not infringing on them, preventing others from infringing on them, and to actively ensure a society whereby all people can enjoy them (see: the International Justice Resource Center).
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social, and Cultural Rights
LGBTQ+	Lesbian, gay, bisexual, transgender, and queer, with the “plus” signifying other culturally specific characteristics, identities, and experiences not captured by “LGBTQ”
SES	Socioeconomic status
SOGI	Sexual Orientation and Gender Identity. A set of general categorizations applicable to all people, as everyone has a sexual orientation and gender identity. This paper generally refers to those with diverse sexual orientations and gender identities, i.e. those who are not heterosexual and not cisgender but rather identify as LGB and/or transgender.

Executive Summary

This paper presents a legal and empirical analysis on the situation for lesbian, gay, bisexual, transgender, and queer (LGBTQ+) people in Belize. It is trite law, or widely recognized, that governments have an obligation under international law to act with due diligence to protect its people, including LGBTQ+ people. From this starting point, two arguments are derived. First, there is strong legal justification and impetus for the state to act on behalf of the LGBTQ+ community from a **rights-based standpoint**, regardless of their sexual orientation and gender identity (SOGI). Second, there is a critical need for the state to promote LGBTQ+ **economic inclusion**, and from the perspective of anti-poverty and inclusive development needs.

This analysis breaks common LGBTQ+ stereotypes and misconceptions that are driven by bias, stigma, and exclusionary practices. It affirms that LGBTQ+ people are integral parts of the social and economic fabric, like all other people. In fact, this analysis shows their unique place within the social and economic system, as consumers of goods and services, as part and parcel to the labor market, and as drivers of human capital and economic growth. Yet, there are tremendous systemic challenges against them, applied deeply in the form of **taxing demands** to do more to surpass attitudinal and legal biases. But even after coping with those challenges and finding their role in the social and economic system, LGBTQ+ people do not get to equally enjoy the benefits—but rather experience a **penalty** that leaves them worse off when compared to the general population. The data therefore show an **“LGBTQ+ tax”** as well as **“LGBTQ+ penalty,”** which constitute a larger socioeconomic framing for understanding the data presented in Part 2. This harms LGBTQ+ people, their families, communities, and the larger economy alike.

Parts 1 and 2 of this paper describe the situation for LGBTQ+ people in Belize, through the lenses of the law and primary socio-economic data. A legal analysis in **Part 1 establishes Belize’s deficient legal framework for LGBTQ+ people—namely that there are no legal protections from discrimination or violence based on SOGI**. Part 1 especially focuses on eight economic, social, and cultural (ESC) rights that serve as the crux of this paper: family, basic education, healthcare, employment, housing, an adequate standard of living, freedom from violence, and legal remedy to ensure justice. None of these eight ESC rights specifically include SOGI and are therefore not enjoyed by LGBTQ+ people in Belize. The analysis shows that Belize is not meeting the aspirations of its independence to create an inclusive society that respects the human rights of all. This is an imperative in regard to its own Constitution, as well as in regard to its commitments to regional and international human rights treaties. **Belize is therefore not meeting any of its international, regional, or domestic legal obligations to LGBTQ+ people, particularly on the basis of SOGI.**

Part 2 immediately picks up by focusing on eight ESC rights through an analysis of primary data related to the eight ESC rights, empirically showing the unique challenges and corresponding harm that LGBTQ+ people experience, and corresponding harm. This shows how a lack of ESC rights contributes to an environment that greatly allows harm to LGBTQ+ people. This therefore illustrates the “LGBTQ+ penalty,” especially when compared to the heterosexual and cisgender sample, who fare much better along every ESC dimension. The harms experienced—the “LGBTQ+ penalty”—are tremendous. A brief scan shows being: (1) kicked out of the family home; (2) bullied extensively in schools; (3) unable to access health services; (4) fired from work; (5) unable to live with their partner, as well as being forced into homelessness; (6) relegated to a lower socioeconomic status, perhaps even poverty cycles for those with diminished education and income; (7) victim to numerous experiences of psychological and physical violence; and (8) unable or unwilling to report crimes against them. LGBTQ+ people have thus fallen through the cracks, and have been left behind.

Also in Part 2, this section provides a deeper analysis of the data using regression analyses. Two main patterns emerge, especially in regard to violence. First, there is a statistically significant relationship between socioeconomic status (SES) and the experience of psychological violence: **those with lower SES are more likely to experience psychological violence.** This suggests a buffering effect of higher SES. Similarly, there are statistically significant relationships between types of violence: **as the experience of psychological violence increases, so does the experience of sexually motivated violence; additionally, a rise in physical violence is also associated with a rise in sexually motivated violence.** Both associations suggest a cascading effect of violence onto other forms of violence. Second, further analysis shows the complex relationship between various forms of discrimination and violence. Namely, **the experiences of discrimination generally, as well as within the family, are reliable indicators of psychological violence, physical violence, sexually motivated violence, and neglect.**

Part 3 provides 70 recommendations to the state and others, to better implement the rights and inclusion of LGBTQ+ people based on their SOGI. Six recommendations are given to the state to align its own constitutional obligations and existing legal responsibilities with international commitments. Forty-one recommendations are given to the state to enact and enforce the eight ESC rights. Ten recommendations are given to economic development organizations to develop more inclusive programming. Four recommendations are given to the private sector to address biases in the workplace. Five recommendations are given to LGBTQ+ organizations to work more collectively on a human rights and inclusive development strategy. Finally, four recommendations are provided to guide safe and ethical data collection, so that LGBTQ+ people can be counted and more interventions can be created. For readers who want an abridged look at recommendations, it’s advised to skip directly to Part 3.

Introduction

At the intersection of enacting rights and policies of inclusion for lesbian, gay, bisexual, transgender, and queer (LGBTQ+) people, Belize presents a unique opportunity to create a leading standard of equality and inclusion in the Caribbean. The country has come some way in breaking free of its colonial-era legacy and state-sanctioned exclusion of LGBTQ+ people. For example, Belize was the first country in the Caribbean Community and Common Market (CARICOM) through strategic litigation to decriminalize laws against same-sex acts. Recently, Parliament is considering the Equal Opportunities Bill, which specifically promotes non-discrimination and equal access to opportunities on the basis of marginalized characteristics, including protections based on sexual orientation and gender identity (SOGI).

Yet, a critical mass of acceptance is far from being realized, as state officials have deferred draft legislation and criminal code amendments that would benefit LGBTQ+ people. For example, the Equal Opportunities Bill was set aside in 2020 by the Cabinet before general elections, a decision influenced by right-leaning factions of the religious sector with connections to key officials in government. More generally, the state¹ seems to only make lip service when addressing the needs of LGBTQ+ Belizeans, by failing to offer targeted programming or even basic data collection diagnostics. On this latter point, for example, the state does not currently have official population size estimates, or know the extent of LGBTQ+ participation in the formal and informal economy or the extent of labor market discrimination, how LGBTQ+ people contribute as taxpayers, the culture of micro-enterprises, estimates of disposable income, migration patterns, or how LGBTQ+ people participate in other key parts of the economy. Thus far, knowledge of this group has largely been driven by civil society via citizen-generated approaches to data collection, as explored in this paper through empirical analysis.

It's therefore important to have a robust and diverse set of arguments that can be presented to state officials and policymakers in order to create stronger incentives for interventions. Common approaches to doing so have focused on legal perspectives, grounded in international human rights standards, as well as national legal obligations to civil and political rights.² And in fact, this paper won't stray far from this analysis in Part 1, but rather digs deeper into an (often overlooked) rights-based perspective for state action. In addition to a rights-based approach, more recent approaches to advancing the well-being of LGBTQ+ people, as developed in Part 2, have focused on an economic rationale—specifically by examining the socioeconomic impact of

¹ In this report “states” refers to a nation or territory considered as an organized political community under one government. See Oxford Languages. This report often uses “state” to refer to Belize.

² See the Yogyakarta Principles on the Application of International Human Rights Law in relation to Sexual Orientation and Gender Identity. These principles establish global standards aimed at securing the protection of the human rights of LGBTQ+ people, regardless of their SOGI. The introduction of these principles states that SOGI are essential for the dignity of every person and must not be a reason for discrimination or abuse.

exclusion on communities (e.g. poverty and labor market discrimination at the microeconomic level), and showing the aggregate macroeconomic impact on societies and economies.

This dual legal and socioeconomic approach is long overdue in circumstances where LGBTQ+ people belong to a community that—due to different causes—are victims of abusive practices, often state-sanctioned violence like criminalization or systemic exclusion, all of which violate their rights.

The types of violence used against this community vary according to the context. An example of state-institutionalized violence is the denial of rights of transgender people—e.g. denying their right to self-identity, or the medical establishment’s ability to deny them medical treatment. Discrimination against LGBTQ+ people is translated into forms of homophobia, transphobia, and misogyny that damages the freedom of individuals and their collective community, which in turn are translated into forms of violence that may range from subtle to serious forms of violence, such as murder.³ The common denominator of this violence is the perception by the perpetrator that the victim has transgressed “accepted” gender norms.⁴ These perceptions, based on stereotypes, result in hurting, restricting or overriding the ability to implement and fully enjoy their citizen rights by denying them the principle of equality and assigning them negative presumptions based on their sexual orientation or gender identity.

This violence is exacerbated in circumstances where the state fails to compile proper statistics which could help to identify and record the homophobic or transphobic reasons for the perpetrator’s attack. This lack of statistics, for which the state is exclusively responsible, serves as an aggravating factor of the vulnerability of LGBTQ+ people because the invisibility caused by the lack of data prevents the state from making policies and implementing strategies to prevent these types of attacks. This responds to an elementary rule: “It is not possible to prevent something that is unknown.”⁵ This is why in very simple terms, when designing public policies of governmental law-enforcement agencies, more efforts must be made to avoid discriminatory relationships that can lead to institutionally violent practices. In addition to the existing myriad of restrictions on the autonomy and freedom of LGBTQ+ people, this community is also victim to further abuse by the invisibility caused by the system.

³ From January 1, 2013 to March 31, 2014, according to data from the Inter-American Commission on Human Rights (IACHR), 594 people who were LGBTQ+ or who were perceived to be so were killed, and 176 people were victims of serious attacks. See the IACHR report, *Violence against Lesbian, Gay, Bisexual, Trans and Intersex Persons in the Americas*: <http://www.oas.org/en/iachr/reports/pdfs/ViolenceLGBTIPersons.pdf>

⁴ Ibid

⁵ Raznovich, Leonardo; et al. admin. 2023. “The Human Right to Respect for Sexual Orientation and Gender Identity in the Caribbean and Latin America : Current Situation and Prospects.” Instituto Interamericano de Derechos Humanos. June 30, 2023.

In Belize, there is a culture of indifference, omission, and inaction generated by the government (whether intentional or negligent) that allows the LGBTQ+ people to be kept invisible, and not just within the criminal justice system. This “invisibilization” process is reflected in Belize's data collection efforts and knowledge creation processes. One example is the Statistical Institute of Belize (SIB), which does not collect any data on LGBTQ+ people nor asks about SOGI in any data collection effort. This means that LGBTQ+ people are completely ignored through state data collection and knowledge creation processes that inform, for example, economic development funding from the multilateral development banks, or foreign direct investment from the private sector. This inherently limits any formal awareness of the challenges that LGBTQ+ people face as well as their contributions to society and the economy, while reinforcing an international economic system that cannot provide support or make investments in them.

This paper therefore presents a novel and unique analysis on the situation for LGBTQ+ people in Belize, by exploring in Part 1 the legal justification and impetus for the state to act on behalf of the community from a rights-based standpoint. This is followed in Part 2 by exploring the critical need for the state to better promote economic inclusion from the perspective of anti-poverty and inclusive development needs. **The paper especially focuses on the obvious overlap of these two perspectives: economic, social, and cultural rights.⁶ This body of rights are part and parcel of the human rights frameworks that exist on international, regional, and domestic levels—overlooked though they may be.**

This diagnostic takes a deeper dive into ESC rights and why LGBTQ+ people are rights-holders, regardless of their SOGI. Like all human rights as established through international treaties, ESC rights are also universal, inalienable, and interrelated with other fundamental rights. This responsibility to protect falls onto the state, which must create a legal and policy framework in which all people have the ability to freely take part in, contribute to, and benefit from the economy and its affiliated sectors. Yet, discrimination and violence based on SOGI often create barriers for LGBTQ+ people to fully take part in markets and economies, as well as other key areas in life. **As evidenced throughout this paper, Belize is not meeting this obligation for LGBTQ+ people.**

From the legal perspective, Belize has threefold imperatives to better act on behalf of LGBTQ+ people and to promote their ESC rights, as its own domestic laws as well as regional and international treaties all recognize ESC rights as fundamental and obligatory. Under international law, Belize is obligated to comply with the International Covenant on Economic, Social, and Cultural Rights (ICESCR). In this, the ICESCR directly calls on states to ensure that every citizen may freely pursue economic liberty without discrimination.⁷ Belize is also bound

⁶ IJRC. 2018. “Economic, Social and Cultural Rights | International Justice Resource Center.”

Ijrcenter.org. 2018. <https://ijrcenter.org/thematic-research-guides/economic-social-and-cultural-rights-2/>.

⁷ UN International Covenant on Economic, Social, and Cultural Rights.

by its own legal and economic obligations from its status as a member of the Organization of American States⁸ as well as CARICOM.⁹ Domestically, Belize’s own constitution expressly mandates the creation of an economic system that is accessible by all and allows for the adequate means of a livelihood.¹⁰

From an economic perspective, the inclusion of LGBTQ+ people is also crucial to poverty alleviation and sustainable macro-economic growth, both of which are exclusively the state's responsibility under international law.

Like all people, LGBTQ+ people are integral parts of the social and economic fabric, yet occupy a unique place within their social and economic systems due to the systemic challenges they face. Growing research from economic development institutions shows that, due to rampant challenges in schools and the labor market, LGBTQ+ people around the world are likely overrepresented among the poor.¹¹ This is also captured in the sample from Belize, which showed that close to 39% of Belizean LGBTQ+ respondents made less than BZ \$5,000 per year—well below half the country’s per capita GDP of BZ \$12,200.¹² These micro-level challenges then have aggregate macroeconomic impacts. The World Bank was the first institution to create an economic model that measured the impact on GDP when LGBTQ+ people face such challenges, particularly in regard to accessing healthcare and employment, and in relation to violence.¹³ By using this economic model, primary data collection from 12 CARICOM countries shows that the exclusion of LGBTQ+ people drains the region of at least 2.1% GDP, or USD \$1.5 billion per year.¹⁴ At both the micro- and macro-economic level, the inclusion of LGBTQ+ people is of paramount importance in fighting poverty and promoting stronger national economic growth.

⁸ The Inter American Court of Human Rights concluded in the Advisory Opinion OC-18/2003 - Inter-Am. Ct. H.R. (ser. A) No. 18 (17 September 2003) that the principles of equality before the law, equal protection before the law and non-discrimination belong to the *jus cogens*. *id* at [101]. The underlying reason for this conclusion, the court held, is that these principles are the foundation upon which the national and international public order rests and they also permeate all legal systems. *ibid*. See: L Raznovich ‘The American Convention on Human Rights Requires Equal Marriage: A Logical and Legally Robust Advisory Opinion’ [2019] (1) European Human Rights Law Review 38

⁹ OAS Charter Art.; Caricom, Belize, https://caricom.org/country_profiles/belize.

¹⁰ See 20 (1) “Belize 1981 (Rev. 2011) Constitution - Constitute.” n.d. www.constituteproject.org. https://www.constituteproject.org/constitution/Belize_2011.

¹¹ “LGBTI People Are (Likely) over Represented in the Bottom 40%.” n.d. [blogs.worldbank.org](https://blogs.worldbank.org/governance/lgbti-people-are-likely-over-represented-bottom-40). <https://blogs.worldbank.org/governance/lgbti-people-are-likely-over-represented-bottom-40>.

¹² “Overview.” n.d. World Bank. <https://www.worldbank.org/en/country/belize/overview>. See Table 1 in Part 2 for income breakdown of the LGBTQ+ sample from Belize.

¹³ The World Bank estimated that upwards of 1.7% of India’s annual GDP was lost due to this exclusion Ph.D, Badgett, M. V. Lee. n.d. “The Economic Cost of Stigma and the Exclusion of LGBT People : A Case Study of India.” World Bank. <http://documents.worldbank.org/curated/en/527261468035379692/The-economic-cost-of-stigma-and-the-exclusion-of-LGBT-people-a-case-study-of-India>.and Patel, Atish. n.d. “Homophobia May Cost India’s Economy Billions of Dollars.” WSJ. <https://www.wsj.com/articles/BL-IRTB-25097>.

¹⁴ Crehan, Philip R.; et al, *The Economic Case for LGBT+ Inclusion in the Caribbean*. London, Open for Business, 2024.

In this regard, the paper breaks common LGBTQ+ stereotypes and misconceptions that are driven by bias, stigma, and exclusionary practices. It sheds light on the tremendous systemic challenges against them, applied deeply in the form of **taxing demands** to do more to surpass attitudinal and legal biases. But even after coping with those challenges and navigating their role in the social and economic system, LGBTQ+ people do not get to equally enjoy the benefits—but rather experience a **penalty** that leaves them worse off when compared to the general population. The data therefore capture a “LGBTQ+ tax” as well as “LGBTQ+ penalty,” which constitute a larger socioeconomic framing for understanding why LGBTQ+ people have thus fallen through the cracks, and have been left behind. This tax and penalty not only harm LGBTQ+ people themselves, but also their families, communities, and the economy.

This paper will proceed accordingly: Part 1 will give context on the overall human rights situation for LGBTQ+ people in Belize, by examining the international, regional, and domestic legal obligations the state has toward them. Part 1 also spells out the economic, social, and cultural rights that are the crux of this paper. Part 2 begins with descriptive statistics on the Belizean sample captured during data collection, and then focuses on the eight ESC rights and provides an empirical analysis of the Belizean data. Part 2 also provides regression analyses that examine the relationships between socioeconomic status, discrimination, and violence, and what that means for the overall life of an LGBTQ+ person. Finally, Part 3 offers 70 recommendations to policymakers and other stakeholders, then concludes in Part 4 with a strong reminder that change is possible, and makes legal as well as economic sense.

Methodology

The legal analysis in Part 1 was completed through a desk review that included use of primary and secondary legal documents, online searches, and local legal reviews. In Part 2, the data used in the empirical analysis comes from research tasked by the organization Open For Business. Those data were collected via mixed methods: 21 in-depth interviews and two surveys. The first survey focused on LGBTQ+ people in 12 Caribbean countries (and some from the diaspora), and the second focused on prospective tourists to the region. All three datasets were analyzed and published in *The Economic Case for LGBT+ Inclusion in the Caribbean*.¹⁵

The (Belizean) data from the first survey are analyzed in this paper. Data collection of the online survey happened November 2020–March 2021, and was disseminated via two separate ways, both utilizing a convenience sample. First, the survey was sent to all partners involved,¹⁶ who then disseminated it to their networks. Additionally, the researchers used Facebook Campaigns (and Instagram) via targeted ads to those who follow LGBTQ+ content. For those who clicked on the ad, they were sent to the survey link. This culminated in 2,167 respondents overall (see the Methodological section in the regional report for more details).¹⁷ Belizean respondents in-country accounted for around 28% of the total survey sample ($N = 560$)—see more in Table 1 for demographic characteristics. Also included are some quotes from the interviews in Belize.

For the regression analysis in Part 2, the authors asked: What is the relationship between socioeconomic status and the experience of various forms of violence? What is the relationship between various forms of violence? And to what degree do LGBTQ+ people experience discrimination generally, as well as within families, education, the workplace, housing, and healthcare—and what are their (separate) impacts on the experience of violence? More specifically, regression analysis was used to investigate the relationships between socioeconomic status, experiences of discrimination in different sociocultural domains (familial, educational, healthcare, employment, housing, and general), and experiences of different kinds of violence (psychological, physical, sexual, and neglect). Psychological violence was the most frequently reported experience of the different forms of violence, followed by physical, neglect, and finally, sexual. Regression models indicated varying parameters for each of the four models, although experiences of general and familial discrimination were common among all models. Coefficients of determination revealed that the models explained between 12.5% and 25.6% of the variance within the sample. The bivariate and multivariate analyses and findings are discussed more in-depth in the subsection on violence in Part 2.

