

I would like to open this year by thanking all our brothers and sisters who have stood with us as we defend the human rights and dignity of all Belizeans. We continue to seek your support and confidence in a just and fair trial for the Maya in the Supreme Court. I would like to take this opportunity to update the Belizean community about the ongoing efforts to secure land rights for the Maya people in Toledo District. 2009 marks ten years since Maya leader Julian Cho passed away. This marker is an opportunity to reflect on his legacy and to recognize the ongoing work to protect the basic human rights of Maya people.

Looking back, we remember when Malaysians were logging on Maya lands within the Columbia River Forest Reserve and the reaction of the then administration to this human rights violation: our lands were considered crown lands. Mayas quickly realized that they were seen as occupiers of the land but not as owners of the land. Over the years, logging concessions, oil prospecting and land sales have revealed that Maya people, who have lived and managed these lands for millennia, have little say in how these lands are distributed or developed. In fact, we have suffered as oil prospecting and logging exploit our natural resources but rarely help us as people. These corporate initiatives marginalize us further.

We recall the organizing strength of Julian Cho and the Toledo Maya Cultural Council between 1995 and 1998. Their tireless efforts brought international attention to these ongoing human rights violations. We recall the creation of The Maya Atlas, written by forty leaders in Maya communities, to demarcate our lands and document our cultural practices. Through the creation of The Maya Atlas, and the ongoing work of leaders to educate and organize, Maya people understood that institutional and legal frameworks exist to safeguard our rights as indigenous people.

We recall the first lawsuit filed in the Supreme Court of Belize asking for recognition of Maya Ancestral lands and how the court failed to bring this action to trial. In response to this neglect, The Toledo Maya Cultural Council submitted a petition to the Inter-American Commission on Human Rights (IACHR) on behalf of the 38 Maya communities. Again, we were forced to reignite our struggle to gain recognition that the Government of Belize was violating our basic human rights.

The IACHR ruling, issued on October 12, 2004, affirmed that the Government of Belize was violating the Maya's fundamental right to property and equality. This ruling built the confidence of Maya and Belizeans that social justice can prevail. The IACHR confirmed that the Mopan and Q'eqchi' Maya communities of the Toledo District have communal property rights to the lands that they currently inhabit. These rights do not come from any act of the Government of Belize but arise from the customary land use and occupancy of the territory by the Maya people. These rights are entitled to the same kind of protection that other people's property rights are given by the government and the laws of Belize. The laws, government officials, and courts of Belize have a duty

to recognize and protect these property rights of the Maya communities.

We recall when the government of Belize signed the Ten Points of Agreement in 2000 with the Maya communities of southern Belize. Point Seven of this agreement states, "That the first consideration of the partnership between the GOB and the Maya Leaders will be the establishment of a program to address the urgent land needs of the Maya communities of the south, including the surveying and distribution of lands or establishing and protecting communal lands, depending on the various needs of the Maya communities. The GOB and the Maya leaders shall develop, within four (4) months after the signing of this agreement, a framework and target dates, as well as administrative and other measures for the implementation of the programme." The government of Belize never followed through on their end of this agreement.

The government of Belize did not acknowledge that they had violated the rights of Maya people, as per the ruling of the Inter-American Commission on Human Rights. In fact, this ruling did not change the behaviour of the government. Over the years, many things have changed for the Maya people. One thing, however, remains unchanged: the lack of political will from the government to secure protection to our lands. We continue to witness neglect for our people. We continue to experience the violation of our right to our lands that we live on and depend on for sustenance. We continue, therefore, to struggle for accountability, fairness, and equality.

All of our work has been bearing fruit. The Maya have achieved many high points culminating in the landmark 2007 Supreme Court ruling that stated that the Maya villages of Conejo and Santa Cruz have rights to their lands that are protected by the Constitution. In the *Maya Land Rights* case, the Supreme Court confirmed that these villages practice customary land tenure, as do all of the Maya villages in southern Belize. Since this ruling, however, we have seen an increase of land sales to foreign investors and an increase of development initiatives that exploit the very natural resources we Maya have protected for centuries. The Government of Belize has not honoured the Supreme Court judgment and implementation of this judgment is still pending for the villages of Conejo and Santa Cruz. Instead we find ourselves back in the courts.

In October 2008, the Government of Belize facilitated the lease and development of land in the village of Golden Stream, Toledo at the expense of wiping out traditional Maya crops that provide our sustenance. This is yet another instance where the Government has threatened our right to life. The land in question was laden with 2000 plants of mature cacao ready for harvest, and acres of milpa planted by villagers of Golden Stream. In a matter of three days the developer, with support of the government of Belize, bulldozed all this cacao and milpa. This action was a direct violation of human rights of Maya people who use this land for sustenance. The villagers were neither

consulted about this action nor did they consent to this action. They stood in peaceful protest on their lands to prevent another inch from being bulldozed. Although they witnessed the destruction of their livelihood, the villagers were unable to receive help from any government Ministry. The Lands Department and Ministry of Natural Resources, the Police, and even the Government Implementation Team all refused to help. On this day, we Maya people realized yet again that no one will defend our rights if we do not stand up and protect what in our hearts and souls is rightfully ours. Now, we are forced to go back to court in February to seek redress for this violation.

We recognize that this human rights violation is only one example of the kind of atrocities that Maya face on daily basis in southern Belize, where our customary land tenure system remains insecure. We have decided, therefore, that we will once again engage the courts for redress and reparation for all the lands we use and occupy. Our brothers and sisters in Conejo and Santa Cruz have paved the way for us to find hope in the strength of the judiciary to affirm that all villages practice customary land tenure, which is basis of these claims. To this end, we have filed an injunction to determine who owns the land in Golden Stream – the government of Belize or the Maya people. The Toledo Alcalde's Association and the Maya Leaders Alliance have brought another claim to the Supreme Court. This new lawsuit is asking the Supreme Court to stop the Government from leasing or granting lands or permits in all the Maya villages in Toledo District without the villages' consent, until there is a mechanism for the villages to tell the Government where their communal lands are and to register those rights, should they decide to do so. We are currently waiting for the date of trial, and will keep our fellow Belizeans posted. Thank you again for your ongoing support of the Maya struggle for basic human rights: the right to life, the right to equality, and the right to property.

Respectfully,

Cristina Coc