

SECRET

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Draft General Treaty of Settlement of Land
and Maritime Boundaries and Related Matters
between Belize and Guatemala

Preamble

The Government of Belize and the Government of the Republic of Guatemala:

Being sovereign equal and independent States, members of the United Nations and the community of States, are firmly committed to the contribution of peace among nations;

Having in mind the principles of international law embodied in the Charter of the United Nations, such as the principles of the equal rights and self-determination of peoples, of the sovereign equality and independence of all States, of non-interference in the domestic affairs of States, of the prohibition of the threat or use of force and of universal respect for, and observance of, human rights and fundamental freedom for all;

Reaffirming their commitment to the peace and prosperity of their peoples, and the need to take appropriate steps to strengthen friendly relations between their peoples;

Recognising the common interests of the people of Belize and Guatemala;

Recalling the important role that Belize has played in the development of the Caribbean Community Economic Integration;

Noting the potential of Belize to be an important bridge in the economic and cultural development of the peoples of the Caribbean and cultural development of the peoples of the Caribbean and Central America;

Mindful of the role of the Government of the United Kingdom in the area;

Desiring to improve the relations between Belize and Guatemala;

Recalling the determination of the peoples of the United Nations to establish conditions under which justice and respect for the obligations arising from treaties can be maintained;

Determined to settle all outstanding disputes between Belize and Guatemala by peaceful means;

Bearing in mind the provisions of the Vienna Convention on the Law of Treaties of 1969;

Have decided to conclude this Treaty and have appointed as their Plenipotentiaries for this purpose;

The Prime Minister of Belize: The Hon. George Price

The President of Guatemala; His Excellency

Have agreed as follows:-

SECTION 1 - POLITICAL

ARTICLE I

LAND BOUNDARIES

1. The Government of Guatemala hereby recognises the land boundaries of Belize as defined in paragraph 2 of this Article.

2. The land boundaries of Belize commence ... ?

ARTICLE II

TERRITORIAL SEA

Subject to Articles III and VI, Guatemala recognises that the territorial sea of Belize extends for twelve (12) miles.

ARTICLE III

LIMIT ON EXTENT OF TERRITORIAL SEA

1. In the south of Belize, as defined in paragraph 2 of this Article, Belize will not extend its territorial sea beyond three (3) miles. Belize's territorial sea in this area shall begin in its southernmost section between Belize and Guatemala at the mid-channel of the mouth of the Sarstoon River,

following a straight baseline north-easterly and following the contour of the coast, a minimum of three miles directly south of East Snake Cay, then proceeding south-easterly in an arc three miles around the southernmost Sapodilla cay; then northward three miles east of the Sapodilla/Ranguana Cay, then eastward to the twelve mile limit.

2. The area referred to in paragraph 1 of this Article comprises geographical co-ordinates as follows:
3. The area covered by the geographical co-ordinates set out in paragraph 2 of this Article is depicted on Map "A", as Area I for illustrative purposes only, which is attached to this Treaty as Appendix 1.

ARTICLE IV

BELIZE'S RIGHTS IN GUATEMALA'S TERRITORIAL SEAS

1. The Government of Guatemala hereby grants to Belize fishing rights to be exercised by the nationals of Belize in its territorial sea between Orange Point and the Sapodilla Cays as specified by geographical co-ordinates set out in paragraph 2 of this Article and depicted on Map "A", as Area II for illustrative purposes only, which is attached to this Treaty as Appendix 1. The Government of Guatemala further grants to Belize the right to take conservation measures to protect fish

stocks and the environment in the area described in this Article. The Government of Guatemala agrees to extend other economic benefits, including economic benefits occurring as a result of hydrocarbon discovery, arising from the said area.

2. The area referred to in paragraph 1 of this Article comprises the following geographical co-ordinates:....

ARTICLE V

GUATEMALA'S RIGHTS IN BELIZE'S TERRITORIAL SEAS

1. Subject to paragraph 4 of this Article, the Government of Belize agrees to enter into an agreement to establish joint exploitation projects with Guatemala in deep-sea fishing activities in the territorial seas of Belize in the areas described and defined by geographical co-ordinates in paragraph 2 of this Article.
2. The area referred to in paragraph 1 above lies between the three-mile and twelve-mile limits of Belize's territorial sea, beginning east of Ranguana Cay and then going in a north-easterly direction up to the northernmost point of Lighthouse Reef. The geographical co-ordinates which define this area are as follows:
3. The area covered by the co-ordinates set out in paragraph 2 above is depicted on Map "A", as Area III for illustrative purposes only, which is attached to this Treaty as Appendix 1.
4. Paragraphs 1-3 of this Article shall not apply to the areas comprising the Glovers and Lighthouse Reefs, being areas that are already under exploitation by Belizean fishermen. These areas are defined by geographical co-ordinates as follows:....

These areas are depicted on Map "A", as Area IV for illustrative purposes only, which is attached to this Treaty as Appendix 1.

5. The Government of Belize will continue to permit access by nationals of Guatemala to the Sapodilla Cays [south of Ranguana] for the purposes of swimming and recreation as enjoyed at present.

ARTICLE VI

GUATEMALA'S RIGHTS IN BELIZE'S EXCLUSIVE ECONOMIC ZONE

1. The Government of Belize agree to share the exclusive economic zone located from three miles east of Ranguana to twelve miles, and towards the south to the limits of Guatemala's territorial sea. The geographical co-ordinates which define this area are set out in paragraph 2 of this Article. The fisheries rights of this area shall be enjoyed by the nationals of Belize and Guatemala.
2. The geographical co-ordinates of the area referred to in paragraph 1 of this Article are as follows:.....
3. The area covered by the co-ordinates set out in paragraph 2 of this Article is depicted on Map "A", as Area V for illustrative purposes only, which is attached to this Treaty as Appendix 1.

