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Belizean Police Accused of Human Rights Violations

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Just more than half the citizen complaints against public authorities reported to the Office of the Ombudsman of Belize in 2014 refer to human rights violations allegedly committed by the police.

The Office of the Ombudsman of Belize was created in 1999 as an independent bureau that investigates alleged abuses committed by public authorities and seeks redress on citizens’ behalf.

In 2014, citizens made 220 complaints, compared with 211 in 2013. Of the 220 complaints made in 2014, 116 were against the police force. They include grievous bodily harm against suspects or detainees, murder, misconduct, corruption, falsifying police statements, drunk and disorderly behavior in public, failure to investigate alleged crimes, unlawful search and seizure, false imprisonment, malicious prosecution, mistaken identity on a police record, theft, and misappropriation and damage or destruction of property, including property held as exhibits.

The Ministry of National Security, which includes the Coast Guard and the Belize Defense Force, accounts for 58% of the complaints. Allegations against the police made up 89% of all complaints levied against the Ministry of National Security.

Lionel Arzu, head of the Office of the Ombudsman of Belize, said a very small number of cases have been solved, working with the Professional Standards Branch of the Police Department.

The report quotes the case of mentally ill Moses Williams as an example of police brutality. Williams’ family members claim that Big Falls residents did not want him in the area because of his condition and that he had been subjected to threats and harassment from the police. On Feb. 17, 2014, he was involved in an argument with a police agent who allegedly shot him in the right leg to subdue him, and he later died while receiving treatment. Belize’s Mental Health Association was highly critical of the way police handled the situation and said Williams’ death could have been avoided.

One of the most recent cases of alleged police brutality occurred on March 8, when the police detained a number of individuals suspected of involvement in a shooting incident. Plus TV Belize reported that one man was beaten while on the ground even though the detainees were cooperating with the police at all times.

The Gang Suppression Unit (GSU), in particular, has been accused of a number of human rights violations including beating suspects and searching homes without a warrant (NotiCen, Oct. 13, 2011).

One of the most recent cases reported by the Belizean media was the alleged beating of Kariq Tzul by GSU officers in September 2014. "I come out to see what is happening, when I get to my door, they put a gun to my face and ask me who else is inside, and I said, 'Nobody. I just came home from work and I’m tired and lying down to rest.' So they search my house, too, and come out and they left and went upstairs and then they are beating the boy again upstairs. For what? I don’t know. I couldn’t see, all I heard was stomping. They stomp him on the floor and they dragged
him in the kitchen. Drag him, stomp him, all you hear is bang, bang, bang," an eyewitness told Sevennewsbelize.com.

Another notorious case of alleged police brutality was the beating of well-known local tour guide Bert Nicholas in January 2013. The man was allegedly beaten by Tourism Police agents during a confrontation on Caye Caulker island and his head injuries were so severe that he was left in a coma. The Professional Standard Branch Unit of the Police Department was forced to launch an internal investigation into the case.

Judiciary, Ministry of Natural Resources also under scrutiny

The second- and third-largest numbers of complaints received by the Office of the Ombudsman were against the Lands and Survey Department of the Ministry of Natural Resources and Agriculture, and the Judiciary, respectively.

More than half the complaints (116) originated from the Belize District, followed by the Cayo District (31) and the Corozal District.

About 40% of the complaints filed in 2014 are the subject of preliminary investigations. About one-fourth of the complaints were refused, terminated, or referred without investigation and almost one-fourth resulted in notices being given to the authorities that were the subject of the complaint. There were replies to around 40% of the given notices and there was closure in 1% of the cases.

Among this tiny percentage of cases with a successful outcome is the case of a Prisons Department employee who was fired and received no compensation after dislocating his shoulder during a training course.

The employee "went on medical leave for a couple of months, and returned to work after being certified fit to work on condition that he avoids heavy lifting and strenuous activities. His employment was immediately terminated without any compensation for his injury or lost wages," said the ombudsman.

The employee took his complaint to the Labor Department and the Office of the Ombudsman, who contacted all parties involved and encouraged him to take legal action against his former employers. The Prisons Department awarded him US$9,522 in an out-of-court settlement.

Arzu made five recommendations to the government: 1) that visiting justices be appointed to carry out regular inspections of the Central Prison; 2) that the Labor Minister establish a Labor Complaints Tribunal to hear complaints of unlawful termination by private and public employers; 3) that government ministries appoint a liaison officer to respond to the Ombudsman’s inquiries in a timely manner; 4) that the Cabinet ratify and incorporate into domestic legislation all international human rights treaties, particularly the International Covenant on Economic, Social and Cultural Rights; 5) that a national human rights institution be established.