



BELIZE

MUTUAL LEGAL ASSISTANCE IN CRIMINAL

MATTERS (BELIZE/USA), ACT

CHAPTER 103:01

REVISED EDITION 2011

SHOWING THE SUBSTANTIVE LAWS AS AT 31ST

DECEMBER, 2011

This is a revised edition of the Substantive Laws, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, Chapter 3 of the Substantive Laws of Belize, Revised Edition 2011.

CHAPTER 103:01

MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS

ARRANGEMENT OF SECTIONS

1. Short title.
2. Interpretation.
3. The Treaty to have the force of law in Belize.
4. Central Authority.
5. Operation of Act.
6. Court Orders.
7. Regulations.

Schedules:-

First Schedule–Treaty on Mutual Legal Assistance in Criminal Matters between Belize and USA.

Second Schedule–Instrument of Ratification(Belize).

Third Schedule–Instrument of Ratification (USA).

Fourth Schedule– Protocol of Exchange of Instruments of Ratification.

CHAPTER 103:01

**MUTUAL LEGAL ASSISTANCE IN CRIMINAL
MATTERS (BELIZE/USA)**

10 of 2005.

[16th April, 2005]

Short title.

1. This Act may be cited as the Mutual Legal Assistance In Criminal Matters (Belize/USA) Act.

Interpretation.

2.-(1) In this Act, unless the context otherwise requires,

“article” includes document;

“Central Authority” in respect of Belize or the United States of America, means the Attorney General of each of those countries as specified in Article 2(2) of the Treaty;

“criminal matter” means,

(a) in respect of Belize,

(i) an investigation, prosecution or proceeding certified by the Attorney General or a person designated by him, to have commenced;

(ii) proceedings so certified by the Attorney General to have been instituted,

in Belize in respect of an offence committed, or suspected on reasonable grounds to have been committed, against the laws of Belize;

(b) means in respect of the United States of America,

(i) an investigation, prosecution or proceeding certified by the Attorney General, or a person designated by him, to have commenced;

- (ii) proceedings so certified by the Attorney General to have been instituted,

in the United States of America in respect of an offence committed, or suspected on reasonable grounds to have been committed, against the laws of the United States of America;

- (c) includes forfeiture proceedings, proceedings to restrain dealings with property, proceedings to freeze dealings with bank or other financial accounts of any nature whatsoever, proceedings for the confiscation of property, proceedings for inductions; Anton Pillar Orders, Mareva injunctions, and all other Orders which the Supreme Court is by law authorised to make; proceedings for the imposition of pecuniary penalties calculated by reference to the value of property or benefits arising out of or connected with criminal proceedings, whether such proceedings are characterized under the laws of Belize or the United States of America as criminal or civil proceedings;

“criminal offence” means, subject to Article 1 (3) of the Treaty,

- (a) an offence under the laws of Belize;
- (b) an offence under the laws of the United States of America;

“document” has the meaning assigned to it in the Evidence Act, Cap. 95.

“judicial authorities” means the Magistrate Court, Supreme Court, Court of Appeal and the final appellate court of Belize;

“judicial records” means the judgments, orders, decisions and other records held by judicial authorities;

“official records” means documents held by Government Ministries and Departments, prosecution and investigative authorities;

“property” includes money and all other property, real or personal, moveable or immovable, including things in action and other intangible or incorporeal property, whether or not situated in Belize, the United States of America or elsewhere, and includes any interest in any such property;

“transmitted” in relation to a request, means transmitted pursuant to the Treaty;

“Treaty” means the Treaty between the Government of Belize and the Government of the United States of America on Mutual Legal Assistance in Criminal Matters, a text of which is set out in the First Schedule to this Act, which was signed on the 19th September, 2000, and the Exchange of Notes which was signed at Belize on 18 and 22 September, 2000,

- (a) ratified by Belize on the 8th January, 2001;
- (b) ratified by the United States of America on the 23rd January, 2003;

and the Instrument of Ratification for which,

- (a) in respect of Belize, is set out in the Second Schedule to this Act;
- (b) in respect of the United States of America, is set out in the Third schedule to this Act,

and which entered into force on the 2nd July, 2003, by virtue of the Protocol of Exchange of Instruments of Ratification set out in the Fourth Schedule to this Act.

