

**No. 55299. Guatemala and Belize**

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SPECIAL AGREEMENT BETWEEN GUATEMALA AND BELIZE TO SUBMIT GUATEMALA'S TERRITORIAL, INSULAR AND MARITIME CLAIM TO THE INTERNATIONAL COURT OF JUSTICE. WASHINGTON, 8 DECEMBER 2008

ACCORD SPÉCIAL ENTRE LE GUATEMALA ET LE BELIZE VISANT À SOUMETTRE LE DIFFÉREND TERRITORIAL, INSULAIRE ET MARITIME DU GUATEMALA À LA COUR INTERNATIONALE DE JUSTICE. WASHINGTON, 8 DÉCEMBRE 2008

PROTOCOL TO THE SPECIAL AGREEMENT BETWEEN GUATEMALA AND BELIZE TO SUBMIT GUATEMALA'S TERRITORIAL, INSULAR AND MARITIME CLAIM TO THE INTERNATIONAL COURT OF JUSTICE. GUATEMALA, 25 MAY 2015\*

PROTOCOLE À L'ACCORD SPÉCIAL ENTRE LE GUATEMALA ET LE BELIZE VISANT À SOUMETTRE LE DIFFÉREND TERRITORIAL, INSULAIRE ET MARITIME DU GUATEMALA À LA COUR INTERNATIONALE DE JUSTICE. GUATEMALA, 25 MAI 2015\*

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[ ENGLISH TEXT – TEXTE ANGLAIS ]

**PROTOCOL  
TO THE SPECIAL AGREEMENT BETWEEN BELIZE AND GUATEMALA  
TO SUBMIT GUATEMALA'S TERRITORIAL, INSULAR AND MARITIME  
CLAIM TO THE INTERNATIONAL COURT OF JUSTICE**

Belize and the Republic of Guatemala, hereinafter "the Parties";

**CONVINCED** that International Law provides the basis for peaceful coexistence and for the pacific settlement of disputes between States;

**NOTING** that the Parties reached the conclusion in 2007 that all pacific means for the settlement of disputes between Belize and Guatemala have been exhausted, except by the juridical means;

**RECALLING** that Belize and Guatemala accepted the recommendation by the OAS Secretary General to submit Guatemala's territorial, insular and maritime claim to the International Court of Justice for a definitive settlement, which was confirmed by Guatemala in writing on 17 December 2007 and reaffirmed on 16 June 2008; and confirmed in writing by Belize on 29 May 2008;

**CONSIDERING** that "The Special Agreement between Belize and Guatemala to submit Guatemala's territorial, insular and maritime claim to the International Court of Justice," signed on 8 December 2008 under the auspices of the OAS (henceforth referred to as the "Special Agreement"), defines the mechanism to put an end to such claims;

**REITERATING** that the objective and purpose of the Special Agreement is to definitively put an end to any and all differences between the Parties in respect of Guatemala's territorial, insular and maritime claim in the International Court of Justice;

**NOTING** that the simultaneous referendum between the two countries programmed for 6 October 2013 did not take place;

**CONSIDERING** that the Parties remain committed to the creation of a climate of confidence between their two peoples;

**REAFFIRMING** the commitment to submit the dispute to the International Court of Justice for a final and definitive resolution in accordance with the Special Agreement;

**REITERATING** the commitment of the Parties to promote good neighbourliness and bilateral cooperation in all areas and levels of mutual interest, and the need to implement the thirteen Agreements signed on 17 December 2014 in Placencia, Belize, as well as the

undertakings made at the meeting of the Belize-Guatemala Joint Commission of 10 October 2014 held in Guatemala City;

**CONVINCED** that all efforts must be made now to resolve the differences that still subsist so that they are not passed on to future generations;

**WHEREAS BY MUTUAL CONSENT, THE PARTIES NOW AGREE AS FOLLOWS:**

#### **ARTICLE 1**

To ensure, through active public information efforts that their respective citizens are fully informed of the differences between the two Parties in respect of Guatemala's territorial, insular and maritime claim and of the need to resolve them finally and definitively in the International Court of Justice.

#### **ARTICLE 2**

To take all suitable actions and measures within their respective internal normative requirements to submit Guatemala's territorial insular and maritime claim to the International Court of Justice for the latter to hear the case, and decide and resolve it in a definitive manner.

#### **ARTICLE 3**

1. To amend Article 7.2 of the Special Agreement, which shall now read: "The referendum will be held simultaneously or separately on the dates most convenient to the Parties".
2. To amend Article 8 of the Special Agreement, which shall now read: "The Registrar of the Court shall be notified of this Special Agreement jointly or by either of the Parties within a month after the referendum in each country has approved, pursuant to Article 7.2, submission of the dispute to the International Court of Justice".

For the purpose of implementing Article 3 sub paragraph 2.a of the Special Agreement, it is understood that the timeframe for the presentation of the Memorial shall begin to run from the date when both Parties have notified the Registrar of the International Court of Justice of their approval based on the results of the referendum to submit the dispute to its jurisdiction.