



MAYA LEADERS ALLIANCE

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Press Release – For Immediate Release

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The Toledo Alcaldes Association and the Maya Leaders Alliance would like to express our gratitude to the Court of Appeal for its careful consideration of the issues that were before them in the Maya Land Rights case. We are pleased that the court has reaffirmed our peoples' right to own the land that we use every day and depend on to survive, and that the property system that we inherited from our Maya forefathers is every bit as valid as the property system Belize inherited from the British. We are especially encouraged by the words of Justice Alleyne in his adoption of Justice Morrison's opinion, making the majority. (See paragraph 335 on page 197 of judgment)

I agree with and adopt the arguments and conclusions of Morrison JA, and would consequently dismiss the appeal and affirm the order of Conteh CJ. In particular I note the learned trial judge's finding that the Maya people have rights to land and resources in Southern Belize based on their long-standing use and occupancy, and that the respondents have succeeded in establishing their claim to customary land tenure in Belize. The learned trial judge held, in my view correctly based on the evidence which he found to be credible, that the Maya communities of the Toledo district of Belize have a historical and cultural relationship with the lands on which they currently live and work, and with the populations which have historically inhabited them, and that the patterns they describe in their villages are consistent with the traditional patterns of customary land tenure.

Our customary land rights have been affirmed by the Inter-American Commission on Human Rights, by the Supreme Court of Belize on two occasions, and now by the Court of Appeal. With this fourth favourable ruling in nine years, we are confident going forward that our land rights are clearly and firmly established.



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However, we are disappointed that the court failed to understand the discrimination and harm the government has subjected us to by denying the validity of our customary rights for decades, and uphold the duty of the government to protect our rights and to provide paper titles. Our rights were disregarded even when there was court-ordered protection in place, so we cannot help but be concerned that the protection has been lifted.

The Court of Appeal issued its decision days before the Supreme Court was due to hear a contempt motion by the Maya Leaders Alliance and the Toledo Alcaldes Association against the Government for violating the injunction issued by former Chief Justice Abdulai Conteh in 2010. The injunction prohibited the government from interfering with our lands unless they get our consent (oil drilling, rosewood extraction and issuance of leases). Given the decision of the Court of Appeal to overturn the injunction, the Maya Leaders instructed Senior Counsel Antoinette Moore to withdraw this application, since without the continuation of the injunction, the only remedy available for contempt would be to fine or jail the Minister, which would not assist the Maya in our quest to protect our lands.

On Monday July 29th over 300 leaders from all the Maya villages in Toledo converged at the Julian Cho Technical High School to digest the Court of Appeal's decision. The leaders expressed an over whelming appreciation of the affirmation of Maya Customary Rights. The Leaders were also deeply apprehensive about the section of the decision that absolves our government from protecting those rights and titling Maya lands. The leaders reaffirmed their unwavering solidarity and commitment to pursue the protection and promotion of the rights of the Maya people. There was a strong sentiment that a right without a remedy may be no true right at all. A unanimous endorsement was given to appeal that aspect of the decision to the Caribbean Court of Justice.

Even as we prepare to appeal, we would prefer to resolve these issues through dialogue with our government on the premise that our land rights exist, and invite the



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Attorney General, the Minister of Natural Resources, the Ministry of Forestry and Sustainable Development and the Ministry of the Environment to end the need for further litigation; to come to the table with the Maya people and work out how to regularize our rights, which can no longer be denied. We want to get to work demarcating and registering our lands, so that both the Maya and Belize as a whole can focus on the more important work of improving the lives of all Belizeans with sustainable development that preserves the environment on which we all depend.

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