(2) For the purposes of this Act, a ship or aircraft of, or registered in Belize or the United States of America shall be deemed to be part of Belize, or the United States of America, as the case may be.

(3) For the purposes of this Act, a person shall be deemed to have been charged with an offence if any information or indictment has been

laid or filed against that person for the offence, whether or not a summons to require the attendance of the person to answer to the information or indictment, or a warrant for the apprehension of the person, has been issued.

(4) A reference in this Act to property or benefits derived or obtained from the commission of an offence shall be deemed to include a reference to property used in, or in connection with, the commission of the offence.

3. Notwithstanding any other law to the contrary, but subject to the provisions of this Act, the Treaty shall have the force of law in Belize.

The treaty to have the force of law in Belize.

4.-(1) The Attorney General shall be the Central Authority for Belize.

Central Authority.

(2) The Central Authority shall act in accordance with the Constitution and laws of Belize.

5.-(1) Nothing in this Act derogates from existing forms, or prevents the development of other forms, of co-operation, whether formal or informal, in respect of criminal matters between Belize and the United States of America.

Operation of the Act.

(2) Nothing in this Act authorizes the extradition or arrest or detention with a view to extradition, of any person.

6.-(1) The judicial authorities of Belize shall, in relation to proceedings instituted by the Central Authority under this Act, make all judgments and orders, whether final or interim, as are authorised by the Belize Constitution, Cap. 4 and the laws of Belize.

Court Orders.

(2) Without prejudice to the generality of subsection (1) of this section, orders made by the judicial authorities may include orders,

(a) for the inspection and copying of any article, document, official record, or judicial record;

(b) for the return of any property;

- (c) which may be made in respect of proceedings referred to in paragraph (c) of the definition of “criminal matters” in section 2 (1) of this Act.

(3) The Certificate of Authority of Business Records in Form A to the Treaty shall, in respect of requests received from the United States of America, be applied in accordance with the laws of Belize, and the criminal punishment referred to in this said Form shall be a fine of five thousand dollars or a term of imprisonment for three years.

Regulations.

7. The Attorney General may make Regulations prescribing any matters necessary or convenient to be prescribed for carrying out or giving effect to this Act, in particular,

- (a) making provision as to evidence or proof of any matter for the purposes of this Act;
- (b) prescribing expenses and allowances payable to a person in Belize pursuant to a request;
- (c) prescribing conditions to be imposed for the protection of an interest in any property to be sent to the United States of America pursuant to a request;
- (d) prescribing conditions for the protection of any property sent to the United States of America pursuant to a request, or sent by the United States of America to Belize pursuant to a request, and making provision for the return of such property to the country of origin if so requested;
- (e) prescribing anything required by this Act or the Treaty to be prescribed.

FIRST SCHEDULE

**MUTUAL LEGAL ASSISTANCE IN
CRIMINAL MATTERS (BELIZE/USA) ACT**

**Treaty on Mutual Legal Assistance in
Criminal Matters between Belize and USA**

[Section 2(1)]

TREATY

BETWEEN THE GOVERNMENT OF BELIZE

AND

THE GOVERNMENT OF THE UNITED STATES ON

**MUTUAL LEGAL ASSISTANCE
IN CRIMINAL MATTERS**

ARRANGEMENT OF ARTICLES

Article 1	Scope of Assistance
Article 2	Central Authorities
Article 3	Limitations on Assistance
Article 4	Form and Contents of Requests
Article 5	Execution of Requests
Article 6	Costs
Article 7	Limitations on Use
Article 8	Testimony or Evidence in the Requested State
Article 9	Records of Government Agencies
Article 10	Testimony in the Requesting State
Article 11	Transfer of Persons in Custody
Article 12	Location or Identification of Persons or Items
Article 13	Service of Documents
Article 14	Search and Seizure
Article 15	Return of Items
Article 16	Assistance in Forfeiture Proceedings
Article 17	Compatibility with Other Arrangements
Article 18	Consultation
Article 19	Ratification, Entry into Force, and Termination

