# BELIZE/GUATEMALA NEGOTIATIONS
# PLAN OF ACTION TO IMPLEMENT THE NOVEMBER 8, 2000 AGREEMENT ON CONFIDENCE-BUILDING MEASURES

The Delegation of Belize, headed by H.E. Assad Shoman, Ambassador with Ministerial Rank, and the Delegation of Guatemala, headed by H.E. Gabriel Orellana Rojas, Minister of Foreign Affairs, met in Miami, Florida on January 16-17, 2001 and agreed to the following Plan of Action to implement the Agreement on Confidence Building Measures signed by the Parties on November 8, 2000 in Washington, D.C. This Plan of Action also serves to facilitate the negotiation process concerning their territorial differendum, which is being conducted under the auspices of the Secretary General of the Organization of American States.

1. The Parties reiterate their commitment to fully implement all of the confidence building measures set forth in the Agreement on Confidence Building Measures signed on November 8, 2000.

2. Adjacency Line and Adjacency Zone: The Parties agree to the identification of the Adjacency Line and Adjacency Zone, as described in and subject to the provisions of Paragraphs 3, 4 and 5 of the Agreement on Confidence Building Measures, in the following manner:

A. At the request of the States Parties, hereby signified, the Pan American Institute of Geography and History (PAIGH) will, urgently, and no later than 14 days from the signing of this Plan of Action, determine the coordinates of the reference markers at Gracias a Dios, Garbutt's Falls and Aguas Turbias, and identify the Adjacency Line from Gracias a Dios to Garbutt's Falls and from Garbutt's Falls to Aguas Turbias.

B. At the request of the State Parties, hereby signified, the PAIGH will prepare and deliver to them, urgently, and no later than 21 days from the signing of this Plan of Action, a map of the Adjacency Zone in which the Adjacency Line and the lines constituting the perimeter of the Adjacency Zone are identified.

3. Census: Within 3 days of their receipt of the map of the Adjacency Zone, which the Parties hereby agree to accept, they shall jointly begin creating a list encompassing the names of all of the settlers entitled to remain undisturbed in the Adjacency Zone pursuant to the terms of Paragraphs 6A and 6B of the Agreement on Confidence Building Measures. To accomplish this objective, each party will appoint 3 persons to a "census team." The team will prepare a list of all settlements and settlers in the Adjacency Zone within 14 days of its initiation of work. From that list, the team will prepare a sub-list of all settlers to the east of the Adjacency Line who are Guatemalan nationals and who satisfy the requirements of Paragraph 6A, and another sub-list of all settlers to the west of the Adjacency Line who are Belizean nationals and who satisfy the requirements of paragraph 6A.

3.1 Any children born after October 1, 2000, to settlers entitled to remain in the Zone shall be included in the sub-list and entitled to remain in the Zone under the same conditions as their parents. The sub-list shall also include all houses, churches, schools, other buildings, farms, roads, and any other infrastructure existing as of October 1, 2000. Expansion or improvement which changes the character of such infrastructure belonging to Guatemalan nationals on the sub-lists of such persons on the east side of the Adjacency Line within the Adjacency Zone may not occur without prior approval of Belize. The same shall apply mutatis mutandi for Belizean nationals. Any disagreements that arise in the course of the census shall be referred to the Parties' Ministries of Foreign Affairs in the first instance, for resolution. In the event a disagreement cannot be resolved at that level, it will be referred to the Facilitators for their consideration.

4. Determination of Locations of Certain Settlements: Immediately following the identification of the Adjacency Line, the PAIGH shall determine the precise distance from the nearest point on the Adjacency Line to the settlement known as Rio Blanco, and the precise distance from the nearest point on the Adjacency Line to the settlement known alternatively as Machaquila or Tres Puentes. The PAIGH will also determine the precise distances from the

nearest point on the Adjacency Line to dwellings located in the vicinity of Valentin Camp. These determinations shall be provided to the Parties, to the Facilitators and to the Secretary General of the Organization of American States. The Facilitators will then issue an interpretation as to the status of these settlements and dwellings under the Agreement on Confidence Building Measures, with which the Parties will comply in good faith.

