

Road map for the implementation in Belize

of the Regional Agreement on Access to
Information, Public Participation and
Justice in Environmental Matters
in Latin America and the Caribbean

2026



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Acronyms

CARICOM	Caribbean Community
CCJ	Caribbean Court of Justice
DOE	Department of the Environment
ECLAC	United Nations Economic Commission for Latin America and the Caribbean
EIA	Environmental Impact Assessment
IRC	Inter-institutional Review Committee
NEAC	National Environmental Appraisal Committee
NGO	Non-governmental organization
OECD	Organisation for Economic Co-operation and Development
UWI	University of the West Indies

I. Introduction

Belize is a Party to the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (the Escazú Agreement), which was adopted on 4 March 2018 and entered into force on 22 April 2021. Belize deposited its instrument of ratification on 7 March 2023, and the Agreement entered into force for the country on 5 June 2023.

The objective of the Escazú Agreement is to “guarantee the full and effective implementation in Latin America and the Caribbean of the rights of access to environmental information, public participation in the environmental decision-making process and access to justice in environmental matters, and the creation and strengthening of capacities and cooperation, contributing to the protection of the right of every person of present and future generations to live in a healthy environment and to sustainable development” (art. 1).

Each Party to the Agreement is responsible for fulfilling its obligations under the Agreement through its national legal system. Every Party is also required to “adopt the necessary measures, of a legislative, regulatory, administrative or any other nature, in the framework of its domestic provisions, to guarantee the implementation of the provisions of the present Agreement” (art. 4.3). The Agreement provides for a flexible approach to its implementation, taking into account the extent of each Party’s ability and national priorities (art. 13), while bearing in mind that

implementation is to be guided by the principles set out in article 3, which include non-regression and progressive realization. This allows the Parties to consider a wide range of legal, regulatory, policy and administrative means of implementing the treaty (ECLAC, 2023a, p. 38).

The implementation guide for the Escazú Agreement prepared by its Secretariat “aims to raise awareness of the Agreement and to provide guidance, information and different implementation options to assist States parties and other stakeholders in fully understanding and complying with the treaty provisions” (ECLAC, 2023a). Decision III/ 1, on national implementation, adopted at the third meeting of the Conference of the Parties to the Escazú Agreement, invites all Parties to develop plans and road maps for the national implementation of the Agreement by 2026, or two years after the entry into force of the Agreement for that State Party, with support from ECLAC and with the significant participation of the public, Indigenous Peoples and local communities. In line with this initiative, ECLAC provides support to the Parties in the preparation of road maps outlining the required steps of a transparent and participatory process leading to the effective implementation of the Agreement, taking into account national capabilities.

The preparation of a road map is a dynamic, iterative process involving consultations with key stakeholders whose functions are integral to the implementation of the Escazú Agreement. Those steps are depicted below in diagram 1.

Diagram 1

Steps included in the road map for the implementation of the Escazú Agreement in Belize



Source: Prepared by the authors.

A. Methodology

The Ministry of Sustainable Development, Climate Change and Solid Waste Management, which serves as the national focal point for the Escazú Agreement in Belize, established the Steering Committee for the Road Map for the Implementation of the Escazú Agreement in Belize to support and oversee the development of the road map. The Steering Committee is comprised of public officials whose functions are integral to the implementation of the Agreement (see table 1). Consultative meetings were then held with representatives of key public authorities and civil society organizations.¹ A national stakeholder engagement session was conducted on 21 March 2024 to obtain participants' views on the status of access rights in Belize and their recommendations for improvements. These consultations were an essential step in ensuring that the road map's development would be a collaborative process which took the national context into consideration and was sensitive to any existing capacity constraints. Desk reviews were done to substantiate information received through the consultative interviews and to obtain information on standards, procedures and regulatory frameworks related to access rights.

1. Step 1: baseline assessment

In order to prepare the baseline assessment of laws, policies and practices relevant to the Escazú Agreement, consultations were held with the Steering Committee to verify the information that had been collected and to obtain additional information on practices and draft legislation or policies. The baseline assessment takes stock of the progress made and identifies opportunities for future development. Proposals from members of the public concerning priority actions that the Government of Belize could implement in the short and medium terms were received and considered.

¹ The Office of the Ombudsman, the Department of the Environment, the Ministry of Sustainable Development, Climate Change and Solid Waste Management, the Office of the Commissioner of Indigenous People's Affairs, Oceana, the National Garifuna Council, the Maya Leaders Alliance, the Belize Indigenous Alliance for Collective Resilience and Ms. Leslie Mendez, Attorney-at-Law.

A national stakeholder workshop was held on 21 March 2024 to hear participants' opinions concerning the proposed priority actions and to share the conclusions and recommendations set out in the baseline assessment with them.

The objective of the consultations was twofold: first, to obtain additional information that could feed into the development of the proposals on priority actions and, second, to obtain feedback on proposals for steps 1 to 5 of the road map. Additionally, draft proposals were circulated to stakeholders, who were then invited to submit comments. Oral and written comments received during the consultations were analysed and incorporated into the final proposals.

Table 1
Members of the Steering Committee for the Road Map
for the Implementation of the Escazú Agreement

Policy Coordinator, Ministry of Sustainable Development, Climate Change and Solid Waste Management
Project and Policy Director, Ministry of Sustainable Development, Climate Change and Solid Waste Management
Director, Sustainable Development Unit, Ministry of Sustainable Development, Climate Change and Solid Waste Management
Sustainable Development Officer, Ministry of Sustainable Development, Climate Change and Solid Waste Management (Alternate)
Senior Environmental Officer, Department of the Environment
Legal Counsel, Ministry of Sustainable Development, Climate Change and Solid Waste Management
Officer, Ministry of Foreign Affairs and Foreign Trade
Officer, Ministry of Foreign Affairs and Foreign Trade
Blue Economy Officer, Ministry of Blue Economy and Disaster Risk Management

Source: Prepared by the authors.

2. Step 2: stakeholder map

For the preparation of the stakeholder map, an analysis was undertaken of the relevant public and private actors (civil society organizations, academia and the private sector at national and subnational levels) that were expected to participate in the implementation of the Escazú Agreement. These stakeholders were identified and classified into four categories based on specified parameters.

3. Step 3: inter-institutional coordination

The purpose of the inter-institutional coordination mechanism is to align the work of various public agencies whose functions are integral to the fulfilment of Belize's obligations under the Escazú Agreement.

4. Step 4: governance system

A transparent and participatory governance system for the implementation of the Escazú Agreement will serve as the framework for the participation of the various public and private actors and stakeholders involved in the implementation process and for the interactions between them. Virtual stakeholder meetings were held on 2 May 2024 with the Steering Committee and on 24 June 2024 with the heads of the departments of public authorities whose functions are related to the implementation of the Escazú Agreement. These meetings provided an opportunity to obtain input concerning the governance system, as well as to circulate draft proposal for comments.

5. Step 5: information and participation strategy

The information and participation strategy outlines the measures to be taken to enable interested persons, organizations and groups, including those in vulnerable situations, to participate in defining: (i) opportunities for improving the relevant laws, policies and practices; and (ii) priority actions for making use of opportunities for improvement.

6. Step 6: participatory activities

In addition to consultations with the Steering Committee, the national stakeholder workshop held in March 2024 was conducted as a participatory activity to obtain recommendations for priority actions for implementing the Escazú Agreement. Following the development of the road map, the outputs of the participatory activities and the findings of the baseline assessment will be used as input for the development of an Escazú implementation plan for Belize.

7. Step 7: priority actions

The implementation plan will outline the priority actions to be taken and will specify the relevant time frames and responsible entities, define the indicators to be used for monitoring progress and include the corresponding budget. The following criteria were used to evaluate the recommendations made in the baseline assessment and received from stakeholders and to determine the priority actions to be taken: (i) applicability to the fulfilment of the obligations assumed under the Escazú Agreement (relevance and impact); (ii) feasibility of their implementation using existing technical, administrative and financial capacity; and (iii) length of the implementation period.

8. Step 8: regional cooperation

This step includes a brief analysis of the country's opportunities and capacities for supporting other States Parties in accordance with article 11 of the Escazú Agreement, on regional cooperation, whereby Parties undertake to cooperate to strengthen their national capacities for the implementation of the Agreement in such areas as information-sharing, technical assistance and training. Information provided by the national focal point for the Escazú Agreement serves as the foundation for this analysis and has been supplemented by a stocktaking of the current practices and technical capacities of the Government of Belize in relation to access to information, public participation and access to justice in environmental matters.

II. Baseline assessment of the laws, policies and practices related to the Escazú Agreement

This chapter presents an analysis of the national laws, policies and practices related to articles 2 through 10 of the Escazú Agreement. These national laws, policies and practices were examined in relation to each applicable article of the Escazú Agreement in order to identify strengths and gaps in the legal framework and in current practices.

A. The legal system of Belize

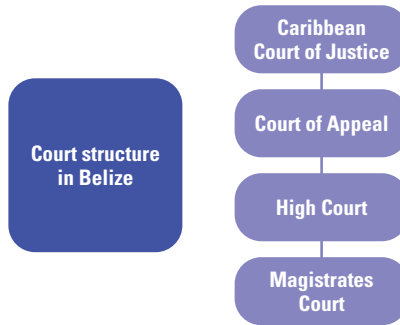
The country's legal system is based on the English common law system inherited by Belize as a Commonwealth Caribbean country. Common law is a body of laws based on court decisions. The principles embedded in these decisions are treated as legal precedents, and courts are likely to follow earlier decisions and rulings if the facts and issues of the cases are substantially similar. A court's decision is binding upon similar cases decided by the same court or by lower courts within the State's court structure (see diagram 2). Decisions are not binding on higher courts but may be regarded as carrying persuasive authority.

In 2010, Belize passed the Belize Constitution (Seventh Amendment) Act No. 4 of 2010, which abolished the Privy Council as its final appellate court and, in its place, recognized the Caribbean Court of Justice (CCJ) as the highest court of appeal. Accordingly, CCJ decisions, whether concerning cases originating in Belize or elsewhere, are binding and form part of the

common law jurisprudence of Belize. Decisions of the courts of other countries, such as the United Kingdom and other common law countries, are considered to carry persuasive authority if no local case has settled the point at issue and there is no applicable local legislation.

Diagram 2

Court structure in Belize



Source: Prepared by the authors.

Common law is complemented by statutory laws passed by the National Assembly. Belize has a range of environmental laws and policies that collectively comprise the legislative and regulatory framework on access rights.

B. Article 2: definitions

Article 2 of the Escazú Agreement defines the following terms: (i) access rights; (ii) competent authority; (iii) environmental information; (iv) public; and (v) persons or groups in vulnerable situations.

As noted in the Escazú Agreement implementation guide: article 2 of the Agreement “expressly states that the definitions are intended for the purposes of the Agreement only. At the national level, a different term or concept may be used, or certain terminology may have a particular meaning. The Escazú Agreement is not intended to change the use or application of a certain concept or term at the national level, but rather to ensure that the content or substance of the definition included in the Agreement is uniformly

applied and respected in all countries. ... However, definitions at the national level cannot limit the application of the Agreement” (ECLAC, 2023a).

While the specific terms defined in article 2 of the Escazú Agreement do not appear in Belize’s legislation in every instance, there are references to other terms which have similar meanings.

“Access rights” in the Escazú Agreement means “the right of access to environmental information, the right of public participation in the environmental decision-making process and the right of access to justice in environmental matters”. In this sense, legislation in Belize incorporates the three pillars of access rights. For example, the Freedom of Information Act (chapter 13) provides the public with the right of access to environmental information. Freedom of information is also included in the Constitution of Belize as an implied right in the right of freedom of expression in section 12 (1) of the Belize Constitution Act (chapter 4). The right to public participation in the environmental impact assessment process for projects that are likely to have a significant impact on the environment is included in the Environmental Protection Act (chapter 328, section 20 [5]). With regard to access to justice, the Constitution provides for the right to appeal for redress of the breach of constitutional rights.

“Competent authority” is defined in relation to entities with powers, authorities and functions related to articles 5 and 6 of the Escazú Agreement on access to information. The Freedom of Information Act identifies and defines the “Ministry” and “prescribed authorities” which have a duty to receive and respond to requests for access to information. Additionally, the Constitution of Belize, section 12 (1), enshrines the right of freedom of expression, which includes the right to receive information (freedom of information), and public authorities have a duty to respect this right.

While no legislation in Belize defines “environmental information”, the Freedom of Information Act establishes a general right to access information in the possession of public authorities, and this extends to environmental information. There are also policy instruments and practices related to the dissemination of different categories of environmental information. Strategies

under the National Environmental Action Plan 2022–2026 include the dissemination of various types of environmental information, including statistics and other information and knowledge concerning the status of the Belize Barrier Reef System and management of the marine and coastal sector, monitoring of water quality from freshwater sources, the New River Management Plan, standardized national water monitoring protocols and data standards for microplastics in Belize.

With regard to the definition of “the public”, the term “person” is used in a broad collective sense in Belize. In relation to access to information, the Freedom of Information Act applies to “every person”, and the Constitution includes the right of access to justice for “any person” to claim redress for a violation of that person’s constitutional rights. The term “person” includes all the categories of “the public” defined in the Escazú Agreement. In relation to access to justice, the Civil Procedure Rules also apply to “any person”, which, here again, includes all the categories of “the public” set out in the Escazú Agreement. The definitions of these terms in Belize’s legislation are actually broader than the definition of “the public” provided for in the Escazú Agreement.