ARTICLE VII
GUATEMALA'S RIGHTS IN THE EXCLUSIVE ECONOMIC ZONE
BEYOND THE TWELVE-MILE LIMITS

1. Subject to paragraph 3 of this Article, the Government of Belize agrees to enter into an agreement with the Government of Guatemala to establish joint exploitation projects between the two countries with respect to deep-sea fishing activities in the exclusive economic zone outside the twelve-mile limits of the area referred in Article V and as defined by geographical co-ordinates in paragraph 2 of this Article.
2. The geographical co-ordinates referred to in paragraph 1 of this Article are as follows:...
3. The area covered by the geographical co-ordinates set out in paragraph 2 of this Article is depicted on Map "A", as Area VI for illustrative purposes only, which is attached to this Treaty as Appendix 1.
4. The feature comprising within the area defined by the geographical co-ordinates in paragraph 1 of this Article, being an area in which Belizean fishermen fish at present, shall be excluded from the area referred to in that paragraph. The area to be excluded pursuant to this paragraph is defined by geographical co-ordinates set out in paragraph 5 of this Article.

5. The co-ordinates referred to in paragraph 4 of this Article are as follows:

6. The area covered by the geographical co-ordinates set out in paragraph 5 of this Article is depicted on Map "A", as Area VII for illustrative purposes only, which is attached to this Treaty as Appendix 1.

ARTICLE VIII

FREE NAVIGATION

The Government of Belize and the Government of Guatemala agree to enter into an agreement which will provide for free navigation for a distance of one and one half miles into Guatemala's sea around the Sapodilla Cays.

ARTICLE IX

PASSAGE OF INTRANSIT GOODS

The Government of Belize will continue to allow the passage of intransit goods, subject to its laws for the time being in force and port charges, on a reciprocal basis.

SECTION 2

SECURITY

ARTICLE X

UNDERTAKING TO REFRAIN FROM THREAT OR USE OF FORCE

The Government of Belize and the Government of Guatemala agree to refrain from the threat or use of force against the territorial integrity of each other.

ARTICLE XI

PREVENTION OF TERRORISM OR INSURGENCY

The Government of Belize and the Government of Guatemala agree to use their best endeavours to prevent their respective territories from being used in connection with acts of insurgency or terrorism against each other.

ARTICLE XII

SHARING OF INFORMATION

The Government of Belize and the Government of Guatemala agree to continue and strengthen the existing arrangements for regular contact and sharing of information on security, immigration, narcotics, cross-border crime, and military movements on or near the border.

SECTION 3

ECONOMIC

ARTICLE XIII

PROJECT AREAS FOR JOINT PARTICIPATION

The Government of Belize and the Government of Guatemala have identified the projects set out below with respect to the project area under which each category is listed as projects which might attract the joint participation of both countries or their nationals, as follows:

(a) Infrastructure Projects:

- (i) road links between Belize and Guatemala;
- (ii) telephone and telegraphic inter-connections;
- (iii) hydro-electricity resource development;
- (iv) cooperation in meteorology and hydro-meteorology studies.

(b) Tourism development projects:

- (i) cooperation in preservation of archaeological heritage;
- (ii) development of tourism infrastructure; and
- (iii) production of artisanal objects of touristic interest.

(c) Agro-industrial development projects:

- (i) exploration of marine resources in zones established and defined in Articles IV to VII of this Treaty;
- (ii) development of livestock industry;
- (iii) forestry management;
- (iv) development of crops for domestic and export markets; and
- (v) training of human resources.

(d) Technical, Cultural and Scientific projects:

- (i) Access to each other's statistical data banks;
- (ii) cooperation in income-generating projects and provision of basic human needs to rural communities in border areas;
- (iii) cooperation in educational and cultural exchanges;
- (iv) cooperation in development of disaster preparedness and emergency relief plans;

(v) cooperation in nutritional, maternal and child health care, and other health projects in common border areas.

(e) Ecological projects:

establishment of a joint national park system for the conservation of flora and fauna, and the rational use of resources for socio-economic development of both countries.

SECTION 4

TRANSITIONAL PROVISIONS

ARTICLE XIV

POSITION BRITISH TROOPS IN BELIZE

The Government of Belize reserves the right to maintain the presence of British Troops on its territory until such time as it is satisfied that the implementation of this Treaty renders their presence no longer needed.

ARTICLE XV

THIRD PARTIES FINANCIAL SUPPORT

1. The Government of Belize and the Government of Guatemala agree to invite the support of third parties to assist with the

financing of specific projects set out in Article XIII of this Treaty.

2. Pursuant to paragraph 1 of this Article, both Governments, in the light of the longstanding presence of the United Kingdom Government in the region, express the desire to invite that Government to offer assistance in funding of projects listed in Article XIII of this Treaty.

SECTION 5

FINAL PROVISIONS

ARTICLE XVI

RATIFICATION

This Treaty is subject to ratification. The instruments of ratification shall be exchanged between the Parties.

ARTICLE XVIII

ENTRY INTO FORCE

This Treaty shall enter into force [30 days after] the exchange of the instruments of ratification by the Government of Belize and Guatemala.

ARTICLE XVIII
REGISTRATION AND PUBLICATION

This Treaty shall, upon its entry into force, be transmitted to the Secretariat of the United Nations for registration and publication.

ARTICLE XIX
AUTHENTIC TEXTS

The original of this Treaty has been done in both English and Spanish of which both texts are equally authentic.

IN WITNESS WHEREOF the undersigned Plenipotentiaries have signed the present Treaty.

..... For the Government of Belize

..... For the Republic of Guatemala

Done at this day of..... one thousand nine hundred and ninety.