5. Procedure for Removal of Certain Settlers: The Facilitators have prepared a Protocol for Removal of all settlers located inside the Adjacency Zone but not entitled to remain there pursuant to the terms of Paragraph 6A of the Agreement on Confidence Building Measures. They have also prepared a Protocol for Removal of settlers located outside the Adjacency Zone. The Protocols with which the Parties will comply in good faith, are attached as Annex A and Annex B.

6. Reaffirmation of Certain Commitments: Belize and Guatemala reaffirm their commitment to respect and leave undisturbed all settlers and settlements established to the east and to the west of the Adjacency Line and within the Adjacency Zone on or before October 1, 2000, as set forth in Paragraph 6A of the Agreement on Confidence Building Measures. Belize and Guatemala shall issue licenses to all such settlers, authorizing them to remain undisturbed in the Adjacency Zone during the pendency of the Agreement of November 8, 2000. Both Parties reaffirm their commitment to cooperate, as set forth in the respective Protocols, in the removal of settlers located to the east and to the west of the Adjacency Zone, or located inside the Adjacency Zone but not entitled to remain therein under Paragraph 6A. Guatemala also reaffirms its commitment to take effective measures to dissuade its citizens and/or residents from establishing new settlements or joining existing settlements, to the east of the Adjacency Line, including a program to identify land to the west of the Adjacency Line that can be allocated to Guatemalan citizens or residents who would otherwise be likely to attempt to settle to the east of the Adjacency Line as prescribed in paragraph 6D of the Agreement of November 8, 2000.

7. Reference Markers: The Parties agree that the existing concrete structures at Gracias a Dios, Garbutt's Falls and Aguas Turbias constitute reference markers within the meaning of Paragraph 3 of the Agreement on Confidence Building Measures, as further defined in the Facilitators' letter to the Parties of December 15, 2000. The Parties will commence the process of clearing the area around each of these markers, to a radius of 7.5 meters, within 14 days of the signing of this Plan of Action. Within 7 days of the signing of this Plan of Action, Belize will furnish Guatemala and the Facilitators with the coordinates of other markers, and the basis on which Belize considers them reference markers. Within 7 days of receipt of such information, Guatemala and Belize will present their arguments to each other and to the Facilitators and within a reasonable time, having due regard to the urgency of the matter, the Facilitators will make an interpretation as to which markers are "reference markers" within the terms of Paragraph 3 of the Agreement of November 8, 2000 and the Facilitators letter of December 15, 2000. Upon the issuance of this interpretation, either or both Parties may proceed to clear around any reference markers in accordance with paragraph 4 of the Agreement of November 8, 2000.

8. Public Statements: To reinforce the Confidence Building Measures agreed to on November 8, 2000 and in this Plan of Action, and to facilitate the negotiation process concerning the territorial differendum, the Parties reiterate their prior agreement to exercise caution and restraint in the treatment of all issues related to this negotiation process. To this end the Parties shall frame all public statements relating to the negotiation process in a manner that is consistent with their obligations to timely and fully inform their respective public opinions concerning the progress of the negotiations, conducive to the successful conduct of the negotiations, the facilitation of harmonious relations between Belize and Guatemala, and the maintenance of peace. The Parties have also asked the Facilitators to provide them with guidelines for public statements concerning the negotiating process, any agreements reached therein, and any alleged violations of such agreements. The Facilitators have agreed to provide such guidelines by February 5, 2001.

9. Wherever this Plan of Action calls for cooperation between the Parties or for joint action and one of the Parties refuses or fails to cooperate or act jointly, the other Party shall be free to

submit the matter to the Facilitators who shall make a recommendation as a matter of urgency, for the carrying out of the action, in the spirit of the Agreement or the Plan of Action, as the case may be, and the Parties hereby agree to comply and in good faith.

10. The Merits of the Territorial Differendum: The Parties have agreed to commence negotiation of the substantive matters of the territorial differendum at the next Ministerial-Level Meeting, which has been convened for February 5-7, 2001 at the Headquarters of the Organization of American States in Washington D.C. This does not preclude discussion of other urgent matters at that meeting, upon reasonable notice and as approved by the Facilitators.

For Belize: For Guatemala:

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H.E. Assad Shoman H.E. Gabriel Orellana Rojas
Senior Ambassador with Minister of Foreign Affairs
Ministerial Rank

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