¹⁵ The report is available here: <https://open-for-business.org/reports>.

¹⁶ Participatory Research Methods were used, including 28 organizations and individuals in total.

¹⁷ Since the survey utilized a convenience sample, it cannot necessarily be considered representative of all LGBTQ+ people in the Caribbean. Yet, the survey still represents the largest LGBTQ+ data collection in the region, to date, and contains important findings and information.

PART 1: A LEGAL EXAMINATION OF RIGHTS FOR LGBTQ+ PEOPLE IN BELIZE

Part 1 first offers context on the socio-legal context for LGBTQ+ people in Belize. It then examines the numerous obligations that Belize must abide by to fulfill its international, regional, and domestic human rights obligations, especially for LGBTQ+ people and on the basis of their SOGI.

Key Points

1. In Belize, there are many challenges for LGBTQ+ people. Politically, they are kept invisible through data collection processes, and their rights and interests are often deferred by the legislative and policymaking processes.
2. For LGBTQ+ people, there are only a few legal protections for their civil and political rights, **and no legal protections for their economic, social, and cultural rights.**
3. **There are no protections from discrimination or violence based on SOGI, even though:**
 - Under international human rights law, Belize is also obligated to comply with the ICESCR, which directly calls on states to ensure citizens may pursue economic liberty without discrimination.
 - Belize is also bound by its own obligations from its status as a member of CARICOM and the Organization of American States, in addition to being bound by the American Declaration of the Rights and Duties of Man, among others. All of these regional agreements contain strong standards of human rights and protections for all people.
 - Belize's own Constitution contains numerous protections for fundamental rights, freedoms, protections, and recognition of all people. The Constitution also expressly mandates the creation of an economic system that is accessible by all and allows for the adequate means of a livelihood. Further, Belize has enacted the Protection against Sexual Harassment Act, the Labour Act, and the Equal Pay Act, which all seek to safeguard the rights of Belizeans, regardless of any identity categories.
4. **Belize is therefore not meeting any of its international, regional, or domestic legal obligations for LGBTQ+ people, on the basis of their SOGI.** The state must begin a process of ensuring their rights, inclusion, and safety, lest it continue to violate its own commitments.

Belize's commitment to human rights remains an aspiration after signing the ICESCR in 2000,¹⁸ the International Covenant on Civil and Political Rights (ICCPR) in 1996,¹⁹ joining the

¹⁸ Signature in 2000 checked 9, November, 2023 at http://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?Treaty=CESCR

Organization of American States (OAS) in 1991, and after declaring its independence from the United Kingdom in 1981. Moreover, the preamble to Belize’s Constitution requires the state to address socioeconomic disparities between citizens and acknowledges protected characteristics which cannot be discriminated against. Also in the Constitution, there are references to non-discrimination in Sections 3, 6, and 16 that ensure no person be discriminated against generally, and especially in regard to sex, race, place of origin, political opinion, or disability.²⁰

Although the Constitution does not explicitly include SOGI among protected characteristics, the Court of Appeal confirmed that non-discrimination on the basis of sexual orientation is protected by the Belize Constitution under Sections 3 and 16(3), which prohibits discrimination on the grounds of sex.²¹ It follows that the constitutional protection for LGBTQ+ Belizeans was the result of strategic litigation, in order to seek redress in court to enforce constitutional rights that existed and which were breached by legislation.²² The underside of this success is that this fosters undue economic hardship, particularly if LGBTQ+ people are expected to litigate every subsidiary legislation to bring it into conformity with the constitution’s clause for equal protection before the law, as well as equal treatment.²³

The current constitutional review taking place in Belize offers an opportunity to elevate LGBTQ+ people to full inclusion, as enjoyed by most citizens. The People’s Constitutional Commission (PCC), inaugurated in 2022, offers an opportunity to address reforms that acknowledge discrimination on the grounds of SOGI—thereby creating the foundation of a visible social contract between LGBTQ+ people and the state. The power of the PCC’s work to integrate ESC rights-based recommendations in the Constitution offers an opportunity to operationalize the value of “equality” for all people, in the context of Belizean citizenship and to discard from its text the colonial inheritance which no longer makes sense in modern Belizean society.²⁴

¹⁹ Signature in 1996 checked 13th December, 2023 at http://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?Treaty=CCPR

²⁰ Section 16(3): “affording different treatment to different persons attributable wholly or mainly to their respective descriptions by sex, race, place of origin, political opinions, colour or creed whereby persons of one such description are subjected to disabilities or restrictions to which persons of another such description are not made subject or are accorded privileges or advantages which are not accorded to persons of another such description”

²¹ *AG of Belize v C Orozco et al* (Court of Appeal case No32 of 2016) (30 December 2019)

²² See 20 (1) “Belize 1981 (Rev. 2011) Constitution - Constitute.” n.d. www.constituteproject.org. https://www.constituteproject.org/constitution/Belize_2011.

²³ See 6 (1) “Belize 1981 (Rev. 2011) Constitution - Constitute.” n.d. www.constituteproject.org. https://www.constituteproject.org/constitution/Belize_2011.

²⁴ Some exemptions to non-discrimination are written out, which cover adoption, marriage, divorce, burial, devolution of property on death rights, see 16,4(c)(4)—although narrowed to circumstances where *personal law* would apply, as opposed to the general law of the land. These exemptions, inherited from colonial times, nonetheless become a legal test to the power of the equal protection and non-

Throughout some parts of the government, there is a growing institutional culture of values like inclusion and equality.²⁵ However, there remain conflicting positions by other parts of the state, and particularly among select political parties. In 2011, at an evangelical rally in Belize City, the official position of the People’s United Party (PUP) was: “The PUP does not support the efforts of the Human Dignity Trust and UniBAM to strike down or amend section 53 of the criminal code of Belize,”²⁶ thus taking a definitive stand against efforts to decriminalize same-sex intimacy and acts. In 2013, this anti-LGBTQ+ rhetoric was bolstered when the former prime minister spoke out that the “government will therefore fully respect the right of the churches to propagate their understanding of the morality, or immorality, of homosexuality.”²⁷ Yet, in the same address the prime minister also said: “What the government cannot do is to shirk its duty to ensure that all citizens, without exception, enjoy the full protection of the law.”²⁸ In 2016, however, when the High Court’s constitutional decision was delivered, which decriminalized the Colonial-era anti-sodomy law, the party in opposition still resisted accepting the court’s decision, showing its devotion to anti-LGBTQ+ sentiments rather than respect for state constitutional obligations.

This political maneuvering and sentiments are epitomized today by efforts over the Equal Opportunities Bill²⁹ (EOB) and its return to Cabinet, which is now stalled and placed for consideration only at the back of a long list of other bills. Though the government had endorsed a Cabinet note in 2019 to advance the EOB, it did not introduce it in parliament before the general elections in November 2020. The current government and the EOB’s political champion have deemed the bill as very difficult in the legislative agenda for re-introduction to Cabinet, therefore leaving LGBTQ+ people with no protection in primary nor subsidiary legislation.³⁰

International Obligations

Within the UN and underlying the human rights system and international law, the Universal Declaration of Human Rights (1948) remains one of the most important intellectual backbones

discriminatory clause in a modern Belizean society—since they remain listed in the Constitution and hence a matter of legal interpretation in the courts.

²⁵ For example, see the Ministry of Human Development, Indigenous People’s Affairs, Equality and inclusion for Belize

²⁶ Posted on Channel 5 Belize, “Churches Take a Stand”

²⁷ “7 News Belize.” n.d. www.7newsbelize.com. Accessed May 2, 2024.

<https://www.7newsbelize.com/sstory.php?nid=26598>.

²⁸ Ibid

²⁹ With protections based on SOGI

³⁰ Referring to laws made by authorities other than those in Parliament (i.e. those delegated by primary legislation) in order to implement or operationalize broader laws enacted via the legislature.

of this paradigm, particularly by defining the concept and standards of human rights. This declaration has then led to two core human rights treaties, the ICCPR—ratified by 173 countries³¹—and the ICESCR—ratified by 171 countries.³² For states who have ratified them, international human rights law establishes binding obligations to follow.

International Covenant on Civil and Political Rights (ICCPR)

Although the focus of this paper is on economic, social, and cultural rights, a quick examination of civil and political rights gives needed context. The ICCPR describes the freedoms, privileges, and entitlements that all people need to live with dignity, especially in relation to the state and by prioritizing the ideals of freedom, justice, and peace.³³

In tandem with many other mechanisms at the UN, there has been consistent and incremental progress toward implementing the ICCPR on behalf of LGBTQ+ people. For example, the Human Rights Council has repeatedly called attention to violence based on SOGI through five resolutions, and the General Assembly has endorsed seven resolutions against extrajudicial killings.³⁴ Other parts of the UN system, like the Independent Expert on SOGI,³⁵ the Office of the High Commissioner for Human Rights, and select specialized agencies have also especially supported the rights of LGBTQ+ people as established in this core treaty.

Yet in Belize, a review of the legal landscape on civil and political rights reveals there are only minimal protections for LGBTQ+ people. In its landmark ruling in 2016, *Orozco and Attorney General and Interested Parties*,³⁶ prohibitions against same-sex intimacy were successfully overturned by arguing that section 53 of the Criminal Code violated constitutional provisions that protect human dignity, privacy, freedom of expression, sex, and conscience.³⁷ Although

³¹ 2019. Ohchr.org. 2019.

https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?Treaty=CCPR.

³² 2019. Ohchr.org. 2019.

https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?Treaty=CCPR.

³³ United Nations. 1966. “International Covenant on Civil and Political Rights.” OHCHR. United Nations. December 16, 1966. <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>.

³⁴ “United Nations Resolutions on SOGIESC.” n.d. United Nations. United Nations Resolutions on sexual orientation, gender identity and sex characteristics.

³⁵ “OHCHR | Independent Expert on Sexual Orientation and Gender Identity.” n.d. OHCHR. <https://www.ohchr.org/en/special-procedures/ie-sexual-orientation-and-gender-identity>.

³⁶ “Belize Supreme Court Overturns Anti-Gay Law.” 2016. NBC News. August 10, 2016. <https://www.nbcnews.com/feature/nbc-out/belize-supreme-court-overturns-anti-gay-law-n627511>.

³⁷ “United Belize Advocacy Movement (UNIBAM) | We Are One! In Dignity and Rights.” n.d. <https://unibam.org/>.

this overturned a colonial-era legal mechanism of exclusion and decriminalized same-sex acts of intimacy, there are still very few other specific protections for LGBTQ+ people. For example, although the constitution has been interpreted to prohibit discrimination on grounds of sexual orientation, there are no statutory prohibitions against this type of discrimination or against violence based on SOGI as a protected status. These legal gaps leave ample space for the state and others to discriminate and exclude on the basis of SOGI—and these gaps are not harmless. A report by the Inter-American Institute of Human Rights published in 2021 revealed the social and psychological harm being caused by state institutionalized violence against LGBTQ+ people.³⁸ The report also shares evidence of cases of human rights violations by effect of a diminished ability for LGBTQ+ people to access mechanisms of justice and redress in the region, particularly with regard to murders, hate crimes, and discrimination in general.³⁹

In fact, the legal examinations provided by Franklin & Marshall college’s Global Barometer on Gay Rights rank Belize as a grade of D, and the Global Barometer on Transgender Rights fails the state entirely with a grade of F. Unfortunately, both are on par with surrounding countries in the region.⁴⁰ Figure 1 draws from both barometers, up until 2022, showing the state of civil and political rights for LGBTQ+ people in Belize.

Figure 1: Status of SOGI-Related Civil and Political Rights in Belize

No Criminalization of SOGI	Legally recognizes gender identity	LGBTQ+ organizations legally recognized	Hate crime legislation includes SOGI	Hate speech crimes include SOGI	Civil unions or same-sex marriage exists	LGBTQ+ Pride events are allowed by the state	Freedom from arbitrary arrest	Trans gender - affirming surgery
YES	NO	YES	NO	NO	NO	YES	YES	NO

Source: Franklin & Marshall Global Barometer on Gay Rights, Global Barometer on Transgender Rights

International Covenant on Economic, Social, and Cultural Rights (ICESCR)

The ICESCR describes the freedoms, privileges, and entitlements that all people need to live with dignity,⁴¹ especially focused on the economic and social realms. More specifically, this includes the right to the basic necessities of life, like food and water and fair work, as well as

³⁸ This report also revealed that criminalization, discrimination and segregation of LGBTQ+ people in the Caribbean are a direct consequence of the anti-gay colonial laws exported to the region by the UK. See LJ Raznovich and ER Zaffaroni *The human right to respect sexual orientation and gender identity in the Caribbean and Latin America - Current situation and perspectives* (IHR San José 2021)

³⁹ Ibid

⁴⁰ Dicklitch-Nelson, Susan; *F&M Global Barometer of Gay Rights and Global Barometer of Transgender Rights*. Lancaster, PA: F&M GBGR® and GBTRTM, <http://www.fandmglobalbarometers.org/>

⁴¹ IJRC. 2018. “Economic, Social and Cultural Rights | International Justice Resource Center.” ijrcenter.org. 2018. <https://ijrcenter.org/thematic-research-guides/economic-social-and-cultural-rights-2/>.

more identity-driven rights, like non-discrimination and cultural identity. Like all human rights, states have the responsibility to protect, respect, and fulfill ESC rights—specifically by not infringing on them, preventing others from infringing on them, and to actively ensure a society whereby all people can enjoy them.⁴² Adopted in 1966, the ICESCR obligates signatories under international human rights law to address economic disparity among all people.

In 2015, Belize ratified this treaty and thus bound itself to comply.⁴³ The ICESCR addresses economic inequality in six different articles⁴⁴—therefore creating for Belize the obligation to ensure all people have the right to pursue economic fulfillment free of discrimination,⁴⁵ including LGBTQ+ people and regardless of their SOGI.

The ICESCR directly addresses that all people must be able to freely pursue economic development without discrimination.⁴⁶ Part II, Article 2, of the ICESCR says, “The States Parties to the present Covenant undertake to guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”⁴⁷ Under the ICESCR, certain economic rights are explicitly protected, e.g. the right to: self-determination, employment, and an adequate standard of living, among others. Each right must be afforded to each individual, without discrimination.

The Committee on Economic, Social and Cultural Rights, a body of 18 independent experts that monitors the implementation of the treaty, reviews the implementation of ESC rights in intervals of five years. Concerns raised from the committee have included LGBTQ+ issues (e.g. discrimination on the basis of SOGI leading to higher rates of homelessness), and the legal recognition of gender identity, pursuant to the right to sexual and reproductive health, etc.

Self-determination

Self-determination is the right to make autonomous decisions over one’s own life. The ICESCR explicitly says that the right to self-determination includes the ability to freely pursue employment of choice without discrimination.⁴⁸ Therefore every Belizean, including LGBTQ+ people, has the right to seek employment of their choosing that is free of discrimination and

⁴² Ibid

⁴³ OHCHR. 2014. “STATUS of RATIFICATION INTERACTIVE DASHBOARD.” Ohchr.org. 2014.

<https://indicators.ohchr.org/>.

⁴⁴ UN International Covenant on Economic, Social, and Cultural Rights, Part I, art. 1.

⁴⁵ UN International Covenant on Economic, Social, and Cultural Rights, Part I, art. 1.

⁴⁶ UN International Covenant on Economic, Social, and Cultural Rights, Dec, Part I, art. 1.

⁴⁷ Ibid, Part II, art. 2.

⁴⁸ Ibid, Part I, art. 1.

provides a livable wage. Certain systemic barriers, such as labor market discrimination or social stigma, problematize the right of self-determination for the community.⁴⁹ Because this right guarantees that each citizen will have autonomy to make their own economic decisions regarding employment, the state must act to ensure systemic barriers do not limit employment for LGBTQ+ people, nor limit access to only certain jobs.

Self-determination also means that every person must be afforded control over their own resources.⁵⁰ Under Part I, Article 1, paragraph 2 of the ICESCR, Belize must allow any citizen to “freely dispose of their natural resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law. In no case may a people be deprived of its own means of subsistence.”⁵¹ The term “resources” covers a wide range of possessions including physical assets, skills, knowledge, and financial resources. This right requires Belize to allow any person to decide how to control their own resources, free of discrimination from both state authorities and members of the public—including LGBTQ+ people and regardless of their SOGI.

To ensure self-determination is protected, the ICESCR directly calls on states to adopt legislative measures to provide each citizen full economic, social, and cultural rights.⁵² This is a call to action for Belize to adopt non-discrimination legislation, such as the Equal Opportunities Bill, that ensures all people under their jurisdiction can pursue employment options of their choice.

The right to work

States must ensure that every individual has equal opportunity to pursue employment and work free of discrimination.⁵³ Part III, Article 6, of the ICESCR calls on states to recognize the right to work and take necessary steps to protect it.⁵⁴ To achieve this right, the ICESCR urges the state to “include technical and vocational guidance and training programs, policies and techniques, to achieve steady economic... development and full and productive employment.”⁵⁵ Part III, Article 7 further clarifies that every citizen must be given the opportunity to work in favorable conditions—including the ability to receive fair wages and equal remuneration for their work value, the ability to earn a decent living, the right to safe work conditions, equal opportunities for promotion, and reasonable limitation of working hours and holidays.⁵⁶ The ICESCR also recognizes the right for paid leave before and after childbirth, in an effort to mitigate discrimination with relation to child-bearing individuals.⁵⁷ The right to work is often

⁴⁹ Crehan, P.; et al. 2021. *The Economic Case for LGBT+ Inclusion in the Caribbean*. Open For Business; London, United Kingdom.

⁵⁰ UN International Covenant on Economic, Social, and Cultural Rights, Part I, art. 1.

⁵¹ *Ibid* Part I, art. 1. ¶2.

⁵² *Ibid*, Part II, art. 2. ¶1.

⁵³ *Ibid*

⁵⁴ UN Optional Protocol, International Covenant on Economic, Social, and Cultural Rights, Part III, art. 6.

⁵⁵ *Ibid*

⁵⁶ *Ibid*, Part III, art. 7.

⁵⁷ UN International Covenant on Economic, Social, and Cultural Rights, Part III, art. 10

violated because factors such as violence and stigma against LGBTQ+ people create challenges in securing full-time employment.⁵⁸ Thus, Belize should affirmatively act to ensure every LGBTQ+ person has the right work and the ability to earn a fair wage.

The right to an adequate standard of living

The ICESCR guarantees the right to an adequate standard of living without discrimination, which includes the fundamental right to be free of hunger.⁵⁹ This right intersects with the right to work because the state cannot ensure every individual is economically secure enough to access adequate food, until the state ensures every individual is able to find employment. An adequate standard of living implicates many other human rights as well that stem from the ability to earn a wage, such as the right to shelter, access to medical care, and access to clothing. An adequate standard of living may be achieved if the individual earns enough money to financially support themselves, and Article 7 of the ICESCR calls on states to ensure every citizen has fair wages⁶⁰—which must include LGBTQ+ people regardless of their SOGI.

A General Overview of ESC Rights of LGBTQ+ People in Belize

Although ESC rights are given equal precedence within the international human rights system, and the ICESCR is given equal legal weight, historical geopolitical battles within the UN instead elevated civil and political human rights via the ICCPR. This has culminated in a history of international advocacy and diplomacy that often overlooks ESC rights.