In terms of “persons or groups in vulnerable situations”, which are defined in the Escazú Agreement as those that “face particular difficulties in fully exercising their access rights”, the Belize Constitution Act (chapter 4, section 3) ensures the rights of all persons to exercise the fundamental rights and freedoms provided for in the Constitution (including freedom of expression and assembly) whatever their “race, place of origin, political opinions, colour, creed or sex”. Belize recognizes climate change as a driver of vulnerability and has developed policy initiatives to identify persons and groups that are in vulnerable situations as a result of climate change. Belize’s National Climate Change Policy, Strategy and Master Plan of 2021–2025 defines vulnerable groups as “groups that experience a higher risk of poverty and social exclusion than the general population, including women, children, older people, Indigenous populations, the poor, migrants, the LGBTQ+ community, and people with disabilities” and proposes actions for mainstreaming vulnerable groups into various sectors (Government of Belize, 2021a, p. 24).

C. Article 3: principles

Article 3 of the Escazú Agreement enshrines a number of principles that should guide States Parties' implementation of the Agreement. Several of these principles are expressly incorporated into Belize's Constitution, as well as other legislation and policy instruments. For example, Belize's Constitution recognizes the principles of equality and non-discrimination. The National Environmental Policy and Strategy 2014–2024 and the National Environmental Action Plan 2022–2026 expressly require adherence to the principles of intergenerational equity, the precautionary principle, the preventive principle and principles of transparency and accountability.

Table 2

Selected principles of the Escazú Agreement enshrined in national legislation and policies in Belize

Escazú principle	National instrument
Principle of equality and principle of non-discrimination	Belize Constitution Act, chapter 4, sections 16 (1) and (2), preamble National Climate Change Policy, Strategy and Action Plan to Address Climate Change in Belize (2014) Horizon 2030 Long-Term Development Framework for Belize Belize Medium-Term Development Strategy 2022–2026 Revised National Gender Policy 2024–2030 Belize Maritime Economy Plan
Principle of transparency and principle of accountability	Freedom of Information Act, chapter 13. Environmental Protection Act, chapter 328 Digital Government Act No. 24 of 2022, section 15 (2) (g) Disaster Preparedness and Response Act No. 10 of 2000, chapter 145, sections 4, 8 and 11. Draft National Integrated Chemicals Management Bill, sections 4 (j) and (l) National Environmental Policy and Strategy 2014–2024 National Environmental Action Plan 2022–2026 Horizon 2030 Long-Term Development Framework for Belize Belize Medium-Term Development Strategy 2022–2026 Belize Maritime Economy Plan
Preventive principle	Draft National Integrated Chemicals Management Bill, section 4 (f) 2014–2024 National Environmental Policy and Strategy National Environmental Action Plan 2022–2026

Escazú principle	National instrument
Precautionary principle	Draft National Integrated Chemicals Management Bill, section 4 (c) 2014–2024 National Environmental Policy and Strategy National Environmental Action Plan 2022–2026 National Climate Change Policy, Strategy and Action Plan to Address Climate Change in Belize (2014) Fisheries Resources Act of 2020
Principle of intergenerational equity	Coastal Zone Management Act, chapter 329, section 5 (1) (g) National Protected Areas System Act of 2015, section 7 (d) Draft National Integrated Chemicals Management Bill, section 4 (b) 2014–2024 National Environmental Policy and Strategy National Environmental Action Plan 2022–2026
Principle of maximum disclosure	Freedom of Information Act, chapter 13, part III, section 34

Source: Prepared by the authors.

Several of these principles are well-known principles of international law and are found in other international instruments applicable to Belize. For example, the principle of intergenerational equity is expressed in the United Nations Framework Convention on Climate Change (UNFCCC) (art. 3), the Convention for the Protection of the World Culture and Natural Heritage (Convention on Biological Diversity) (preamble, art. 2) and the World Heritage Convention (art. 4), among others.

D. Article 4: general provisions

Article 4 of the Escazú Agreement establishes general provisions entailing several obligations for States Parties, including the obligation to guarantee the right of every person to live in a healthy environment, to ensure that all rights in the Agreement are freely exercised, to adopt all necessary measures to guarantee the implementation of the Agreement, to provide information to the public to facilitate the acquisition of knowledge on access rights, to provide guidance and assistance to members of the public to facilitate the exercise of their access rights, to guarantee an enabling environment for the protection of the environment and to encourage the use of new information and communication technologies.

A number of laws and policies in Belize incorporate the obligations included in article 4 of the Escazú Agreement. With regard to the right to a healthy environment, the preamble to the Belize Constitution Act provides that State policies for the protection of the environment must be instituted. In addition to the establishment in the Escazú Agreement of the right to live in a healthy environment, Belize has ratified the Paris Agreement, which calls on Parties to respect, promote and consider their respective obligations on human rights when taking action to address climate change. Belize has also endorsed United Nations General Assembly resolution 76/300, whereby the General Assembly recognized the human right to a clean, healthy and sustainable environment.

The Constitution also upholds other human rights related to the Escazú Agreement, such as the right to life (section 4), the right to liberty (section 5), the rights of freedom of expression (section 12) and peaceful assembly and association (section 13), and the rights to protection from discrimination (section 16) and to equal protection of the law (section 6). The Freedom of Information Act recognizes the public right of access to information in general. The Environmental Protection Act (chapter 328) establishes the right of the public to participate in environmental decision-making processes specifically related to environmental impact assessments (EIAs) and provides that the relevant Minister may consult various stakeholders and other interested persons in the course of the development of environmental regulations (sections 20 (5) and 7.2).

Guarantees for freedoms that support an enabling environment for all persons, including those that protect the environment, such as freedom of expression, are established in the Belize Constitution Act (chapter 4), which also prohibits interference with this right (section 12). The Non-Governmental Organisations Act (chapter 315, section 13) provides that every non-governmental organization registered under the Act is exempt from the payment of income tax and may apply to the Minister of Finance to be exempted from the payment of business tax or any other tax or duty. Persons in Belize who make a donation to a non-governmental organization registered under the Act are eligible to have that donation treated as tax-deductible for income tax and business tax purposes.

Measures to provide guidance to the public and to facilitate the acquisition of knowledge on access rights are set forth in Legal Aid Act No. 15 of 2023, which requires the State to provide information and advice on legal aid, and in the Freedom of Information Act (chapter 13, sections 6 and 7), which includes provisions to promote the acquisition of knowledge on access rights and to assist persons wishing to request information.

With respect to the promotion of new information and communications technologies, one of the main purposes of Digital Government Act No. 24 of 2022 is to promote the use of technological applications and advancements to improve government services and, more specifically, to “promote the use of the internet and other information technologies and provide increased opportunities for citizen participation in government and other daily activities” (section 3).

E. Article 5: access to environmental information

Article 5 of the Escazú Agreement establishes the obligation of States to ensure that the public has the right to access environmental information in the possession of government authorities, subject to limited exceptions. Members of the public do not need to mention any special interest or reason for such requests.

The Belize Constitution Act (chapter 4) establishes the right of freedom of expression, which includes the right to receive information, and provides that persons may seek redress for violations of this right (sections 12 and 20). The purposes of the Digital Government Act include: to provide enhanced access to government information and services in a manner consistent with laws regarding the protection of personal privacy, national security, records retention, access for persons with disabilities and other relevant laws; to promote the use of the Internet and emerging technologies within and across government agencies; to provide citizen-centric government information and services; and to promote access to high-quality government information and services across multiple channels (section 3 (2) (f), (i) and (l)). This

law also requires public sector agencies to publish information related to their services and administrative procedures (section 12).

The Freedom of Information Act of 1994 was one of the earliest laws on freedom of information to be passed in the Latin American and Caribbean region and is in alignment with the requisite provisions of the Escazú Agreement, as outlined in table 3 below.

Table 3
Alignment of the Freedom of Information Act
with the Escazú Agreement

Article 5 of the Escazú Agreement	Provisions of the Freedom of Information Act
Article 5 (1). Each Party shall ensure the public's right of access to environmental information in its possession, control or custody, in accordance with the principle of maximum disclosure.	Section 9. Every person shall have a right to obtain access to a document of a Ministry or prescribed authority, other than an exempt document.
Article 5 (8). The reasons for refusal shall be legally established in advance and be clearly defined and regulated, taking into account the public interest, and shall thus be interpreted restrictively. The burden of proof will lie with the competent authority.	<p>Sections 22–32. The categories of exempt documents are defined in the following sections of the Act:</p> <p>22. Documents affecting national security, defence or international relations.</p> <p>23. Cabinet documents.</p> <p>24. Documents affecting the enforcement or administration of the law.</p> <p>25. Documents to which secrecy provisions of enactments apply.</p> <p>26. Certain documents concerning operations of Ministries or the prescribed authority.</p> <p>27. Documents affecting personal privacy.</p> <p>28. Documents affecting legal proceedings or subject to legal professional privilege.</p> <p>29. Documents relating to trade secrets, for example.</p> <p>30. Documents affecting the national economy.</p> <p>31. Documents containing material obtained in confidence.</p> <p>32. Documents whose disclosure would be in contempt of the National Assembly or in contempt of court.</p> <p>33. Documents subject to Crown privileges in judicial proceedings.</p> <p>Section 34. In considering whether or not to claim exemption, ... the principal officer of a Ministry or prescribed authority shall act in good faith and use his best endeavours to achieve the object of this Act to afford to members of the public maximum access to official documents consistent with public interest.</p>

Article 5 of the Escazú Agreement	Provisions of the Freedom of Information Act
Article 5 (12). The competent authorities shall respond to requests for environmental information as quickly as possible and within a period not longer than 30 business days from the date of receipt of the request, or less if so stipulated in domestic legislation.	Section 16. Ministries and prescribed authorities must take all reasonable steps to respond to requests received in writing or by post as soon as practicable but not later than two weeks after the day on which the request is received.
Article 5 (3) Each Party shall facilitate access to environmental information for persons or groups in vulnerable situations, establishing procedures for the provision of assistance, from the formulation of requests through to the delivery of the information, taking into account their conditions and specificities, for the purpose of promoting access and participation under equal conditions.	Section 12 (4). Ministries and prescribed authorities have a duty, where practicable, to assist persons to make a request in the manner required by the Freedom of Information Act or to direct the request to the appropriate authority.
Article 5 (5). If the requested information or part thereof is not delivered to the applicant because it falls under the domestic legal regime of exceptions, the competent authority shall communicate its refusal in writing, including the legal provisions and the reasons justifying the decision in each case, and inform the applicant of the right to challenge and appeal.	Section 21 (1). The Ministry or prescribed authority is required to provide written notification of a refusal, the findings of fact, the reasons, the name and designation of the person giving the decision and the right to appeal.
Article 5 (10). Where not all the information contained in a document is exempt under paragraph 6 of the present article, the non-exempt information shall be provided to the applicant.	Section 19. The Ministry or prescribed authority shall grant access to copies of documents requested with the exempt material deleted.
Article 5 (15). When the competent authority receiving the request does not have the requested information, it shall notify the applicant as quickly as possible, indicating, if it can determine it, which authority may be in possession of the information. The request shall be forwarded to the relevant authority, and the applicant so informed.	Section 13. The Ministry or prescribed authority may transfer a request to the relevant authority if the requested information is not in the possession of the Ministry or authority receiving the request or the subject matter is more closely related to another authority.
Article 5 (18). Each Party shall establish or designate one or more impartial entities or institutions with autonomy and independence to promote transparency in access to environmental information, to oversee compliance with rules, and monitor, report on and guarantee the right of access to information. Each Party may consider including or strengthening, as appropriate, sanctioning powers within the scope of the responsibilities of the aforementioned entities or institutions.	Sections 35 and 37. Persons may apply to the Ombudsman to review a decision to refuse to provide information or to defer a request for information.

Source: Prepared by the authors.

The Ombudsman Act (chapter 5) accords the Ombudsman the legal mandate to receive and investigate complaints by any persons or body of persons who claim to have sustained injustice, injury, abuse or other wrongdoing as defined in the Act as a result of any action taken by an authority.

With regard to the requirement to respond to a request within a specified time, while it is true that the Ombudsman Act requires all requests to be made in writing, this is not the hurdle that it might initially appear to be, since, under section 12 (4) of the Freedom of Information Act, Ministries and prescribed authorities that receive requests are required to assist persons to make requests in a manner that complies with the Act.

Regarding the cost of obtaining access to information (excluding costs for reproduction), the Act provides that the relevant Minister may institute regulations setting out charges for access to documents, including for copies and transcripts (section 47 [1] [a]).² Additionally, applicants may apply to the Ombudsman to review the amount of the fees or charges for access (section 35 [5]).

The Office of the Ombudsman faces several challenges in relation to the implementation of the Freedom of Information Act, including the lack of adequate personnel to support its role and insufficient powers to enforce compliance with its decisions. The Freedom of Information Act does not require authorities to have a designated official to discharge the duties established under the Act, and some agencies have noted that they have difficulty in meeting the two-week deadline for responding to requests. There is no reporting system in place which requires public authorities to report to the Ombudsman on matters related to the implementation of the Act, including the nature of requests made and whether they were refused or complied with.

² As of this writing, these regulations have not yet been enacted.

F. Article 6: generation and dissemination of environmental information

Article 6 (1) of the Escazú Agreement mandates States Parties to generate and disseminate environmental information in a “systematic, proactive, timely, regular, accessible and comprehensible manner”. Obligations under this article include: having at least one up-to-date environmental information system; taking steps to establish a pollutant release and transfer register and an early warning system; ensuring the immediate disclosure and dissemination of all pertinent information in the event of an imminent threat to public health or the environment; disseminating information in a manner that will facilitate access to it for persons and groups in vulnerable situations by, among other things, preparing alternative formats and using suitable channels of communication; publishing and disseminating a state of the environment report at least every five years; and ensuring access to consumer-related information on the environmental qualities of goods and services and their effects on health.

