



GOVERNMENT OF BELIZE

STATE PARTY REPORT
ON THE STATE OF CONSERVATION
OF THE
BELIZE BARRIER REEF RESERVE SYSTEM (BELIZE) (N 764)

February 2014

WHC Decision 37 COM 7A.16

Thirty-seventh Session

Phnom Penh, Cambodia

June 16-27th, 2013

Belize Barrier Reef System (Belize) (N 764)

Decision: 37 COM 7A.16

The World Heritage Committee,

1. Having examined Document WHC-13/37.COM/7A.Add,
2. Recalling Decision **36 COM 7A.15**, adopted at its 36th session (Saint-Petersburg, 2012),
3. Commends the State Party for the progress made in implementing certain corrective measures, but urges it to address as a matter of priority the critically important issues related to permanent cessation of the sale and lease of lands throughout the property, clear definition and strict control of development rights on existing private and leased lands, the restoration of areas disturbed by unauthorized activities and to make a clear commitment toward no oil exploration with the property;
4. Welcomes the decision of the Government of Belize to develop an offshore oil exploration and exploitation policy that would be compatible with the World Heritage Status of the property and requests the State Party that the draft of such policy is provided for review by the World Heritage Centre and IUCN;
5. Also urges the State Party to continue its efforts to implement the remaining corrective measure as updated:
 - a) Implement the necessary legal measures to guarantee the permanent cessation of the sale and lease of lands throughout the property,
 - b) Undertake an inventory of the lands previously disturbed by unauthorized activities with a view to identifying a set of practical solutions to restore the degraded lands within the boundaries of the property,
 - c) Finalize the legislative instruments and policy documents relevant to the management of the property, including the Coastal Zone Management Plan, Land Use Policy Implementation Plan, National Protected Areas System Bill, Aquatic Living Resources Bill, Forest (Protection of Mangroves) Regulations and Petroleum Exploration Framework and ensure that the requirements for the protection and management of the property are addressed in those documents as well as in their implementation and financial plans,

d) Make an unequivocal legislative commitment to eliminating all oil concessions granted within the boundaries of the property and adjacent waters and ensure that necessary legal and institutional instruments are in place to effectively control oil exploration and exploitation in areas outside the property which might have negative impact on its Outstanding Universal Value (OUV),

e) Carry out a property-wide assessment of marine no take zones in the property, and based on ecological criteria, identify and put into place a process designed to expand them in those areas of the property where the OUV is considered to be most vulnerable to fishing pressures and climate change,

f) Carry out an assessment of the threat arising from introduced species at the property, and develop and put into place a coordinated approach amongst its components to identifying priority actions for eradication and control campaigns;

6. Notes with concern that the National Environmental Appraisal Committee of Belize approved the Environmental Impact Assessment (EIA) for the Yum Balisi Resort without previously submitting it for review by the World Heritage Centre and IUCN, in accordance with Paragraph 172 of the *Operational Guidelines*, and urges the State Party to suspend the signed Environmental Compliance Plan for the Yum Balisi Resort and not to renew it until the EIA of the project has been reviewed;

7. Also requests the State Party to prepare, based on the updated list of corrective measures and the Retrospective Statement of OUV and in consultation with the World Heritage Centre and IUCN, the draft proposal for the Desired state of conservation for the removal of the property from the List of World Heritage in Danger, for examination by the World Heritage Committee at its 38th session in 2014;

8. Further requests the State Party to submit to the World Heritage Centre, by **1 February 2014**, a report of the state of conservation of the property, including on progress made in implementing corrective measures, for examination by the World Heritage Committee at its 38th session in 2014;

9. **Decides to retain the Belize Barrier Reef Reserve System (Belize) on the List of World Heritage in Danger.**

Executive Summary

Since the enlistment of the Belize Barrier Reef System in the ‘List of World Heritage in Danger’ in 2009, the Government of Belize (GOB) continues its commitment to implement measures to address key areas negatively impacting the Property, as identified by the World Heritage Committee (WHC) in 2009. In the last session of the WHC, there were still ongoing concerns over the permanent cessation of the sale and lease of lands throughout the Property, control of development rights on existing private and leased lands, the restoration of areas disturbed by unauthorized activities and commitment toward no oil exploration within or adjacent to the Property.