FORMS

- Form A Certificate of Authenticity of Business Records
- Form B Attestation of Authenticity of Foreign Public Documents
- Form C Attestation with Respect to Seized Articles

The Government of Belize and the Government of the United States of America,

Desiring to improve the effectiveness of the law enforcement authorities of both countries in the investigation, prosecution, and prevention of crime through cooperation and mutual legal assistance in criminal matters,

Have agreed as follows,

Article 1

Scope of Assistance

1. The Contracting Parties shall provide mutual assistance, in accordance with the provisions of this Treaty, in connection with the investigation, prosecution, and prevention of criminal offenses, and in proceedings related to criminal matters.

2. Assistance shall include,

- (a) taking the testimony or statements of persons;
- (b) providing documents, records, and articles of evidence;

- (c) locating or identifying persons;
- (d) serving documents;
- (e) transferring persons in custody for testimony or other purposes;
- (f) executing requests for searches and seizures;
- (g) assisting in proceedings related to immobilization and forfeiture of assets; restitution; collection of fines; and
- (h) any other form of assistance not prohibited by the laws of the Requested State.

3. Except as otherwise provided in this Treaty, assistance shall be provided without regard to whether the conduct which is the subject of the investigation, prosecution, or proceeding in the Requesting State would constitute an offense under the laws of the Requested State.

4. This Treaty is intended solely for mutual legal assistance between the Contracting Parties. The provisions of this Treaty shall not give rise to a right on the part of any private person to obtain, suppress, or exclude any evidence, or to impede the execution of a request.

Article 2

Central Authorities

1. Each Contracting Party shall designate a Central Authority to make and receive requests pursuant to this Treaty.

2. For the United States of America, the Central Authority shall be the Attorney General or a person designated by the Attorney General. For Belize, the Central Authority shall be the Attorney General or a person designated by the Attorney General.

3. The Central Authorities shall communicate directly with one another for the purposes of this Treaty.

Article 3

Limitations on Assistance

1. The Central Authority of the Requested State may deny assistance if,
 - (a) the request relates to an offense under military law which would not be an offense under ordinary criminal law;
 - (b) the execution of the request would prejudice the security or other essential public interests of the Requested State;
 - (c) the request is not made in conformity with the Treaty;
 - (d) the request relates to a political offense;
 - (e) the request is made pursuant to Article 14 or 16 of this Treaty and relates to conduct which if committed in the Requested State would not be an offense in that State;
 - (f) the execution of the request requires compulsory measures in the Requested State and the request does not establish that there are reasonable grounds for believing that the criminal offense specified in the request has been committed; or
 - (g) the execution of the request would be contrary to the Constitution of the Requested State.
2. Before denying assistance pursuant to this Article, the Central Authority of the Requested State shall consult with the Central Authority of the

Requesting State to consider whether assistance can be given subject to such conditions as it deems necessary. If the Requesting State accepts assistance subject to these conditions, it shall comply with the conditions.

3. If the Central Authority of the Requested State denies assistance, it shall inform the Central Authority of the Requesting State of the basis for the denial.

Article 4

Form and Contents of Requests

1. A request for assistance shall be in writing except that the Central Authority of the Requested State may accept a request in another form in emergency situations. If the request is not in writing, the request shall be confirmed in writing within ten days thereafter unless the Central Authority of the Requested State agrees otherwise.

2. The request shall include the following,

- (a) the name of the authority conducting the investigation, prosecution, or proceeding to which the request relates;
- (b) a description of the subject matter and nature of the investigation, prosecution, or proceeding, including the specific criminal offenses which relate to the matter;
- (c) a description of the evidence, information, or other assistance sought; and
- (d) a statement of the purpose for which the evidence, information, or other assistance is sought.

3. To the extent necessary and possible, a request shall also include,
- (a) information on the identity and location of any person from whom evidence is sought;
 - (b) information on the identity and location of a person to be served, that person's relationship to the proceedings, and the manner in which service is to be made;
 - (c) information on the identity and whereabouts of a person to be located;
 - (d) a precise description of the place or person to be searched and of the articles to be seized;
 - (e) a description of the manner in which any testimony or statement is to be taken and recorded;
 - (f) a list of questions to be asked of a witness;
 - (g) a description of any particular procedure to be followed in executing the request;
 - (h) information as to the allowances and expenses to which a person asked to appear in the Requesting State will be entitled; and
 - (i) any other information that may be brought to the attention of the Requested State to facilitate its execution of the request.