The geopolitical prioritization of civil and political rights has likely influenced advocacy by LGBTQ+ organizations. Among other factors, this historical pattern has likely contributed to advocacy that prioritizes freedoms from prosecution (e.g. decriminalization of same-sex-attracted people) with less attention given to the ability to secure a livelihood (e.g. the right to access financial services). One strong indication of this disparity can be found in what themes governmental, philanthropic, and corporate funders give to when investing in LGBTQ+ advocacy around the world: While upwards of 44% of all funding goes specifically to human rights more associated with civil and political rights (e.g. decriminalization, same-sex marriage), **well under only 2% of funding specifically goes to economic themes more associated with ESC rights** (i.e. food security, housing, and employment).⁶¹

⁵⁸ Crehan, P.; et al. 2021. *The Economic Case for LGBT+ Inclusion in the Caribbean*. Open For Business; London, United Kingdom.

⁵⁹ UN International Covenant on Economic, Social, and Cultural Rights, Part III, art. 10.

⁶⁰ UN International Covenant on Economic, Social, and Cultural Rights, art. 7.

⁶¹ “2017-2018 Global Resources Report: Government & Philanthropic Support for LGBTI Communities | Global Philanthropy Project.” n.d. <https://globalresourcesreport.org/>.

Yet against those historical divisions, this paper shows the importance of ESC rights for LGBTQ+ people in Belize, especially focusing on eight of them as articulated in the ICESCR, which Belize has ratified. These include non-discrimination and self-determination, regardless of their SOGI and all other identity-driven characteristics, particularly among the right to: family, education, healthcare, employment, housing, an adequate standard of living, freedom from violence, and access to justice. In Figure 2, a desk review and the data from the F&M barometers up until 2022⁶² show the state of ESC rights for LGBTQ+ people in Belize.

Figure 2: Status of SOGI-Related Economic, Social, and Cultural Rights in Belize

Family protections –e.g. freedom from violence or same-sex couples are allowed to jointly adopt	Protections from violence or bullying in schools, or promotion of “safe spaces”	Healthcare anti-discrimination laws include SOGI	Workplace anti-discrimination laws include SOGI	Housing anti-discrimination laws include SOGI	Adequate standard of living, free from SOGI-based discrimination	Freedom from violence, protections based on SOGI	Ability to access legal remedy and justice, regardless of SOGI
NO	NO	NO	NO	NO	NO	NO	NO

Source: Franklin & Marshall Global Barometer on Gay Rights, Global Barometer on Transgender Rights

As seen in Figures 1 and 2, the overall human rights framework for LGBTQ+ people in Belize is deficient, with no specific protections to ensure ESC rights based on SOGI. Again, this has left LGBTQ+ people in situations of vulnerability and open to multiple levels of discrimination, exclusion, and violence, as evidenced in the empirical analysis in Part 2.

Regional Obligations

This section details the economic obligations of Belize to its citizenry under the regional treaties to which it is party. It examines the responsibilities of the state arising from its status as State Party to the Organization of American States (OAS) and the Caribbean Community and Common Market (CARICOM).

The Organization of American States (OAS)

As an OAS member state, Belize is bound to make best efforts to fulfill its economic and social responsibilities under the OAS charter, the American Declaration of the Rights and Duties of Man, and the Convention of Belém do Pará.

⁶² “Home Page - Survey.” 2022. F&M - Human Rights Perception Index. June 3, 2022. <https://www.lgbtqi perceptionindex.org/>.

The Charter of the Organization of American States (OAS)

State membership in the OAS binds states to the charter.⁶³ The charter obligates state parties to promote economic, social, and cultural development,⁶⁴ and to eradicate poverty within their respective territories and in the region.⁶⁵ As a signatory, Belize affirms its dedication to principles such as the elimination of extreme poverty—a barrier to truly representative democracy, the pursuit of social justice and social security as bases of lasting peace, and recognition of the fundamental rights of all individuals without distinction. Belize is also bound herein to respect rights enjoyed by every other state in accordance with international law. Importantly, as signatory, Belize espouses its commitment to the development of a more just economic and social order, as a primary responsibility, and recognizes this as a continuous and integral process.⁶⁶

Aligned with these aims, Belize agrees to devote its utmost efforts to accomplishing several economic and social protections for all. Among others, this includes: fair wages, employment opportunities, acceptable working conditions, access to adequate housing, and the provision of conditions which offer opportunities for healthful, productive, and full lives.⁶⁷

Member states agree to dedicate every effort to advance yet more principles still. Belize thus commits to promote the right to material well-being under circumstances of liberty, dignity, equality of opportunity, and economic security, as well as recognition of work as a right to be performed under healthful and safe conditions. As signatory, Belize also agrees to pursue the incorporation and increased participation of marginal sectors of the population in economic, social, civic, cultural, and political life. Belize takes on a related obligation to recognize the importance of the contributions of organizations such as cultural and community associations to society and the development process; therefore imposing a duty to protect their freedoms of speech, organization, and association. Finally, the charter commits Belize to ensure adequate provisions for all to have due legal aid in order to secure their rights.⁶⁸

The OAS charter thus recognizes various economic and social rights that Belize, as signatory, should endeavor to observe and protect. It establishes that Belize must make efforts to promote not only the general welfare of its people, but to make efforts to advance the access and incorporation of LGBTQ+ people into the economic, social, and cultural spheres.

The American Declaration of the Rights and Duties of Man

⁶³ Organizations of American States, Charter (Bogotá, 1948). Hereafter referred to as the Charter.

⁶⁴ OAS Charter Art. 2. f

⁶⁵ OAS Charter Art. 2. g

⁶⁶ OAS Charter Art. 3. F; Art. 3. J; Art. 3. L; Art. 11; Art. 33

⁶⁷ OAS Charter Art. 34 g; Art. 34 k; Art. 34 l

⁶⁸ OAS Charter Art. 45 a; Art. 45 b; Art. 45 f; Art. 45 g; Art. 45 i

The American Declaration of the Rights and Duties of Man provides for similar protections as in the OAS charter. It also obliges states to respect the rights to life, liberty, and personal security and equality before the law; freedoms of investigation, opinion, expression, and dissemination; and protections of honor, personal reputation, and private and family life. The declaration also mandates that Belize protect the rights of residence and freedom of internal movement to all its people, as well as the right to the inviolability of the home. A right to the preservation of health and wellbeing is also provided for, along with a right to the benefits of culture.⁶⁹

The declaration reiterates the rights to work and to fair remuneration for that work. Rights to assembly and association are likewise guaranteed. A right to own property is also established, providing that all people have the right to their own private dwellings that meet the essential needs of decent living and help to maintain the dignity of the individual. Significantly, the right to due process of the law mandates that citizens are not subject to cruel, infamous, or unusual punishment while being detained.⁷⁰

Along with its espoused rights, the American Declaration also assigns responsibilities to OAS member states and their people. A duty to society is among the enumerated and obliges individuals to conduct themselves in a manner conducive to the full realization of the personalities of others. Finally, the declaration enshrines a duty to work, providing that duties to work fall upon all people within their capacities, and insofar as their possibilities permit them to gain a livelihood or contribute to their communities.⁷¹

The charter and the American Declaration have contributed to customary regional and international jurisprudence, in that they have been found binding by the Inter-American Court and the Commission of Human Rights.⁷² The American Declaration, therefore, creates economic and social duties and obligations, particularly on all states of the OAS—even for Belize, which has still not signed the Inter-American Convention on Human Rights. This means that Belize has obligations toward its citizens by virtue of being a member state of the Organization of American States, reinforcing the rights of its citizenry, including for LGBTQ+ people.

In this sense, there are two authoritative legal precedents (Advisory Opinions No. 04/1984⁷³ and No. 18/2003⁷⁴) of the Inter-American Court of Human Rights with regard to the right to equality and non-discrimination.⁷⁵ These opinions are binding on Belize, even though it is not a state signatory to the Inter-American Convention, because those rights are also found in the

⁶⁹ See American Declaration Articles I - XIII

⁷⁰ American Declaration Articles XIV - XXVI

⁷¹ American Declaration Articles XXIX - XXXVII

⁷² Advisory Opinion OC-10/89, 14 July 1989, Inter-Am. Ct. H.R. (Ser. A) No. 10 (1989).

⁷³ Advisory Opinion OC-04/1984 - Inter-Am. Ct. H.R. (ser. A) No. 04 (19 January 1984).

⁷⁴ Advisory Opinion OC-18/2003 - Inter-Am. Ct. H.R. (ser. A) No. 18 (17 September 2003).

⁷⁵ Raznovich, Leonadro. *The American Convention on Human Rights Requires Equal Marriage: A Logical and Legally Robust Advisory Opinion*. European Human Rights Law Review, 2019.

American Declaration, in particular the notion of equality of the Inter-American Convention which mirrors Article II of the American Declaration. In the first opinion, the court established a direct relationship between the prohibition of discrimination in the enjoyment of the rights enshrined in the convention and the prohibition of discrimination regarding its equal protection clause linked to the essential dignity of the individual.⁷⁶ The court concluded that, as a consequence of this direct link, the convention prohibits discrimination not only in regard to rights enshrined in the convention, but also in regard to all domestic laws of the member states, including their application,⁷⁷ with the effect of prohibiting member states from bringing about any norm that may regard or consider one group of people superior to another.⁷⁸

In the second Advisory Opinion (i.e., No. 18/2003), the court concluded that the principles of equality before the law, equal protection before the law, and non-discrimination all belong to the *jus cogens*⁷⁹ (compelling law) because these principles are the foundation upon which the national and international public order rests, which therefore permeate all legal systems.⁸⁰ In this regard, the Inter-American Court noted that states have a negative and positive obligation: states must refrain from adopting discriminatory norms or norms that have discriminatory effects on minority groups. Additionally, states must repeal any existing discriminatory norms, to take steps to fight discriminatory practices, and to adopt norms and take necessary steps to recognize and ensure the effective equality of all people before the law.⁸¹

With these two Advisory Opinions as precedents, three cases were decided via the contentious jurisdiction between 2012 and 2016 on the subject of sexual diversity⁸² (even before the Advisory Opinion⁸³ on gender identity and same sex marriage was delivered⁸⁴), in which the Inter-American Court held 6 to 1 that the right of same-sex couples to form a family is

⁷⁶ Advisory Opinion OC-04/1984 - Inter-Am. Ct. H.R. (ser. A) No. 04 (19 January 1984) at [55].

⁷⁷ Advisory Opinion OC-04/1984 - Inter-Am. Ct. H.R. (ser. A) No. 04 (19 January 1984) at [53]-[54]

⁷⁸ *Ibid.* This does not mean that discrimination may not be justified but difference in treatment must be objective and reasonable.

⁷⁹ Advisory Opinion OC-18/2003 - Inter-Am. Ct. H.R. (ser. A) No. 18 (17 September 2003) at [101].

⁸⁰ *Ibid.* It must be noted that the Judicial Committee of the Privy Council, the British colonial court that remains the apex court for 7 independent nations in the Caribbean (Antigua and Barbuda, the Bahamas, Grenada, Jamaica, St Christopher and Nevis, St Vincent and Grenadines, and Trinidad and Tobago) held similarly that equality and human dignity are foundational to the rule of law in society. See *Matadeen v Pointu* [1998] 1 AC 98 (PC) (Mauritius), at 109.

⁸¹ Advisory Opinion OC-18/2003 - Inter-Am. Ct. H.R. (ser. A) No. 18 (17 September 2003) at [105]-[107].

⁸² *Atala Riffo and daughters v Chile* Inter-Am. Ct. H.R. (ser. C) No. 254 (24 February 2012) (version in English <http://corteidh.or.cr/docs/casos/articulos/seriec_239_ing.pdf>), *Duque v Colombia* Inter-Am. Ct. H.R. (ser. C) No. 310 (26 February 2016), and *Flor Freire v Ecuador* Inter-Am. Ct. H.R. (ser. C) No. 315 (31 August 2016).

⁸³ Advisory Opinion OC-24/17 - Inter-Am. Ct. H.R. (ser. A) No. 24 (24 November 2017).

⁸⁴ Raznovich, Leonadro. *The American Convention on Human Rights Requires Equal Marriage: A Logical and Legally Robust Advisory Opinion*. *European Human Rights Law Review*, 2019.

protected by the convention under the rights to private and family life. The court reiterated that the convention cannot promote a particular model of family,⁸⁵ nor does it allow an interpretation to exclude a group from enjoying the rights enshrined in the convention.⁸⁶ This therefore led the court to conclude that on grounds of the right to equality and to non-discrimination, the convention requires the recognition of equal marriage to avoid giving a privileged treatment to heterosexual couples (which would convey heteronormativity as the only normal relationship) while denying the rights to those couples who do not meet the heteronormative pattern because they are perceived as abnormal.

The Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women (The Convention of Belém do Pará)

The Convention of Belém do Pará, signed and ratified by Belize in November 1996,⁸⁷ focused on eliminating gender-based violence. It reiterates that the full respect of human rights is paramount, recognizes the shortcomings of the application of this principle in relation to women, and seeks to promote a reparative model for the closing of these gaps by eradicating violence against women on the systemic and interpersonal levels. The convention affirms that violence against women constitutes a violation of their human rights, and declares that such actions prevent the full enjoyment of women's fundamental rights and freedoms, and creates obstacles to their full economic and social participation and advancement.⁸⁸

Belize undertakes as a state party to condemn all forms of violence against women and pursue policies to prevent, punish, and eradicate such violence. The convention obligates states to undertake measures, including: programs to promote awareness, modify social and cultural patterns obstructive to women, promote education and training at the administrative, judicial, and policing levels, provide appropriate services for affected women, and promote specific education in the population to raise awareness.⁸⁹ Additionally, the Convention of Belém do Pará **has been held to apply to violence against transgender women.**⁹⁰

Therefore, the Convention of Belém do Pará establishes obligations on Belize to ensure that its institutions and citizens can recognize and work toward the elimination of gender-based discrimination from the public sector to the private domain, which especially includes women within the LGBTQ+ community and the unique challenges they experience.

⁸⁵ Advisory Opinion OC-24/17 - Inter-Am. Ct. H.R. (ser. A) No. 24 (24 November 2017) at [174].

⁸⁶ *Ibid*

⁸⁷ Organization of American States, Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women "Convention of Belém do Pará," available at <https://www.oas.org/juridico/english/signs/a-61.html>.

⁸⁸ Convention of Belém do Pará, Preamble.

⁸⁹ Convention of Belém do Pará, Art. 7; Art. 8 a.; Art. 8 b.; Art. 8 c.; Art. 8 d.; Art. 8 e.

⁹⁰ Vicky Hernández et al v Honduras, Inter-Am. Ct. H.R. (ser. C) No. 422 (26 March 2021) at [133].

In summary, even though Belize has not signed the American Convention on Human Rights, binding regional obligations under both the charter, the American Declaration of the Rights and Duties of Men (by effect of having joined the Organization of American States), and the Convention of Belém do Pará still call on Belize to expand legal, and arguably, even economic protections for LGBTQ+ people to better comply with regional treaties (e.g. passing socio-economic laws that include SOGI as protected characteristics under non-discrimination and hate crime laws—as explored more in-depth in Part 2).

Belize has obligations under various instruments of CARICOM to promote the economic and social development of all its people

Revised Treaty of Chaguaramas establishing CARICOM

The Revised Treaty of Chaguaramas provides that Belize, as a part of the Objectives of the Community, must pursue the objectives of improved standards of living and work, and full employment of labor and other factors of production. The treaty goes on to establish a Council for Human and Social Development in the Community, which seeks to establish policies and programs to promote women’s and youth development with a view to enhancing their participation in social, cultural, political and economic activities, and develop special focus programs supportive of the maintenance of a healthy human environment.⁹¹

Further, the treaty calls upon community members to develop an adequate social infrastructure that enables the alleviation of poverty and secures social stability in the states themselves.⁹² Finally, the treaty provides in its Article of General Exceptions that nothing in the document be construed as preventing the adoption or enforcement by member states of measures to protect the health of all people.

The treaty therefore calls upon member states to ensure that their internal and collaborative structures are designed in a manner that encourages and provides for the full economic and social participation of the citizens of member states and facilitates movement and positive relations among them, including LGBTQ+ people.

Agreement establishing the Caribbean Court of Justice (CCJ)

The agreement establishing the CCJ, as discussed in the section below on domestic obligations, is the controlling legislation establishing the jurisdiction of the court in contentious proceedings, when referrals are permissible, the matters over which the court enjoys compulsory jurisdiction, controlling law, standing of private entities, and the appellate

⁹¹ Revised Treaty of Chaguaramas, Art. 6. (a); Art. 6. (b); Art. 17. (2)(d); Art. 17. (2)(f)

⁹² Revised Treaty of Chaguaramas, Art. 75.

jurisdiction of the court.⁹³ The CCJ represents Belize’s final court on all constitutional matters and replaced the British colonial court of the Judicial Committee of the Privy Council.

In this sense, it’s worth noting the importance of the work carried out by the Caribbean Court of Justice, whose decisions during the last five years enshrine international precepts regarding human dignity, equality and non-discrimination of citizens, including LGBTQ+ people.⁹⁴ This cannot be overstated, particularly where the Caribbean Court of Justice is contrasted with decisions of the British Judicial Committee of the Privy Council, which has become a guardian of colonial norms, imposing the validity of the old colonial laws over the constitutions of some of the new independent states. This seems to represent a modern judicial colonialism that harps to an antiquated treatment of independent countries.⁹⁵

Domestic Obligations

Belize has domestic economic obligations to its own citizens. Particularly, the protections enshrined in its Constitution, and the positive duties that stem from it, mandate the state to ensure its citizens’ equal enjoyment of constitutional rights and protections. Examples of Belize effecting these constitutional obligations are the passage of the Protection against Sexual Harassment Act, the Labour Act, and the Equal Pay Act—three acts which are to the benefit of all Belizeans and regardless of any identity characteristics.

The Constitution obligates the state to protect its people’s fundamental rights and freedoms

The Constitution of Belize provides in its preamble that the economic system must be operated in a manner that: results in the equitable distribution of the “material resources of the community,” helps realize “adequate means of livelihood for all,” and ensures that there is “opportunity for advancement on the basis of recognition of merit [and] ability.”⁹⁶ These provisions, although lacking legal force, can be read as guiding the state to enforce constitutional clauses in a way that removes barriers to economic access—such as discrimination on the basis of SOGI—and thus facilitate the full enjoyment of protected rights.

The preamble further elaborates that governance should engender a society that enables all Belizeans to “play some part in in the institutions of national life,”⁹⁷ and requires state policies to “eliminate economic and social privilege and disparity... whether by race... disability, or sex...

⁹³ Agreement establishing CCJ, Articles XII - XXV

⁹⁴ LJ Raznovich and ER Zaffaroni *The human right to respect sexual orientation and gender identity in the Caribbean and Latin America - Current situation and perspectives* (IHR San José 2021)

⁹⁵ For a discussion on this paradox see Raznovich; *The Caribbean deserves better than the unpersuasive arguments of the Privy Council*. European Human Rights Law Review, 2022.

⁹⁶ See Preamble (b) “Belize 1981 (Rev. 2011) Constitution - Constitute.” n.d. [Www.constituteproject.org](https://www.constituteproject.org/constitution/Belize_2011).

⁹⁷ *Ibid*, Preamble (c)

ensures gender equality... protects the rights of the individual to life, liberty... basic health... work [and protects the] dignity of Belizeans.”⁹⁸ Therefore, these statements signal the state’s commitment to pursue protections to safeguard the rights of all Belizeans, including LGBTQ+ people, and work to secure paths for their greater social and economic inclusion.

Belizeans’ fundamental rights and freedoms are enshrined in Part II of the Constitution. The section establishes entitlements, irrespective of identity categories (e.g. race and sex) to the rights to life, liberty, security of the person, and the protection of the law; freedoms of conscience, expression, assembly, and association; and protections for family life, personal privacy, the privacy of the home, and recognition of human dignity.⁹⁹ It’s thus incumbent upon the state to investigate, identify, and pursue preventative measures on infringements of these rights—such as violence against LGBTQ+ people or discrimination based on SOGI, occurring at the interpersonal and structural levels which frustrate full enjoyment of rights for all Belizeans.

