



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS  
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Excellency,

I write to inform you that in the course of its 80th session, the Committee considered the situation of the Maya people in Belize and their land claims which have been under consideration by the Committee since 2007 under its early warning and urgent action procedure.

In view of the information at its disposal, the Committee deplores the fact that the State party appears to continue to deny customary land rights to the Maya people despite its Supreme Court decisions, recommendations of the Inter-American Commission and this Committee. The Committee notes decisions of the Supreme Court of Belize reaffirming the existence of Maya customary land tenure in all of the Toledo Maya villages. It expresses concern at the absence of measures by the State party such as consultations with the Maya people in order to delimitate, demarcate and title the customary title of the Maya villages of Belize. The Committee urges the State party to take such measures.

The Committee would appreciate receiving additional information on steps that have been taken to ensure that the Maya people are provided with "the protections necessary to exercise their property rights fully and equally with other members of the Belizean population" in line with the Inter-American Commission on Human Rights recommendation of 2004 which refers to equal protection of the law, and to non-discrimination as well as recommendations of this Committee.

The Committee welcomes the *Alcaldes Act* and the inclusion of indigenous peoples' customary law as well as the consultations undertaken in order to receive comments from *Alcaldes*. It requests further information on the adoption of this law as well as the draft on Village Boundaries Demarcation Law and whether the latter takes into account the land rights of Maya people.

Her Excellency Mrs. Janine Elizabeth Coye-Felson  
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The Committee wishes to draw the attention of the State party to its general recommendation No. 23 (1997) on the rights of indigenous peoples, in particular their rights to own, develop, control and use their communal lands, territories and resources and, where they have been deprived of their lands and territories traditionally owned or otherwise inhabited or used without their free and informed consent, to take steps to return those lands and territories. Only when this is for factual reasons not possible, the right to restitution should be substituted by the right to *just, fair and prompt compensation*. Such compensation should as far as possible take the form of lands and territories.

The Committee hopes that the State party will submit urgently its initial report to the Committee, following the technical assistance it benefited from in relation to the reporting process with the participation of one of its members. It wishes to inform the State party that Belize will be examined in August 2012 during the 81<sup>st</sup> session of the Committee, either under the reporting procedure if a report is submitted on time or under the review procedure in the absence of a report.

The Committee requests the State party to provide information on the current situation concerning Maya land rights. In accordance with Article 9(1) of the Convention and article 65 of its Rules of Procedure, the Committee would be grateful to urgently receive information on the issues and concerns as outlined above before **31 July 2012**.

Allow me, Excellency, to reiterate the wish of the Committee to continue to engage in a constructive dialogue with the Government of Belize, with a view to promoting the effective implementation of the Convention.

Yours sincerely,

Alexei Avtonomov  
Chairperson of the Committee  
on the Elimination of Racial Discrimination