
In response to a request by the Minister of Foreign Affairs of Guatemala, duly considered at a meeting of foreign affairs of the two countries, regarding an evaluation report on implementation of the Confidence-Building Measures between Guatemala and Belize to help give new impetus to a bilateral agenda, with support from the OAS General Secretariat, the following should be noted:

On February 7, 2003, the matter of implementation of confidence-building measures between the Governments of Belize and Guatemala was settled with the signing of the Agreement to Establish a Transition Process and Confidence-Building Measures between Belize and Guatemala. For the purpose of facilitating implementation of the various measures, the first agreement specifically defined the so-called Adjacency Line, clearly establishing that use of that line would not constitute an agreement between the parties on its representing the international boundaries between the two countries. Likewise, it instructed the General Secretariat to establish an office in the Adjacency Zone for the purpose of: fostering community-to-community contacts across the Adjacency Line; executing activities designed to improve relations, confidence, and cooperation among the inhabitants of the Adjacency Zone; verifying any incidents which may occur in that Zone; verifying any transgression of the established Confidence-Building Measures; and providing information on the transition process and the measures implemented. In addition, the Agreement established the Group of Friends of Belize and Guatemala, with the participation of member states and permanent observers, to support a peaceful resolution to the dispute.

Subsequently, on September 7, 2005, the Ministers of Foreign Affairs of Belize and Guatemala, together with the Secretary General, signed a second agreement, at OAS headquarters in Washington, D.C. – the Agreement on a Framework for Negotiations and Confidence Building Measures between Belize and Guatemala. However, they did not indicate the period during which those measures would be in force. The second agreement made changes to the measures agreed to in 2003, basically by expanding the functions of the Office of the OAS General Secretariat in the Adjacency Zone, which had been set up in 2003.

It bears mentioning that the Confidence-Building Measures are implemented by the Office of the OAS General Secretariat in the Adjacency Zone, in close collaboration with the various officials of Belize and Guatemala. This Office operates and all local staff are recruited through the Fund for Peace: Peaceful Settlement of Territorial Disputes, set up by the General Assembly in June 2000 through resolution AG/RES. 1756 (XXX-O/00). To support the Governments of Belize and Guatemala, the Fund for Peace established a Belize-Guatemala Subfund through which to channel contributions received from donors for this purpose, in particular from the countries belonging to the Group of Friends. The OAS General Secretariat has convened the Group of Friends on several
occasions to keep them abreast of the evolution of the process as concerned different aspects of the territorial differendum and of the implementation and results of the Confidence-Building Measures.

Noteworthy among the various activities carried out by the Office in the AZ are verification, follow-up, and preparation of reports on any incident in the Adjacency Zone. Not only is this the most important regular activity; it also provides the means to ensure a constant presence in the communities in the Adjacency Zone. Its most tangible result is to detect any anomaly or conflict in its early stages, in order to respond immediately and thus prevent the controversy from taking on larger dimensions which could damage relations between communities and with officials and, as a result, affect the friendly ties between the two countries. Verifications include an investigation of the geographic location of the event, its protagonists, and the parties affected; a determination concerning the nature of the incident; an assessment of the situation following the incident; ongoing follow-up of the case; and reporting to the respective officials of each country, all the while seeking to offer proposals and find means to resolve the differences that led to each of the disputes.

During the course of 2007, the OAS/AZ office conducted more than 40 verification and follow-up operations. A similar number will be conducted this year. They are carried out in close coordination with the countries’ officials, both local and national, mayoralties, police forces, offices of human rights defenders, and naturally the ministries of foreign affairs of both countries. Even though the number of verifications related to conflict in some form may appear high, it should be noted that that number has declined in comparison with earlier years – a decline which can undoubtedly be attributed to the presence and action of the Office of the OAS General Secretariat in the AZ.

Likewise, interinstitutional coordination with the police forces and with the Belize Defence Force (BDF) and the Guatemalan Army (GA) is ongoing and of vital importance. Tripartite meetings to coordinate operations are held every quarter. Special meetings are also held regularly in the OAS/AZ Office premises. Likewise, support is provided in the form of equipment. For example, GPS (Global Positioning System) devices were acquired and given to both the BDF and the GA so that they could be trained in their correct use and thus avoid errors in determining the position of the AZ, which now separates Belize and Guatemala in the disputed territory.

The measures promoted by Belize and Guatemala, with assistance from the General Secretariat, in the communities on both sides of the Adjacency Line constitute another important aspect of the Confidence-Building Measures. These measures could be specifically reflected in the following:

Support for interinstitutional cooperation among the municipal governments of each country in the Adjacency Zone in order to increase levels of interaction and cooperation among them.
Identification of areas for the possible development of local projects.

Organization of cultural events and of activities designed to integrate the educational community in the two countries.

The promotion and facilitation of dialogue, also specifically mentioned in the Confidence Building Measures, with ongoing support from the Office in the Adjacency Zone. This is not limited to interaction between the communities but also affords an opportunity for coordination between those farmers and private companies in the AZ involved in the orderly, legal cultivation of xate leaves. It should be mentioned that illegal cultivation of this crop is a permanent source of conflict between the two countries, notwithstanding the commitment made under the Confidence-Building Measures to prevent illegal harvesting in both countries.

With the collaboration of the Office in the AZ, the governments have sought to work in the area of environmental preservation and protection. It may be necessary to adopt common criteria to deal with these problems more efficiently than up to now. In addition, a relationship has been set up, with certain limitations, with the national agencies responsible for disaster prevention and mitigation.

Under the aforementioned Agreement, Belize and Guatemala have advocated for values of culture and peace and for stronger measures to help children and adolescents. Consequently, since 2005, both governments and the OAS mission in the AZ have been holding cultural workshops targeted at primary and secondary schools in the AZ, promoting culture in its diverse manifestations, with the active involvement of children, thus generating an increase in their self-esteem and in the development of solidarity and a culture of peace.

