

## COUNTRY NOTES ON COVID-19 RELATED EMERGENCY DECREES & THE RED CROSS

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### BELIZE

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#### SUMMARY

The National Oversight Committee and the COVID-19 Taskforce established by Cabinet are the two mechanisms leading the national response to the COVID-19 pandemic. The National Oversight Committee includes participation from civil society such as NGOs, however, the Belize Red Cross Society is not currently a member of the Committee.

While the Belize Red Cross Society is assisting the Ministry of Health, the Mental Health Department and the Ministry of Human Development in its COVID-19 response, it is not expressly recognized under the ***Belize Constitution (Emergency Powers) Regulations, 2020***. Nevertheless, the Belize Red Cross Society continues to operate in a limited capacity within the confines of the Regulations and in accordance with general categories of exemption as regards certain kinds of activities e.g. domestic delivery services of goods.

Detailed findings along with advocacy recommendations for addressing these gaps are given below.

#### FINDINGS

##### 1. Is there coordination between state and non-state actors, e.g. through a national emergency response mechanism?

Yes. One day after the WHO declared COVID-19 as a pandemic, the Prime Minister of Belize announced the establishment of a National Oversight Committee<sup>1</sup> to be chaired by the Prime Minister and the Leader of the Opposition as co-chair. The National Oversight Committee includes representatives of the Belize Council of Churches, the Belize Chamber of Commerce and Industry, the Belize National Network of NGOs and the Belize Social Security Board. The purpose of this Committee is to provide ultimate overall supervision of Belize's efforts to deal with COVID-19, with a special focus on the economic aspects of the crisis. While the Belize Red Cross Society (BRCS) is not part of this Committee, it has been working closely with the authorities in contributing to the amendment of the statutory instrument concerning BRCS' status.

The Cabinet also established the COVID-19 Taskforce which is responsible for the day to day public health response carried out by the Ministry of Health. The Taskforce is chaired by the Director of Health Services and includes representatives from the frontline government and quasi-government agencies.

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<sup>1</sup> <http://www.7newsbelize.com/sstory.php?nid=52370&frmsrch=1>

## **2. Is there mention of the role of Red Cross (RC) or humanitarian actors? In what areas/sectors? What responsibilities are ascribed to RC?**

On April 17, 2020, the Government of Belize passed the ***Belize Constitution (Emergency Powers) Regulations, 2020*** (S.I. No. 55 of 2020)<sup>2</sup> in accordance with section 18(9) of the Constitution<sup>3</sup> which gives the Governor General the power to make regulations in a period of public emergency. These Emergency Powers Regulations, revoked previous regulations contained in S.I. No 47, 48, 52 and 54 of 2020.

There is no express mention of the BRCS in the Emergency Powers Regulations.

As regards the responsibilities ascribed to the Red Cross, the BRCS is actively working with the Ministry of Health, Mental Health Department, Ministry of Human Development and the Salvation Army in various initiatives including, delivering babies out and away from the hospital (Toledo District); relocating homeless persons to shelters for the quarantine and period of the state of emergency; and assisting at isolation centres. It should be noted that several of these activities performed by the BRCS in partnership with the Government may be considered to be outside the scope of the usual work and expertise of the BRCS.

## **3. Are there exceptions to travel restrictions that will facilitate the movement of RC/humanitarian relief teams and/or aid across borders? What (if any) quarantine requirements or other conditions are attached?**

Regulation 15, of the Emergency Powers Regulations, provides for the closure of all ports of entry during the period of the public emergency. However, emergency medical flights approved by the Director of Health Services in consultation with the Minister of National Security is granted an exemption to this travel restriction. Similarly, emergency flights approved by the Minister of National Security in concurrence with the Department of Civil Aviation is also exempted under this travel restriction.

Although not explicitly stated, this provision may allow for humanitarian flights once approved by the Director of Health Services and the Minister of National Security.

Cargo flights and cargo shipments are also exempted from travel restrictions. In this regard, humanitarian aid shipments will still be permitted under the public emergency.

## **4. Are there exceptions to quarantines, curfews and other restrictions on movement that allow RC/humanitarian organizations access to vulnerable populations (including for psychosocial or non-medical aid)?**

Although the Emergency Powers Regulations does not expressly provide for exceptions to quarantines, curfews and other restrictions on movement for the BRCS, the activities of the BRCS may fall within certain exempted categories under the Emergency Powers Regulations.

For example, the BRCS has partnered directly with the Ministry of Health with respect to frontline activities such as assisting at isolation centres. In principle, the BRCS should be entitled to an exemption with respect to performing these activities with the Ministry of Health, under Regulation 4 (3) which provides for an exemption for health care providers on duty for the Ministry of Health.