Article 5*Execution of Requests*

1. The Central Authority of the Requested State shall promptly execute the request or, when appropriate, shall transmit it to the authority having jurisdiction to do so. The competent authorities of the Requested State shall do everything in their power to execute the request. The competent judicial or other authorities of the Requested State shall have power to issue subpoenas, search warrants, or other orders necessary to execute the request.
2. The Central Authority of the Requested State shall make all necessary arrangements for and meet the costs of the representation in the Requested State of the Requesting State in any proceedings arising out of a request for assistance.
3. Requests shall be executed in accordance with the internal laws and procedures of the Requested State except to the extent that this Treaty provides otherwise. Procedures specified in the request shall be followed except to the extent that those procedures cannot lawfully be followed in the Requested State. Where neither the Treaty nor the request specifies a particular procedure, the request shall be executed in accordance with the appropriate procedure under the laws applicable for investigations or proceedings in the Requested State.
4. If the Central Authority of the Requested State determines that execution of a request would interfere with an ongoing criminal investigation, prosecution, or proceeding in that State, it may postpone execution, or make execution subject to conditions determined to be necessary after consultations with the Central Authority of the Requesting State. If the Requesting State accepts the assistance subject to the conditions, it shall comply with the conditions.
5. The Requested State shall use its best efforts to keep confidential a request and its contents, if such confidentiality is requested by the Central Authority of the Requesting State. If the request cannot be executed

without breaching such confidentiality, the Central Authority of the Requested State shall so inform the Central Authority of the Requesting State, which shall then determine whether the request should nevertheless be executed.

6. The Central Authority of the Requested State shall respond to reasonable inquiries by the Central Authority of the Requesting State concerning progress toward execution of the request.

7. The Central Authority of the Requested State shall promptly inform the Central Authority of the Requesting State of the outcome of the execution of the request. If the request is denied, the Central Authority of the Requested State shall inform the Central Authority of the Requesting State of the basis for the denial.

Article 6

Costs

The Requested State shall pay all costs relating to the execution of the request, except for the fees of expert witnesses, the costs of translation, interpretation, and transcription, and the allowances and expenses related to travel of persons pursuant to Articles 10 and 11, which costs, fees, allowances, and expenses shall be paid by the Requesting State.

Article 7

Limitations on Use

1. The Requesting State shall not use any information or evidence obtained under this Treaty for any purposes other than for the investigation, prosecution or suppression in the territory of the Requesting State of the criminal offences stated in the request without the prior consent of the Requested State.

2. The Central Authority of the Requested State may request that information or evidence furnished under this Treaty be kept confidential or be used only subject to terms and conditions it may specify. If the Requesting State accepts the information or evidence subject to such conditions, the Requesting State shall use its best efforts to comply with the conditions.
3. Nothing in this Article shall preclude the use or disclosure of information to the extent that there is an obligation to do so under the Constitution of the Requesting State in a criminal prosecution. The Requesting State shall notify the Requested State in advance of any disclosure made pursuant to this paragraph.
4. Information or evidence which has been made public in the Requesting State in accordance with paragraphs 1 or 2 may thereafter be used for any purpose.

Article 8

Testimony or Evidence in the Requested State

1. Insofar as the laws of the Requested State allow, a person in the Requested State from whom testimony or evidence is requested shall be compelled, if necessary, to appear and testify or produce items, including documents, records, and articles of evidence.
2. Upon request, the Central Authority of the Requested State shall furnish information in advance about the date and place of the taking of the testimony or evidence pursuant to this Article.
3. The Requested State shall permit the presence of such persons as specified in the request during the execution of the request, and shall allow such persons to question the person giving the testimony or evidence.

4. If the person referred to in paragraph 1 asserts a claim of immunity, incapacity, or privilege under the laws of the Requesting State, the testimony or evidence shall nonetheless be taken and the claim made known to the Central Authority of the Requesting State for resolution by the authorities of that State.