The Constitution creates several more obligations for the state to observe and safeguard the rights of its people. Part II enshrines both equality before the law and the protection of the law, as well as protections from inhumane treatment, including against arbitrary search or entry. Protections such as the freedoms of movement, conscience, expression, assembly and association, and the right to privacy, are established here. Crucially, the protections of the right to work and explicitly enumerated protections from discrimination in the workplace¹⁰⁰ are located in this section. These enumerated rights, freedoms and protections obligate the state to repeal norms that hinder them and to act to advance the human, social, and economic rights of all Belizeans, especially those at its most vulnerable intersections, such as LGBTQ+ people.

Finally, the Constitution provides for Appeals to the Caribbean Court of Justice (CCJ) as the court of final decisions. The section provides applicants the right of appeal for relief in matters of constitutional interpretation involving contravention of the rights guaranteed under the Constitution,¹⁰¹ and details which matters can be referred and the circumstances under which the CCJ has original jurisdiction.¹⁰² Enshrining the right of appeal to the CCJ, the Constitution provides Belizeans further opportunity for equitable relief from its domestic regional apex court when constitutional rights are being breached by executive orders or primary legislation.¹⁰³

The Protections against Sexual Harassment Act

⁹⁸ Ibid, Preamble (e) and Preamble (f)

⁹⁹ Ibid Constitution Part II 3. a.; 3. b.; 3. c

¹⁰⁰ Ibid Constitution Part II 6. 1; 7; 9; 10; 11; 12; 13; 14; 15; 16

¹⁰¹ Ibid, Constitution Part VII 104 (1) (2) (3) (5) (6)

¹⁰² Ibid, Constitution Part VII 104 (1) (2) (3) (5) (6)

¹⁰³ In 2018, the CCJ declared unconstitutional a colonial law in Guyana that criminalized transgender people, holding that “[c]ivilised society has a duty to accommodate suitably differences amongst human beings. Only in this-manner can we give due respect to everyone’s human/ty.” See *McEwan v Guyana* [2018] CCJ 30 (AJ). Although not binding, this case be persuasive authority for Belize.

The Protections against Sexual Harassment Act creates further obligations on the state to safeguard the economic, social, and cultural rights of all, including LGBTQ+ people, by offering several legal safeguards to prevent sexual harassment. Some of these protections seek to create economic protections at the public, institutional, and private levels, such as protections against sexual harassment perpetrated by those in positions of authority,¹⁰⁴ and the imposition of a duty on institutional leadership to structure an environment free from sexual harassment.¹⁰⁵ As a community who is already vulnerable to this violence, LGBTQ+ people can rely on this legislation to seek relief arising from instances of harassment which threaten their livelihoods.

The Labour Act

The Labour Act seeks to prevent unfair termination. Although it acknowledges that both employers and employees may terminate their contracts without notice, it stipulates this must be premised upon “good and sufficient cause.”¹⁰⁶ Causes not necessitating notice include: worker misconduct inconsistent with the express or implied conditions of their contract, willful disobedience of lawful orders given by employers, a lack of pertinent skill an employee purported to possess but failed to display during employment, habitual neglect of duties, and unexcused absences.¹⁰⁷ This legislation, therefore, provides Belizeans with statutory avenues of relief in instances where they are summarily dismissed for unprotected or violative causes, such as discrimination based on SOGI.

The Equal Pay Act

The Equal Pay Act demands that all Belizeans are paid the same for equal work and provides that employers shall not, by virtue of unequal payment, discriminate based on sex, or between female and male employees. While the statute expressly contemplates wage discrimination between male and female employees by employers, it arguably prohibits employers from engaging in undue wage discrimination broadly, and thus against discrimination based on SOGI.

¹⁰⁴ Protections against Sexual Harassment Act Part II 7

¹⁰⁵ Protections against Sexual Harassment Act Part II 8

¹⁰⁶ Labour Act Part VI 46 (1)

¹⁰⁷ Labour Act Part VI 46 (2)

PART 2: AN EMPIRICAL ANALYSIS OF EIGHT ESC RIGHTS FOR LGBTQ+ PEOPLE

Part 2 first provides descriptive statistics from the Belizean sample of the regional data. It then focuses on eight ESC rights, first giving context on why these rights are so important for LGBTQ+ people. A brief legal analysis is provided, predominantly showing that Belize does not have a sufficient legal or policy framework to protect LGBTQ+ people based on their SOGI. In light of this deficiency, the subsequent subsection will provide an analysis of the primary data, showing that LGBTQ+ people do in fact experience more challenges and harsher impacts. This shows the “LGBTQ+ tax” and “LGBTQ+ penalty,” especially when compared to the heterosexual and cisgender (non-LGBTQ+) cohort, who fare much better along every ESC right. The section on violence provides a deeper analysis of the data using regression analyses.

Key Points

1. The eight ESC rights are important dimensions in life, and include: family, education, healthcare, employment, housing, socioeconomic status, freedom from violence, and justice. Without these eight ESC rights, an environment has been created whereby LGBTQ+ people experience more challenges and harsher impacts. This is predominantly driven by their SOGI.
2. The data reiterate an “LGBTQ+ tax” as well as “LGBTQ+ penalty”, meaning they are **expected to do more to navigate stigma, exclusion, and discrimination—yet cannot equally enjoy the benefits of the social and economic system, and are rather penalized.**
3. The harms experienced—the “LGBTQ+ penalty”—are tremendous. A brief scan shows being:
 - kicked out of the family home.
 - bullied extensively in schools.
 - unable to access health services.
 - fired from work.
 - unable to live with their partner, as well as being forced into homelessness.
 - of a lower socioeconomic status, perhaps even poverty cycles for those with diminished education and income.
 - victim to numerous experiences of psychological and physical violence.
 - unable or unwilling to report crimes against them, even though they are significantly more likely to experience violence and discrimination.
4. There is a statistically significant relationship between socioeconomic status (SES) and the experience of psychological violence: **those of a lower SES are more likely to experience psychological violence.** This suggests a buffering effect of higher SES. Similarly, there are statistically significant relationships between types of violence: **as the experience of psychological violence increases, so does the experience of sexually motivated violence; additionally, a rise in physical violence is also associated with a rise in sexually motivated violence.** Both links suggest a cascading effect of violence onto other forms of violence.
5. Further analysis shows the complex relationship between various forms of discrimination and violence. Namely, **the experiences of discrimination generally as well as within the family are reliable indicators of psychological violence, physical violence, sexually motivated violence, and neglect.** This reiterates the “LGBTQ+ penalty” but also shows that discrimination has longer-term and far-reaching impacts throughout the lifetime, not just bound to the particular time and place it was experienced.

Descriptive Data

Focusing on the survey of the regional dataset ($N = 2,167$) collected November 2020—March 2021, respondents from Belize comprised 27.9% of the overall respondents ($N = 560$). This was the second-largest total out of all surveyed countries, only behind Trinidad and Tobago with 28.5% of the overall respondents. Overall, the sample from Belize shows a diverse array of respondents, across the demographic spectrum based on ethnicity, education, income, gender, and sexual orientation and gender identity, as seen in Table 1 below. Note: Tables 2–10 and Table 18 disaggregate by lesbian, gay, bisexual, and queer respondents (LGBQ); transgender respondents (Trans); and heterosexual and cisgender respondents, or those who are not LGBTQ+ (Hetero-Cis).

Table 1. Demographic Characteristics of Respondents from Belize

	Mean	SD	Percent
Age	26.95	9.06	
Ethnic Background			
<i>Afro-Caribbean</i>			34.5%
<i>Caucasian</i>			10.7%
<i>Chinese</i>			3.8%
<i>Indo-Caribbean</i>			2.9%
<i>Indigenous</i>			3.2%
<i>Latino or Hispanic</i>			25.2%
<i>Mixed</i>			16.4%
<i>Portuguese</i>			0.2%
<i>Syrian/Lebanese</i>			0.2%
Highest Educational Attainment			
<i>Primary school or less</i>			17.9%
<i>Secondary/vocational school – Did not complete</i>			14.8%
<i>Secondary or vocational school</i>			18.2%
<i>Tertiary school – Did not complete</i>			10.0%
<i>Tertiary school – Non-university</i>			13.6%
<i>Tertiary school – University</i>			22.3%
Income (in Belizean dollars)			
<i>Less than \$5,000</i>			38.8%
<i>\$5,000–\$19,999</i>			29.3%
<i>\$20,000–\$49,999</i>			13.9%
<i>\$50,000–\$99,999</i>			3.8%
<i>\$100,000–\$149,999</i>			0.9%
<i>Prefer not to answer</i>			13.4%
Gender Identity			
<i>Cisgender woman</i>			40%
<i>Cisgender man</i>			34.5%
<i>Transgender woman</i>			3.4%
<i>Transgender man</i>			2.3%
<i>Gender non-conforming/non-binary</i>			5.7%
<i>Other/Prefer not to answer</i>			14.1%
Sexual Orientation			
<i>Bisexual</i>			31.6%
<i>Gay</i>			26.3%
<i>Heterosexual or straight</i>			20.5%
<i>Homosexual</i>			4.1%
<i>Lesbian</i>			8.4%
<i>Queer</i>			2.3%
<i>Other/Prefer not to answer</i>			6.8%
SOGI Identity – By Cohort			
<i>Lesbian, Gay, Bisexual, or Queer (LGBQ)</i>			69.8%
<i>Transgender or Non-Binary (Trans)</i>			12.3%
<i>Heterosexual & Cisgender (Hetero-Cis)</i>			17.9%

N = 560

Table 2 provides a description of general social challenges experienced by the LGBTQ+ cohort as well as the heterosexual and cisgender (non-LGBTQ+) cohort. It's important to highlight that this heterosexual and cisgender cohort fared better along almost every dimension below (where applicable). This gives credence to the "LGBTQ+ tax" which describes how LGBTQ+ people must navigate more challenges in everyday life. It's also important to note that transgender respondents predominantly fared the worst among each cohort, also suggesting their added vulnerability and challenges by virtue of expressing a gender identity outside of the traditional male-female binary. Although each subsection in Part 2 will dive deeper into the data by eight ESC rights, Table 2 does establish a baseline idea of general social challenges.

Table 2. Experience of General Social Challenges by Cohort

Item Agreement (%)*	LGBQ	Trans	Hetero-Cis
I have been harassed physically or verbally	41.9	46.3	4.0
I expect that others will not accept me because I am LGBT	52.9	57.9	–
I can rely on LGBT organizations when I am in need	40.3	44.8	34.0
The COVID pandemic has made it harder on you as an LGBT person	47.8	47.8	–
I worry about my income or other financial assets	67.8	71.0	56.0
I take meaning in my work and am gainfully employed	68.9	69.5	68.0
I worry about what will happen if people find out I am LGBT	51.9	53.6	–
I feel that laws against LGBT people interfere in my life in negative ways	62.8	57.9	31.0
I can rely on my government when I am in need	33.2	24.5	28.0

N = 560
** Indicates the percentage of individuals in each cohort who responded "sometimes" or more frequently.*

Family

The family unit is a very important part of life because it is inextricably tied to social and economic empowerment, as well as physical and emotional well-being. It's also where children are first taught societal gender norms, as well as other powerful social norms (e.g. religious norms, so-called traditional values, etc.). Generally, these norms can fuel stigma against those with diverse SOGI, or those who are not heterosexual and cisgender. For LGBTQ+ youth, this becomes problematic when they are held to such strict expectations—often reinforced with punishments. Additionally, some households are led by LGBTQ+ people and couples, which is also an important part of the community with particular needs - yet often overlooked by the state and sometimes treated by the general community with derision and mockery.

Legal Analysis

In Belize, there are no protections for LGBTQ+ youth within their families, nor for same-sex couples or any family who exists outside of the traditional family unit predicated on the historical gender binary (heterosexual and cisgender). In fact, same-sex couples have no legal security to protect themselves or their children from discrimination, exclusion, or violence.

Their existence is not acknowledged in law nor is it encouraged to thrive. For example, same-sex parents cannot share parental rights; cannot adopt together; have no control of guardianship if they are a non-biological parent; and don't have any protections or rights in the event of their partner's death.

More specifically, even though the Constitution ensures protections of family life, it's predicated on so-called "traditional" families (heterosexual and cisgender-led units). Protections of all families - regardless of SOGI - does not translate into legislation like the Families and Children's Act. For example, Section 3(c) of the Constitution grants the protection of a person's family life, as well as their personal privacy, privacy of one's home and other property, and recognition of one's human dignity. Within the right to privacy, it's established that "a person shall not be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor to unlawful attacks on his honor and reputation."¹⁰⁰ Yet, subsidiary laws ignore the reality of same-sex family households and their particular needs to be protected—and thus exclude them. Commonlaw unions epitomize this exclusion,¹⁰¹ since there is no legislation to allow same-sex partners to make life and death decisions about medical care and treatment for a critically ill partner. This exclusion further underscores the vulnerability of LGBTQ+ family units, and the right to dignity in complex health situations.¹⁰²

Descriptive Statistics and Analysis

For the LGBTQ+ cohort, violence and exclusion begins in the family and impacts their physical well-being, mental health, socioeconomic status, and opportunities in life. More than one in three LGBQ (34.7%) and more than four in ten trans (41.4%) respondents experienced challenges in their family—well more than the heterosexual and cisgender cohort (16.3%). For those experiencing these challenges, around eight in ten respondents reported that it was due to their SOGI. The impacts of these challenges were daunting, including being forced into a heterosexual relationship, the experience of shame, being forced into so-called "conversion therapy," getting kicked out of the house, and being cut off from family resources, among others. Table 3 below examines these challenges and impacts more in-depth.

¹⁰⁰ Constitution Section (c) "Belize 1981 (Rev. 2011) Constitution - Constitute." n.d.

Www.constituteproject.org. https://www.constituteproject.org/constitution/Belize_2011.

¹⁰¹ "The Attorney General's Ministry of Belize - the AGM." n.d. Wwww.agm.gov.bz.

<https://www.agm.gov.bz/laws>. Supreme Court of Judicature (Amendment) Act Chapter 91,ss 148(d)

¹⁰² "The Attorney General's Ministry of Belize - the AGM." n.d. Wwww.agm.gov.bz.

<https://www.agm.gov.bz/laws>. Belize Constitution Act Chapter 4 Revised Edition 2020 Substantive Laws as at 31

Table 3. Experience & Consequences of Negative Familial Treatment by Cohort

ITEM AGREEMENT (%)	LGBQ	Trans	Hetero-Cis
I have experienced discrimination or exclusion from my family	34.7	41.4	16.3
This discrimination or exclusion was a result of my gender or sexual identity†	79.0	83.3	–
As a result of this discrimination or exclusion:†			
<i>I experienced shame as a result of interacting with family members</i>	63.9	83.3	26.7
<i>I was forced into a heterosexual relationship</i>	12.6	29.2	6.7
<i>I was denied the ability to live openly</i>	45.4	62.5	6.7
<i>I was deprived of financial resources</i>	14.3	25.0	6.7
<i>My family cut me off from generational wealth</i>	13.4	8.3	0.0
<i>I was kicked out of the house</i>	16.0	20.8	6.7
<i>I was forced into conversion therapy</i>	10.1	4.2	0.0

N = 463

Table 4. Familial Dependence to Meet Basic Needs by Cohort

Item Agreement (%)	LGBQ	Trans	Hetero-Cis
I rely on my family for:			
<i>Housing</i>	33.5	42.0	42.0
<i>Food</i>	37.1	42.0	40.0
<i>Financial resources</i>	33.8	31.9	39.0
<i>Other basic needs (clothes, etc.)</i>	22.8	31.9	27.0
<i>I don't rely on my family for finances or resources</i>	27.1	33.3	27.0
My family relies on me for:			
<i>Housing</i>	6.9	4.3	18.0
<i>Food</i>	20.5	23.2	24.0
<i>Financial resources</i>	35.3	33.3	36.0
<i>Other basic needs (clothes, etc.)</i>	12.8	11.6	21.0
<i>My family doesn't rely on me for finances or resources</i>	30.7	31.9	36.0

N = 560

† Among those indicating agreement with the statement “I have experienced discrimination or exclusion from my family.”

Additionally, in regard to how their family relies on them economically, data show similar patterns between the LGBQ, transgender, and heterosexual and cisgender cohorts. In Table 4 above, there is a similarity among the three cohorts in regard to how they rely on their families,

as well as in how their families rely on them. For example, more than one in three respondents across the three cohorts reported that their families rely on them for financial resources. This shows that many LGBTQ+ people in Belize are also crucial to the family unit, and are also economic drivers and pivotal parts of the socio-economic system. **Therefore, any additional socio-economic challenges that they experience—the “LGBTQ+ penalty”—will not only have a negative impact on them as individuals, but also on their families.**

Overall, with no legal protection for LGBTQ+ youth in their families nor for same-sex households, this means that LGBTQ+ families carry the burden to litigate or advocate for every concern of their family unit. This could show the “LGBTQ+ tax” in that they are expected to do more than all else, and navigate more biases, just to get by. Separately, the data show more challenges for LGBTQ+ people in their natal family, with corresponding social and economic harms—more so when compared to the heterosexual and cisgender cohort. This does bolster the “LGBTQ+ penalty” which is not only exacted on themselves, but also on their families.

Education

School remains one of the most important parts of one’s life, as it’s the basis of the creation of human capital, as well as being the first space other than home where youth spend a significant amount of time. It therefore often has strong impacts on identity-formation as well as physical and mental health. School is also a space that teaches and reinforces traditional gender norms, which often carries homophobic and transphobic attitudes—not only from one’s peers, but often from teachers as well as other school staff. For LGBTQ+ youth, this harassment and discrimination can be extensive, with tremendous impacts on other outcomes in life.

Legal Analysis

Within the education sector, no legislation exists to prohibit discrimination or violence against LGBTQ+ students on the basis of their SOGI. A large part of the education sector is guided by Legislation and Regulations,¹¹¹ which is overseen by the Ministry of Education and School Management. In those regulations, even though the education rules prohibit general discrimination against students,¹¹² it does not specifically include the basis of SOGI. Further, no formal mechanism exists for a student to seek redress if discriminated against by the management of the school (rather, they must pursue a hefty process via the High Court).

¹¹¹ “Legislation and Regulations.” n.d. Ministry of Education, Culture, Science and Technology. Accessed May 3, 2024. <https://www.moecst.gov.bz/resources/legislation-and-regulations/>.

¹¹² Education Amendment rules of 2012, SS 58 3(b,ix), pg 125

Another challenge is that denominational schools (which receive some form of governmental funding) have created their own educational rules within their school system, often targeting anyone outside of the heterosexual and cisgender binary. For many of these schools,¹¹³ e.g. the Catholic, Anglican, Evangelical and Methodist schools, their management has created rules that are separate from policies established in the Ministry of Education.¹¹⁴ These separate rules are often not aligned with the education rules or even the Constitution. This has already placed some LGBTQ+ students in vulnerable situations and even as victims to discriminatory acts. For example, the right to education was violated through the removal of a male student over his hair length being too long and therefore against traditional gender norms. In response, the Ministry of Education stated: “The ministry is not about micromanaging schools, but students cannot be removed from or denied admission to school because of the length of their hair.”¹¹⁵ Yet, this message did not sway the school into enforcement, showing that the education rules remain inadequate and unable to protect vulnerable students, particularly LGBTQ+ youth or those who express a diverse gender identity.

It becomes clear that LGBTQ+ students have a diminished opportunity to express themselves, which includes the inability to find “safe spaces” in Belizean schools. In fact, numerous cases of discrimination have been leveled against some schools on the basis of SOGI. For example, and as far back as 2009,¹¹⁶ a female transgender student was forced to leave as a result of using the female bathroom—culminating in her suspension. Therefore, the student's right to an education was not protected by the state. This case also highlighted that redress mechanisms for students remain weak when they experience discrimination.¹¹⁷

Descriptive Statistics and Analysis

As seen in Table 5 below, around one in four of the LGBTQ+ cohort experienced discrimination or exclusion within education or training programs, reported as largely due to their SOGI. These challenges were more so than the straight and cisgender cohort, exhibiting a statistically significant difference in educational discrimination on account of SOGI. The impact of this discrimination or exclusion was severe, including suspension or expulsion, bullying from other students, unfair treatment from school staff or teachers, a limitation on access to school programs, and other harms.

