

# Peaceful Settlement of Territorial Disputes

by Magdalena Talamas



The “Fund for Peace: Peaceful Settlement of Territorial Disputes” was formally established in June 2000 when the OAS foreign ministers gathered at the General Assembly in Windsor Canada and adopted Resolution 1756 aimed at strengthening the Organization’s capacity in peace-building and conflict resolution.

The Peace Fund, as it is most commonly known, is a mechanism designed to enable the OAS to react swiftly to provide financial resources to OAS member states in an unforeseen crisis involving a territorial dispute. It is also designed to

increase the General Secretariat’s knowledge and experience in the fields of conflict resolution and territorial dispute settlements. It includes a General Fund, which provides seed money during unanticipated conflicts, and sub-funds established for specific disputes. The Peace Fund is open to contributions from OAS member states, permanent observers, and other states, as well as other entities, including companies and individuals. The Peace Fund operates within the OAS Secretariat for Political Affairs, through its Department of Democratic Sustainability and Special Missions.

negotiation, good offices, mediation, investigation and conciliation, judicial settlement, arbitration, and any other mechanism to which the parties jointly agree.

The first case that the Peace Fund addressed was a maritime boundary dispute between Honduras and Nicaragua. In December 1999, at the request of both governments, the OAS Permanent Council convened a special session to address the tensions that had arisen as a result of a boundary dispute in the Caribbean Sea. In the ensuing months, the OAS held four rounds of talks with the Honduran and Nicaraguan

The Peace Fund is more than a simple financing tool, however. By jointly appealing to the OAS for assistance in peacefully resolving a territorial dispute, parties in conflict can avail themselves of a range of conflict resolution mechanisms provided for in the OAS Charter. These include direct nego-



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The third and currently active case involves a territorial dispute between Belize and Guatemala. In March 2000, the governments of the two countries restarted talks on this longstanding issue. In February 2003, the foreign ministers of Belize and Guatemala signed an “Agreement to Establish a Transition Process and Confidence-Building Measures,” which was later amended in September 2005. The two parties agreed to continue working constructively and in good faith to manage their relationship until they reached a permanent resolution.

One of the first measures was to establish an “adjacency line” between Belize and Guatemala. The territory lying within one kilometer of the adjacency line, in either direction is considered the Adjacency Zone, and it is administered by both Belize and Guatemala. Another central part of the agreement was to create an office of the OAS General Secretariat in the Adjacency Zone (OAS/AZ). The OAS/AZ Office serves as a neutral and reliable body that can investigate any incident that might occur in the Adjacency Zone and propose mediation

foreign ministers. Working with the OAS, Honduras and Nicaragua signed a series of agreements committing to peaceful relations while the substance of their boundary dispute was sent to the International Court of Justice in The Hague. In the meantime, the OAS implemented a series of confidence-building measures aimed at reducing tensions. This included communications between the two countries’ armed forces, restrictions on military activities along the border, and combined patrols in the Caribbean Sea. On October 8, 2007, the International Court of Justice made a ruling on this case. It was accepted by both countries, putting an end to this long-time dispute.

The second case taken on by the Peace Fund had to do with completing the demarcation of the border between El Salvador and Honduras. Between July 2003 and August 2004, at the request of both governments, the OAS General Secretariat and the Pan American Institute of Geography and History helped to resolve a series of technical problems that had prevented the full demarcation of the international border between the two countries after a 1992 judgment by the International Court of Justice and a General Peace Treaty signed by the two countries in 1980.



Top left: OAS Staff carry out a verification mission in the Sarstoon River with the support of local authorities. Top right: An OAS Verification Officer crosses a rudimentary bridge while conducting an investigation in the Adjacency Zone. Above: Officials from Belize and Guatemala conduct a site verification



Top, from left to right: Wilfred Erlington, Foreign Minister of Belize; OAS Secretary General José Miguel Insulza; Haroldo Rodas Melgar, Foreign Minister of Guatemala; and OAS Assistant Secretary General Albert R. Ramdín at the signing of the Special Agreement to Submit Guatemala’s Territorial, Insular, and Maritime Claim to the International Court of Justice. Right, from left to right: Ambassador Raúl Lago, Special Representative of the Secretary General for Belize and Guatemala; OAS Secretary General José Miguel Insulza; and Victor Rico, OAS Secretary for Political Affairs during a meeting of the Group of Friends of Guatemala and Belize

options aimed at reducing tensions. It can also act as an independent body that can coordinate activities with armed forces, police, and other bodies of the governments of Belize and Guatemala in the Adjacency Zone.

