

MAYA LEADERS ALLIANCE

V.O.A Rd., Punta Gorda Town, Toledo, Belize C.A.

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October 11th, 2013

The World Bank
ATTENTION: Forest Carbon Partnership Facility (FCPF)
Carbon Finance Unit
Washington D.C., USA
okaplan@worldbank.org

POSITION OF MAYA LEADERS ON BELIZE'S UN-REDD+ PROJECT AND R-PP SUBMISSION

Dear Sir/Madam:

The Maya Leaders Alliance (MLA) and the Toledo Alcades Association (TAA), are the collective traditional representative bodies of all the 38 Maya communities of the Toledo District in southern Belize.

The MLA and TAA would like to bring to your attention the situation of Maya people whose land rights, right to free prior and informed consent, and right to socio-economic and cultural survival will significantly be affected by the participation of Belize in the Forest Carbon Partnership Facility (FCPF) and United Nations collaborative initiative on Reducing Emissions from Deforestation and forest Degradation (REDD+), as well as effort to submit a Readiness Preparation Proposal (R-PP).

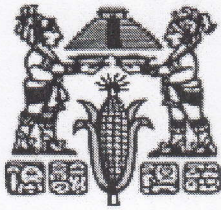
The Maya people support the effort to prevent destruction and degradation of our forests, and therefore welcome the idea of engaging appropriate agencies of the Government of Belize (GOB) in meaningful discussion about effective measures of forest conservation and management. However, the MLA and TAA is convinced that Belize REDD+ program as currently described in the county's R-PP, fell short of the standards prescribed by the UN REDD Program Guidelines on Stakeholder Engagement in REDD+ Readiness¹, the World Bank Operational Manual,² and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).³ Most importantly, the R-PP grossly neglects to address fundamental concerns of Maya people, including the issue of Maya land rights, which would have facilitated the full cooperation and support of all Maya communities.

The UN REDD Guidelines stipulate that both the FCPF and UN-REDD Programs should recognize the importance and special status of indigenous peoples and their historical and

¹ The Forest Carbon Partnership Facility (FCPF)/ UN REDD Program Guidelines on Stakeholder Engagement in REDD+ Readiness (2012)

² World Bank Operational Manual – O.P 4.10 (2005)

³ United Nations Declaration on the Rights of Indigenous Peoples (2007)



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cultural connection to forests, and that participating countries must ensure compliance with applicable international obligations, treaties and national laws.⁴ The GOB, in contravention of the REDD Guidelines as well as provisions of UNDRIP (particularly articles 25 and 26), consistently refuses to recognize Maya customary land rights, despite multiple decisions of the Belizean courts.⁵ Additionally, the GOB continues to flagrantly disregard recommendations of the Inter-American Commission on Human Rights⁶ and several other international human rights mechanisms,⁷ that it recognize the communal property right of Maya people to their ancestral lands and territories, including the forests. The TAA and MLA believe that the important issue of Maya land rights should be resolved before the REDD+ program is implemented.

By actively participating in the REDD+ and R-PP orientation workshops, Maya people have demonstrated their willingness to work with the GOB in order to advance these initiatives. However, the TAA and MLA would like to point out that these orientation workshops are not sufficient to meet the requirements of good faith consultation based on principle of free, prior and informed consent (FPIC). Apparently, the RPP took three years to draft, yet Maya leaders were only engaged in the last few months. We would like to emphasize that given the insufficient consultation to date, the Maya people have not given their consent to either the REDD+ program or R-PP. We reiterate that any process that may lead to such consent must follow Maya consultation protocol, as well as align with the World Bank Operational Manual,⁸ UNDRIP,⁹ and UN REDD Program Guidelines regarding stakeholder engagement, which mandates that stakeholder engagement practices by countries participating in REDD+ should adhere to the FPIC principle¹⁰

In light of the above, we respectfully request that the World Bank look into activities concerning the development of the REDD+ initiative in Belize, and urge the GOB to respect and abide by the provisions of the UN REDD Program Guidelines on Stakeholder Engagement in

⁴ UN REDD Program Guidelines , note 1, para 5

⁵ Cal et. al v. AG Belize et. al. and Coy et. al. v. AG Belize et. al, Supreme Court of Belize Consolidated Claims No. 171 and 172 of 2007, (October 18, 2007), and Maya Leaders Alliance, Toledo Alcaldes Association and 23 villages v. AG Belize & Minister of Natural Resource, Civil Appeal No. 27 of 2010 ("Maya Land Rights II").

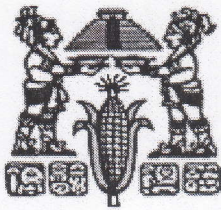
⁶ Case of Maya Indigenous Communities of Toledo v. Belize, Case 12.053, Inter-Am. C.H.R Report No. 40/04 (2004)

⁷ Committee on the Elimination of Racial Discrimination (CERD) Concluding Observations - Belize, CERD/C/BLZ/CO/1, August 29, 2012, para 10; United Nations Human Rights Council's Working Group on the Universal Periodic Review (UPR)/ Report of the Working Group on the Universal Periodic Review - Belize, A/HRC/12/4, June 4, 2009, para 68; and Report of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people, Rodolfo Stavenhagen, A/HRC/4/32/Add.1, March 19, 2007 at para. 24.

⁸ World Bank Operational Manual, supra note 2, paras 6-11

⁹ UNDRIP, supra note 3, articles 18-19

¹⁰ UN REDD Program Guidelines , note 1, para 6



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REDD+ Readiness, World Bank Operational Manual, and UNDRIP. In particular, we ask that the World Bank intervene in this matter by calling on the GOB to address the issue of Maya land rights and to consult with the Maya people in accordance with the principle of FPIC, before the implementation of the REDD+ program.

Please accept the assurance of our highest regards.

Sincerely,

Maya Leaders Alliance



*"Thought deeply, understood
each other and united their
words and thought" Popol Vuk*

Mr. Alfonso Cal
President
Toledo Alcaldes Association

Mr. Martin Chen
Chairman
Maya Leaders Alliance



Cc

Maya Leaders Alliance Legal Team