¹¹³ “Directory of Schools in Belize 2021-2022.” n.d. Ministry of Education, Culture, Science and Technology. Accessed May 3, 2024. <https://www.moecst.gov.bz/document/directory-of-schools-in-belize-2021-2022/>.

¹¹⁴ “Legislation and Regulations.” n.d. Ministry of Education, Culture, Science and Technology. Accessed May 3, 2024. <https://www.moecst.gov.bz/resources/legislation-and-regulations/>.

¹¹⁵ Posted on Channel 5 Belize, “I Am Not My Hair – M.O.E. Concerned about School Hair Policies”.

¹¹⁶ “7 News Belize.” n.d. www.7newsbelize.com. <https://www.7newsbelize.com/sstory.php?nid=63297>.

¹¹⁷ Trans, Planet. n.d. “Belize: Protect Student Jose Garcia from Discrimination and Expulsion.” Accessed May 3, 2024. <https://www.planetrans.org/2009/12/belize-protect-student-jose-garcia-from.html>.

Table 5. Experience & Consequences of Educational Discrimination by Cohort

ITEM AGREEMENT (%)	LGBQ	Trans	Hetero-Cis
I have experienced discrimination or exclusion in accessing education or training	24.8	26.1	18.0
This discrimination or exclusion was a result of my sexual orientation or gender identity†	83.5	77.8	–
As a result of this discrimination or exclusion:†			
<i>I did not get into the educational/training institution I applied to</i>	19.6	27.8	16.7
<i>I was not able to study the course I wanted to study</i>	19.6	22.2	33.3
<i>I was forced to dress, speak, or behave according to my sex assigned at birth</i>	22.7	55.6	11.1
<i>I was suspended or expelled</i>	10.3	5.6	16.7
<i>I didn't get access to some opportunities that others got</i>	29.9	33.3	11.1
<i>I was harassed or bullied at the educational institution by other students</i>	38.1	66.7	44.4
<i>I was treated unfairly by a teacher/staff member of the institution</i>	24.7	38.9	16.7

N = 560

† Among those indicating agreement with the statement “I have experienced discrimination or exclusion in accessing education or training.”

Homophobic and transphobic bullying remains an extensive challenge in schools in Belize. Table 6 below focuses explicitly on bullying in schools, showing who perpetuates it as well as its impact. Close to four in ten of the LGBQ cohort, and more than four in ten of the transgender cohort, reported experiencing harassment in schools, largely due to their SOGI. This was more so than the straight and cisgender cohort, with one in four reporting bullying (which suggests this challenge is common for the general population, as well). Yet for the LGBTQ+ cohort, more than 85% reported it derived from students, as more than one in four reported it came from teachers or other school administrators. The impact of bullying was severe, leading to diminished mental health and a sense of isolation, physical health concerns, lower grades, and even school dropouts.

Table 6. Experience & Consequences of Bullying by Cohort Sexual ID

ITEM AGREEMENT (%)	LGBQ	Trans	Hetero-Cis
I have experienced bullying or harassment in school	39.4	43.5	25.0
This bullying or harassment was a result of my SOGI†	76.0	60.0	–
I was bullied or harassed by:†			
<i>Peers</i>	85.7	86.7	96.0
<i>Teachers</i>	26.6	26.7	12.0
<i>Other school administrators</i>	22.7	26.7	4.0
I experienced this bullying or harassment:†			
<i>In-person – physically</i>	44.2	70.0	40.0
<i>In-person – verbally</i>	83.1	80.0	88.0
<i>Online – email</i>	7.1	3.3	4.0
<i>Online – social media</i>	33.8	40.0	36.0
<i>Online – smartphone apps</i>	5.2	13.3	12.0
<i>Over phone – text message or voice call</i>	9.7	10.0	8.0
As a result of these bullying or harassment experiences:†			
<i>I dropped out</i>	14.9	16.7	16.0
<i>I had to study a field I didn't want to study</i>	16.2	10.0	4.0
<i>My grades were negatively affected</i>	34.4	43.3	28.0
<i>Mental health-related consequences (e.g., depression, shame, anxiety, etc.)</i>	61.7	70.0	52.0
<i>I had physical health problems</i>	16.9	30.0	8.0
<i>I felt isolated from my peers</i>	40.9	46.7	36.0
<i>I have experienced difficulties with my partner</i>	14.3	13.3	4.0

N = 560

† Among those indicating agreement with the statement “I have experienced bullying or harassment at school.”

Overall, in light of insufficient laws—as well as—prevalent stigma in schools, LGBTQ+ youth are vulnerable to numerous forms of violence and exclusion. And in fact, the data show more challenges in comparison to the heterosexual and cisgender cohort, especially in the form of bullying. This again reiterates the “LGBTQ+ tax,” which is exacted on youth at such an early age, which then requires them to cope with more challenges in order to graduate. Yet, the impacts of bullying are extensive, also reiterating the “LGBTQ+ penalty,” with clear negative impacts on educational attainment and graduation rates. Educational attainment and graduation rates are very important, as they serve as the main impetus for the creation of human capital. For Belize, with a public spending on national education at 4.5% of its GDP in 2022,¹¹⁸ LGBTQ+ challenges in schools represent a significant drain on human capital creation, with aggregate impacts on macroeconomic development outcomes.

¹¹⁸ “Belize Public Spending on Education as a Share of GDP, 1960-2023 - Knoema.com.” n.d. Knoema.

Healthcare

Legal, institutional, and attitudinal challenges can contribute to health disparities among LGBTQ+ people, often by creating barriers in access to appropriate healthcare as well as contributing to a higher burden of disease.¹¹⁹ For example, it's theorized that “minority stress”—or experiencing daily microaggressions within a culture of stigma—contributes to specific health penalties among LGBTQ+ people, like diminished mental health. In other cases, and again due to a lack of services and negative attitudes among health providers, gay and bisexual men as well as transgender women are more vulnerable to becoming HIV+, often with little hope of treatment. Additionally, and at the most extreme, acts of aggression and violence are tremendous barriers to the full realization of a healthy life.¹²⁰

Legal Analysis

In Belize's health sector, there are no protections from discrimination based on SOGI for LGBTQ+ people. For example, Belize has the national Health Sector Strategic Plan 2014–2024,¹²¹ which does prioritize some important core values like social justice and equity. Yet, this plan does not provide targeted guidance for LGBTQ+ patients. Similarly, the National Medium Term Development Strategy (#planBelize) 2022–2026¹²² mentions ideals like socioeconomic justice, and the Pan-American Health Organization's Country Cooperation Strategy with Belize (2023–2027)¹²³ mentions equity. Yet again, neither strategy offers any protection, reference, or guidance to the specific health needs of LGBTQ+ people.

Some parts of the health planning system offer hope for addressing the needs of LGBTQ+ people. For example, there is a Belize National AIDS Commission Act Amendment 2017¹²⁴ that promotes a multi-sectoral approach to combating and treating HIV, which has clear overlaps to addressing the needs of gay and bisexual men, other men who have sex with men, and transgender women. Fortunately, this act has legislated LGBTQ+ representation as at least one

¹¹⁹ Valfort, et al. 2017. “Organisation for Economic Co-Operation and Development LGBTI in OECD COUNTRIES: A REVIEW, WORKING PAPER No. 198 Marie-Anne Valfort.” <https://www.oecd.org/els/soc/LGBTI-in-OECD-Countries-A-Review-Valfort-2017.pdf>.

¹²⁰ Ibid

¹²¹ “A Safer & Healthier Belize by 2024.” 2014.

https://extranet.who.int/countryplanningcycles/sites/default/files/planning_cycle_repository/belize/blz._health_sector_strategic_plan_2014-2024.pdf.

¹²² “MEDIUM-TERM DEVELOPMENT STRATEGY #PLAN BELIZE.” 2022. <https://med.gov.bz/wp-content/uploads/2023/04/Belize-Med-Term-Dev-Strategy-Action-Plan-2022-to-2025.pdf>.

¹²³ “Belize: Country Cooperation Strategy 2023-2027 - PAHO/WHO | Pan American Health Organization.” 2023. [www.paho.org](https://www.paho.org/en/documents/belize-country-cooperation-strategy-2023-2027). June 26, 2023. <https://www.paho.org/en/documents/belize-country-cooperation-strategy-2023-2027>.

¹²⁴ National AIDS Commission Act Amendment 2017

key population to be included in the Country Coordinating Mechanism within the HIV multi-sectoral response. Yet, critics have pointed out a lack of actual investments into its implementation to reach the aforementioned segments of the LGBTQ+ community.

Descriptive Statistics and Analysis

For LGBTQ+ respondents, accessing healthcare is a challenge. Table 7 explores these access challenges, with corresponding harms. From the sample, 17.3% of the LGBQ and 21.3% of the transgender cohorts experienced discrimination or exclusion when accessing healthcare, which was far more than the heterosexual and cisgender cohort at 8%. Again, this was reported as largely due to their SOGI for the LGBTQ+ respondents. Impacts included feeling uncomfortable when accessing healthcare, a lack of access to services, physical harm due to ill-suited care, psychological repercussions, and being forced to self-medicate, among others.

Table 7. Experience & Consequences of Healthcare Discrimination by Cohort

ITEM AGREEMENT (%)	LGBQ	Trans	Hetero-Cis
I have experienced discrimination or exclusion when accessing healthcare	17.3	21.3	8.0
This discrimination or exclusion was a result of my sexual orientation or gender identity†	81.3	69.2	–
As a result of this discrimination or exclusion, I:†			
<i>Was made to feel uncomfortable so prefer not to access health services</i>	64.1	53.8	57.1
<i>Was unable to access the health services I need</i>	21.9	46.2	28.2
<i>Had to access privately paid instead of public healthcare</i>	25.0	53.8	28.6
<i>Went into debt because of medical expenses</i>	14.1	15.4	28.6
<i>Experienced physical harm due to inappropriate care or treatment</i>	6.3	15.4	0.0
<i>Experienced psychological problems due to inappropriate care or treatment</i>	18.8	23.1	0.0
<i>Experienced harm that resulted in the inability to work</i>	3.1	0.0	0.0
<i>Was forced to self-medicate or self-treat</i>	15.6	38.5	0.0
<i>Experienced difficulties with my partner</i>	6.3	7.7	0.0

N = 517

† Among those indicating agreement with the statement “I have experienced discrimination or exclusion when accessing healthcare.”

Overall, an insufficient legal framework in the health sector has helped create an environment whereby LGBTQ+ people are vulnerable to discrimination or other challenges when accessing healthcare—more so than heterosexual and cisgender people. These challenges can exacerbate health disparities for many in the community, perhaps contributing to a higher burden of disease or “minority stress.” Altogether, this reiterates the “LGBTQ+ tax,” which describes how

the community must contend with more systemic challenges when accessing healthcare. Similarly, the “LGBTQ+ penalty” is also clear, in that they experience harsher impacts.

Labor Markets

Due to minimal legal and policy protections, and in tandem with prevalent social stigma, there is extensive labor market discrimination against LGBTQ+ people.¹²⁵ This occurs when LGBTQ+ people apply for work as well as within the workplace. In fact, this labor market discrimination is so far-reaching and systemic that it’s more accurately described as occupational segregation. This is the concept that describes endemic discrimination of select groups throughout the labor market, whereby they are sorted into various occupations, not based on their merit or skills, but rather the biases and stereotyping of employers.¹²⁶ For any group that is subjected to occupational segregation, this often carries economic repercussions for them as well as the economy and society at large. For LGBTQ+ people, who experience this segregation due to attitudinal and legal targeting, the sorting happens along two axes. First, it pushes them out of the formal economy and into the informal economy, which carries its own socioeconomic and physical precarity. Second, and for those who can secure work in the formal economy, it still keeps them in more junior positions and out of higher-paying, more senior-level positions.¹²⁷

Legal Analysis

In the labor market, there are no legislative protections for LGBTQ+ people based on their SOGI. Even though the Constitution prohibits discrimination in terms of differential treatment in Section 16(3), and with an equal protection clause in Section 6(1), SOGI is not a specifically protected status. Further, for anyone who has experienced discrimination based on their identity, Section 20(1)¹²⁸ only provides the option of taking matters to court - leaving the burden of enforcement on the aggrieved. Since 2003, there have been some cases brought to the High Court and Court of Appeals that touched upon discrimination based on SOGI (see:

¹²⁵ Valfort, et al. 2017. “Organisation for Economic Co-Operation and Development LGBTI in OECD COUNTRIES: A REVIEW, WORKING PAPER No. 198 Marie-Anne Valfort.” <https://www.oecd.org/els/soc/LGBTI-in-OECD-Countries-A-Review-Valfort-2017.pdf>.

¹²⁶ Martinez, Juliana; Crehan, Philip R. “Pride in Action: A Guide to LGBTQ+ Workplace Inclusion in Latin America and the Caribbean | IDB Invest.” 2023. [idbinvest.org](https://idbinvest.org/en/publications/pride-action-guide-lgbtq-workplace-inclusion-latin-america-and-caribbean). June 26, 2023.

¹²⁷ Crehan, P.; et al. 2021. *The Economic Case for LGBT+ Inclusion in the Caribbean*. Open For Business; London, United Kingdom.

¹²⁸ “BELIZE CONSTITUTION CHAPTER 4 as in FORCE on MAY 6, 2021.” n.d. <https://www.nationalassembly.gov.bz/wp-content/uploads/2022/01/Belize-Constitution-Chapter-4-2021.pdf>.

Oscar Selgado in 2003¹²⁹ and Teresita Orozco in 2020¹³⁰). Yet in these cases, it was clear that the judicial review or legal decision remained the burden of the aggrieved to demand enforcement of labor rights, which came at great costs to both.

Other legal processes could be a viable mechanism for LGBTQ+ people who experience labor market discrimination, yet they still fail to provide sufficient protection or redress. For example, the Labour Act¹³¹ provides protection against discrimination, yet the legal action to enforce Constitutional rights of non-discrimination within the labor market do not exist as a mechanism of redress. Further, the state re-established a Labour Tribunal in 2023, which only serves as a complaints and investigative mechanism.¹³² Since it is not an actual court, the tribunal does not have final say, especially since employers can appeal their decisions to the High Court.

Descriptive Statistics and Analysis

In the formal sector, Table 8 below shows the LGBTQ+ cohort experienced many challenges when applying for work as well as within the workplace. In fact, close to one in four of the LGBTQ cohort (23.5%) and close to one in five of the transgender cohort (18.3%) experienced discrimination or exclusion when applying for work or in the workplace—compared to 13.5% of the heterosexual and cisgender cohort. For the bulk of LGBTQ+ respondents (around 77% LGBTQ and 91% of the transgender respondents), it was reported as due to their SOGI. The impacts were extensive, including not getting the job they applied for, a lack of promotion, termination, diminished access to benefits, lower wages, harassment, and other harms.

¹²⁹ Selgado Vs Attorney General, Minister of Defence & Security Services Commission (418 of 2023).

¹³⁰ Teresita Orozco vs Minister of Labour, Local Government & Rural Development and Attorney General, (Civil Appeal 2 of 2020).

¹³¹ Labour Act Chapter, Chapter 297, R.E. 2011

¹³² “Re-Establishment of the Labour Complaints Tribunal – Government of Belize Press Office.” n.d. Accessed May 3, 2024. <https://www.pressoffice.gov.bz/re-establishment-of-the-labour-complaints-tribunal/>.

Table 8. Experience & Consequences of Labor Market Discrimination by Cohort

ITEM AGREEMENT (%)	LGBQ	Trans	Hetero-Cis
I've experienced discrimination or exclusion at work/when applying for a job	23.5	18.3	13.5
This discrimination or exclusion was a result of my SOGI†	77.1	90.9	–
As a result of this discrimination or exclusion:†			
<i>I didn't get the job I applied for</i>	50.6	27.3	16.7
<i>I didn't get a promotion</i>	25.3	36.4	0.0
<i>I was fired, or my contract was not renewed</i>	15.7	18.2	0.0
<i>I was forced to dress, speak, or behave according to my sex assigned at birth</i>	19.3	36.4	0.0
<i>I didn't get some work-related benefits that others receive</i>	16.9	36.4	0.0
<i>My partner couldn't access certain benefits (medical, insurance, etc.)</i>	10.8	27.3	0.0
<i>I was offered a lower wage</i>	14.5	9.1	8.3
<i>I was harassed in the workplace</i>	15.7	27.3	8.3
<i>I was barred from working with clients</i>	8.4	9.1	0.0
<i>I was not allowed to access training or professional development at work</i>	7.2	9.1	0.0
<i>I wasn't allowed to use the toilet that I considered appropriate for myself</i>	1.2	9.1	0.0

N = 502

† Among those indicating agreement with the statement “I have experienced discrimination or exclusion at work or when applying for a job.”

Overall, an insufficient legal framework has helped structure a labor market that greatly allows discrimination against LGBTQ+ people. In fact, this discrimination is so prevalent in Belize that it's better understood as occupational segregation, whereby the social biases of employers dictate how they hire LGBTQ+ people, rather than talent. Often this has kept LGBTQ+ people in the informal sector, or in low-paying jobs in the formal sector. This was especially captured in the qualitative interviews of business leaders in Belize: **“We can't say that we are open for all business, as long as we're not breaking the law, but then we're going to start discriminating.”**¹³³ This business leader attested to having seen employers deny applicants based on their SOGI - as opposed to their expertise and talent—which keep LGBTQ+ people over-represented in the informal sector. The findings from the quantitative data are in agreement: the LGBTQ+ cohort, due to their SOGI, experience more challenges when applying for work as well as within the workplace—more so than the heterosexual and cisgender cohort. This reiterates the “LGBTQ+ tax” that shows how they are expected to cope with more challenges to navigate the biases of employers. The findings also reiterate the “LGBTQ+

¹³³ Interview with Valerie Woods. Part of qualitative data collection on LGBTQ+ labor market discrimination from the perspective of business leaders. From publication: Crehan, P.; et al. *The Economic Case for LGBT+ Inclusion in the Caribbean*. Open For Business; London, 2021.

penalty” which shows the harsher impacts in the labor market, including less job offers, more terminations and harassment, and other similar harms.

Housing

Housing is another important dimension for LGBTQ+ people, given the extensive challenges they face from their families (e.g. the higher degree of getting kicked out of their family home) and in other parts of life. The need to buy or rent housing free of discrimination, and to find a private and “safe space” to call home is of paramount importance. Yet, many LGBTQ+ people experience discrimination based on their SOGI when trying to rent or buy a home. This is likely more so for same-sex couples who are more visible and therefore must contend with overt biases of sellers and landlords, who can deny them a place to live, charge more, or create other challenges to “feeling at home.” Additionally, situations of crises can further problematize access to housing. For example, the UN found that the COVID-19 pandemic had a tremendous impact on LGBTQ+ people due to a loss of employment, which led to a disproportionate rate of losing their housing and becoming homeless.¹³⁴

Legal Analysis

In regard to laws on fair housing, there are no protections for LGBTQ+ people based on their SOGI. For example, there are no provisions or protections against discriminatory evictions, unfair lease terms or higher rental prices, or predatory sales or rental of properties and mortgage lending. Further, most laws on fair housing utilize a definition of a household that is predicated on heterosexual and cisgender heads of households, to the exclusion of same-sex couples. For example, the Landlord and Tenant Act¹³⁵ does not ascribe the values of the Constitution’s Equal Protection Clause, but rather uses heteronormative language that could be used to exclude same-sex couples. The law essentially says that goods belonging to the “husband” or “wife” of the tenant shall be protected against illegal distress; but the same sections do not apply to the goods of a “partner” of the immediate tenant. With no Fair Housing Act that comprehensively addresses tenancy rights for all, a same-sex couple may

¹³⁴ “United Nations Independent Expert on Protection against Violence and Discrimination Based on Sexual Orientation and Gender Identity -IE SOGI Human Rights Concerns of LGBT Persons in the Context of the Pandemic.” n.d.