A number of laws in Belize promote the proactive dissemination of information, which includes environmental information, related to the functions of public authorities. For instance, section 6 of the Freedom of Information Act requires public authorities to publish information on their functions and duties and on the categories of documents that are maintained in their possession. This provision also applies to authorities with environment-related functions. The Digital Government Act requires all public sector agencies to publish information on their administrative procedures on the government website and to post a list of the services they provide on a central government-maintained repository, as well as, where possible, on each agency’s own website (section 12).

As the main regulatory agency for environmental protection, the Department of the Environment (DOE) has several functions that involve the generation and dissemination of environmental information. DOE functions include providing information and educational materials to the public regarding the importance of protecting and improving the environment

(Environmental Protection Act, chapter 328, section 4 [1]). It publishes environmental information, including environmental statistics reports, annual operational reports, EIAs and Environmental Compliance Plans on its website and its social media accounts.³ The Department also maintains a library containing historical and current environmental documents and data which is open to the public. Although access to information held in the library is currently available only on site, the library is in the process of developing its online catalogue, which will allow people to search for information remotely. The DOE Information Management Unit is responsible for the development and overall management of DOE database systems and organizes baseline data in key thematic areas as input for DOE analyses and reports.

The latest state of the environment report was published in 2010 and is available online.⁴ The Government of Belize is currently in the process of preparing a new report on the state of the environment and launched an online portal for environmental statistics on 5 June 2024, and additional information on the state of the environment will be made publicly accessible. The DOE annual reports include environmental statistics and are available online. The Statistical Institute of Belize also reports and publishes environmental statistics.

DOE is vested with the legal authority to establish a pollutant release and transfer register (PRTR), as its functions under section 4 (i) of the Environmental Protection Act include maintaining “a register of all wastes, discharges, emissions, deposits or other sources of emissions or substances which are of danger or potential danger to the environment”. In 2010, Belize benefited from a regional project focused on designing a PRTR as a collaborative effort on the part of the Central American Commission on Environment and Development (CCAD) and the Ministry of Environment of Spain, with technical support from the United Nations Institute for

³ The website of the Department of the Environment of Belize may be accessed at: <https://doe.gov.bz/>. Its Facebook page may be located at: <https://www.facebook.com/DOEBelize>.

⁴ *Belize Environment Outlook 2010*, available at: <https://wedocs.unep.org/handle/20.500.11822/9351>.

Training and Research (UNITAR). A national PRTR assessment report was prepared and an inter-agency coordination mechanism was established to support it. The PRTR design was not fully implemented owing to capacity constraints, however.

With regard to climate change, the Climate Change and Carbon Market Initiatives Bill (2025) establishes a national transparency unit, a national measurement, reporting and verification system, a national inventory of greenhouse gas emissions and a national registry system. The Climate Change Department shall likewise develop, periodically update, publish and make available the national inventory of anthropogenic emissions by sources and removals by sinks of all greenhouse gases as projected in accordance with international reporting practices.

Sectoral legislation provides for the proactive dissemination of information related to national emergencies or disasters. For instance, Disaster Preparedness and Response Act No. 10 of 2000 (chapter 145) includes provisions requiring the National Coordinator responsible for disaster response to collect information concerning trends and the quality of the environment (section 4 (2)), to publish an annual report on disaster response and preparation measures (section 12) and to draw up a national disaster preparedness and response plan that details procedures for alerting the public to a disaster and providing information to the public on the status of the disaster situation. It also provides that information on shelters and evacuation procedures, among other matters, are to be provided (section 27). The Ministry of Sustainable Development, Climate Change and Solid Waste Management launched initiatives for implementing the Common Alert Protocol for emergencies in a multi-hazard context in 2023.

The Forest Department, the Fisheries Department, the Coastal Zone Management Authority and Institute and the Ministry of Natural Resources, among others, have systems in place to support the generation and dissemination of environmental information. The Statistical Institute of Belize also plays a major role in the collection and dissemination of information.

Mining legislation requires that a register be maintained of all mining licences that are granted, and any person may inspect the register and obtain copies of any licence or entry in the register upon payment of the prescribed fee.⁵ In practice, some environmental permits, including DOE environmental clearances for projects that are likely to have a significant impact on the environment, fisheries licences and forestry licences are posted online.

Consumer protection legislation promotes the use of environmental labelling and certifications. The Standards Act (chapter 295) allows for the creation of standards to protect the consumer or user against health or safety hazards and to prevent fraud or deception arising from misleading advertising or labelling (section 9 [2]). In addition, DOE is authorized to establish environmental certification or labelling programmes to distinguish or designate specific persons, activities or products which the Department certifies as demonstrating or representing significant environmental management qualities under regulation 58.1 (b) of the Pollution Regulations.

Data management in Belize is challenging for various reasons, including the country's limited supply of human resources. One of the consequences is that insufficient priority tends to be given to data collection efforts, which also frequently encounter methodological and technical difficulties. Other challenges include insufficient data quality, a lack of institutional coordination and an unwillingness to share data. The lack of financial resources is yet another factor interfering with the consistent production of environmental data (Government of Belize, 2019).⁶

Table 4 lists sectoral policies that promote the generation and dissemination of environmental information.⁷

⁵ Mines and Minerals Act (chapter 226, section 61).

⁶ Belize Report on the Environment Statistics Self-Assessment Tool, 2019.

⁷ Climate Change Research Strategy and Private Sector Engagement Strategy 2020; Climate Change Communications Strategy 2018; Hazard Mitigation Policy and Natural Hazard Mitigation Plan 2006; National Climate Change Policy and Adaptation Plan 2003; National Energy Policy 2010; National Environment Policy 2014; National Environmental Management Strategy 2014; National Ocean Policy and Strategic Action Plan 2020–2035; Open Data Policy 2017; National Adaptation Plan 2018–2028; Sectoral Adaptation Strategy and Action Plan for the Water Sector 2018–2028; Sectoral Adaptation Strategy and Action Plan for the Fisheries Sector 2018–2028; Sectoral Adaptation Strategy and Action Plan for the Agriculture Sector 2018–2028; Resilient Ecosystems Adaptation Strategy and Action Plan 2020–2028; Forests and Land Resources Department Strategy 2015–2025.

Table 4

Selected policy instruments for the generation and dissemination of environmental information

Policy instrument	Relevant provision of the Escazú Agreement	Reference
National Environmental Action Plan 2022–2026	Article 6 (1)	Pages 103, 132, 142, 160 and 163. Strategies under the National Environmental Action Plan 2022–2026 include the dissemination of various types of environmental information related to water quality and pollution control measures.
National Climate Change Policy, Strategy and Action Plan to Address Climate Change in Belize (2014)	Articles 6 (3)	Page 102. The policy includes a proposal for the development of an information clearing house to provide regular and accessible public information on climate change effects on marine ecosystems and coastal zones with a view to promoting behavioural changes that will minimize climate risks in marine protected areas (MPAs) and replenishment zones.
Belize Medium-Term Development Strategy 2022–2026	Articles 6 (1) and 6 (5)	Pages 56 and 58. Goal 6.5: Protection of the environment and natural resources. This includes actions to establish data management systems, to establish a fully functional national flood early warning network and drought forecasting system and to develop a management policy, strategy and action plan.
A Climate Change Communication Strategy for the Government of Belize	Articles 6 (1) and 6 (3)	Page 18. The policy focuses on the development of the most pertinent, effective messages for reaching the target audience and identifying when and how to communicate information about internal migration and climate change issues.
2014–2024 National Environmental Policy and Strategy	Article 6 (10)	Page 35. Goal 5.1: Greening the economy. Targets include target 5.1.4: Promoting environmental standards.

Source: Prepared by the authors.

G. Article 7: public participation in the environmental decision-making process

Article 7 of the Escazú Agreement requires States Parties to ensure the public's right to participate in environmental decision-making, to guarantee mechanisms for public participation in decision-making regarding projects and activities and in other processes for granting environmental permits that have or may have a significant impact on the environment and to promote participation in decision-making

processes related to environmental matters of public interest. The provisions of article 7 can be grouped into three main categories:

- (i) Those that apply commonly to all environmental decision-making processes (articles 7 [1], 7 [4]–7 [11], 7 [14] and 7 [15]);
- (ii) Those that apply exclusively to projects and activities that have or may have a significant impact on the environment (articles 7 [2], 7 [16] and 7 [17]);
- (iii) Those that apply exclusively to other decision-making processes of public interest, such as strategies, policies, programmes, rules and regulations on environmental issues (article 7 [3]).

Several standards regarding public participation are outlined in article 7 as well. In addition to the disclosure of information related to such decisions, States Parties are required to ensure that participation takes place in the early stages of these processes, afford reasonable time frames for public participation and provide an opportunity for public comments. States Parties are also required to take due consideration of the outcome of the participation process and inform the public of decisions that are made and the reasons for those decisions in a timely manner. There are special provisions to ensure the meaningful participation of the members of the public directly affected by decisions and of persons and groups in vulnerable situations. States Parties are required to establish favourable conditions for the participation of the public, to ensure that those conditions are adapted to the social, economic, cultural, geographical and gender characteristics of the public, to make efforts to identify persons directly affected by projects and activities that have or may have a significant impact on the environment and persons or groups in vulnerable situations and to eliminate barriers to their participation.

A number of environmental laws in Belize mandate public participation in various environmental decision-making matters and require that conditions be established that will provide adequate or reasonable opportunities for the public to comment on the issues concerned.

1. Public participation in projects and activities

With respect to public participation in decision-making processes concerning projects and activities that have or may have a significant impact on the environment, section 20 (5) of the Environmental Protection Act requires prospective developers conducting EIAs to consult with the public and other interested bodies or organizations before DOE decides whether to grant an environmental clearance for the project. DOE can also make its own environmental impact assessment and synthesize the views of the public and interested bodies (section 20 [6]).

Schedule I of the Environmental Impact Assessment Regulations lists the activities for which an EIA is mandatory, while Schedule II specifies the activities for which an EIA could be required if the DOE so determines. The Assessment Regulations incorporate some of the participation standards set out in the Escazú Agreement. During the preparation of an EIA, the developer is required to hold public consultations to provide those directly affected with information about the proposed undertaking and to record their concerns regarding its environmental impact (section 18). The developer is also required to notify the public of the nature of the decision to be taken, when and where members of the public will have the opportunity to inspect the EIA and the deadline for submitting comments by publishing this information in at least two newspapers for two consecutive weeks (section 20). After receiving the EIA for review, DOE can require a public hearing on the proposed undertaking if a hearing is recommended by the National Environmental Appraisal Committee. The Committee's recommendation is based on various factors, such as the magnitude and type of environmental impact, the degree of public interest, the complexity of the problem and the possibility that information provided by the public may assist the developer to comply with its responsibilities regarding the proposed undertaking (section 24). The National Environmental Appraisal Committee must consider the public comments that are received when reviewing the EIA (section 26).

There is, however, a gap in this process, as there is no legal requirement to provide the public with notification of decisions when they are taken or the reasons for them. Thus, public authorities are not required to explain the rationale behind their decisions or to explain how the public comments were taken into consideration. In practice, DOE issues press releases announcing the decisions made concerning projects that have gone through the EIA process. These releases are distributed via social media platforms and by the Government of Belize Press Office. EIAs, environmental compliance plans and environmental clearances (permits) are posted on the DOE website.⁸ Regarding the timelines for public comments on EIAs, DOE typically allows the public approximately three weeks to submit comments and ensures they will be received in time to be taken into account in the National Environmental Appraisal Committee's deliberations.

There are a number of challenges to be overcome in order to ensure that efforts are made to identify and facilitate the participation of persons who will be directly affected by a project and to ensure that favourable conditions for participation are in place. According to DOE, the current practice is to hold one large public consultation because the EIA Regulations refer to the need to hold "a public consultation". An exercise conducted in 2022 led to the development of the Stakeholder Engagement Plan for the Environmental Clearance Process 2023–2027, which recommends several measures to improve the public participation process, including a recommendation that a series of targeted consultations be held in order to ensure that the most affected and vulnerable groups participate in the process as much as possible; however, this approach has not yet been implemented.⁹

Additionally, in terms of other types of environmental permitting processes, public participation is required under section 14 of the National Integrated Water Resources Act (chapter 222.01) in decision-making processes relating to the issuance of licences to any person seeking to abstract water, augment, distribute or use water resources or construct or alter, or cause to be constructed or altered, any works for the abstraction of water.

⁸ Survey response of the Department of the Environment received on 13 December 2023.

⁹ Survey response of the Department of the Environment received on 13 December 2023.

Incorporating such standards into legislation establishes clear and enforceable obligations. In the absence of any legislative requirements, common law principles have been applied in some cases to support requirements for public participation. For instance, the principle of legitimate expectation could come into play when affected persons have a reasonable expectation that they would be entitled to a hearing before a decision is made.¹⁰ Legitimate expectation can be express, based on official statements that have been made, or implied, based on practice. The principles of fairness and natural justice have also been applied in other common law Caribbean courts which have held that, where claimants are adversely affected by a planning permission, they are to be consulted.¹¹

Common law jurisprudence has also established that, where there is no statutory duty to consult, any consultation process voluntarily undertaken should follow minimum standards for consultation based on the common law Gunning (or Sedley) principles.¹² These minimum standards are:

1. Consultation must be undertaken at a time when proposals are still at a formative stage.
2. Sufficient reasons for particular proposals should be provided to allow those consulted to give intelligent consideration and an intelligent response.
3. Adequate time must be given for consideration and response.
4. The product of consultation must be conscientiously taken into account before a decision is made.

The Supreme Court of Belize (now the High Court) considered a challenge by the Belize Tourism Industry Association to a proposal to construct a cruise ship port on the island of Harvest Caye in Belize. Following a public hearing, an addendum to the EIA

¹⁰ *Council of Civil Service Unions v. Minister for the Civil Service* [1985] AC 374.

¹¹ *Ulric 'Buggy' Haynes Coaching School et al v. Minister of Planning and Sustainable Development*, High Court of Trinidad and Tobago No. 198.