5. Evidence produced in the Requested State pursuant to this Article or which is the subject of testimony taken under this Article may be authenticated by an attestation, including, in the case of business records, authentication in the manner indicated in Form A appended to this Treaty. Documents authenticated by Form A shall be admissible in evidence in the Requesting State.

Article 9

Records of Government Agencies

1. The Requested State shall provide the Requesting State with copies of publicly available records, including documents or information in any form, in the possession of government departments and agencies in the Requested State.

2. The Requested State may provide copies of any records, including documents or information in any form, which are in the possession of a government department or agency in that State, but which are not publicly available, to the same extent and under the same conditions as such copies would be available to its own law enforcement or judicial authorities. The Requested State may in its discretion deny a request pursuant to this paragraph entirely or in part.

3. Official records produced pursuant to this Article may be authenticated by the official in charge of maintaining them through the use of Form B appended to this Treaty. No further authentication shall be necessary. Documents authenticated under this paragraph shall be admissible in evidence in the Requesting State.

Article 10

Testimony in the Requesting State

1. When the Requesting State requests the appearance of a person in that State, the Requested State shall invite the person to appear before the appropriate authority in the Requesting State. The Requesting State shall indicate the extent to which the expenses will be paid. The Central Authority of the Requested State shall promptly inform the Central Authority of the Requesting State of the response of the person.
2. The Central Authority of the Requesting State shall inform the Central Authority of the Requested State whether a decision has been made by the competent authorities of the Requesting State that a person appearing in the Requesting State pursuant to this article shall not be subject to service of process, or be detained or subjected to any restriction of personal liberty, by reason of any acts or convictions which preceded his departure from the Requested State.
3. The safe conduct provided for by this Article shall cease seven days after the Central Authority of the Requesting State has notified the Central Authority of the Requested State that the person's presence is no longer required, or when the person, having left the Requesting State, voluntarily returns. The competent authorities of the Requesting State may, in their discretion, extend this period up to fifteen days if they determine that there is good cause to do so.

Article 11

Transfer of Persons in Custody

1. A person in the custody of the Requested State whose presence in the Requesting State is sought for purposes of assistance under this Treaty shall be transferred from the Requested State to the Requesting State for that purpose if the person consents and if the Central Authorities of both States agree.

2. A person in the custody of the Requesting State whose presence in the Requested State is sought for purposes of assistance under this Treaty may be transferred from the Requesting State to the Requested State for that purpose if the person consents and if the Central Authorities of both States agree.

3. For purposes of this Article,

- (a) the receiving State shall have the authority and the obligation to keep the person transferred in custody unless otherwise authorized by the sending State;
- (b) the receiving State shall return the person transferred to the custody of the sending State as soon as circumstances permit or as otherwise agreed by both Central Authorities;
- (c) the receiving State shall not require the sending State to initiate extradition proceedings for the return of the person transferred; and
- (d) the person transferred shall receive credit for service of the sentence imposed in the sending State for time served in the custody of the receiving State.

Article 12

Location or Identification of Persons or Items

The Requested State shall use its best efforts to ascertain the location or identity of persons or items specified in the request.

Article 13

Service of Documents

1. The Requested State shall use its best efforts to effect service of any document relating, in whole or in part, to any request for assistance made by the Requesting State under the provisions of this Treaty.
2. The Requesting State shall transmit any request for the service of a document requiring the appearance of a person before an authority in the Requesting State a reasonable time before the scheduled appearance.
3. The Requested State shall return a proof of service in the manner specified in the Request.

Article 14

Search and Seizure

1. The Requested State shall execute a request for the search, seizure, and delivery of any item to the Requesting State if the request includes the information justifying such action under the laws of the Requested State.
2. Upon request, every official who has custody of a seized item shall certify, through the use of Form C appended to this Treaty, the continuity of custody, the identity of the item, and the integrity of its condition. No further certification shall be required. The certificate shall be admissible in evidence in the Requesting State.
3. The Central Authority of the Requested State may require that the Requesting State agree to the terms and conditions deemed to be necessary to protect third party interests in the item to be transferred.