<https://www.ohchr.org/sites/default/files/ImpactCOVID19LGBTpersons.pdf>.

¹³⁵ Landlord and Tenant ACT. “The Attorney General’s Ministry of Belize - the AGM.” n.d. www.agm.gov.bz. https://www.agm.gov.bz/laws/law_substantive.

experience discrimination simply because the household does not meet the act’s definition and prioritization of “family.”¹³⁶

Descriptive Statistics and Analysis

Tables 9 and 10 show the many challenges that LGBTQ+ people experience when trying to buy or rent housing, predominantly based on their SOGI. This is especially so for LGBQ buyers (around 30%) and more so for transgender buyers (around 39%), which is more than heterosexual and cisgender buyers (around 19%). The impacts were severe, including an inability to buy or having to borrow from informal lenders, among other harms. For the LGBQ as well as heterosexual and cisgender renters, the challenges experienced were on par—suggesting challenges among the general population, as well. But the challenges were more extensive for transgender renters, with close to one in two having experienced challenges. For the overall LGBTQ+ renter cohort, some of the impacts included not being able to live with their partner, having to hide being LGBTQ+, and for some, even being forced into homelessness.

Table 9. Experience & Consequences of Housing Discrimination by Cohort: Buying

ITEM AGREEMENT (%)	LGBQ	Trans	Hetero-Cis
I have experienced challenges when buying a property	29.7	38.9	19.2
These challenges were on account of my gender or sexual identity†	74.5	71.4	–
As a result of this discrimination or exclusion:†			
<i>I wasn't able to buy at all</i>	52.9	14.3	0.0
<i>I wasn't able to buy the property I wanted</i>	35.3	42.9	80.0
<i>I paid more than the market value for the property</i>	7.8	0.0	20.0
<i>I had to borrow from informal lenders</i>	2.0	28.6	0.0

N = 216

† Among those indicating agreement with the statement “I have experienced challenges when buying a property.”

¹³⁶ Families and Children's act checked 12th, November, 2023 “The Attorney General's Ministry of Belize - The AGM”, available at: https://www.agm.gov.bz/laws/law_substantive

Table 10. Experience & Consequences of Housing Discrimination by Cohort: Renting

ITEM AGREEMENT (%)	LGBQ	Trans	Hetero-Cis
I have experienced challenges in renting a place to live	30.3	47.5	32.6
These challenges were on account of my gender or sexual identity†	48.6	47.4	–
As a result of this discrimination or exclusion:†			
<i>I cannot live together with my partner</i>	44.3	15.8	13.3
<i>I have to hide being LGBT to be able to continue renting the property</i>	15.7	31.6	–
<i>I had to choose a property of lower standard than what I wanted</i>	22.9	31.6	26.7
<i>I had to pay more than others who are not LGBT</i>	1.4	5.3	6.7
<i>I am or have been homeless</i>	5.7	0.0	0.0

N = 317

† Among those indicating agreement with the statement “I have experienced challenges in renting a place to live.”

Overall, with no laws protecting LGBTQ+ people from discrimination based on their SOGI, and in light of stigma from sellers and landlords, the data show that the LGBTQ+ cohort generally experienced more challenges than the heterosexual and cisgender cohort, particularly for LGBQ buyers and especially among transgender buyers and renters. Again, this shows the “LGBTQ+ tax” that expects them to cope with more just to have the same access as all else. Similarly, the data generally show harsher impacts—which also reiterates the “LGBTQ+ penalty” in regard to a diminished ability to buy, needing to borrow from informal lenders, an inability to live with a partner, and having to hide being a LGBTQ+ person, among other harms. This represents not only a human rights challenge, but also an economic one: From 2019 to 2020 alone, the government spent approximately BZ \$66.8 million in travel and subsistence, public utilities, and rents and leases¹³⁷ in hopes of securing more housing for Belizeans. Yet, without a dedicated approach to navigate the systemic bias based on SOGI, a large portion of the population will continue to face challenges in accessing housing.

Socioeconomic Status

Around the world, and due to systemic challenges in schools and the labor market, economic development institutions show that LGBTQ+ people are likely over-represented among the poor, with clear impacts on their socioeconomic status and even ability to eat.¹³⁸ Due to the aforementioned challenges in Belize, it’s likely that LGBTQ+ people are also over-represented

¹³⁷ “Rural Living, Housing, Transport and Infrastructure Policy – Plan Belize.” n.d. Accessed May 3, 2024. <https://planbelize.bz/national-infrastructure-housing-and-transport-policy-and-agenda/>.

¹³⁸ “LGBTI People Are (Likely) over Represented in the Bottom 40%.” n.d. Blogs.worldbank.org. <https://blogs.worldbank.org/governance/lgbti-people-are-likely-over-represented-bottom-40>.

among the poor. Yet, quantifying poverty among this community remains very difficult to understand due to extensive gaps in data collected by the state, and thus inability to disaggregate by SOGI. The data and analysis in this paper are therefore the first examinations of the socioeconomic outcomes for LGBTQ+ people in Belize.

Legal Analysis

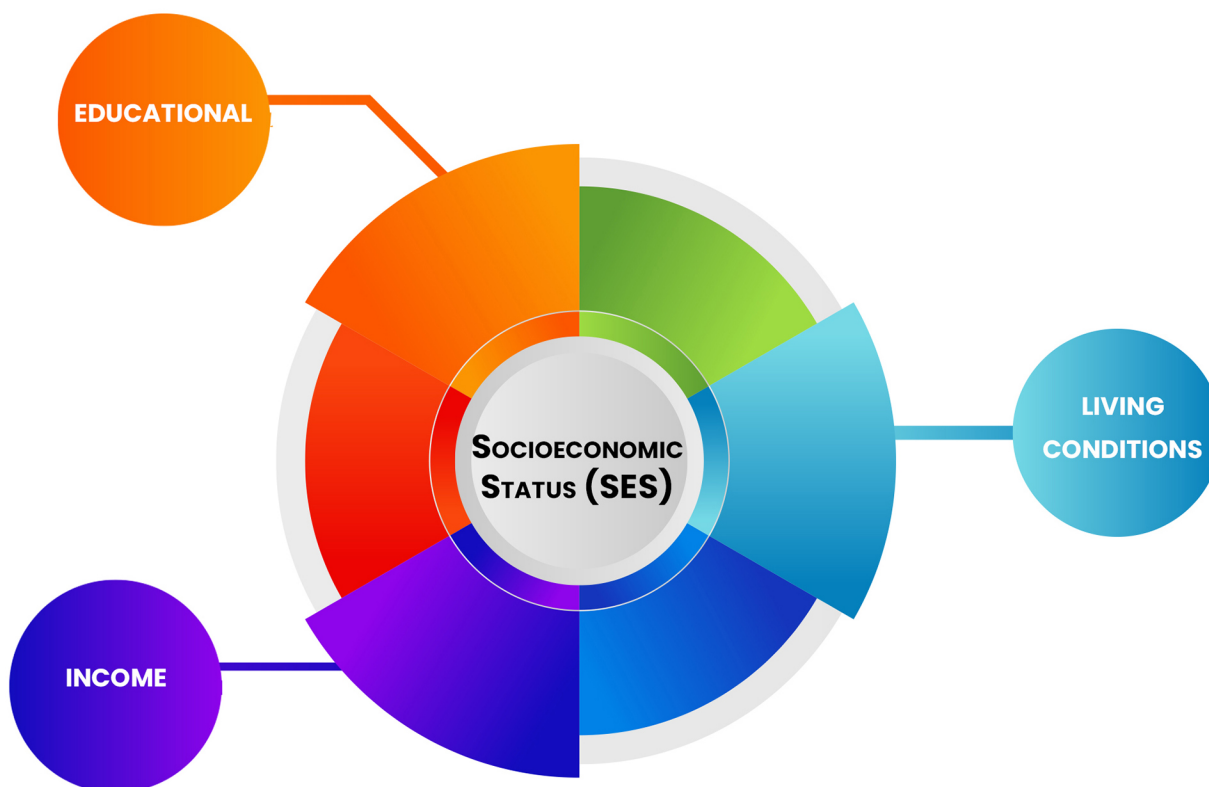
Belize's approach to combating poverty and building socioeconomic and macroeconomic growth is contained in its Midterm Economic Development Strategy 2022–2026 (#planBelize).¹³⁹ Endorsed by the prime minister, this strategy seeks to coordinate across governmental ministries, international sources of financing, and the private sector for the delivery of programs on poverty alleviation, citizen security, good governance, and affiliated macroeconomic goals. The strategy touches upon the importance of addressing systemic social ills, and even the promotion of equity. However, it makes no effort to specifically include SOGI or address how to formally include LGBTQ+ people into economic plans, or to promote their socioeconomic status.

Descriptive Statistics and Analysis

Broadly speaking, socioeconomic status (SES) is the social and economic standing of people in society, often determined by factors like education, income, geography, place of origin, occupation, and other demographic factors. SES can be challenging to adequately capture in surveys, as it is a complex concept that's not easily measured by self-identification, nor even by separately analyzing how respondents identified by income levels, education, or otherwise. Yet it remains a very important factor to measure, one in which is inextricably connected to other key areas in life. Therefore, this analysis created a construct based on other demographic questions from the survey. The SES construct consisted of income, educational attainment, and living conditions.

¹³⁹ "MEDIUM-TERM DEVELOPMENT STRATEGY #PLAN BELIZE." 2022. <https://med.gov.bz/wp-content/uploads/2023/04/Belize-Med-Term-Dev-Strategy-Action-Plan-2022-to-2025.pdf>.

Figure 3: The Construction & Validation of Socioeconomic Status (SES) as a Latent Variable



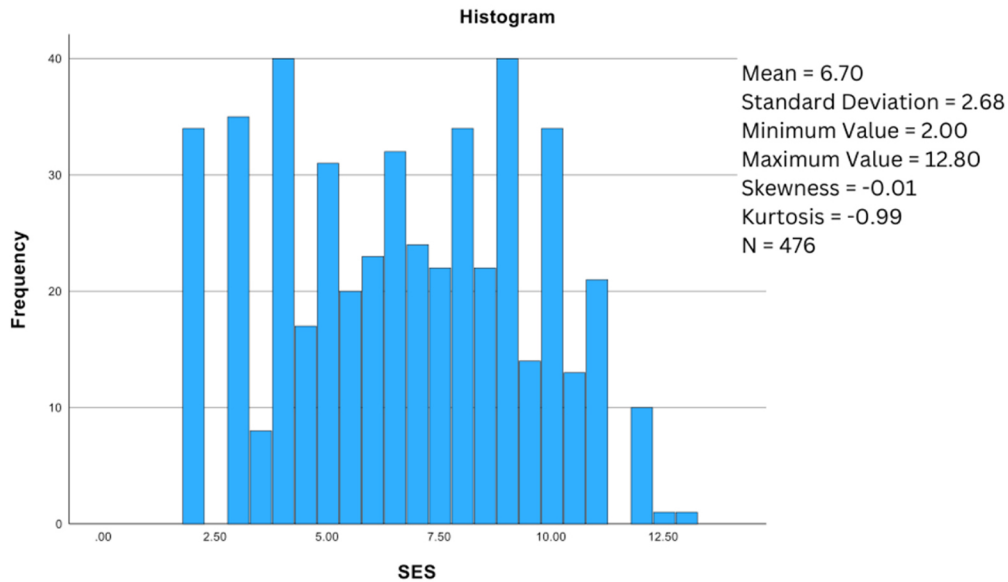
$N = 560$. SES factor loading scores were as follows: income = 0.624; educational attainment = 0.883; and living conditions = 0.801; Eigenvalue for latent factor SES = 2.77 with 69.1% of the variance explained by the model.

*Living conditions was constructed from a set of survey items asking respondents to indicate which at-home living conditions features (e.g., electricity, running water, a kitchen, etc.) were present in the respondent's current home from a dichotomously coded list of ten features (Cronbach's $\alpha = 0.896$, $N = 560$, mean = 0.51, SD = 0.33). This scale shows a high reliability—an internal consistency among the items in the scale that suggests they are highly correlated with each other, and thus the items are measuring the same underlying construct consistently across all respondents.

The box above provides insight into the strong associations between income, educational attainment, and living conditions, and their reliable construction of the SES latent variable. Income has a relatively strong influence (loading score), as education and living conditions have stronger influences on SES. In fact, close to 70% of the variance in the sample is explained by those three variables, showing a strong collective influence.

Figure 4 below shows SES across the respondents. The average SES is 6.70, with a range showing a minimum of 2.00 (very low SES) to 12.80 (higher SES). The distribution shape is fairly balanced, meaning that SES outcomes are somewhat evenly spread out across the range. This also shows a fairly large part of the sample with moderate or low SES, again due to extensive challenges associated with lower education and income as well as harsher living conditions.

Figure 4: Histogram for Socioeconomic Status of Respondents



Note: $N = 476$ and not the entire Belizean sample since some respondents did not fill out income.

As a reminder, the LGBTQ+ sample experienced significant challenges in education, with diminished attainment, as well as prevalent labor market discrimination, with impacts on income. Specifically, close to one in three (32.7%) of the sample had less than a secondary education, and close to 39% made less than BZ \$5,000 per year (well below half of the country's per capita GDP of BZ \$12,200¹⁴⁰). Although the SES outcomes can't be compared to general population SES data collected by the state (due to different methodologies), this analysis does show a **systemic impact on the creation of SES among some LGBTQ+ people in Belize—i.e. a diminished ability to create higher SES**. Again, this suggests the “LGBTQ+ tax” as well as “LGBTQ+ penalty.” In terms of the penalty for those with moderate or lower SES, **this could represent a poverty cycle among those who experience challenges in schools and the labor market** (although more research is needed). Moreover, another use of the SES construct is in how it can be analyzed in relation to discrimination and violence, discussed next.

Violence

Violence against LGBTQ+ people based on their SOGI represents a pressing human rights challenge, as well as a drain on social and economic development. Some of the underlying motivators of this violence include a culture of stigma cultivated by parts of the government, the church, purveyors of traditional gender norms, community leaders, members of the media, and others. This has led to significant homophobic and transphobic attitudes that then fuels acts of violence. At the same time, LGBTQ+ people experience a diminished likelihood to report that violence to state authorities, discussed in the next subsection. Combined with a lack of

¹⁴⁰ “Overview.” n.d. World Bank. <https://www.worldbank.org/en/country/belize/overview>.

follow-up from the police, acts of violence against the community repeatedly go unsolved—even acts as egregious as murder.

In Belize more generally, violence among the entire population is a serious concern. To put this in perspective, there has been a documented 30 murders per every 100,000 people (i.e. the homicide rate), each year from 2009 to 2019.¹⁴¹ This represents a very high level. In fact, the UN's Office on Drugs and Crime documented more than 31 homicides per 100,000 people in Belize in 2019, with only a slight drop to around 28 in 2022. In comparison, the average homicide rate in the Americas in 2021 was 15 per 100,000 people, almost half that of Belize.¹⁴²

Within this context, LGBTQ+ people are likely more vulnerable to violence due to stigma against their SOGI, and perhaps exacerbated by other challenges in life (e.g. poverty or socioeconomic status, etc.). Data from the United Belize Advocacy Movement's (UniBAM) Human Rights Observatory documented a combined 81 cases of homicide and attempted homicide of LGBTQ+ people over a 20-year period.¹⁴³ Additionally, UniBAM's observatory documented many other examples of violence, including 173 LGBTQ+ people being victim to various acts of discrimination in the community and within their families over the same time period.¹⁴⁴ The overall impacts of systemic violence against them are far-reaching,¹⁴⁵ with impacts on themselves, as well as their communities and overall economic development.¹⁴⁶

Legal Analysis

There are no legislative protections against violence for LGBTQ+ people based on their SOGI, which can contribute to significant experiences of hate-motivated violence. Further, there are no prohibitions against hate crimes or hate speech driven by SOGI.¹⁴⁷ It's also important to note that the aforementioned data points from UniBAM are civil-society led, since LGBTQ+ people are invisible in state-led data collection. Hate crimes against LGBTQ+ people, or crimes

¹⁴¹ Excluding 2013 - data from the Belize Crime Observatory

¹⁴² UNODC. 2023. "GLOBAL STUDY on HOMICIDE 2023." https://www.unodc.org/documents/data-and-analysis/gsh/2023/Global_study_on_homicide_2023_web.pdf.

¹⁴³ Orozco, Caleb. 1997-2019, *United Belize Advocacy Movement Human Rights Observatory*. Belize City: UniBAM. 2020.

¹⁴⁴ Orozco, Caleb. 1997-2019, *United Belize Advocacy Movement Human Rights Observatory*. Belize City: UniBAM. 2020.

¹⁴⁵ PETAL, et al. 'From Fringes to Focus - "A deep dive into the lived-realities of Lesbian, Bisexual and Queer women and Trans Masculine Persons in 8 Caribbean Countries". 2020

¹⁴⁶ Philip Crehan, *The Economic Case for LGBT+ Inclusion in the Caribbean*, at 20 (finding that violence alone against LGBTQ+ people in the Caribbean results in an economic cost between USD \$383 million USD and 1.2 billion).

¹⁴⁷ Criminal Code Act SS 67 & 67, "The Attorney General's Ministry of Belize - the AGM." n.d. www.agm.gov.bz. Accessed May 3, 2024. <https://www.agm.gov.bz/laws>.

motivated by homophobic and transphobic attitudes, remain absent from official Belize Crime Observatory data reports, even though this violence can lead to multiple human rights violations, lifelong trauma, and sometimes multiple homicides.¹⁴⁸ Hate-motivated violence against LGBTQ+ people is therefore perpetuated through state complicity by omission, inaction, and indifference because no formal hate-crime legislation exists.¹⁴⁹

This systemic failure to collect data also limits the state’s most basic ability, which is to protect its citizens from violence. Policies against homicides and other hate crimes against people motivated by their actual or perceived SOGI are lacking. In order to effectively prevent these crimes, the state must improve its system of official statistics, starting by recording when a crime is driven by the SOGI of the victim so that they are effectively documented. This small change is essential to allow them to understand their frequency, the geographic areas in which they occur, the characteristics of the perpetrators, the circumstances that increase the risk of victimization, and more. These basic data are the foundation for the design and successful implementation of preventive policies.

Descriptive Statistics and Analysis

Table 8 briefly captures the substantial violence experienced by the overall Belizean sample. In fact, more than one in three (33.4%) experienced psychological violence, as close to one in five (18.9%) experienced physical violence, and due to their SOGI. Neglect and sexually motivated violence are less severe (both under 10%), yet still remain a challenge.

Table 11. Experience of Violence by Respondents

	ITEM AGREEMENT (%)
On account of my sexual orientation or gender identity, I have experienced:	
<i>Psychological violence</i>	33.4
<i>Physical violence</i>	18.9
<i>Sexually motivated violence</i>	6.1
<i>Neglect</i>	8.6

N = 560

¹⁴⁸ Belize Crime Observatory; Crehan, P.; et al. 2021. *The Economic Case for LGBT+ Inclusion in the Caribbean*. London: Open For Business, 2021.

¹⁴⁹ *Ibid*

Bivariate Analysis

Violence does not exist in a vacuum, but rather has complex drivers that contribute to one's vulnerability to experience it. In fact, many reports from other socio-cultural domains have established the link between socioeconomic status (SES) and the experience of violence, showing that a higher SES can provide buffers against some forms of violence. Similarly, various reports also show that violence can have bleak impacts that reverberate throughout the lifetime, particularly by creating more vulnerability to other forms of violence. This section utilizes bivariate analysis, which involves the simultaneous examination between two variables—notably SES and various forms of violence. At the same time, this analysis also examines the relationship between various forms of violence. The findings here are indicative of the aforementioned research on SES as a buffer within other sociocultural areas, as well as the cascading impacts of violence onto other forms of violence.