¹² *R. v. North and East Devon Health Authority, ex parte Coughlan* [2001] Queen's Bench Division No. 213, 258; *Belize Alliance of Conservation Non-Governmental Organizations Appellant v. The Department of the Environment and Belize Electric Company Limited, Privy Council Appeal No. 47 of 2003* (29 January 2004); *Northern Jamaica Conservation Authority et al. v. Natural Resources Conservation Authority and National Environmental Planning Agency*, Supreme Court of Jamaica. Claim No. HCV 3022 of 2005 (judgment delivered 16 May 2006).

was prepared. The claimant argued that the public had not had sufficient opportunity to comment on the addendum. The Court ruled that the notice informing the public about the addendum had not adhered to the standards required by the EIA Regulations and was deficient in that it had not given the times or dates on which the information would be available for inspection.¹³

States parties to the Escazú Agreement are required to ensure that their domestic legislation and international obligations concerning the rights of Indigenous Peoples and local communities are observed in the implementation of the Agreement. Additionally, the standards set out in the Escazú Agreement complement other obligations, such as the requirements regarding the implementation of a free, prior and informed consent protocol, the guarantee of access to environmental information, the provision of appropriate and timely information and the initiation of participation processes at an early stage. Although Belize has not ratified the International Labour Organization (ILO) Indigenous and Tribal Peoples Convention, 1989 (No. 169), decisions of the Supreme Court of Belize (now the High Court) and the Caribbean Court of Justice (CCJ) have upheld the rights of the Mayan Peoples of Belize to grant or withhold their free, prior and informed consent concerning decisions to approve projects on their land.¹⁴

The policy document entitled *Maya of Southern Belize Free and Prior Informed Consent Protocol* was developed by the Government of Belize based on the consent order issued by the Caribbean Court of Justice in *The Maya Leaders Alliance et al. v. the Attorney General of Belize* [2015] CCJ 15 (AJ). The consent order recognizes and protects the Mayan customary land tenure system, requires the State to engage in consultation to develop the appropriate legal mechanisms and to cease and abstain from measures that adversely affect Mayan land interests. The Free, Prior and Informed Consent Protocol sets out steps to be followed as guidance for development projects, legislation, policies and other actions that affect the land and well-being of the Mayan Peoples. The Protocol is intended to ensure that the Mayan Peoples are

¹³ *Belize Tourism Industry Association v. National Environmental Appraisal Committee, Department of the Environment and Belize Islands Holding Limited*, claim No. 223 of 2014 (Judgement delivered 13 January 2016).

¹⁴ *Sarstoon Temash Institute for Indigenous Management et al. v. Attorney General et al.*, Claim No. 394 of 2013 (Supreme Court of Belize) (3 April 2014); *The Maya Leaders Alliance et al. v. the Attorney General of Belize* [2015] CCJ 15.

able to exercise their rights to be consulted and to participate in decision-making processes relating to their lands, territories and resources. It further requires the disclosure of all relevant information in the Indigenous language of the Mayan Peoples and includes a grievance mechanism for use in the event that no agreement is reached between the project proponent and the Mayan Peoples.

The Protocol was first implemented in 2022 and has been followed in connection with a few projects, including a petroleum exploration project in seven Mayan communities. While the Protocol is intended for use in engaging with the Maya of Southern Belize, it has been adapted and applied in a farming initiative project concerning the Garifuna Hopkins Village Council. There has been no decision to require the use of a free, prior and informed consent protocol in general for projects affecting the Garifuna and their land, however.

Box 1**The Maya Leaders Alliance et al. v. the Attorney General of Belize [2015] CCJ 15 (AJ)**

Twenty-five members of the Mayan community of Toledo District filed an appeal before the Caribbean Court of Justice concerning the appellants' constitutional claim alleging that the failure of the Government of Belize to recognize and protect their customary land rights infringed sections 3, 3 (a), 3 (d), 4, 16 and 17 of the Constitution of Belize and seeking mandatory orders, an injunction and damages. The incident that led to the claim concerned an incursion onto farmlands in the Golden Stream village by Mr. Francis Johnson, since deceased, who claimed to hold a lease on the land. The Supreme Court and Court of Appeal found that the appellants' system of customary land tenure was protected under the Constitution but that there had been no proof of a breach of these rights by the State.

The Government of Belize and the appellants entered into a consent order dated 22 April 2015 which recognized that Mayan customary land tenure exists in the entirety of Toledo District and gives rise to collective and individual land rights within the meaning of sections 3 (d) and 17 of the Belize Constitution. The Government committed to developing a mechanism to recognize and protect

these rights and to cease and abstain from any acts that might adversely affect the value, use or enjoyment of the lands that are used and occupied by the Mayan villagers without the informed consent of the Mayan People. Based on the consent order, the sole issue remaining for determination by the Court was whether the appellants should be granted damages for breach of constitutional rights, specifically: (1) protection against arbitrary deprivation of property, (2) the right to equality and non-discrimination and (3) the right to protection of the law.

The Caribbean Court of Justice found that the Government of Belize had breached the appellants' right to protection of the law by failing to ensure that the existing property regime recognized and protected Mayan land rights. The Court ordered the Government of Belize to establish a fund of BZ\$300,000.00 as a first step towards compliance with its obligations under the consent order.

Source: Caribbean Court of Justice. (2015). *In the Caribbean Court of Justice Appellate Jurisdiction on Appeal from the Court of Appeal of Belize* ([2015] CCJ 15 (AJ)). https://elaw.org/wp-content/uploads/archive/bz.mayaleaders_0.pdf.

2. Public participation in other environmental matters of public interest (e.g. land use planning, policies, strategies, plans, programmes, rules and regulations)

There are myriad statutory requirements regarding public consultations on decisions concerning plans, programmes and regulations. Certain meetings of planning authorities are open to the general public. Section 19 (4) of the Town Councils Act (chapter 87) and section 16 (5) of the Village Councils Act generally require that the Councils' meetings be held in public unless otherwise directed by the Mayor or Chairperson of the Council, respectively. Land use decisions relating to the redevelopment of areas or the acquisition of land are subject to a higher level of scrutiny. The Housing and Town Planning Act (chapter 182) requires public notification via publication in a newspaper and the official *Gazette* of plans to redevelop any proposed area (section 17), and the relevant Minister can also require a public inquiry into a redevelopment scheme (section 19). Decisions relating to the acquisition of land

for public purposes by the government or developers require public notification and, in the case of the latter, a public inquiry.¹⁵

The public consultation procedure for decisions concerning different types of protected areas was harmonized with the passage of the National Protected Areas System Act (chapter 215) and is consistent with the standards specified in the Escazú Agreement. The declaration, revocation, alteration and reclassification of protected areas, forest reserves, fishery areas, marine reserves and inland water reserves require public notification of the proposal. This entails publication of notices in two of the leading national newspapers and in the official *Gazette*, announcements on two national radio stations and an invitation to the public to submit written comments on the proposal within 60 days of the publication of the notice in the *Gazette*, along with the possibility of making oral representations. The relevant Minister is also required to give due consideration to all representations, including community observations received or presented before publishing the relevant notice.¹⁶

Public participation is also required in the preparation of different types of environmental plans, although the process varies depending on the type of plan. For instance, environmental legislation concerning the preparation of the draft National Water Resources Master Plan and the National Heritage Protection Plan for Belize states that consultation should be undertaken, but without specifying how this should be done.¹⁷ Meanwhile, the consultation process for the preparation of draft fisheries management plans and the Coastal Zone Management Plan requires public notification in the leading newspaper and/or *Gazette* and the provision of information on the decision to be undertaken. The relevant legislation also details the consultation process and specifies the period to be allowed for public comments, which can range from two months to four months.¹⁸

¹⁵ The Land Acquisition (Public Purposes) Act (chapter 184, section 3 [2]) and the Land Acquisition (Promoters) Act (chapter 183, section 3).

¹⁶ The Forests Act (chapter 213, section 3); the National Protected Areas System Act (chapter 215, sections 18 and 19); and the Fisheries Resources Act (chapter 210, section 14).

¹⁷ The National Integrated Water Resources Act (chapter 222.01, section 14 [1] [b]) and the National Cultural Heritage Preservation Act (chapter 331, sections 19 and 20).

¹⁸ The Fisheries Resources Act (chapter 210, section 10 [4]) and the Coastal Zone Management Act (chapter 329, section 23).

The Climate Change and Carbon Market Initiatives Bill (2025) establishes the Belize National Climate Change Council comprising a representative from the private sector nominated alternately by the Belize Chamber of Commerce and Industry and the Belize Business Bureau and a representative from non-governmental organizations. Among other functions, the Council shall provide strategic direction and guidance on the development of national positions on climate change issues, the implementation of any national strategy, policy, road map, action or equivalent to ensure continued sustainable development in Belize. The bill also mandates the Climate Change Department to lead the development and implementation of nationally determined contributions by formulating goals in collaboration with other State institutions, civil society and the private sector with advice from relevant national institutions, civil society and Indigenous Peoples and local communities where necessary.

H. Article 8: access to justice in environmental matters

Article 8 of the Escazú Agreement requires States Parties to guarantee the right of access to justice in environmental matters. The article sets standards for the observance of this right that include ensuring that the public has access to judicial and administrative mechanisms to challenge and appeal any decision, action or omission related to the right to access environmental information and any decision, action or omission related to public participation in an environmental decision-making process or that affects or could affect the environment adversely or violate laws and regulations related to the environment.

States Parties to the Agreement are required, while considering their circumstances, to have in place certain conditions to guarantee the right of access to justice in environmental matters. These conditions include competent State entities with access to expertise in environmental matters; timely, public, transparent, impartial and affordable procedures; broad, active legal standing in defence of the environment in accordance with national legislation; the ability to order, inter alia, precautionary and interim measures to prevent, halt, mitigate or rehabilitate damage to the environment; measures

to facilitate the production of evidence of environmental damage when appropriate; mechanisms to execute and enforce judicial and administrative decisions in a timely manner; and mechanisms for obtaining redress. States Parties must also establish measures to minimize or eliminate barriers to access to justice and must have support mechanisms in place for persons and groups in vulnerable situations.

The Constitution of Belize and the Supreme Court (Civil Procedure) Rules include conditions for access to justice which are aligned with article 8 of the Escazú Agreement.

The ability to seek access to justice in relation to violations of access rights or adverse impacts on the environment is dependent on whether the claimant can show sufficient interest to establish legal standing. There is a tendency in case law to interpret such private interest flexibly, allowing groups acting in defence of the environment to be deemed to have sufficient interest (Economic Commission for Latin America and the Caribbean and Caribbean Court of Justice Academy of Law, 2018). Challenges can be lodged by submitting an application for judicial review or a constitutional claim to the High Court, and the procedure for doing so is stipulated in the Supreme Court (Civil Procedure) Rules of 2005: "Judicial review allows every citizen or group of citizens to challenge the actions of the state, statutory bodies or inferior tribunals to see if they have acted in accordance with the powers granted by law and in a reasonable and fair manner. In performing its role in judicial review, the court examines the decision or action of the body being reviewed to see if that body acted outside of the powers granted to it by law, has acted unfairly or has acted irrationally or unreasonably. Judicial review does not grant the Applicant or the court the power to determine whether or not the body made the correct decision but rather whether the decision made was permissible in law."¹⁹

Supreme Court (Civil Procedure) rule 56.2 provides for broad legal standing for judicial review applications. The persons, groups and bodies that may bring such actions include any person who has been adversely affected by a decision, any

¹⁹ Per Justice L. Pusey in *Hamilton et al. v. National Environment and Planning Agency et al.* [2019] JMSC Civ 117.

body or group acting at the request of such person or persons, any body or group representing the views of its members who may have been adversely affected by the decision, any body or group that can show that the matter is of public interest and that the body or group possesses expertise in the subject matter of the application, any statutory body for which the subject matter falls within its statutory limit and any other person or body that has a right to be heard under the terms of any relevant enactment or Constitution.

With respect to violations of the right of access to environmental information, section 20 of the Belize Constitution Act states that the public has the right to secure access to the courts to obtain relief in civil actions and due process before the courts in relation to violations of constitutional rights, including freedom of expression (the right to receive information). For constitutional claims, a person must show that he or she has been aggrieved in a manner that directly affects his or her constitutional rights. Persons who have been refused access to information can also appeal this decision before the Ombudsman under sections 35 and 37 of the Freedom of Information Act. The Department of Public Prosecutions is responsible for prosecuting environmental offences.

In regard to violations of the right to public participation, people have the right to challenge the participation process by submitting an application for judicial review, provided that they can show sufficient interest under part 56 of the Supreme Court (Civil Procedure) Rules (revised edition) of 2023.

Judicial review applications may also be lodged in connection with an action or omission that affects or could affect the environment adversely or violate laws or regulations related to the environment. Complaints may also be submitted to the Office of the Ombudsman.

The Supreme Court (now the High Court) can provide a wide range of remedies for constitutional claims and applications for judicial review, depending on the facts of the case and the damage or loss suffered. Pursuant to Supreme Court (Civil Procedure) rule 56.8 (2), the types of relief that the Court can order in judicial review cases include damages, restitution or the return of property to the claimant.

Section 6 (7) of the Belize Constitution Act states that persons are entitled to have a fair hearing within a reasonable amount of time. The Supreme Court (Civil Procedure) Rules establish timelines for legal actions before the Court, and rule 1.1 (1) (d) states that one of the overriding objectives of the Rules is to ensure that cases are dealt with justly (which includes dealing with cases expeditiously).

With respect to measures to facilitate the production of evidence, the High Court can order a party that has access to information which is not reasonably available to the other party to arrange for expert witness reports and to provide them to the other party pursuant to Supreme Court (Civil Procedure) rule 32.11.