Article 15

Return of Items

The Central Authority of the Requested State may require that the Central Authority of the Requesting State return any items, including documents, records or articles of evidence furnished to it in execution of a request under this Treaty as soon as possible.

Article 16

Assistance in Forfeiture Proceedings

1. If the Central Authority of one Contracting Party becomes aware that proceeds or instrumentalities of offenses that may be forfeitable or otherwise subject to seizure are located in the other Contracting Party, it may so inform the Central Authority of that other Party. If the Party receiving such information has jurisdiction in this regard, it may present this information to its authorities for a determination whether any action is appropriate. These authorities shall issue their decision in accordance with the laws of their country. The Central Authority of the Party that received the information shall inform the Central Authority of the Party that provided the information of the action taken.
2. The Contracting Parties shall assist each other to the extent permitted by their respective laws in proceedings relating to the forfeiture of the proceeds and instrumentalities of offenses, restitution to the victims of crime, and the collection of fines imposed as sentences in criminal prosecutions. This may include action to temporarily immobilize the proceeds or instrumentalities pending further proceedings.
3. The Party that has custody over proceeds or instrumentalities of offenses shall dispose of them in accordance with its laws. Either Party may transfer to the other Party all or part of such assets, or the proceeds of their sale, to the extent not prohibited by the transferring Party's laws and upon such terms as it deems appropriate.

Article 17

Compatibility with Other Arrangements

Assistance and procedures set forth in this Treaty shall not prevent either Contracting Party from granting assistance to the other Party through the provisions of other applicable international agreements, or through the provisions of its national laws. The Parties may also provide assistance pursuant to any bilateral arrangement, agreement, or practice which may be applicable.

Article 18

Consultation

The Central Authorities of the Contracting Parties shall consult, at times mutually agreed to by them, to promote the most effective use of this Treaty. The Central Authorities may also agree on such practical measures, including training and technical assistance, as may be necessary to facilitate the implementation of this Treaty.

Article 19

Ratification, Entry into Force, and Termination

1. This Treaty shall be subject to ratification, and the instruments of ratification shall be exchanged at Washington as soon as possible.
2. This Treaty shall enter into force upon the exchange of instruments of ratification.
3. This Treaty shall apply to any request presented after the date of its entry into force whether the relevant acts or omissions occurred prior to or after that date.

4. Either Party may terminate this Treaty by means of written notice to the other Party. Termination shall take effect six months following the date of receipt of the notification.

IN WITNESS WHEREOF, the undersigned, being duly authorized by their respective Governments, have signed this Treaty.

DONE at Belize, in duplicate, this 19th day of September, 2000.

Form A

MUTUAL LEGAL ASSISTANCE IN
CRIMINAL MATTERS (BELIZE/USA) ACTTreaty on Mutual Legal Assistance in
Criminal Matters between Belize and USA*Certificate of Authenticity of Business Records
[Article 4]*

I, _____ [name] _____, attest on penalty of criminal punishment for false statement or attestation that I am employed by [name of business from which document is sought] _____ and that my official title is _____ [official title] _____. I further state that each of the records attached hereto is the original or a duplicate of the original record in the custody of [name of business from which document are sought] _____.

I further state that:

- (A) such records were made, at or near the time of the occurrence of the matters set forth, by (or from information transmitted by) a person with knowledge of those matters;
- (B) such records were kept in the course of a regularly conducted business activity;
- (C) the business activity made such records as a regular practice; and
- (D) if any such record is not the original, it is a duplicate of the original.

_____ [Signature] _____ [Date] _____

Sworn to or affirmed before me, [Name] _____,
a judicial officer, this _____ day of _____, 20____.

Form B

MUTUAL LEGAL ASSISTANCE IN
CRIMINAL MATTERS (BELIZE/USA) ACT
Treaty on Mutual Legal Assistance in
Criminal Matters between Belize and USA

*Attestation of Authenticity of Foreign
Public Documents
[Article 4]*

I, [name], attest on penalty of criminal punishment for false statement or attestation that my position with the Government [country] [official title] and that in that position I am authorized by the law of [country] to attest that the documents attached and described below are true and accurate copies of original official records which are recorded or filed in [name of officer or, agency], which is a government office or agency of [country].