Specifically, a correlation matrix analysis shows that those with lower SES are more likely to experience psychological violence. Similarly, the matrix also shows the correlations between various forms of violence.¹⁵⁰ Regarding the former, Table 13 shows **a statistically significant (moderately strong) relationship between lower SES and a higher experience of psychological violence—i.e. as SES decreases, the experience of psychological violence increases.** This suggests that a higher SES can act as a buffer against the most pressing form of violence: psychological. This is therefore problematic for LGBTQ+ people with a lower SES, especially the poor, who likely have no such buffer. Similarly, this correlation matrix shows that violence begets violence, likely in a cascading way. **Notably, an increase in psychological violence is associated (moderately strong) with a higher likelihood of experiencing sexually motivated violence. Additionally, a rise in physical violence is associated (also moderately, yet stronger) with a higher likelihood of experiencing sexually motivated violence.** In other words, both psychological and physical violence against LGBTQ+ people seems to increase their likelihood to be victim to sexually motivated violence—and the cascade of violence floods onward.

¹⁵⁰ Each cell shows the coefficient between the two variables, as well as its strength and direction of the relationship.

Table 12. Correlation Matrix for SES and Experiences of Various Forms of Violence

	SES	Psy.V.	Phys.V.	S.M.V.	Neg.
Socioeconomic Status (SES)	1.00				
Psychological Violence (Psy.V.)	-.22**	1.00			
Physical Violence (Phys.V.)	-.07	.07	1.00		
Sexually Motivated Violence (S.M.V.)	.10*	.15**	.28**	1.00	
Neglect (Neg.)	.03	.12**	.15**	.16**	1.00

N = 560
 * $p < .05$; ** $p < .01$.

Multivariate Analysis

Multivariate analysis is the simultaneous examination of multiple variables, analyzing their link and its strength. By examining multiple variables, it can uncover their complex interactions and linkages. Specifically, regression analysis was used to investigate the relationships between socioeconomic status (SES), experiences of discrimination in different sociocultural domains (i.e., general, familial, educational, employment, housing, and healthcare), and experiences of different kinds of violence (i.e., psychological, physical, sexual, and neglect). This builds on the bivariate analysis by also examining the impact of various forms of discrimination on the likelihood to experience specific forms of violence—important, given the high levels of discrimination faced throughout the lifetime of the Belizean sample.

As a reminder, psychological violence was the most frequently reported experience of the different forms of violence, followed by physical, neglect, and finally, sexual. Regression models indicated varying parameters for each of the four models, although experiences of general and familial discrimination were common among all models. Coefficients of determination revealed that the models explained between 12.5% and 25.6% of the variance within the sample. **In other words, experiencing select types of discrimination becomes a predictor of being victim to various forms of violence.** As before, a higher SES still works as a buffer against various forms of violence. Tables 13–16 show this interaction in detail, with the strongest interactions in bold. For all models, linear independence was evaluated using the variance inflation factor (VIF) for multicollinearity. Normality and homoscedasticity were assessed using skewness, kurtosis, and scatter plots. Normality criteria were satisfied for all models presented here.

In Table 13, **the experience of discrimination generally, as well as within the family and when trying to access housing, are reliable indicators of psychological violence.** Additionally, SES has a negative relationship with psychological violence (i.e. those with a higher SES experience lower levels of psychological violence), again suggesting the buffering impact of a higher SES to ward off certain types of violence.

Table 13: SES and Different Types of Discrimination as Predictors of Experiences of Psychological Violence

	Model 1 - Experience of Psychological Violence			
	<i>b</i>	<i>S.E.</i>		<i>p</i>
SES	-0.02	0.01	-.12	.020
Discrimination – General	0.10	0.02	.24	<.001
Discrimination – Familial	0.17	0.05	.17	<.001
Discrimination – Educational	0.00	0.00	.06	.198
Discrimination – Workplace	0.00	0.00	.01	.767
Discrimination – Housing	0.18	0.04	.25	<.001
Discrimination – Healthcare	0.00	0.00	-.04	.413
Constant	-1.17	3.89		

$F = 11.89, p < .001; R^2 = .159; N = 402.$

In Table 14, **the experience of discrimination generally is a reliable indicator of physical violence**. Additionally, the experience of discrimination in the family, workplace, and in healthcare settings are also significant predictors of physical violence, albeit not as strong.

Additionally, SES has a negative relationship with physical violence (i.e. those with a higher SES experience lower levels of physical violence), again suggesting the buffering impact of a higher SES to ward off certain types of violence.

Table 14: SES and Different Types of Discrimination as Predictors of Experiences of Physical Violence

	Model 2 - Experience of Physical Violence			
	<i>b</i>	<i>S.E.</i>		<i>p</i>
SES	-0.01	0.01	-0.05	.283
Discrimination – General	0.07	0.02	0.19	<.001
Discrimination – Familial	-0.11	0.05	-0.13	.021
Discrimination – Educational	-0.02	0.05	-0.02	.719
Discrimination – Workplace	-0.11	0.05	-0.11	.042
Discrimination – Housing	0.06	0.05	0.06	.196
Discrimination – Healthcare	-0.14	0.06	-0.13	.016
Constant	0.68	0.18		

$F = 8.98, p < .001; R^2 = .132; N = 367.$

In Table 15, the experience of discrimination generally, as well as within the family, are reliable indicators of sexually motivated violence.

Table 15: SES and Different Types of Discrimination as Predictors of Experiences of Sexual Violence

Model 3 - Experiences of Sexual Violence				
	<i>b</i>	<i>S.E.</i>		<i>p</i>
SES	0.01	0.00	0.06	.251
Discrimination – General	0.04	0.01	0.19	<.001
Discrimination – Familial	-0.11	0.03	-0.20	<.001
Discrimination – Educational	-0.01	0.03	-0.02	.636
Discrimination – Workplace	-0.01	0.03	-0.02	.783
Discrimination – Housing	0.01	0.03	0.02	.744
Discrimination – Healthcare	-0.06	0.04	-0.09	.102
Constant	.26	.11		

$F = 8.41, p < .001; R^2 = .124; N = 367.$

In Table 16, the experience of discrimination generally, as well as within the family and in education, are reliable indicators of neglect as a form of violence.

Table 16: SES and Different Types of Discrimination as Predictors of Experiences of Neglect as a Form of Violence

Model 4 - Experiences of Neglect as a Form of Violence				
	<i>b</i>	<i>S.E.</i>		<i>p</i>
SES	0.00	0.00	0.01	.806
Discrimination – General	0.05	0.01	0.20	<.001
Discrimination – Familial	-0.11	0.03	-0.18	<.001
Discrimination – Educational	-0.22	0.03	-0.34	<.001
Discrimination – Workplace	0.04	0.03	0.06	.225
Discrimination – Housing	-0.03	0.03	-0.04	.353
Discrimination – Healthcare	-0.01	0.04	-0.01	.780
Constant	.55	.11		

Overall, violence remains a serious challenge for LGBTQ+ people in Belize. Without laws to prohibit violence motivated by SOGI, homophobia, or transphobia, an environment has been created that leaves LGBTQ+ people vulnerable to various forms of violence. And in fact, the sample experienced extensive psychological and physical violence, as well as sexually motivated violence and neglect to a smaller degree. But this violence does not exist in a vacuum, and a bivariate analysis shows a statistically significant relationship between lower socioeconomic status and a higher experience of psychological violence, i.e. higher SES can act as a buffer against some forms of violence. Further, this same analysis shows the cascading impact of psychological and physical violence on the likelihood to experience sexually motivated violence. Additionally, a multivariate analysis shows how the experience of various forms of discrimination are reliable indicators for some types of violence. Altogether, this again reiterates the “LGBTQ+ penalty” by showing how various intersectional challenges in the life of a LGBTQ+ person intermingle and reverberate throughout the lifetime. This penalty is therefore not a one-time impact, but shows how it can be longer-term and further-reaching with great repercussions, including a diminished ability to seek justice, discussed next.

Justice

Given the extensive and far-reaching challenges discussed up to this point, it’s therefore very important that LGBTQ+ people should be able to access justice and find redress, free of bias and discrimination. Yet, there are often attitudinal and institutional challenges against many LGBTQ+ people based on their SOGI, which keeps them unable to access or navigate systems of justice. These challenges can come from the police or other officials in law enforcement agencies, from representatives of the criminal justice system, from lawyers or judges in the court systems, or even from bureaucrats or those elected to governmental bodies involved in the administration of justice.

Legal Analysis

Across Belize's system of justice and corresponding institutions, there are no specific legislative protections to promote LGBTQ+ access to justice or redress. In fact, within the criminal justice system, there are many deficiencies in its ability to even document crimes motivated by SOGI, homophobia, or transphobia. For example, the police do not collect crime information based on SOGI, nor does the Ministry of Home Affairs Crime Observatory.¹⁵¹ The criminal code itself falls short by not articulating hate crimes motivated by characteristics or identity of the victim.¹⁵² This is problematic when LGBTQ+ people experience assault or battery: While section 14 prohibits harm, injury, and slander, the judicial acknowledgment of a crime committed based on SOGI remains invisible in court decision-making. Enforcement therefore remains challenging when police officers deem threats as not serious enough to investigate or charge, as was the case in two separate violent attacks against LGBTQ+ people.¹⁵³

Hope does exist to provide a form of justice for some in the LGBTQ+ community. The Code of Judicial Conduct and Etiquette contains two sections, 5.1 and 5.2, on the need for consideration of equal treatment—even acknowledging that sexual orientation must be considered in order to minimize bias from court officials.¹⁵⁴ Further, the Belize Police Department has initiated a first-ever LGBTQ+ Police Interaction Policy,¹⁵⁵ which contains a bias-free policy that was formally accepted in January 2023. Although this policy change in how the police must treat LGBTQ+ Belizeans shows the potential for transformational change, it will still take time and sensitization of citizens to begin to use the system for rights enforcement by the state.

Descriptive Statistics and Analysis

Table 17 shows the bulk of the LGBTQ+ cohort is unable or unwilling to report crimes against them, even though they are significantly more likely to experience violence and discrimination. For example, close to 60% and 64% of the LGBQ and trans cohorts said they've experienced violence, yet as little as 15% and 12%, respectively, actually reported those violations. Similarly, only 10% of the heterosexual and cisgender cohort reported violations. Yet it is still more alarming for LGBTQ+ people, who seem to be greatly overrepresented among those experiencing crimes against them, and thus more vulnerable in everyday life. For those reporting, the police and courts are the most prominent institutions that are sought out, which is promising as the police and courts are advancing some SOGI-inclusive initiatives.

¹⁵¹ BCO. n.d. "BCO." Belize Crime Observatory. <https://bco.gov.bz/>.

¹⁵² Chapter 101 Criminal Code, R E 2020, "The Attorney General's Ministry of Belize - the AGM." n.d. www.agm.gov.bz. Accessed May 3, 2024. <https://www.agm.gov.bz/>.

¹⁵³ Posted on Channel 5 Belize, Transgender woman is stoned and beaten by an angry mob, (April 9th, 2014) and Caleb Orozco's Neighbor Found Guilty of Gay Bashing and Throwing Missiles (Jul 9, 2015)

¹⁵⁴ Ilya.lazarev. n.d. "Belize Code of Judicial Conduct and Etiquette." www.unodc.org. Accessed May 3, 2024.

https://www.unodc.org/ji/resdb/data/2003/_230_/belize_code_of_judicial_conduct_and_etiquette.html?lng=en.

¹⁵⁵ Police Interaction With LGBTQ+ populations, Belize Police Department, 2023

Table 17: Experience of Reporting Crimes and Accessing Justice by Cohort

ITEM AGREEMENT (%)	LGBQ	Trans	Hetero-Cis
I am aware of any laws or policies in my country that protect LGBT people from discrimination, exclusion, or violence	46.5	46.4	43.0
I have experienced an act of violence	60.4	63.8	22.0
I reported the act of violence committed against me†	15.0	12.1	10.0
I have reported any experience of discrimination or exclusion that was based upon my identity	18.9	27.0	6.5
I have reported this experience to:*			
<i>Police</i>	60.0	58.8	33.3
<i>A court</i>	25.7	11.8	33.3
<i>My employer</i>	11.4	0.0	33.3
<i>My educational institution</i>	11.4	11.8	33.3
<i>The media</i>	5.7	5.9	16.7
<i>A national human rights institution or commission</i>	2.9	5.9	0.0
<i>Regional or international human rights mechanism</i>	0.0	0.0	0.0
<i>A ministry in the government</i>	1.4	0.0	0.0
<i>Labor union</i>	0.0	0.0	0.0
<i>LGBT organization</i>	5.7	23.5	0.0
<i>Other organization</i>	1.4	0.0	0.0

N = 560

† Among those indicating agreement with the statement “I have experienced an act of violence.”

* Among those indicating agreement with the statement “I have reported any experience of discrimination or exclusion that was based upon my LGBT identity.”

Overall, a greater vulnerability to violence and discrimination is compounded by the inability, or unwillingness, to report those crimes. This reiterates the “LGBTQ+ tax” and “LGBTQ+ penalty” by showing they experience more challenges with a diminished ability to access justice. Along every theme presented among the eight ESC rights in Part 2, the “tax” and “penalty” are apparent, and reiterate the critical need for the state and other stakeholders to act.

PART 3: RECOMMENDATIONS

Part 3 provides recommendations for the rights and inclusion of LGBTQ+ people, based on Belize's human rights obligations as well as based on the empirical analysis of primary data, along the dimensions of the eight ESC rights.

Key Points

1. Six recommendations are given to the state so that it can align its own constitutional obligations and existing legal responsibilities, as well as align with regional and international human rights commitments, for LGBTQ+ people based on SOGI.
2. Forty-one recommendations are given to the state so it can begin to enact and enforce the eight ESC rights for LGBTQ+ people based on SOGI.
3. Ten recommendations are given to international economic development organizations, so that they can develop more inclusive programming for LGBTQ+ people.
4. Four recommendations are given to the private sector, so that companies can better address bias motivated by SOGI within their hiring practices and in the workplace.
5. Five recommendations are given to civil society and LGBTQ+ organizations so that they can work more collectively on a strategy for human rights and inclusive development.
6. Four recommendations are provided to guide safe and ethical data collection based on SOGI, so that LGBTQ+ people can be counted, and interventions can be guided by knowledge.

In addition to its own constitutional requirements, Belize has ratified numerous binding regional and international human rights treaties which require the implementation of ESC rights—including the obligation to implement protections for LGBTQ+ people based on their SOGI. Additionally, and by Belize's own needs to combat poverty and promote inclusive economic development, it's also imperative to begin the process of including LGBTQ+ people into economic processes, and work against the far-reaching discrimination and violence they face. These recommendations are especially geared toward the state, but also international development organizations, the private sector, and civil society organizations. Recommendations are also included to guide data collection of SOGI and on behalf of their rights and inclusion.

The following general recommendations are given so that Belize becomes aligned to binding domestic, regional, and international obligations, including:

- **Pass non-discrimination legislation in 2024**, with specific provisions to prohibit violence motivated by SOGI, and which highlights the state commitment to leave no one behind.
- **The Protection against Sexual Harassment Act, the Labour Act, and the Equal Pay Act should be expanded to include protections based on SOGI**, and implemented as such.
- **Implement regional agreements, i.e. the Charters of CARICOM and the OAS**. Encourage and obligate Belize to observe and protect the rights of all, regardless of SOGI.
- **Ratify the San Salvador Protocol of the OAS** which makes express provisions for the protections of vulnerable communities and facilitating their opportunities in life.
- **Ratify the Inter-American Convention Against All Forms of Discrimination and Intolerance and accept jurisdiction of its court**, which helps to internationalize the state constitutional obligation to address discrimination and shows leadership in its value for rights protection and enforcement of its citizens. Combating all forms of discrimination inherently entails ending bias against LGBTQ+ people based on their SOGI.
- **Ratify the optional protocol to the International Covenant on Economic, Social, and Cultural Rights (ICESCR)**, which provides detailed enforcement and compliance mechanisms, so there is a greater effort to promote equality of all people. This can demonstrate the state's seriousness to its constitutional obligation of addressing social and economic disparities between its citizens, as well as oversight and clear mechanisms for reporting violations, regardless of SOGI or any other identity characteristics.

Family

So that LGBTQ+ youth within their family, as well as households led by LGBTQ+ people, do not face violence, discrimination, or exclusion from the state and community, the following recommendations are given:

- **The Families and Children's Act should be updated to include gender-neutral language around families, so that LGBTQ+ families, relationships, and households are not excluded**. Non-discrimination with a specific acknowledgment of SOGI should be added, so that sellers and landlords are not permitted to discriminate against LGBTQ+ people. Additionally, specific protections based on SOGI should be included so that LGBTQ+ youth will not be permitted to be targeted or face other abuses within the natal family.
- **Common law should be updated to include definitions of partnerships that do not exclude same-sex couples**. It should also ensure that same-sex couples have the same rights and entitlements as all else, including at the hospital in regard to life-and-death situations.
- **The Equal Opportunities Bill, which already includes LGBTQ+ people and protections based on SOGI, should be enacted by the state**. With numerous mentions, it ensures "family responsibility" entails providing care to any family member who is in need of support, including the need to ensure the health outcomes of children.
- If LGBTQ+ youth or households led by LGBTQ+ people experience discrimination or violence, **there should be a system to report the act to pertinent ministries**, as well as to the police in cases of violence. The reporting should be taken seriously and added to

Education

So that LGBTQ+ students do not continue to experience tremendous discrimination, harassment, and bullying, and so that they can graduate at the same levels as all else and contribute to the human capital and economic development needs of Belize, the following recommendations are given:

- **Policies should be updated within the Legislation and Regulations that guides policy within education to include LGBTQ+ issues.** This guidance should include how to combat exclusion or discrimination, especially rooting out exclusionary policies or stigma among teachers or other school administrators. This guidance should clearly prohibit targeting, violence, and harassment against students based on their SOGI.
- Based on the guidance above, **specific policies and an action plan should be created to combat the prevalent bullying against LGBTQ+ students.** Guidance should be sought from LGBTQ+ students and organizations run by LGBTQ+ people to guide this strategy.
- **Denominational schools must not create their own rules** that are antithetical to the policies established in the updated Legislation and Regulations. LGBTQ+ students in denominational schools must not be targeted through policies or the actions of teachers or other school administrators.
- **All schools should have policies that clearly support teachers, administrators, or students to create “safe spaces”** for LGBTQ+ people and other students who might be vulnerable to discrimination, harassment, or bullying.
- **The Equal Opportunities Bill, which already includes LGBTQ+ people and protections based on SOGI, should be enacted by the state.** It prohibits school policies and school administrators from discriminating against students.
- If LGBTQ+ students experience discrimination or violence, **there should be a system to report the act to pertinent ministries,** as well as to the police in cases of violence. The reporting should be taken seriously and added to pertinent records, and information for redress as well as their rights should be given to those reporting.

Healthcare

So that LGBTQ+ patients can no longer be excluded from the healthcare system or face discrimination within it, and so that the state and sector work toward LGBTQ+ health outcomes that are on-par with the general population, the following recommendations are given:

- **As the Health Sector Strategic Plan concludes in 2024, the next iteration must include LGBTQ+ specific needs and how to address SOGI through targeted means, as well as how to mainstream SOGI into larger health systems for the general population.** Regional and international best practices for better LGBTQ+ health outcomes already exist (e.g. from PAHO and WHO), and should guide this approach. These approaches should be responsive to LGBTQ+ physical as well as mental health challenges, treatment, and outcomes.

- **All subsequent health plans, whether at the sub-national level or those created via international organizations, must adhere to the LGBTQ+ references articulated above.** For example, this should include health plans created by PAHO, the IDB, or the World Bank, et al.
- **Develop a plan of action that serves LGBTQ+ people, so that the aforementioned Health Sector Strategic Plan, et al, can be piloted and implemented among communities.** A budget should be provided to implement this plan of action.
- **The Equal Opportunities Bill, which already includes LGBTQ+ people and protections based on SOGI, should be enacted by the state.** With numerous mentions, it prohibits health providers and the health system from discriminating against its users.
- If LGBTQ+ patients experience discrimination or violence, **there should be a system to report the act to pertinent ministries,** as well as to the police in cases of violence. The reporting should be taken seriously and added to pertinent records, and information for redress as well as their rights should be given to those reporting.