In regard to measures to support persons and groups in vulnerable situations and to eliminate barriers to justice, Legal Aid Act No. 15 of 2023 states that legal aid is to be provided to persons of meagre or moderate economic means. Schedule 1 of the Act provides that applicants may obtain legal aid concerning certain civil matters, but it does not include the types of cases listed in article 8 (2) of the Escazú Agreement. Nevertheless, the Legal Aid Commission can authorize the provision of legal aid in other civil matters (section 2). The Legal Aid Act is currently in the process of being fully operationalized, which offers an opportunity for considering the feasibility of including environmental claims among the matters for which legal aid is provided.

Under the Ombudsman Act, the Ombudsman has a duty to receive complaints and investigate cases in which:

- (a) An authority or an officer or member of an authority has been guilty of corruption or other wrongdoing.
- (b) Any person or body of persons has or may have sustained an injustice, injury or abuse as a result of any action taken by an authority or an officer or a member of such authority arising out of or connected with the exercise of the administrative functions of that authority.

Currently, the role of the Office of the Ombudsman is limited to the functions specified in the Ombudsman Act and the Freedom of Information Act. The Ombudsman has limited investigative

powers and the Office of the Ombudsman has a fairly small staff that has not had the opportunity to acquire expertise or experience in environmental matters apart from what the staff have learned from dealing with a few complaints received in recent years concerning the failure of public authorities to provide timely access to environmental information requested by non-governmental organizations (NGOs) pursuant to the Freedom of Information Act (personal communication from H. Swaso, Ombudsman of Belize, on 9 February 2024). The Government of Belize is examining the feasibility of expanding the jurisdiction of the Ombudsman and establishing a human rights institute with the power to receive complaints relating to human rights violations.

In relation to the publication of procedures for access to justice and decisions, Supreme Court (Civil Procedure) rule 4.3 provides for the publication of practice directions and guides in the official *Gazette*. The Supreme Court of Judicature Act (chapter 91, section 121) provides that the decision of the Court must “be reduced into writing and shall set forth the reasons therefor”. In practice, judgments of the Court are published online and are accessible to the public.²⁰

Lastly, Supreme Court (Civil Procedure) rule 25.1 (c) allows the Court to encourage the parties to use any appropriate form of dispute resolution, including, in particular, mediation, if the Court considers it appropriate and to facilitate the use of such procedures. The Court can adjourn case management conferences to facilitate alternative dispute resolution procedures (rule 27).

Challenges in ensuring access to justice include a lack of awareness on the part of the public of the existence of the Legal Aid Office and difficulties in obtaining legal assistance owing to the limited availability and heavy workload of the attorneys who provide legal aid. The Office of the Ombudsman is not properly resourced to manage and investigate all the complaints it receives.²¹ DOE faces similar challenges, along with the absence of standardized scientific data that would allow it to link environmental hazards to impacts for use as supporting evidence in environmental claims.²²

²⁰ The website of the Belize judiciary can be accessed at: <https://www.belizejudiciary.org/judgements2/>.

²¹ Herman Gilbert Swaso, Ombudsman of Belize.

²² Survey response of the Department of the Environment received on 13 December 2023.

I. Article 9: human rights defenders in environmental matters

Article 9 of the Escazú Agreement includes specific provisions for the protection of the rights of human rights defenders in environmental matters. States Parties are obligated to:

1. Guarantee “a safe and enabling environment for persons, groups and organizations that promote and defend human rights in environmental matters, so that they are able to act free from threat, restriction and insecurity”.
2. Take “adequate and effective measures to recognize, protect and promote all the rights of human rights defenders in environmental matters, including their right to life, personal integrity, freedom of opinion and expression, peaceful assembly and association, and free movement, as well as their ability to exercise their access rights”.
3. Take “appropriate, effective, and timely measures to prevent, investigate, and punish attacks, threats, or intimidations that human rights defenders in environmental matters may suffer”.

Section 3 (a) of the Belize Constitution Act specifically provides that every person in Belize is entitled to the fundamental rights and freedoms of the individual, whatever the person’s race, place of origin, political opinions, colour, creed or sex, but subject to respect for the rights and freedoms of others and for the public interest. This includes freedom of expression and the right to life, liberty, security of the person and the protection of the law. These rights are to be enjoyed by all persons, including human rights defenders in environmental matters.

Regarding the protection of human rights defenders in environmental matters, section 6 (1) of the Belize Constitution Act provides that all persons are equal before the law and are entitled, without discrimination, to the equal protection of the law. The State is therefore required to investigate all those who are suspected of perpetrating attacks or threats against any person or persons, including human rights defenders in environmental matters, and to punish all those who are found guilty of committing such acts.

In practice, human rights defenders in environmental matters can anonymously report environmental violations through the local Crime Stoppers Programme, which is run by an independent citizen-led board of directors and designed to reduce crime by partnering with the community, the media, the local police and other law enforcement agencies. The approach is based on the idea that the media will report a crime, the community will then identify the criminal(s) who have committed the crime and provide information to Crime Stoppers anonymously, after which the police will act upon that information to arrest and charge the perpetrators. DOE also has its own system for recording and receiving reports of environmental violations. According to DOE, when persons report environmental offences, the complainant's anonymity is maintained.²³

J. Article 10: capacity-building

Article 10 of the Escazú Agreement requires States Parties to strengthen their national capacities based on their priorities and needs. The Agreement provides a non-exhaustive, indicative list of building measures that can be undertaken by States Parties. These measures include providing training for authorities and civil servants on environmental access rights; running awareness-raising and capacity-building programmes for, inter alia, members of the public, judicial and administrative officials, members of national human rights institutions and jurists; providing competent institutions and entities with adequate equipment and resources; and developing specific measures for persons or groups in vulnerable situations, such as providing interpreters or translators.

Several laws and policies empower public authorities to implement capacity-building measures in order to educate the public and raise awareness about access rights. These laws and policies include: the Disaster Preparedness and Response Act (chapter 145), Legal Aid Act No. 15 of 2023, the Fisheries Resources Act, the Coastal Zone Management Act (chapter 329) and the Environmental Protection Act.

²³ Survey response of the Department of the Environment received on 13 December 2023. For further information on Crime Stoppers Belize, see: <https://www.crimestoppersbelize.org/about-csb/>.

A number of public authorities with environmental functions are required to undertake environmentally related public awareness and educational activities, including the Coastal Zone Management Authority and Institute, DOE, the National Coordinator for disaster preparedness and response, and the National Institute of Culture and History.²⁴

The functions of the Legal Aid Commission, as specified under section 8 of Legal Aid Act No. 15 of 2023, include establishing programmes for the provision of information and counselling on legal and related matters, educating people about legal issues and liaising or collaborating with multilateral or other donor agencies to provide legal aid services, training or educational campaigns.

Article 10 (2) (g) of the Escazu Agreement concerns the strengthening of capabilities to collect, retain and evaluate environmental information as a possible capacity-building measure for States Parties. One of the ways in which DOE collects and evaluates information is by undertaking resource inventories, surveys and ecological analyses to obtain information on the social and bio-physical environment in accordance with section 4 (1) of the Environmental Protection Act.

Capacity-building measures are also recommended in various policy instruments. Relevant components of the 2014–2024 National Environmental Policy and Strategy include goal 5.1 (greening the economy) and targets 5.1.3 (increased stakeholder engagement) and 5.1.5 (enhanced education awareness and capacity-building). Strategies under the National Environmental Action Plan 2022–2026 that are aligned with the Escazu Agreement focus on strengthening collaboration and partnerships with key stakeholders across all environmental sectors in Belize beyond 2026 in order to improve participation in the environmental decision-making process and to strengthen the generation of readily available environmental information in order to ensure sound decision-making for the sustainable development of Belize's natural resources.

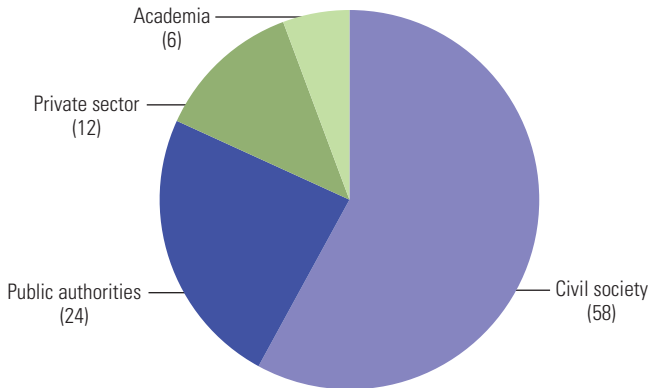
²⁴ Coastal Zone Management Act (chapter 329), sections 10 (c), (k) and (m); the Environmental Protection Act (chapter 328), section 4(k); the Disaster Preparedness and Response Act (chapter 145), section 4; the National Cultural Heritage Preservation Act of 2017, section 4 (2) (p).

Under the Stakeholder Engagement Plan for the Environmental Clearance Process 2023–2027, the EIA Unit is to work with the Public Outreach and Education Unit in applying the DOE Social and Behaviour Change Communication Strategy to improve public participation by engaging in widespread efforts to educate the public and raise awareness about the environmental clearance process while placing specific emphasis on opportunities and mechanisms for public participation. This education and awareness-raising drive needs to be combined with communication tools such as public service announcements, updated infographics/handouts on the environmental clearance process highlighting the different stages of the public participation process and brochures that outline the environmental clearance process and explain why public participation matters.

III. Stakeholder map

This section maps out the stakeholders that are integral to the implementation of the Escazú Agreement. These stakeholders comprise representatives of the government, civil society, academia, the private sector and others. The relevant stakeholders have been identified and categorized based on their existing roles and possible functions in relation to the future implementation of the Escazú Agreement.

Figure 1
Percentage distribution of stakeholders in the implementation of the Escazú Agreement



Source: Prepared by the authors.

A. Public authorities

Many different public authorities have functions and duties related to various provisions of the Escazú Agreement. In order to prepare this stakeholder map, the duties and functions of these public authorities were analysed to ascertain which entities are aligned with one or more of the pillars of the Escazú Agreement: access to environmental information, public participation in environmental decision-making and access to justice in environmental matters, as well as the protection of human rights defenders in environmental matters. Additionally, the public authorities who play a critical role in the preparation and/or implementation of legislation and policies relating to key obligations under the Escazú Agreement are also identified.

A description of the public entities responsible for the implementation of the Escazú Agreement is presented in table 5 below.

Table 5
Public authorities involved in the implementation
of the Escazú Agreement

Public authority	Functions related to the Escazú Agreement	Access rights		
		Access to information / generation and dissemination of environmental information	Public participation	Access to justice / human rights defenders in environmental matters
Ministries				
Ministry of Sustainable Development, Climate Change and Solid Waste Management	Serves as the focal point for the Escazú Agreement and has portfolio responsibility for the management of natural resources (including the environmental clearance process and protected areas) and climate change; generates and disseminates environmental information on biodiversity. The main environmental regulatory body, the Department of the Environment, falls under this Ministry.	X	X	

Public authority	Functions related to the Escazú Agreement	Access rights		
		Access to information / generation and dissemination of environmental information	Public participation	Access to justice / human rights defenders in environmental matters
Ministries				
Ministry of Human Development, Families and Indigenous Peoples' Affairs	Facilitates policy development and implements programmes that promote social justice and equity, particularly in relation to Indigenous Peoples, children, women and families in vulnerable situations.		X	
Ministry of Public Utilities, Energy, Logistics and E-Governance	Responsible for E-Government implementation, information technology and digital transformation in the public sector.	X		
Ministry of the Blue Economy and Disaster Risk Management	Responsible for facilitating blue economy investments in Belize and conducts analyses for the blue economy sector; coordinates the Blue Economy Cluster (a multi-sectoral advisory body comprised of representatives from governmental bodies, non-governmental organizations, associations and cooperatives, academia and the private sector); establishes fishery areas and marine and inland water reserves.	X	X	

Public authority	Functions related to the Escazú Agreement	Access rights		
		Access to information / generation / dissemination of environmental information	Public participation	Access to justice / human rights defenders in environmental matters
Ministries				
Ministry of Rural Transformation, Community Development, Labour and Local Government	Has portfolio responsibility for local government (municipal and village councils) and for providing training to communities so that they can assist in the management and maintenance of rural water systems.	X	X	
Ministry of Foreign Affairs of Belize	Coordinates and implements foreign policy initiatives, including those related to the Escazú Agreement.	X		
Ministry of Infrastructure, Development and Housing	Implements major infrastructure projects (e.g. roads and housing) which require EIAs and public consultation.	X	X	
Ministry of Natural Resources, Petroleum and Mining	Has oversight and portfolio responsibility for mining projects and hydrology and land management.	X		
Attorney General's Ministry of Belize	Provides legal representation and legal advice to the Government of Belize in all litigation-related matters; drafts legislation; operates the Legal Advice Service Centre and has portfolio responsibility for the provision of legal aid.			X

Public authority	Functions related to the Escazú Agreement	Access rights		
		Access to information / generation and dissemination of environmental information	Public participation	Access to justice / human rights defenders in environmental matters
Ministries				
Agencies, departments and other public bodies				
Department of the Environment	Is the main regulatory body for environmental protection; manages the environmental clearance permitting process, which can include public consultation; generates environmental information, including baseline data; sets environmental quality standards; responsible for pollution control; provides environmental education programmes.	X	X	
Government of Belize Press Office	Disseminates official information for the Government of Belize.	X		
Fisheries Department	Manages marine reserves; collects and analyses marine data.	X	X	
Forest Department	Manages forest reserves; collects and analyses environmental information related to forests.	X	X	
National Emergency Management Organization	Coordinates disaster preparedness and response activities; collects information on environmental trends, hazards and risks; disseminates information related to disaster situations.	X		
National Biodiversity Office	Coordinates and disseminates environmental data on protected areas.	X		

Public authority	Functions related to the Escazú Agreement	Access rights		
		Access to information / generation and dissemination of environmental information	Public participation	Access to justice / human rights defenders in environmental matters
Ministries				
Belize Bureau of Standards	Creates and enforces product certification standards.	X		
Statistical Institute of Belize	Collects and disseminates official statistics on demographics and on social, environmental, economic and general activities in Belize.	X		
National Environmental Appraisal Committee	Reviews EIA reports and makes recommendations concerning public hearings in connection with the environmental clearance process.		X	
Coastal Zone Management Authority and Institute	Prepares the National Coastal Zone Management Plan, which requires public participation in its development.	X	X	
National Integrated Water Resources Authority	Prepares the National Integrated Water Resource Plan, which requires public participation in its development.	X	X	
High Court of Belize	Has jurisdiction over civil and criminal matters, as well as hearing appeals against lower court decisions. The High Court is headed by the Chief Justice.			X

Public authority	Functions related to the Escazú Agreement	Access rights		
		Access to information / generation / dissemination of environmental information	Public participation	Access to justice / human rights defenders in environmental matters
Ministries				
Office of the Ombudsman	Hears appeals concerning refusals to provide information under the Freedom of Information Act and receives and investigates complaints of wrongdoing by public authorities.	X		X
Legal Advice Service Centre	Provides legal aid services to persons of limited financial means.			X

Source: Prepared by the authors.