When incidents occur in the Adjacency Zone, the OAS/AZ Office verifies the incident, provides follow-up, and prepares reports. These are the most important regular activities of the office, and they are also a way of maintaining a constant presence among the communities in the area. When an anomaly or conflict is discovered in its early stages, the OAS/AZ can respond immediately to keep the conflict from escalating to a point where it could damage relationships between communities, officials, or countries. The office carries out an average of 70 verifications yearly. These include investigations of the geographic location of the events, the people involved, and the parties affected; a determination of the nature of the incident; an assessment of the situation following the incident; ongoing follow-up on the case; and reports to the relevant officials of each country. The reports are presented to the authorities that requested the verification, and the activities are carried out in close coordination with the two countries' ministries of foreign affairs. Most of the verifications are carried out in rural areas under challenging circumstances. Some demand a high level of precision in terms of cartography and coordinates reading, particularly in cases where the verification sites are very close to the adjacency line. In these cases, the Pan American Institute of Geography and History supports the efforts of the OAS/AZ Office by providing experts and specialized equipment to ensure the utmost accuracy of the data. The Institute also offers GPS workshops and training to OAS staff.



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The OAS/AZ Office also works to promote increased communication, coordination, and rapprochement between local and central government officials of Belize and Guatemala and between communities inside the Adjacency Zone. It participates and supports meetings between the Belize Defense Forces and the Guatemalan Army, for example. The OAS/AZ Office also helps coordinate meetings between natural disaster response bodies, institutions responsible for forest reserves, and the municipalities of the two countries by providing space and management services.

Support for children and youth is also part of the Office's ongoing efforts geared towards the promotion and development of a culture of peace in the Adjacency Zone. To this end, and in coordination with the mayors of the communities of Melchor de Mencos and Benque Viejo on either side of the adjacency line, the OAS/AZ Office facilitates music (wind and string instruments), singing, painting, and

theater workshops and training programs for Belizean and Guatemalan students who reside in the area. Individuals, communities, and institutions in the Adjacency Zone are also provided support in the form of fuel for transport, food, transportation tickets, school supplies and toys, and overnight shelters. The beneficiaries are the schools, firemen, hospitals, and needy families whose situation is directly linked to incidents in the Adjacency Zone or to processes for strengthening confidence-building measures in that area.

The OAS/AZ Office has also successfully executed community resettlement projects, such as the

*Top: Staff of the OAS Office in the Belize-Guatemala Adjacency Zone. Below left and right: A family stands in front of their former and new dwelling in the Santa Rosa Community Resettlement*



*Residents will benefit from a new school in the Santa Rosa Community Resettlement in the Adjacency Zone. Below: Sergio Benítez, Director of the Office of the General Secretariat in the Adjacency Zone, carries out a verification with the help of GPS equipment*



resettlement of the Nueva Judá and Santa Rosa communities. The Nueva Judá project was designed to resettle 186 Guatemalan citizens who were living on the eastern-side of the adjacency line, or very near the line. The project was executed in collaboration with the municipality of Melchor de Mencos between February 2004 and August 2005 and included the construction of 31 new houses, which were designed in consultation with the beneficiaries so as to respect local designs and traditions. The resettlement of the Santa Rosa community took place between June 2007 and April 2008. In that project, seventeen families—more than 100 people—were resettled from the Belize side of the Adjacency Zone to Guatemala. All of the new dwellings were equipped with electricity, drinking water, and sewage facilities. Both communities received a new school, community center, and park area. All the precarious houses and community infrastructure in the old settlements were completely

demolished. These kinds of community resettlement projects are an innovation among resettlement processes in the hemisphere. Occurring in the context of territorial disputes, they eliminate an obstacle to the process of dialogue between both countries. They also accomplish the resettlement of the communities in a way that respects the residents' human dignity and improves their living standards.

Another important mandate of the OAS/AZ is to help promote development in the Adjacency Zone. To this end, the Peace Fund is working with various technical areas of the General Secretariat to help promote cooperation projects and training programs in the field of tourism, security, environment, education, and culture, among others. One clear example of this institutional coordination is the partnership begun with the Young Americas Business Trust (YABT) to offer training in rural tourism to young people and teachers who live in the Adjacency Zone. The courses are held in the OAS/AZ Office and provide training in agro-tourism project management and strategic marketing concepts to help maximize profits and create competitive projects in a local context. The OAS Peace Fund also organizes workshops in collaboration with the Department of Public Security to help increase the capacity of immigration, customs, and law enforcement officials from Belize and Guatemala to understand and identify human trafficking cases.

On December 8, 2008, the governments of Belize and Guatemala, acting on the recommendation of OAS Secretary General José Miguel Insulza, signed the "Special Agreement to Submit Guatemala's Territorial, Insular, and Maritime Claim to the International Court of Justice." Currently, both countries are making the necessary arrangements within their respective domestic systems to ask their citizens to vote on whether or not to send the territorial dispute between the two countries to the International Court of Justice. The plebiscites will take place simultaneously in both countries on a previously agreed upon date.

Since the governments of Belize and Guatemala recommenced talks on their centuries-old territorial dispute in March 2000, much progress has been made under the auspices of the OAS Peace Fund. Now, the countries are closer than ever to resolving their longstanding differences.

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