Follow-up and care of populations irregularly established in the part of the AZ different from their own nationality’s, which is specifically considered under a special regime in the Confidence-Building Measures, has been one of the most difficult activities entrusted to the OAS Office in the Adjacency Zone. The voluntary resettlement process is a direct responsibility that we have been able to achieve and we do not hesitate to rank it as one of the greatest successes of the Confidence-Building Measures and the work of the Office of the OAS Secretary General.

NUEVA JUDÁ SETTLEMENT

The construction of the Nueva Judá housing complex in Melchor de Mencos and the transfer of 31 rural families living on the Adjacency Line in precarious conditions is the first successful case of voluntary transfer pursuant to the Confidence-Building Measures. The complex, completed in 2005, received support from donors who contributed specifically to this Project under the Belize-Guatemala Subfund of the Fund for Peace.
SANTA ROSA SETTLEMENT

This community located in the Adjacency Zone administered by Belize has, in the recent past, been a source of constant irritation and conflict between the two countries. During the negotiation process facilitated and coordinated by the OAS General Secretariat along with the so-called Technical Negotiating Group (TNG), comprising representatives of the two governments, and even in the Secretary General's meetings with the Ministers of Foreign Affairs of Belize and Guatemala, over the past two years the Santa Rosa situation was constantly brought up, so much so that it constituted a veritable obstacle throughout the negotiation process. Although all the members of that community voluntarily and independently asked the Organization, at the appropriate time, to be resettled in Guatemala, numerous difficulties arose. At times, they were triggered by the settlers themselves; at others, by the intervention of private individuals, unrelated to government authorities, who created false expectations that were directly detrimental to the settlers and caused excessive delays in the transfer from one place to another. Today, the resettlement is a fact and the community is living in decent conditions with reliable prospects of future progress. It was especially difficult to find land suitable for the settlers’ traditional type of farming, while at the same time meeting everyone’s expectations. In the end, an agreement was reached that involved a meticulous selection of land to be purchased under a trusteeship arrangement, after calling upon IICA to advise and to evaluate the quality, productivity, and suitability of the land for farming purposes.

The resettlement process involved training, the conducting of censuses, and the construction of 17 dwellings with safe water and sewerage connections, health services and streets inside the settlement, a division into plots for each of the 17 families to cultivate, construction of a school, and all the logistical support required. The project was executed directly the GS/OAS Office located in the Adjacency Zone. Major contributions to this long and difficult process were made by Spain, Mexico, the United Kingdom, Turkey, and the United States. It is only right and just to emphasize the cooperation provided by the aforementioned countries.

These specific examples corresponding to the different items listed in the document signed on September 7, 2005, and their effective execution by Belize and Guatemala, with ongoing active support from the OAS General Secretariat, very much suggest that the Confidence-Building Measures should be fully maintained.

Nonetheless, despite the inactivity of the so-called Joint Belize-Guatemala Commission, contemplated in point 20 of the agreement, progress was made on projects that the two countries regarded as important and which, judging by numerous statements by both Ministers of Foreign Affairs in talks with the OAS Secretary General, they still wish to implement through various forms of joint development in infrastructure, tourism, and trade, as well as other areas.
One aspect closely linked to the aforementioned Commission’s inactivity has to do with facilities for the transit of persons, goods, and services, mainly at the Benque Viejo – Melchor de Mencos customs and migration crossing point, which is practically the only one equipped for that purpose. There one finds a notable asymmetry in the enforcement of bureaucratic red tape which gives rise to repeated, and in most cases justified, complaints by citizens of both countries.

Consequently, it is essential to underscore the need for continuity with respect to the Confidence-Building Measures, bearing in mind the clearly favorable results of their application by Belize and Guatemala, and the Office of the General Secretariat in the Adjacency Zone. As noted earlier, it would be advisable to give full effect to the “Joint Belize-Guatemala Commission, consisting of appropriate governmental authorities, which will also include a representative of the OAS General Secretariat” (Art. 20), and to ensure that it is constituted and operational.

It is worth stressing that, as part of those confidence-building measures, the Office of the General Secretariat in the Adjacency Zone, whose activities we described earlier, is essential in the opinion of the representatives of Belize and Guatemala, as they have repeatedly stated, until a definitive settlement of the territorial differendum is reached. Both sides have unstintingly praised the work of that Office.

In light of the above and the clearly favorable comments of ministers, ambassadors, the heads of the negotiation teams, and other authorities of both Belize and Guatemala, not to mention those of the representatives of the Group of Friends, regarding the activities carried out by the General Secretariat Office in the Adjacency Zone, it is clearly important to maintain that Office.

That being so, a few further comments are in order:

The maintenance of the Office is not assured beyond February 2009, for lack of funds.

A possible cessation of the operations of the GS/OAS Office in the AZ would mean:

the absence of a neutral and reliable body to investigate any incident occurring in the AZ, to verify progress in implementing the Agreement, and to propose mediation options aimed at reducing tensions in AZ.

Without the Office, there would be no independent interlocutor in the AZ to coordinate activities with the armed forces, police, and other bodies pertaining to the governments of Belize and Guatemala.

In such a situation, even a minor incident could escalate into more serious conflicts, thereby affecting the status quo in the AZ, which is presently characterized by calm and trust.
In light of the above, the General Secretariat will take steps to elicit fresh contributions from donor countries. At the same time, it is suggested that Belize and Guatemala join forces to raise funds to ensure that the Office in the Adjacency Zone can function for a reasonable period of time, particularly during proceedings at the International Court of Justice.