B. Civil society organizations

Table 6 includes civil society organizations that work in the environmental field or that represent the rights of marginalized groups, including youth, women, persons who are blind and persons with disabilities.

Civil society stakeholders include the following:

1. National or regional networks of non-governmental organizations working on the environmental, human rights and sustainable development issues.
2. Networks of local/community organizations, with and without legal personality, dedicated to environmental, human rights and sustainable development issues.
3. Non-governmental organizations working in the areas of the environment, human rights and sustainable development.
4. Local/community organizations, with and without legal personality, dedicated to environmental, human rights and sustainable development issues.

Table 6
Civil society organizations

Classification	Civil society organizations
Indigenous organizations	Heritage Education Network Belize
	Informal educational community and resources: Belize Yucatec Maya
	National Garifuna Council
	Belize National Indigenous Council
	Northern Maya Association of Belize
	Sarstoon Temash Institute for Indigenous Management
	Maya Institute of Belize
	National Garifuna Council
	Nature Conservancy
	Xunantunich, Ukuxtal Masewal Association (Northern Belize)
	Toledo Alcalde Association
	Maya Leaders Alliance
	Environmental NGOs
Belize Audubon Society	
Belize Bird Rescue	
Belize Coalition to Save Our Natural Heritage	
Belize Network of NGOs	
Belize Institute of Environmental Law and Policy	
Belize Zoo	
Ecology Project International	
Friends for Conservation and Development	
Friends of Swallow Caye	
Institute of Archaeology	
Monkey Bay Wildlife Sanctuary	
Oceana in Belize	
Sarteneja Alliance for Conservation and Development	
Southern Environmental Association	
Toledo Institute for Development & Environment	
Turneffe Atoll Trust	
Ya'axché Conservation Trust	
Healthy Reefs for Healthy People Programme for Belize	
Wildlife Conservation Society Belize	
World Wildlife Fund	

Classification	Civil society organizations
Organizations that represent persons and groups in vulnerable situations	Belize Council for the Visually Impaired Belize Emergency Response Team Belize Family Life Association Hand in Hand Ministries Haven House HelpAge Belize Humana People to People Belize Productive Organization for Women in Action Spouse of CARICOM Leaders Action Network Scout Association of Belize UBAD Educational Foundation Autism Belize CARE Belize Belize National Youth Council Belize Youth Movement Belize Youth Empowerment for Change National Committee for Families and Children

Source: Prepared by the authors.

C. Private sector

Table 7 lists organizations, including membership-based organizations and media organizations, that represent the private sector.

Private sector stakeholders include the following:

1. Associations of members of production sectors linked to natural resources (fishing, mining, energy, forestry and others)
2. Companies and associations of companies engaged in work relating to access rights and sustainable development
3. Environmental consultants involved in the preparation of EIAs
4. Media organizations and communications agencies that advise companies on community relations, communication strategies and related topics.

Table 7
Private sector organizations

Classification	Private sector organizations
Associations of members of production sectors linked to natural resources	Belize Business Bureau Belize Chamber of Commerce and Industry Belize Hotel Association National Trade Union Congress of Belize Belize Tourism Industry Association Toledo Cacao Growers Association
Associations engaged in work relating to access rights and sustainable development	Bar Association of Belize
Environmental engineering consultants	Association of Professional Engineers of Belize Architects of Belize Belize Association of Planners
Media and communications organizations	Media Association of Belize

Source: Prepared by the authors.

D. Academia

Table 8 below lists stakeholders in academia.

Stakeholders in the academic sector include the following:

1. University and tertiary institutions offering courses related to environmental law
2. Observatories and research institutes focusing on environmental, human rights and sustainable development issues
3. Academics who specialize in subject matter related to environmental law and human rights

Table 8
Academic organizations

Classification	Academic organizations
Secondary, university and tertiary institutions	Association of Tertiary Level Institutions of Belize Belize Association of General Managers of Pre and Primary Schools Belize Association of Principals of Secondary Schools University of Belize Galen University
Observatories and research institutes	University of Belize – Environmental Research Institute

Source: Prepared by the authors.

IV. The inter-institutional coordination mechanism and governance system

This section outlines the governance system for the implementation of the Escazú Agreement and the mechanism for coordinating the participation of the governmental, civil society, academic, private sector and other stakeholders in the implementation of the Escazú Agreement.

There are a number of benefits of having a governance system with clear-cut transparency and participation standards:

1. It fosters a greater exchange of information on proposals, strategies and budgets between government and non-government actors.
2. It allows public authorities to participate in the design of strategies based on a multisectoral approach that goes beyond their individual areas of authority and capacities.
3. It raises the awareness of members of civil society and other stakeholders of the Escazú Agreement and of the roles and functions of public authorities.
4. It legitimizes decisions of the State, contributes to a greater acceptance on the part of other stakeholders of the actions proposed in the implementation plan for the Escazú Agreement and encourages their participation in those actions.

This governance system is based on the open government model. The Organisation for Economic Co-operation and Development (OECD) defines “open government” as “a culture

of governance that promotes the principles of transparency, integrity, accountability and stakeholders' participation in support of democracy and inclusive growth" (OECD, 2017).

Open government systems benefit from the co-creation process engendered by collaboration between public and private actors as they share information on proposals, opinions, practices and strategies. This co-creation process strengthens public management by allowing private and public actors to participate in the design of strategies based on a multisectoral approach and by taking advantage of synergies among these various actors. This can also promote social acceptance by the public and stakeholders working in the area of access rights.

A. Inter-institutional coordination mechanism

A mechanism is required for the inter-institutional coordination of decision-making bodies with responsibility for the development and execution of the implementation plan for the Escazú Agreement. The broad set of functions for this group includes:

- Developing and coordinating the Escazú Agreement Implementation Plan and monitoring its execution.
- Implementing the information and participation strategy for the Escazú Agreement to ensure broad public outreach and consultation during the development and implementation process, which could include community meetings, public consultations, focus group meetings, press releases, media appearances, a website and so forth.
- Recommending financing arrangements for the implementation plan.
- Advising the Government of Belize on the challenges and opportunities that may arise during the implementation of the Escazú Agreement.

A virtual stakeholder meeting was held with the Steering Committee for the Road Map for the Implementation of the Escazú Agreement in Belize to consider options with respect to the inter-institutional coordination mechanism and to examine the options explored by other countries (Saint Lucia, Argentina and Ecuador).

These options included establishing a new mechanism or adapting an existing mechanism. Factors to be considered in determining the approach to be taken include:

- (i) Feasibility: the likelihood and ease of adoption by the executive branch (e.g. Cabinet approval).
- (ii) Sustainability: the need to ensure that the mechanism can be sustained in the long term.
- (iii) Capacity: the mechanism should be such as to ensure that all relevant actors will be properly represented and will have access to technical support in the implementation of measures related to the Escazú Agreement.

Belize is in the process of formalizing the Inter-Institutional Review Committee (IRC) to enhance cooperation with treaty bodies and to serve as the national mechanism for reporting and following up on its international obligations. The first mandate of IRC is the coordination and preparation of all national reports to United Nations mechanisms, including voluntary national reviews, treaty body reports, reports for the universal periodic review and reports to the special procedures of the Human Rights Council, as well as reports to various other international and intergovernmental organizations. The mandate of IRC is to foster effective coordination and tracking of the national follow-up and implementation of treaty obligations and recommendations derived from reports submitted to United Nations mechanisms (United Nations, 2023).

IRC could serve as an appropriate mechanism for coordinating the implementation of the Escazú Agreement. It is expected to operate over the long term and could include representatives of a wide range of stakeholders. There would also be the option of bringing in additional members with functions related to the Escazú Agreement through its subcommittees.

B. Membership

Currently, IRC is coordinated by the Sustainable Development Unit (SDU) of the Ministry of Sustainable Development, Climate Change and Solid Waste Management and includes the following members:

1. Ministry of Finance, Economic Development and Investment

2. Ministry of Human Development, Families and Indigenous People's Affairs
3. Statistical Institute of Belize
4. Ministry of Foreign Affairs and Foreign Trade

IRC can create subcommittees which include both State and non-State actors. A proposal has been put forward for the creation of a specific subcommittee to coordinate the implementation of the Escazú Agreement. The membership of this subcommittee would include the core group of public authorities identified in the stakeholder map as having roles of central importance for the implementation of the Escazú Agreement, such as the preparation and implementation of laws and policies on access to information, public participation and access to justice in environmental matters. It should be noted that these entities will also have responsibilities in connection with other articles of the Escazú Agreement, such as capacity-building measures related to access rights in their area of authority (article 10 [2]) and obligations to facilitate the exercise of access rights by vulnerable groups (article 4 [5]).

As the focal point for the Escazú Agreement, the Ministry of Sustainable Development, Climate Change and Solid Waste Management is the lead agency for the coordination of the development and execution of the implementation plan for the Escazú Agreement. The Ministry will have responsibility for convening the meetings of the IRC Escazú subcommittee, which will meet regularly to monitor and report on the progress made in the members' respective institutions, as well as to take decisions on coordinating implementation efforts, where necessary. The IRC subcommittee will operate in accordance with the transparency, participation and accountability standards outlined in annex 1.

Members of the IRC subcommittee on the implementation of the Escazú Agreement may also include representatives of civil society, academia and the private sector nominated by their peers in the Multi-Stakeholder Working Group described below. See diagram 3 below for the proposed membership of the IRC subcommittee on the implementation of the Escazú Agreement and the roles envisaged for key stakeholders.

C. Multi-stakeholder working group

The Government of Belize will establish a multistakeholder working group comprised of civil society organizations and groups and representatives of the private sector and academia. The Ministry of Sustainable Development, Climate Change and Solid Waste Management will serve as the coordinator for this group. The Ministry will issue an open call to the public, inviting organizations (including but not limited to community organizations, networks and informal entities) to express interest in becoming a part of the multi-stakeholder group. These organizations will be grouped into categories during the registration process (e.g. youth organizations, environmental organizations, Indigenous Peoples' organizations, community-based organizations such as Kriol groups, farmer and fisherfolk associations and academia). Each group will select representative(s) to serve on the IRC subcommittee.

The role of the multi-stakeholder advisory group will include:

- Participating in the implementation of the information and participation strategy
- Serving as an information channel between its members and their networks
- Advising IRC on the implementation of the Escazú Agreement.

The composition and roles of the stakeholders at different levels listed in figure 2 above are:

Level 5: Executive branch

- Comprised of the Cabinet Ministers of the Government of Belize
- The Cabinet has the final decision-making powers concerning actions to be taken under the Escazú Agreement

Level 4: Executive Advisory Committee

- Consists of heads of the various line ministries whose functions are related to the Escazú Agreement
- This Committee advises the Cabinet Ministers

Level 3: Inter-Institutional Review Committee (IRC)

- Comprised of Ministries and other public authorities responsible for the preparation and submission of voluntary national reports and for environmental treaty reporting
- Reviews outputs of the IRC subcommittee and provides guidance and advice to the Executive Advisory Committee

Level 2: IRC subcommittee on the implementation of the Escazu Agreement

- Comprised of public authorities with functions related to the implementation of the Escazú Agreement and civil society representatives nominated by the members of the Multi-Stakeholder Advisory Group. Coordinated by the Ministry of Sustainable Development, Climate Change and Solid Waste Management. The subcommittee will include representatives of the following groups:
 - Youth organizations
 - Environmental organizations
 - Indigenous Peoples' organizations (ideally representatives of the Maya, Garifuna and other ethnic minorities)
 - Community-based organizations
 - Farmer and fisherfolk associations
 - Academia
 - Private sector (ideally representatives of the Media Association, Bar Association and Chamber of Commerce)

Level 1: Multi-Stakeholder Advisory Group

- Comprised of civil society organizations from various sectors / groups, the private sector and academia.

V. The information and participation strategy

The information and participation strategy will define the measures to be taken to ensure a meaningful dialogue at the national level among the various stakeholders (representing civil society, academia, the private sector, trade unions, community-based organizations and others) with a view to obtaining recommendations for the development of the plan for the implementation of the Escazú Agreement in Belize.

The Ministry of Sustainable Development, Climate Change and Solid Waste Management will be responsible for coordinating the implementation of the information and participation strategy and will receive support from IRC and/or the IRC subcommittee on the implementation of the Escazú Agreement once it is established. The Multi-Stakeholder Advisory Group will be a key partner in supporting the implementation of the strategy through its relationships with its members and networks.