Labor Markets

So that LGBTQ+ applicants can apply for work and be equally considered as all applicants, and so that LGBTQ+ workers can have workplaces free of discrimination, exclusion, and harassment, and therefore contribute more labor output and productivity to the private sector and economy alike, the following recommendations are given:

- **The Labour Act should be updated to include specific mentions of SOGI in any non-discrimination language and standards,** so that employers are prohibited from acting on bias against LGBTQ+ people, which often keeps them out of the workplace. This should apply to the hiring process (e.g. resume reviews, job interview, and negotiations) as well as within the workplace (e.g. workplace culture and policies in regard to job retention, raises, job benefits, and affiliated resources, etc.). This guidance should clearly prohibit discrimination by employers, whether based on their attitudes or any purported use of corporate policies which are based on stigma or stereotypes.
- **The Public Service Regulations Benefits and Workplace Policy** for the private sector should also be updated to reflect the SOGI guidance from the updated Labour Act.
- **The Equal Opportunities Bill, which already includes LGBTQ+ people and protections based on SOGI, should be enacted by the state.** With numerous mentions, it prohibits labor market discrimination, and even offers a mechanism for redress, if it occurs.
- If LGBTQ+ applicants or workers experience discrimination or violence, **there should be a system to report the act to pertinent ministries,** as well as to the police in cases of violence. The reporting should be taken seriously and added to pertinent records, and information for redress as well as their rights should be given to those reporting.

Housing

So that LGBTQ+ buyers and renters do not face undue discrimination or are taken advantage of during the process of home acquisition, and so that they can access safe and affordable housing as all else in society, the following recommendations are given:

- **Fair housing laws, like the Landlord and Tenant Act, must be updated to use gender-neutral language** so that same-sex relationships and other LGBTQ+ households cannot be excluded from its protection. SOGI should be added to non-discrimination standards, for buyers and renters alike, so LGBTQ+ people aren't discriminated against.
- **Non-discrimination inclusive of SOGI should apply to sellers and landlords, as well as to banks and insurance agencies** who facilitate loans or insurance for buyers and renters, so that SOGI is not used as a means of denying services.
- **The Equal Opportunities Bill, which already includes LGBTQ+ people and protections based on SOGI, should be enacted by the state.** Under "other status," it leaves open the issues of housing discrimination as an issue to prohibit.
- If LGBTQ+ buyers or renters experience discrimination or violence, **there should be a system to report the act to pertinent ministries**, as well as to the police in cases of violence. The reporting should be taken seriously and added to pertinent records, and information for redress as well as their rights should be given to those reporting.

Socioeconomic Status and Anti-Poverty Initiatives

So that LGBTQ+ people can be lifted out of poverty, work toward a higher socioeconomic status and standard of living, and contribute more to their communities and economy on par with the general population, the following recommendations are given:

- **Upon completion of the Midterm Economic Development Strategy 2022–2026 (#planBelize), the new strategy should have consultations with LGBTQ+ groups when drafting a new one, culminating in specific mentions of SOGI to ensure entry points or guidance for the community.** Specific guidance can focus on data collection, programs to combat poverty, and inclusion of the LGBTQ+ community in national, regional, and international investments.
- **Conduct a comprehensive legal review to look at legislation that impacts LGBTQ+ Belizeans access to benefits**, including the Widows' and Children's Pensions Act, the Pensions Act, the Social Security Act, and the Administration of Estates Act, for example.
- **Conduct a gap analysis** of economic development plans, economic data collection practices, and state databases to examine LGBTQ+ inclusion into interventions or strategic objectives.

- **Develop national models for research guided by international bodies that provide guidance on combating economic disparities.** This guidance can include findings from special rapporteurs, persuasive international treaties, and United Nations Charter-based bodies, for example.
- **The Equal Opportunities Bill, which already includes LGBTQ+ people and protections based on SOGI, should be enacted by the state.** Regarding socioeconomic status and poverty, it prohibits all forms of discrimination for many reasons, including the economic disadvantage it can cause for vulnerable groups.
- If LGBTQ+ people experience exclusion from anti-poverty or livelihoods programming, **there should be a system to report the act to pertinent ministries,** as well as to the police in cases of violence. The reporting should be taken seriously and added to pertinent records, and information for redress as well as their rights should be given to those reporting.

Violence and Justice

Given the extensive experiences of discrimination and its far-reaching impact on violence, in addition to a system that forces the judicial (and financial) burden onto victims in their attempt to secure equal treatment under the law, the following recommendations are given:

- **The Ministry of Home Affairs Crime Observatory should update all policies, as well as the policies of its observatory** so that violence against SOGI is prohibited, as well as data on the victim's SOGI is included in official statistics and can be disaggregated later for further analysis.
- **The Code of Judicial Conduct and Etiquette should be updated to include gender identity,** since sexual orientation is already included.
- **The Police Department's first-ever LGBTQ+ Police Interaction Policy should be given a budget, and sensitized with the LGBTQ+ community** so they are aware of their rights and how to navigate the policy. The police should continue to be trained in how to appropriately deal with LGBTQ+ victims. Other parts of the police force should be considered (like more investment of the canine unit that includes a cadaver dog to support searches for missing persons), which could have beneficial impacts on finding those who experience extensive violence or homicide.
- **Advance the passage of hate crime amendments in 2024,** in the criminal code, so that SOGI is included as a special or protected status.
- **Criminalize and prohibit homophobic- and transphobic-motivated violence** by protecting gender and SOGI-based characteristics through legislation.

- **Develop a policy agenda for judicial officers, including the creation of a conduct of etiquette** to guide court case management practices. This should focus on minimizing bias based on SOGI, and also educating judicial officers on LGBTQ+ vulnerabilities.
- **Convene civil society, the justice sector, and the economic development community** to advance rights and inclusion in current legislation, and programming, through the creation of a policy and institutional roadmap that focuses on combating violence and promoting good governance.
- **Convene a national strategic crime data summit to inform coordination of platforms that collect crime data on LGBTQ+ people** to develop a plan of action around national integration.
- **The Equal Opportunities Bill, which already includes LGBTQ+ people and protections based on SOGI, should be enacted by the state.** Regarding violence and justice, it prohibits various types of violence and promotes access to justice for all vulnerable groups. Additionally, it offers a strong redress approach to address discrimination through a commission and a tribunal.
- **Strengthen redress mechanisms like the Labour Tribunal, legal aid, the ombudsman office, and the Security Services Commission so that they can be used by LGBTQ+ people, free of bias.** Additionally within these mechanisms, conduct a gap analysis of structures and practices that violate the equal protection clause under the constitution.
- **Legislate prosecutors to inform victims** of violence about prosecution approaches to investigations.
- If LGBTQ+ victims experience difficulties or discrimination when reporting to the police, **there should be a system to report the act to pertinent ministries.** The reporting should be taken seriously and added to pertinent records, and information for redress as well as their rights should be given to those reporting.

International Economic Development Organizations

Operating in Belize are numerous multilateral development banks (MDBs), some bilateral aid agencies, UN agencies, and others, all with substantial clout to influence the government to do more. Additionally, these institutions can better prioritize the rights and inclusion of LGBTQ+ people in their own portfolios. The following recommendations are therefore geared toward the three MDBs—the Caribbean Development Bank (CDB), the Inter-American Development Bank (IDB), and the World Bank); bilateral aid agencies (the European Union, the UK’s FCDO, and Global Affairs Canada); and specialized agencies in the UN (the United Nations Development Programme/UNDP):

- **Diagnostics: the MDBs should include LGBTQ+ people and SOGI issues in upcoming country diagnostics.** These reports are analytical efforts to present various social issues into a single diagnostic, covering the country’s most pressing challenges to economic

development. It is strongly recommended for the MDBs to begin to consult LGBTQ+ organizations in the creation of these country diagnostics, and incorporate the data and findings from this paper and other LGBTQ+ research efforts.

- **Partnership agreements: the MDBs should include LGBTQ+ people and SOGI issues in upcoming country partnership agreements.** Country diagnostics often serve as the impetus to drive portfolios between the institutions and governments, which is then codified into a country framework. Once country diagnostics include LGBTQ+ people and SOGI issues, this can help the MDBs include SOGI into country frameworks, and begin the process of country dialogue, supporting data collection, and programmatic lending, which are either focused on LGBTQ+ people or provide definitive measures to include them into larger analytical and programmatic work.
- **The MDBs should consider how to support Belize’s general development and analytical needs through an investment framework into data collection and analysis. As part of this, support toward data collection based on SOGI should be prioritized.** In this, the MDBs should first consult LGBTQ+ civil society organizations to examine issues of safety, security (including security of data throughout its lifecycle), and how to implement findings into inclusive policies. The MDBs can support the Statistical Institute of Belize (SIB) to undertake its own data collection and to allow disaggregation later on.
- **The MDBs should include LGBTQ+ people and SOGI issues in safeguards processes.** For the World Bank and IDB, both institutions have recently modernized their safeguards standards to ensure that the governments they work with cannot allow discrimination or exclusion toward people at any part of the lending process. The IDB’s Environmental and Social Policy Framework (ESPF) even acknowledges that SOGI can fuel discrimination and exclusion, and specifically mandates in Standard 9 (on gender equality) that governments work to mitigate these challenges and begin to include LGBTQ+ people into these processes. It is therefore important that both the IDB and World Bank begin to work with governments (when safe to do so) to operationalize these policies, and work to include LGBTQ+ people into consultations, risk assessments, risk mitigation strategies, stakeholder engagement processes, and more.
- **The MDBs should consider how to create targeted programs for LGBTQ+ people.** A “targeted” approach to developing stand-alone programs for LGBTQ+ people is a viable way that the MDBs can support Belize in its efforts to promote inclusion of the community. Examples include health clinics run by LGBTQ+ experts, or job skills training.
- **The MDBs should work toward the inclusion of LGBTQ+ people into larger lending strategies and operations.** This avenue represents a “mainstreaming” approach to expanding the ways in which LGBTQ+ people can better take part in, and benefit from, larger sectoral lending from the MDBs to Belize (as opposed to the aforementioned targeted approach). In this, the MDBs must consider the ways in which the community might experience challenges in access, and identify viable ways that they can better take part, particularly in lending to key sectors (e.g. education, healthcare, labor markets, anti-poverty initiatives, governance support, the Blue Economy, and climate, etc.).
- **The MDBs should consider how to structure community-driven development (CDD) programs with Belize, and work with LGBTQ+ organizations to be recipients of**

funding. CDD represents a large portfolio of the World Bank's work, and is a way to directly send money from the institution to civil society organizations, in an effort to more directly support community-led development goals. In this, the World Bank can work with the government to agree on a CCD approach to combating poverty, with direct beneficiaries including LGBTQ+ organizations (among others) to deliver on the goals of the program.

- **The MDBs should include LGBTQ+ people and SOGI issues in its country dialogue with the government.** The MDBs hold very important roles in discussing challenges to economic growth, and proposing viable solutions. In this, the MDBs should prioritize all forms of inclusion, especially for LGBTQ+ people. One specific opportunity is by supporting the government to pass the Equal Opportunities Bill (EOB), and by making a strong case that non-discrimination and inclusion is of paramount importance to social and economic growth.
- **Bilateral aid agencies, especially the European Union, the UK's FCDO, and Global Affairs Canada, should have clear and dedicated plans for working with specific groups,** which should contain specific financial resources that respond to their short-term and long-term needs. They should also make dedicated efforts to consult with LGBTQ+ organizations and find ways to partner with them, and decrease the dependency on organizational intermediaries in the global north and work toward a more impactful "local" version of development.
- **UNDP should act as the convener of public dialogue, use public communications to generate a culture of inclusion in strategic plans, and structure high level dialogue sessions.** All this should include investment strategies or resource mobilization ideas, as well as development interventions that are population-specific and that informs economic development policies and plans.

Private Sector

So that the private sector can better benefit from LGBTQ+ inclusion in the workplace, including stronger labor output and productivity, more talent, and the retention of that talent, as well as a stronger brand and customer base, the following recommendations are given:

- **Attitudes: Ensure hiring practices and the workplace roots out attitudinal biases that exclude or discriminate against LGBTQ+ applicants and workers.** For a how-to on this, the private-sector arm of the Inter-American Development Bank (IDB Invest) published guidance on LGBTQ+ inclusion in the workplace in Latin America and the Caribbean (see Part 3 for a corporate self-assessment to guide rooting out attitudinal biases): <https://idbinvest.org/en/publications/pride-action-guide-lgbtq-workplace-inclusion-latin-america-and-caribbean>.
- **Policies: Ensure hiring practices and the workplace roots out institutional policies that exclude or discriminate against LGBTQ+ applicants and workers.** For a how-to on this, the IDB Invest has published guidance on LGBTQ+ inclusion in the workplace in Latin

America and the Caribbean (see Part 3 for a corporate self-assessment to guide rooting out biased policies): https://idbinvest.org/en/publications/_pride-action-guide-lgbtq-workplace-inclusion-latin-america-and-caribbean.

- **Promote proactive methods of inclusion, like diversity, equity, and inclusion (DEI) in the workplace; environmental, social, and governance (ESG) standards; or internal metrics of inclusion, like surveys or the ability to identify as LGBTQ+ (self-ID).** Documenting the positive impact of these methods can create a culture of better integration and acceptance of LGBTQ+ people.
- **Work with Chambers of Commerce, and similar business associations, on the development of a workplace policy** that can be applied across sectors and industries, as well as across various sizes of companies (multinational corporations vs. small and medium enterprises, for example). The policy should articulate standards of inclusion for all people, including standards on the hiring process, in the workplace, and training.

Civil Society and LGBTQ+ Organizations

While civil society is relatively small in Belize, its impact in the social and environmental sectors has been transformative for many sociocultural issues, like gender equality and protection of the Blue Economy. Yet even with all of this advocacy, this sector has never coordinated a human rights dialogue, nor strategic interventions or statements around the intersectional needs of all people. Simply, a coordinated and intersection strategy on **human rights and inclusive development** has not been created. So that civil society organizations can consider a human rights and inclusive development strategy, the following recommendations are given:

- **Start communication across the civil society sector on the development of a national intersectional human rights and inclusive development strategy**, one that addresses economic, social, and cultural rights as well as inclusion of all vulnerable or marginalized groups, particularly focused on legislation and economic development plans.
- **Initiate a process of civil society dialogue to assess the effectiveness of programmatic investments** on all vulnerable or marginalized groups, as well as other needs to make more coordinated and impactful investments into their economic and social outcomes.
- **Convene coordinated advocacy to advance hate-motivated violence**, based on numerous identities or characteristics, into the criminal code.
- **Envision a culture of data collection that is driven by and/or responsive to the needs of all in society**, and discuss ways to build it. This can be implemented via many different methods, e.g. citizen-generated data, working with the Statistical Institute of Belize to collect national-level data, or offering more support to administrative data systems across governmental ministries. Envisioning and working toward data systems that collect and disaggregate by various characteristics can inform population-specific concerns around families, education, health, employment, housing, income and poverty, violence, and justice of all people, including those who have been made invisible by current data collection practices.

- **Coordinate national dialogue with influential economic institutions**, like companies, chambers of commerce, or the multilateral development banks, and raise concern about economic exclusion of groups of people, and discuss how to collectively work toward a culture of inclusion in various spheres.

SOGI Data Collection

In Belize, it's clear that data on SOGI and knowledge of LGBTQ+ people do not formally exist at the level of the state, private sector, or economic development community. The empirical analysis in this paper, and only a handful of other research efforts, only exist through the process of citizen-generated data, i.e. when civil society takes it upon itself to fundraise, design, and undertake primary data collection in an effort to raise awareness on the challenges they face. In Belize, where a culture of population-based data collection and disaggregation does not exist, this has kept LGBTQ+ people invisible. To guide safe and ethical data collection based on SOGI, and so LGBTQ+ people can be counted and interventions can be guided by knowledge, the following recommendations are given:

- LGBTQ+ organizations, in tandem with other civil society organizations, the government, academics, the private sector, the economic development community, and international funders **should convene a national dialogue on best practices of SOGI data collection in Belize**. This should include topics like: appropriately navigating the data lifecycle, using data to inform interventions, discussing the best use of methods (qualitative vs quantitative) discussing best use of data systems (citizen-generated data, administrative data, etc.), how to document emerging best practices, and more. Having LGBTQ+ organizations at the helm is of paramount importance.
- As part of this national dialogue, **a dedicated focus must be given to policies and standards of safe and ethical data collection**, including how to prohibit these data from being used to harm. Regional and international best practices exist, and should be utilized in the creation of these policies and standards. Having LGBTQ+ organizations at the helm is again of paramount importance.
- **Based on the findings from the national dialogue, develop an actionable research agenda led by the Statistical Institute of Belize in tandem with LGBTQ+ civil society**, to be undertaken at the national level. The research agenda should cover themes like estimating the size of the population; measuring the challenges experienced along the eight economic, social, and cultural rights (see Part 2); other socioeconomic challenges like employment or poverty rates, as well as contribution to Social Security; and more.
- **Resource mobilization strategies must be developed to finance data collection on SOGI issues** and turning those data into interventions, as well as using monitoring and evaluation efforts to capture the impact of interventions. Funders like the government, the economic development community, the private sector, and foundations must be better galvanized, with the idea of investing in the gatekeepers of SOGI-based knowledge, especially LGBTQ+ civil society organizations.

PART 4: CONCLUSION

Although Belize is leaving its colonial-era legacy and state-sanctioned exclusion of LGBTQ+ people, formal inclusion is still far off. In fact, the state continues to defer legislation that is inclusive of LGBTQ+ concerns, even though it publicly speaks of “leaving no one behind.” This paper has focused on eight ESC rights of LGBTQ+ people based on their SOGI, exploring the rights-based obligation for the state to act, as well as the critical need for the state to better promote economic inclusion.

In regard to the rights and inclusion of LGBTQ+ people, the findings are clear: Belize is not meeting the aspirations of its own Constitution to create an inclusive society that respects the human rights of all. Not only is this an imperative in regard to its own Constitution, but also to commitments to numerous regional and international human rights treaties. Additionally, it’s failing to implement its own national needs for inclusive and stronger economic development. Even further, this culture of complicity by inaction is an affront to Belizean culture that respects the diversity and complexity of its people.

In fact, the challenges are prevalent and far-reaching. Without dedicated rights to protect LGBTQ+ people from discrimination, exclusion, and violence—in particular the eight ESC rights examined in this paper—an environment has been created whereby they experience more challenges and harsher impacts. The empirical analysis of data affirms they experience an “LGBTQ+ tax” as well as “LGBTQ+ penalty” throughout their lifetimes. In other words, they must cope with more challenges to find their role in the social and economic system, yet even after, they still do not equally enjoy the benefits. Instead, they experience a penalty that leaves them worse off when compared to all else. Systematic marginalization has therefore been built into governance and economic institutions. In simple terms, LGBTQ+ people have fallen through the cracks, and have been left behind.

Yet, change is possible—and it makes economic sense. In addition to human rights obligations, there is a larger impact of excluding LGBTQ+ people from society: Namely, it stifles socioeconomic and macroeconomic development outcomes. The inverse is also true: When the rights and inclusion of LGBTQ+ people are implemented in earnest, there are great benefits. For Belize, the benefits of inclusive interventions would be prodigious, not only for the state, but also for communities, businesses, and the economy alike. The paper provides 70 recommendations for the state, the economic development community, the private sector, and civil society, as well as in regard to data collection, all to better implement human rights obligations and to enjoy the benefits of inclusion. Simply put, retaining the status quo by deferring or ignoring can no longer be a tenable action for the state, not when the obligations and benefits are so clear and inextricably tied to Belize’s next phase of social and economic development.



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