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<sup>2</sup> <https://www.pressoffice.gov.bz/wp-content/uploads/2019/12/SI-No-55-of-2020.pdf>

<sup>3</sup> <https://www.nationalassembly.gov.bz/wp-content/uploads/2017/03/Belize-Constitution-2017updated-March.pdf>

Further, the Regulations allow for domestic delivery services of goods. This provision can facilitate the operation of the BRCS's food distribution programme to vulnerable persons including the elderly, persons with disabilities and undocumented migrants.

**5. Have any special legal facilities or exemptions been put in place for the importation of medical aid or other relief items or personnel (International Disaster Response Law)? What (if any) quarantine requirements or other conditions are attached?**

There are no known special legal facilities or exemptions for the importation of medical aid or other relief items or personnel as regards any of the measures implemented by the Government in relation to COVID-19.

**6. Is the RC (or humanitarian organizations) categorized as 'essential' or 'emergency' services, for the purposes of exemptions to restrictions on business operations and opening hours?**

Schedule I of the Emergency Powers Regulations provides a list of services that are categorized as "essential" for the purposes of the Regulations and are allowed to operate during the period of public emergency. However, the BRCS is not included in this list.

Currently, the BRCS is in the process of negotiating with the authorities for this categorization so as to be fully operational during the public emergency.

**7. What other measures are provided in the emergency decrees? (for governmental actors, for communities, for health workers, etc).**

*a. Other important measures*

- Persons issued with a "pass badge" from the Ministry of National Security are allowed to move freely during the public emergency
- Persons are permitted to exercise by running, jogging, or walking between 5 am and 8 am, while practicing "social distancing" protocols
- Closure of casinos and gaming establishments, discotheques, bars, night clubs, and rum shops
- Closure of spas, beauty salons, barbershops, gymnasiums and sporting complexes
- Closure of restaurants, salons and diners with the exception of take out services
- Closing of schools and public places, introduction of "social distancing".
- Prohibition of social events including private parties, recreational or competitive sporting events, weddings which host more than 10 guests, funerals with more than 10 mourners apart from the officiant and essential mortuary staff, public worship in a public place or facility and meetings of private social clubs

*b. Measures with regard to "vulnerable" groups*

- The COVID-19 Unemployment Relief Programme was set up to offer financial assistance to workers who have been laid off as a result of the COVID-19 crisis, and for persons who were unemployed before the COVID-19 crisis and are now experiencing more difficult circumstances.

## 8. Have restrictions been adopted or put in place that ban the export of protective medical equipment?

No such restrictions have been imposed at this time.

## RECOMMENDATIONS

- The BRCS should advocate for the explicit recognition of its role as an auxiliary to government and its current and potential future responsibilities in providing humanitarian relief during the COVID-19 pandemic.
- This recognition should explicitly categorize the BRCS, its staff and volunteer teams as essential workers having the capacity to move into and out of communities limited by curfews, quarantines and other restrictions, for the purposes of providing humanitarian aid.
- In particular, the BRCS should ensure that its activities with respect to its partnership with the Ministry of Health is recognized by the authorities as being exempted under the Regulations. The BRCS should also advocate for adequate PPE and insurance coverage for its volunteers with respect to these activities.
- Where possible, the BRCS should advocate for inclusion in the National Oversight Committee, as it provides a forum to participate in the decision-making process of the national response to the pandemic.
- Further, the BRCS (including the IFRC) should be accorded any necessary legal privileges and exemptions required to import humanitarian goods and teams into the country during the course of the pandemic.
- The template letters and key messages provided by the DLP can be used in framing these advocacy positions in a letter to the appropriate competent authority (Office of the Prime Minister and/or Minister of Foreign Affairs), copying the National Emergency Management Organisation (Emergency Operations Centre).
- The BRCS may consider aligning its COVID-19 Contingency Plans with the national response plan of the Government, and sharing with the authorities, with a view to creating more opportunities for cooperation, and recognition of the auxiliary role.

## LAWS & REGULATIONS REFERENCED

- *Belize Constitution [Chap. 4], as amended, 2017*<sup>4</sup>
- *Belize Constitution (Emergency Powers) Regulations, 2020*<sup>5</sup>

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<sup>4</sup> <https://www.nationalassembly.gov.bz/wp-content/uploads/2017/03/Belize-Constitution-2017updated-March.pdf>

<sup>5</sup> <https://www.pressoffice.gov.bz/wp-content/uploads/2019/12/SI-No-55-of-2020.pdf>