This information and participation strategy has two stages. The first stage was implemented in March 2024, when a national stakeholder consultation workshop was held to share the findings of the baseline assessment and to obtain recommendations on priority actions to be included in the road map. The second stage of the strategy will be implemented as soon as funding becomes available for carrying out the activities described below, which will be organized into three phases.

The measures for engagement will be guided by the standards derived from the obligations set forth in article 7 of the Escazú Agreement concerning public participation in environmental matters (see annex 1). This will ensure effective public participation in the process of developing the implementation plan. Broadly speaking, these measures will:

1. Provide opportunities for members of the public to submit their views in writing or through other avenues, such as public hearings or forums.
2. Ensure the transparency of the decision-making process regarding the development of the implementation plan by providing information on the overall process, including opportunities for engagement, so that the public can see how decisions are being made and can provide input at every stage.
3. Ensure that interested members of the public are involved in the decision-making process from the early stages onward in order to allow them to shape the policy in such a way that it will address their needs and be responsive to their concerns.
4. Ensure inclusivity so that the public, including the broadest range of vulnerable groups and those who are directly affected (e.g. rural or remote communities faced with environmental problems, environmental organizations, human rights defenders in environmental matters, people in poverty), have opportunities to engage in the process. Doing so will allow the government to obtain the fullest possible information from those who will be most affected by the policy.

Specific strategies will be outlined to ensure the participation of priority individuals and groups, such as rural or remote communities dealing with environmental issues, environmental organizations, human rights defenders in environmental matters, people in poverty and other people or groups in vulnerable situations.

A. Preparatory phase

During the preparatory phase, the Government of Belize will adhere to the established standards for participation by ensuring that:

1. The participation process is convened in an open and inclusive manner.
2. All necessary information related to all opportunities for participation is proactively disseminated, taking into account the sociocultural characteristics of the various actors.
3. Conditions conducive to the public's participation are established, taking into account any relevant issues related to political, social, economic or territorial characteristics of the public and stakeholders and any socioenvironmental conflicts and environmental issues that are of concern to the population.
4. Efforts are made to identify people and groups in vulnerable situations.

The preparatory phase for public participation will focus on ensuring the dissemination of information to the public and stakeholder groups identified in the stakeholder map in an open and inclusive manner.

This phase will also entail measures for publicizing opportunities for participation, including submission of written comments and attendance at public and stakeholder forums. Various forms of audio and print media and other methods of dissemination will be utilized to reach the public, including vulnerable groups who are experiencing challenges such as illiteracy, hearing impairments and blindness.

To promote transparency, facilitate the dissemination of all relevant information, encourage wider participation and coordinate the systemization of public comments, information relating to the process will be posted on the website and social media accounts of the Ministry of Sustainable Development, Climate Change and Solid Waste Management.

1. Dissemination of information

An executive summary of the baseline assessment of Belize's laws, policies and practices as they relate to the Escazú Agreement has been prepared and drafted in non-technical language to ensure it will be easily understandable for a wide range of people. The executive summary outlines the purpose and objective of the baseline assessment so that people will understand the reason for conducting the assessment and how the input they provide will be used to inform priority actions for inclusion in the implementation plan for the Escazú Agreement.

The executive summary and full baseline assessment will be disseminated to the public and will be accessible on the website of the Ministry of Sustainable Development, Climate Change and Solid Waste Management. Copies will also be sent via email to stakeholder groups and other organizations and associations identified in the stakeholder map for further dissemination to their members and networks.

2. Public notification

Notice of the availability of the executive summary and full baseline assessment, as well as invitations to participate by submitting written comments or attending events, will be disseminated with adequate advance notice to the public. These notices will be disseminated by the following means:

- (i) Posting electronically on the website of the Ministry of Sustainable Development, Climate Change and Solid Waste Management and on various social media platforms, including Facebook, Instagram and YouTube.
- (ii) Posting in local community spaces (e.g. libraries, local council offices).
- (iii) Circulation on at least two occasions in newspapers.
- (iv) Announcements in radio and television spots.
- (v) Announcements by local town criers.
- (vi) Dissemination to representatives of stakeholder groups and to other organizations and associations identified in the stakeholder map for further dissemination to their members and networks.

Members of the public and stakeholders will have the opportunity to submit their comments in writing to the Ministry of Sustainable Development, Climate Change and Solid Waste Management and will be given a minimum of 30 days from the date of the last public or stakeholder forum, whichever is later, to do so. This will ensure that those who are unable to attend the public and stakeholder forums will have adequate time and opportunity to present their feedback for consideration.

Notices of all public forums and stakeholder forums open to the public will be provided at least two weeks in advance. These notices will also contain the following information:

- (i) The meeting date, starting time, duration and venue.
- (ii) The methodology for the event, including an explanation of the objective of participation, the reason for having conducted the baseline assessment and how the feedback is to be utilized in the development of the implementation plan.
- (iii) The location where the baseline assessment (including the executive summary) can be accessed.
- (iv) Contact information for the Ministry of Sustainable Development, Climate Change and Solid Waste Management.
- (v) Any other information regarding the events deemed necessary to ensure participation.

B. Execution phase

During the public participation process, the Government of Belize will adhere to the following standards to ensure that there are ample opportunities for meaningful and informed participation:

1. Public participation is to occur at an early stage when no decisions have yet been made and when comments and proposals can be received for consideration in a timely manner in advance of the decision-making process.
2. There are to be reasonable deadlines for participation, in particular for the submission of comments, to encourage informed participation. This involves considering the

circumstances of members of the public and stakeholders and recognizing that there may be groups that require longer periods to read and understand the information and to prepare or present oral or written submissions.

3. An opportunity is to be provided to submit comments in writing, orally or by other means, either in person, remotely or virtually.
4. Support is to be provided for people and groups in vulnerable situations wishing to participate.

1. Forums for engagement

A variety of forums will be made available to engage stakeholders during the preparation and execution of the implementation plan (e.g. town halls and community and stakeholder meetings). All information to be shared will be expressed in non-technical, easily understandable language. Adequate time will be provided during these engagements for the public to ask questions and receive answers. When consultations take place in locations where stakeholders primarily speak Spanish or an Indigenous language and have difficulty speaking English, efforts will be made to have the material translated.

(a) Public town halls

Face-to-face public town hall meetings will be held in regional districts to present the findings of the baseline assessment, along with the priority actions already included in the road map, and to receive feedback. To ensure the participation of persons who are blind or have hearing impairments or other disabilities, information will be shared during the meeting in a variety of formats, including visual and audio presentations, and sign language interpretation will be provided.

Additionally, the meetings will be broadcast virtually on social media, and the public will have the opportunity to submit oral or written comments through this avenue.

(b) Stakeholder meetings

Face-to-face and virtual stakeholder meetings may be held with representatives of specific groups, including, in particular, vulnerable groups and Indigenous Peoples identified in the stakeholder map. These stakeholder meetings may be organized

in focus-group formats to ensure that members are able to provide input relating to the pillars of the Escazú Agreement that are most relevant to their sector.

(c) Community meetings

Face-to-face meetings may be held with communities, in particular those whose residents are largely comprised of marginalized groups or could be considered to belong to groups in vulnerable situations, such as Indigenous Peoples, Afrodescendants, fishers and farming communities.

(d) Strategy for identifying vulnerable groups

The Ministry of Sustainable Development, Climate Change and Solid Waste Management will liaise with members of the IRC subcommittee on the implementation of the Escazú Agreement, as well as with the Ministry of Human Development, Families and Indigenous Peoples' Affairs and other public authorities, civil society organizations and local councils that are part of the governance system, in order to identify any other affected vulnerable groups and Indigenous Peoples whose representatives should be included in the stakeholder and community meetings.

Where feasible, the Government of Belize will provide people with transportation or other forms of support to help them attend meetings in person where their circumstances would otherwise make it difficult for them to do so.

To allow ample opportunity for people to consider the information presented and to freely voice their opinions, electronic and paper templates will be prepared to allow the public and stakeholders to submit comments at the town halls and at the stakeholder or community meetings for up to 30 days afterward.

(e) Online survey

An interactive online questionnaire will be prepared as a useful tool for receiving feedback from members of the public and stakeholders. This survey will include a link to the summary of the baseline assessment, explain the objective of participation and then invite responders to rank the recommended actions for the implementation plan and submit their recommendations.

C. Closing phase

During the closing phase, once the opportunities for participation have been concluded, the Government of Belize will adhere to the following standards:

1. Due account is to be taken of the outcome of the participation process.
2. The public is to be informed in a proactive and timely manner about the decisions taken.
3. The government is to report on the reasons and grounds for the decisions and to explain how the observations were taken into consideration.
4. Decisions and the accompanying background information are to be made public and readily accessible.

D. Analysis of the input provided by participating members of the public

The IRC subcommittee on the implementation of the Escazú Agreement, under the leadership of the Ministry of Sustainable Development, Climate Change and Solid Waste Management will analyse the feedback received from the public and stakeholders through such avenues as the town hall meetings, stakeholder meetings, online surveys and any other comments received orally or in writing by other means. All comments received will be compiled into a document which will be publicly accessible on the website of the Ministry of Sustainable Development, Climate Change and Solid Waste Management in order to ensure transparency.

An evaluation exercise will be undertaken to examine all inputs and to determine whether and how to incorporate the various proposals into the implementation plan. This will be done to ensure that due weight is given to all the contributions. In reviewing these proposals, the government will consider their relevance to the overall objective of ensuring compliance with the Escazú Agreement and the technical, financial and administrative feasibility of their implementation.

Reasons for the incorporation or rejection of public proposals will be provided in writing using non-technical language and will be made publicly accessible in an easily understandable and timely manner on the website of the Ministry of Sustainable Development, Climate Change and Solid Waste Management.

VI. Participatory activities

The implementation and participation strategy comprises two stages. The first stage, which is detailed below, was based on a national workshop held in March 2024. The second stage of the strategy is to be implemented by the IRC subcommittee going forward.

The national stakeholder workshop held in San Ignacio, Belize, on 21 March 2024 was attended by representatives of public authorities, civil society organizations, the private sector and academia. The objective of the workshop was to obtain input for the baseline report and to receive recommendations for priority actions for the implementation of the Escazú Agreement in Belize.

In preparation for the workshop, stakeholders received an executive summary of the baseline assessment of Belize's laws, policies and practices as they relate to the Escazú Agreement. The summary was prepared in non-technical language to ensure it was easily understandable for a wide range of people. It outlined the purpose and objective of the baseline assessment so that people could understand the reason for conducting the assessment and see how the inputs stemming from their participation would be utilized to inform priority actions for inclusion in the implementation plan for the Escazú Agreement.

Participants were divided into breakout groups based on the relevant provisions of the Escazú Agreement. The confirmed list of participants was used to organize the different groups so as to align the participants' areas of work and expertise with the relevant provisions of the Escazú Agreement.

The breakout groups formed on the basis of the relevant provisions of the Escazú Agreement focused on:

- (i) Access to environmental information.
- (ii) Generation and dissemination of environmental information.
- (iii) Public participation in environmental decision-making.
- (iv) Human rights defenders and access to justice.

Possible priority actions derived from the findings of the baseline assessment were presented to the breakout groups, after which the participants in those groups discussed the following points:

- (i) If they agreed with the findings and recommendations of the baseline assessment
- (ii) If they had additional recommendations.
- (iii) What some of the challenges in implementation were foreseen.
- (iv) What capacities were needed for implementation.

The breakout groups analysed the recommendations made in the baseline assessment, which they validated, as well as additional recommendations they had received. It is important to note that all the stakeholders agreed with the baseline assessment recommendations.

A multi-criteria analysis was used to evaluate the recommendations made in the baseline assessment based on inputs received from stakeholders who had attended the workshop. These recommendations were rated using a set of criteria designed to determine which of those recommendations could be converted into priority actions. The criteria used were:

- (i) Applicability to meeting the obligations assumed under the Escazú Agreement (relevance and impact).
- (ii) Feasibility of implementation given existing technical, administrative and financial capacities.
- (iii) Length of the implementation period: short-term (up to 1 year), medium-term (1–3 years) or long-term (over 3 years).

The impact that the priority actions would have in terms of these criteria was measured using a scoring factor. An ordinal system was used to rank options on a scalar basis using a seven-point system to capture the degrees of difference in impacts. This seven-point system was employed to establish whether the contribution of an option to an objective would be:

- Highly positive (+++)
- Moderately positive (++)
- Slightly positive (+)
- Neutral (0)
- Slightly negative (-)
- Moderately negative (--)
- Highly negative (---)

This performance matrix is used to describe how each recommendation measures up against the criteria. Shorter time frames for implementation are given a more positive score and longer ones a more negative score: (up to 1 year, 2 years and 3 years = +++, ++, +, respectively; medium-term, long-term, over 3 years = -, --, ---).

Similarly, the more feasible the implementation of a given recommendation is and the lower the associated capacity constraints are, the more positive the score will be. Annex 2 lists the recommendations concerning each article of the Escazú Agreement made by the participants in the breakout groups and their respective evaluations based on the criteria described above.

VII. Priority actions for inclusion in the implementation plan for the Escazú Agreement

On the basis of the above analysis, the priority actions listed below in table 9 are recommended for inclusion in the implementation plan.

Table 9

Priority actions for inclusion in the implementation plan

Priority actions
Article 5: Access to environmental information
<ul style="list-style-type: none">- Develop guidance material for public authorities on the standards set in the Escazú Agreement.
Article 6: Generation and dissemination of environmental information
<ul style="list-style-type: none">- Establish the Environmental Statistics Advisory Committee to coordinate and guide the collection, storage and analysis of environmental data.- Adopt the United Nations Framework for the Development of Environment Statistics in Belize.- Prepare input for the Global Environment Outlook (State of the Environment Report).- Establish key databases for the storage of environmental data.- Redesign the pollutant release and transfer register. Conduct an assessment of the previous register to review lessons learned and how to improve it.- Strengthen capacity for the management of environmental data and statistics.- Ensure that the data and information are accessible to the public.
Article 7: Public participation in the environmental decision-making process
<ul style="list-style-type: none">- Develop guidelines, trainings and campaigns on the process for public participation in decisions related to activities that require EIAs and Limited Level Environmental Studies, and other decisions mandated by law.
Article 8: Access to justice in environmental matters
<ul style="list-style-type: none">- Develop guidance on legal aid in environmental matters.
Article 9: Human rights defenders in environmental matters
<ul style="list-style-type: none">- Conduct an assessment of the situation to inform public policy.

