

IN THE CARIBBEAN COURT OF JUSTICE
Appellate Jurisdiction
ON APPEAL FROM THE COURT OF APPEAL OF BELIZE



CCJ Appeal No. BZCV2014/002
BZ Civil Appeal No. 27 of 2010

Between

CCJ
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THE MAYA LEADERS ALLIANCE
THE TOLEDO ALCALDES ASSOCIATION on behalf of the Maya village of Toledo District
JUAN POP on behalf of the Maya village of Golden Stream
DOMINGO CAL on his own behalf and on behalf of the Maya village of Aguacate
LUCIANO CAL on his own behalf and on behalf of the Maya village Bladen
ALBERTO HUN on his own behalf and on behalf of the Maya village of Blue Creek
CANDIDO CHO on his own behalf and on behalf of the Maya village of Crique Jute
LUIS CHO on his own behalf and on behalf of the Maya village of Crique Sarco
PEDRO CUCUL on his own behalf and on behalf of the Maya village of Dolores
MANUEL CHOC on his own behalf and on behalf of the Maya village of Indian Creek
ALFONSO OH on his own behalf and on behalf of the Maya village of Jalacte
MARIANO CHOC on his own behalf and on behalf of the Maya village Jordan
EDUARDO COY on his own behalf and on behalf of the Maya village of Laguna
PABLO SALAM on his own behalf and on behalf of the Maya village of Medina Bank
ROLANDO AUGUSTINE PAU on his own behalf and on behalf of the Maya village of Midway
LORENZO COC on his own behalf and on behalf of the Maya village of Otoxha
SANTIAGO COC on his own behalf and on behalf of the Maya village of Pueblo Viejo
SILVINO SHO on his own behalf and on behalf of the Maya Village of San Antonio
IGNACIO TEC on his own behalf and on behalf of the Maya village of San Benito Poite
GALO MEJANGRE on his own behalf and on behalf of the Maya village of San Felipe
FRANCISCO CUS on his own behalf and on behalf of the Maya village of San Marcos
MARCOS ACK on his own behalf and on behalf of the Maya village of San Miguel
JUAN QUIB on his own behalf and on behalf of the Maya village of San Vincente
LIGORIC COY on his own behalf and on behalf of the Maya village of Santa Anna
ELIGORIC CUS on his own behalf and on behalf of the Maya village of Santa Theresa

APPELLANTS

And

THE ATTORNEY GENERAL OF BELIZE

RESPONDENTS

Dated the 30th day of October, 2015
Entered the 3rd day of November, 2015

CCJ Appeal No. BZCV2014/002
BZ Civil Appeal No. 27 of 2010

Before the Rt. Honourable: Sir Dennis Byron, President
And the Honourables: Mr. Justice R. Nelson, JCCJ
Mr. Justice A. Saunders, JCCJ
Mr. Justice J. Wit, JCCJ
Mr. Justice D. Hayton, JCCJ
Mr. Justice W. Anderson, JCCJ
Mme. Justice M. Rajnauth-Lee, JCCJ

UPON this matter being called for delivery of the reserved judgment, by video, pursuant to a notice issued by the Honourable Court on the 16th day of October, 2015

AND UPON READING the notice of appeal filed herein on behalf of the Appellants on the 21st day of February 2014 against the decision of the Court of Appeal of Belize made on the 25th July, 2013, the notice of cross-appeal filed herein on behalf of the Respondent on the 14th day of March 2014 against those parts of the decision of the Court of Appeal of Belize made on the said 25th day of July, 2013 and the record of appeal filed herein on the 19th day of August 2014, the written submissions of the Appellants filed herein on 30th day of December 2014, the written submissions of the Respondent filed herein on the 16th day of January 2015 and the written submissions of the Appellants in reply thereto filed on the 30th day of January 2015.

AND UPON HEARING the oral submissions of Ms. Antoinette Moore, SC Attorney-at-Law appearing together with Mrs. Monica Coc Magnusson, for the Appellants and the oral submissions of Mr. Denys Barrow, SC appearing together with Ms. Naima Barrow, Mr. Nigel Hawke and Ms. Marcia Mohabir, Attorneys-at-Law for the Respondent.

IT IS ORDERED THAT:

1. The Decision of the Court of Appeal dated the 25th day of July, 2013 on the issue of damages be reversed.
2. The Government of Belize to establish a fund of Three Hundred Thousand Belizean Dollars (BZ\$300,000.00) as a first step towards compliance with its undertaking at paragraph 3 of the Consent Order of April 22, 2015 to protect Maya customary land tenure; and
3. The Government of Belize shall pay seventy-five per cent (75%) of the costs of the Appellants to be taxed if not agreed within four weeks of the date of this judgment.



Registrar and Chief Marshal
Caribbean Court of Justice

To: The Registrar of the Supreme Court of Belize

And To: Ms. Monica Coc Magnusson
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Central America

Attorney-at-Law for the Appellants

And To: Mr. Denys Barrow, SC

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And To: Mr. Nigel Hawke

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The Registry is open between 8:00 a.m. and 4:00 p.m.

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