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SPECIAL PROCEDURES OF THE  
HUMAN RIGHTS COUNCIL

**Mandate of the Special Rapporteur on the right to food.**

REFERENCE: AL Food (2000-9) BLZ 1/2013

18 April 2013

Excellency,

I have the honour to address you in my capacity as Special Rapporteur on the right to food pursuant to Human Rights Council resolution 22/9.

In this connection, I would like to bring to your Excellency's Government's attention information I have received concerning **oil exploration activities by USCapital Energy Belize Ltd. on Maya customary lands and the distribution of Maya customary land to private individuals in the Toledo District of Belize** that is allegedly taking place without the prior, free and informed consent of the affected communities, negatively affecting their livelihoods and access to food.

The Special Rapporteur on the rights of indigenous peoples, James Anaya, is also aware of and continues to monitor this case and sent a communication to your Excellency's Government on 17 March 2009 about related concerns.

According to information received:

In the *Case of Maya Indigenous Communities of Toledo v. Belize*, Case 12.053, Report No. 40/4, 12 October 2004, the Inter-American Commission on Human Rights recommended the Government of Belize to "carry out the measures to delimit, demarcate and title or otherwise clarify and protect the corresponding lands of the Maya people without detriment to other indigenous communities and, until those measures have been carried out, abstain from any acts that might lead the agents of the State itself, or third parties acting with its acquiescence or its tolerance, to affect the existence, value, use or enjoyment of the property located in the geographic area occupied and used by the Maya people."

Following the recommendation of the Inter-American Commission on Human Rights, the Belize Supreme Court recognized in two judgments, dated 18 October 2007 and 28 June 2010, the Maya customary land tenure in all Maya villages in the Toledo Districts and ruled that the customary land tenure gives rise to





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