Source: Prepared by the authors.

VIII. Regional cooperation

This section outlines measures for collaboration between the Government of Belize and other States Parties to support the implementation of the Escazú Agreement in other countries.

The proposed activities will contribute to the implementation of article 11 of the Escazú Agreement on regional cooperation, whereby States Parties undertake to cooperate to strengthen national capacities while giving particular consideration to least developed countries, landlocked developing countries and small island developing States in Latin America and the Caribbean.

The Agreement also encourages partnerships with States in other regions, with intergovernmental, non-governmental, academic, private sector and civil society organizations and with other relevant stakeholders. Collaborative activities may also include capacity-building measures such as training, technical assistance and technical visits.

There are opportunities for Belize to support capacity-building measures for Caribbean States Parties to the Escazú Agreement with actions aimed at implementing the Agreement through information-sharing and knowledge exchange. Belize and other Caribbean countries share similar bodies of common law jurisprudence and are fellow members of regional political associations that are supported by shared institutions, such as the Caribbean Community (CARICOM), the Caribbean Court of Justice and the University of the West Indies (UWI), among others. Two areas of opportunity for learning exchanges are described below.

One such area is Information-sharing to support the development of implementation plans for the Escazú Agreement in other countries. Within the Caribbean subregion, Belize can participate in capacity-building and cooperation missions to other countries. Lessons have been learned in the process of preparing the road map and starting to develop the implementation plan that can be shared with other States Parties that are embarking on the process of assessing compliance with the Escazú Agreement.

Another area of opportunity is collaboration with regional bodies to support information-sharing and knowledge exchange with a view to strengthening access rights in the Caribbean subregion. There are opportunities to work with the Caribbean Court of Justice and UWI to explore judicial training programmes and sensitization sessions dealing with environmental law, access rights and the Escazú Agreement.

Through collaboration with regional bodies such as UWI and CARICOM, Belize can share information regarding methodologies for the development of environmental information systems. Belize has developed the Geo Portal online platform to make environmental data available to the public. Belize and other Caribbean countries can also share data collection, management, standardized reporting and user accessibility methodologies. The Government of Belize will explore opportunities for facilitating such exchanges through the peer learning mechanisms for small island developing States being devised in collaboration with the United Nations Department of Economic and Social Affairs, ECLAC and the CARICOM secretariat.

The Indigenous population of Belize includes the Yucatec, Mopan and Q'eqchi' Maya communities and Garifuna communities. Other Latin American and Caribbean countries, including Guyana, have implemented measures designed to support the rights of Indigenous Peoples, and these countries can share their experiences and information on the challenges they have encountered. Belize can also work through UWI to exchange information with other countries that have Indigenous communities on the implementation of free, prior and informed consent procedures and measures to support the exercise of their access rights.

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Annexes

Annex 1 Transparency, participation and accountability standards for the proposed IRC subcommittee

Standards on transparency and access to information:

1. Information about the co-creation process must be delivered sufficiently in advance to ensure the participation of the largest possible number of community members.
2. All content that is developed must be clearly expressed (avoiding technical language as much as possible) and delivered in the appropriate languages and formats so that it is readily understandable for the various actors concerned.
3. The communication style that is used should be welcoming and attractive so that no one feels intimidated or demotivated.
4. All content must be truthful. This standard implies not only the absence of deception but also the provision of sufficient information to enable participants to arrive at an informed opinion on the matters under discussion. Partial information, even if it does not contain falsehoods, can mislead people by omitting necessary background information and can therefore be lacking in transparency, thus hindering participation.

5. Information must be transparent and must be kept up to date to avoid creating discrepancies between the background information that has been delivered and the actual situation, since this could give rise to ill-informed judgments.

Participation standards:

1. Efforts must be made to ensure the inclusion of the various territorial actors. Inclusion measures are needed where groups of the population have historically found themselves marginalized, underrepresented or self-excluded from participation processes. In order to ensure genuine inclusiveness, participation arrangements must also be appropriate to the cultural, social, economic and political circumstances of community actors.
2. Participation in co-creation should be organized in such a way as to ensure equal opportunities for all groups participating in the forum, whether directly or indirectly. Everyone needs to be able to voice their needs and present their proposals so that the implementation plan will fully reflect the actual situations and needs of all the territories concerned.
3. An ongoing dialogue should be facilitated by using a variety of spaces and platforms appropriate to the context of the relevant territories and their inhabitants.
4. Participation must be voluntary and the result of genuine conviction, never of coercion or threats. This is essential in order both for the results to be authentic and for participants to commit to the implementation of the plan.
5. Effective participation occurs when actors are willing to actively listen to and consider others' points of view. This calls for a special effort on the part of the authority seeking to promote a co-creation process to engage in dialogue with a view to understanding and incorporating the opinions of the different groups in the community. Governmental, civil society and other stakeholders must recognize each other as being co-responsible for the process and must undertake the work together. In the course of the preparation of the action plan, active listening is reflected in a genuine consideration of the relevant communities and the impact that the action plan will have on them.

6. As in all participatory processes, it is not always possible to incorporate all the suggestions and demands of the community. Therefore, in order to legitimize the process, it is necessary for the authority or group making decisions about what is and is not incorporated into the plan to deliver an informative and timely report on the decisions taken. It is advisable for the authority to try to include proposals that could not be incorporated into the implementation plan for the Escazú Agreement into other local government programmes.

Accountability standards:

1. Exercises in accountability should be conducted regularly and frequently. It is recommended that progress be reported at the end of each phase of the action plan co-creation process.
2. During these exercises, the highest authority and those responsible for the co-creation of the plan must be present to clarify doubts and receive comments on the process. Their participation will help to legitimize and build trust in the process.
3. All the information provided must be up-to-date and supported by evidence in order to ensure that it is relevant and meaningful.
4. The information provided must be readily understandable so that the community can make an informed assessment of the actions that have been carried out and their results. Clear information must be provided on the level of compliance, the progress made in the co-creation process towards the objectives initially established and the factors that influenced any changes or modifications.
5. Truthfulness is a fundamental part of accountability in the process of building an action plan and entails delivering all the elements that the participants need in order to form an opinion about the progress and current status of the plan.

6. The information delivered during accountability exercises should be disseminated through the media channels normally used by the community to stay informed. In addition, special efforts must be made to reach the members of the community who have the greatest connectivity difficulties.

Annex 2

Evaluation of recommendations received at the national workshop

Recommendations	Criteria			Comments on criteria
	Relevance and impact	Feasibility (technical, financial and administrative capacity)	Length of implementation period	
Article 5: Access to environmental information				
Develop guidance material for public authorities to ensure that all authorities are responding appropriately to requests for information. In cases where authorities already have guidance documents in place, these materials should be reviewed to ensure that they meet the standards of the Escazú Agreement. Particular emphasis should be placed on ensuring that time limits for responding to requests are observed, that persons making requests for information are not required to give reasons for their interest in obtaining the information and that the cost of obtaining copies of the requested information is reasonable and known in advance.	+++	+++	+++	Human resources (i.e. a legal specialist) are required.
Strengthen the capacity of the Office of the Ombudsman, with support from the relevant Ministry, to receive and handle appeals and to monitor and oversee compliance with the Freedom of Information Act.	+++	--	--	Human and financial resources are required.

Recommendations	Criteria			Comments on criteria
	Relevance and impact	Feasibility (technical, financial and administrative capacity)	Length of implementation period	
Conduct public education and awareness programmes to show people how to use the Freedom of Information Act to access environmental information and to teach public officials how to respond to requests for information in accordance with the standards specified in the Act.	+++	-	+	Human and financial resources are required.
Article 6: Generation and dissemination of environmental information				
Rebuild the pollutant release and transfer register (PRTR) system: <ul style="list-style-type: none"> • Conduct an assessment of the previous PRTR system to review lessons learned and determine how to improve on it. • Conduct training for users. • Sensitize the public on the PRTR system. 	+++	+	+	Human, financial and technical resources are required. Financial and technical resources are required to support monitoring, evaluation and maintenance of the register.

Recommendations	Criteria			Comments on criteria
	Relevance and impact	Feasibility (technical, financial and administrative capacity)	Length of implementation period	
<p>Improve data accessibility for the public through the GEO-Belize portal:</p> <ul style="list-style-type: none"> • Implement a tiered system to ensure that different groups have access to the system. • Engage with a wide range of stakeholders, including communities, concerning the existence and use of the system. • Organize a capacity-building session to provide training and support to agencies on data collection, reporting methodologies and the use of the system in order to ensure accurate and reliable reporting, which is crucial for the effectiveness of the system. • Develop standardized reporting formats and guidelines to ensure consistency in data collection and reporting. • Improve data transparency and the accountability of stakeholders involved in data collection by publishing sources and information on the methods used. • Launch public outreach and education activities to increase public awareness of the system. • Create a feedback mechanism to validate the data to ensure continuous improvement. 	++	--	++	The Geo-Belize portal already exists. Recommendations are aimed at improving accessibility and data.

Recommendations	Criteria			Comments on criteria
	Relevance and impact	Feasibility (technical, financial and administrative capacity)	Length of implementation period	
Article 7: Public participation in the environmental decision-making process				
Develop and publish clear guidelines detailing the required procedures for ensuring public participation in decision-making processes concerning activities that require EIAs and other important environmental decisions. These guidelines should reflect the standards set out in the Escazu Agreement with regard to such matters as reasonable timelines, the information that must be provided to the public as a minimum and the duty to take comments made by members of the public into consideration.	+++	++	+++	Financial and human resources are needed. Work has already been done to assess the legal framework for public consultation in the EIA process (Stakeholder Engagement Plan).
Launch a comprehensive awareness campaign to inform Indigenous communities about the Escazú Agreement and its significance in direct or indirect relation to the rights it affords to them.	+++	++	++	
Conduct workshops, seminars and community meetings to explain the provisions of the Agreement, emphasizing the importance of community involvement in environmental decision-making processes.	+++	++	++	

Recommendations	Criteria			Comments on criteria
	Relevance and impact	Feasibility (technical, financial and administrative capacity)	Length of implementation period	
Article 8: Access to justice in environmental matters				
<p>Have the Legal Aid Commission provide clear guidance regarding the acceptance of applications concerning environmental civil matters, since these claims are not expressly included in the category of claims for which legal aid is made available.</p> <p>Develop draft guidance on the acceptance of applications concerning environmental civil matters for submission to the Commission for its consideration once the Legal Aid Act 2023 enters into force and the Commission becomes operational. In the interim, the draft guidance can be prepared in consultation with members of the judiciary, the Director of Public Prosecutions, the Solicitor General and members of the Bar Association, all of whom will sit on the Commission once it is established. Measures and strategies should be used to publicize these rights and procedures.</p>	+++	+	+	Financial and human resources are required. The Legal Aid Act has not entered into force.
<p>Conduct education and awareness programmes for the public to improve public knowledge of the procedures for accessing legal aid and conduct programmes for lawyers on the provision of legal aid.</p>	+++	-	--	Financial and human resources are required. The Legal Aid Act needs to enter into force.

Recommendations	Criteria			Comments on criteria
	Relevance and impact	Feasibility (technical, financial and administrative capacity)	Length of implementation period	
<p>Build the capacity of the Office of the Ombudsman to manage and investigate complaints by increasing its staffing and resources and by carrying out the following measures:</p> <ul style="list-style-type: none"> • Establishing clear policies, processes and procedures for the operations of the Office of the Ombudsman, setting them out in operational manuals and other written materials and evaluating them and making adjustments from time to time, as necessary. • Training Office of the Ombudsman staff how to go about investigating complaints against public authorities, especially in relation to environmental matters. • Developing, publishing and revising, as necessary, accessible guidance for the public (in printed and digital formats) on the role of the Ombudsman, how to access the services of the Ombudsman and how complaints are handled. • Establishing branches of the Office of the Ombudsman in all districts. 	+++	--	---	Financial and human resources are required.
Develop and implement an alternative dispute resolution scheme for environmental matters.	+	---	---	Financial and human resources are required. Alternative dispute resolution is a feature of all civil claims in the High Court.

Recommendations	Criteria			Comments on criteria
	Relevance and impact	Feasibility (technical, financial and administrative capacity)	Length of implementation period	
Promote the inclusion of courses on environmental law and policy as a core subject in the curricula for undergraduate law degree programmes at Caribbean universities and law schools where many Belizeans study law and where environmental law and policy may be only an elective subject.	+	-	--	
Article 9: Human rights defenders in environmental matters				
Undertake an indicator-based assessment of the situation of human rights defenders in environmental matters in Belize in order to inform public policy.	+++	+	++	Financial and human resources are required. The policy-making process can be lengthy.

Source: Economic Commission for Latin America and the Caribbean.

This document contains the road map for the implementation in Belize of the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement), prepared by the Government of Belize with the support of the Economic Commission for Latin America and the Caribbean (ECLAC). It provides a normative and practical analysis of access rights in Belize, systematizing the progress made and the gaps that remain.

A consultative workshop was held with a number of stakeholders, including public officials, to discuss the legal analysis and gather proposals on priority actions for implementation of the Escazú Agreement in Belize. This document includes those priority actions and details the governance system for implementation of the Escazú Agreement in the country.

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