Description of Documents:

[Signature]

[Title]

[Date]

SECOND SCHEDULE

MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS
(BELIZE/USA) ACT

Treaty on Mutual Legal Assistance in
Criminal Matters between Belize and USA

Instrument of Ratification (Belize)

[Section 2(1) and Article 19]

WHEREAS, a Mutual Legal Assistance in Criminal Matters Treaty was signed between the Government of Belize and the Government of the United States of America on the 19th September 2000 (hereinafter referred to as “the Treaty”);

AND WHEREAS, Article 19, paragraph 1, of the Treaty provides that the Treaty shall be subject to ratification and that the instruments of ratification shall be exchanged at Washington as soon as possible;

NOW, THEREFORE, the Government of Belize, having carefully considered the terms of the Treaty, hereby ratifies the same.

IN WITNESS WHEREOF, I, SAID W. MUSA, Prime Minister and Minister of Foreign Affairs of Belize, have hereunto put my hand and seal this 8th day of January 2001.

SAID W. MUSA
PRIME MINISTER AND
MINISTER OF FOREIGN AFFAIRS

THIRD SCHEDULE

MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS
(BELIZE/USA) ACTTreaty on Mutual Legal Assistance in
Criminal Matters between Belize and USA*Instrument of Ratification (USA)**[Section 2(1) and Article 19]***GEORGE W. BUSH****President of the United States of America****TO ALL TO WHOM THESE PRESENTS SHALL COME,
GREETING:****CONSIDERING THAT:**

The Treaty between the Government of the United States of America and the Government of Belize on Mutual Legal Assistance on Criminal Matters was signed at Belize on September 19, 2000, and a related exchange of notes was signed at Belize on September 18 and 22, 2000; and

The Senate of the United States of America by its resolution of November 14, 2002, two-thirds of the Senators present concurring therein, gave its advice and consent to ratification of the Treaty, subject to the following understanding:

PROHIBITION ON ASSISTANCE TO THE INTERNATIONAL CRIMINAL COURT.—The United States shall exercise its rights to limit the use of assistance that it provides under the Treaty so that any assistance provided by the Government of the United States shall not be transferred to or otherwise used to assist the International Criminal Court unless the Treaty establishing the Court has entered into force for the United States by and with the advice of the Senate in accordance

with Article II, Section 2 of the United States Constitution, or unless the President has waived any applicable prohibition on provision of such assistance in accordance with applicable United States law.

FOURTH SCHEDULE

MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS
(BELIZE/USA) ACTTreaty on Mutual Legal Assistance in
Criminal Matters between Belize and USA
Protocol of Exchange of Instruments of Ratification
[Section 2(1) and Article 19]

The undersigned, Lisa Shoman, Ambassador Extraordinary and Plenipotentiary of Belize, and J. Curtis Struble, Acting Assistant Secretary of State for Western Hemisphere Affairs of the United States of America, being duly authorized by their respective Governments, have met for the purpose of exchanging instruments of ratification of the Treaty between the Government of the United States of America and the Government of Belize on Mutual Legal Assistance in Criminal Matters, which was signed at Belize on September 19, 2000, and a related exchange of notes signed at Belize on September 18 and 22, 2000. The United States instrument of ratification repeats the understanding as stated in the resolution of the Senate of the United States of America.

In accordance with Article 19(2), this Treaty will enter into force upon the exchange of the instruments of ratification.

The respective instruments of ratification of the Treaty having been examined and found to be in due form, the exchange took place this day.

IN WITNESS WHEREOF, the respective Plenipotentiaries have signed the present Protocol of Exchange of Instruments of Ratification.

DONE at Washington, in duplicate, this second day of July, 2003 in the English language.

NOW, THEREFORE, I, George.W.Bush, President of the United States of America, ratify and confirm the Treaty, subject to the aforesaid understanding.

IN TESTIMONY WHEREOF, I have signed this instrument of ratification and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this twenty-third day of January in the year of our Lord two thousand three and of the Independence of the United States of America the two hundred twenty-seventh.

By the President.