The Ministry of Forestry, Fisheries and Sustainable Development (MFFSD) continues to address the issues of the WHC which is a reaffirmation of the commitment of the Government of Belize to implement the requisite corrective measures with the end in view being the removal of the Property from the ‘In Danger List’ in the near future. The (MFFSD) continues to work on this matter through its three main regulatory agencies, namely the Forest Department, the Fisheries Department and the Department of the Environment, as well as the Climate Change Unit in regards to natural resources management and resilience to climate change, respectively.

The 2014 State of Conservation Report being submitted now for the 38th session of the WHC addresses the full range of issues/decisions made at the previous session which took place in Cambodia. The Government of Belize is in concert with the grave note of concern registered by the WHC in regards to petroleum exploration adjacent to the Property and is committed to generating the requisite Petroleum Exploration and Development Framework that would be consistent with sustaining the ecological integrity and cultural value of the area. The Petroleum Exploration and Development Framework is scheduled to be completed by the end of the first quarter of 2014. This framework should ensure the proper management of petroleum extraction and development with negligible or minimal impacts and dislocation to the property and general stakeholders whose livelihood is connected to the site.

On a related note, it is envisioned that a number of policies and legislative instruments will be approved and passed into law later this year (2014) - these include: the Integrated Coastal Zone Management Plan, Land Use Policy Implementation Plan, National Protected Areas System Bill, Mangrove (Forest) Regulations, Petroleum Exploration Framework and the Fisheries Resources

Bill (previously named Living Aquatic Resources Bill). Of note as well, is the drafting and updating of the Fisheries Regulations which started in 2013 and is currently entrained. This initiative is expected to be completed by mid-2014. There is also the revision of the principal Fisheries Act which is scheduled to be completed and passed into law by the end of the first quarter 2014.

Although the full suite of measures undertaken to contain and expunge the sale and lease of land throughout the Property has not been recognized by the WHC, it is envisioned that the measures to circumvent and ameliorate the impacts from unauthorized activities will be significant enough to meet the approval of the WHC, given that the parcels of land in question were previously leased and/or sold to private land owners before the designation of the protected areas and their designation as a World Heritage Site.

As a function of coordination efforts with its NGO partners, the Government of Belize has implemented an initiative to expand no-take/replenishment zones within all protected areas, including the property. This project funded by Oak and the Summit Foundations in coordination with the Wildlife Conservation Society is focused on expanding and improving the biodiversity functions of the 'no-take' or 'conservation' and 'preservation' zones within MPAs. The 'No Take Zone' initiative is oriented at the genesis of a National Plan to expand replenishment zones to from the current 3%, to a total of 10% of Belize's territorial waters.

The issue of the impact of invasive species on the Property has been a grave one indeed that has been comprehensively addressed through the development of a National Lionfish Management Plan. This in large measure entails culling and public awareness undertaken by interest groups within some of the coastal communities immediately affected by the threat, as the staff of the Marine Reserves and user groups from tourism and the fishing community, as well as academia and natural resources management agencies within the Government of Belize such as the Fisheries Department and the Forest Department. The latter has the mandate to manage National Parks and Natural Monument within the marine environment.

Other efforts being made in the conservation of the BBRRS are the projects and programme under the Climate Change Unit and the Fisheries Department. Project outputs that include the increase of Belize's resilience to climate change, the national roll-out of manage access to all

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marine reserves by 2016, and the increase in conservation and compliance efforts at the Sapodilla Cayes Marine Reserve.

The Government of Belize, through the National Focal Point, is wholly receptive to the concerns expressed by the World Heritage Committee and commits to furthering all and every effort that would result in the delisting of the Property from the List of World Heritage Sites in Danger.

Introduction

The Belize Barrier Reef System (Belize) remains on the List of World Heritage Sites in Danger – this is a function of the 2009 decision made in Seville, Spain by the WHC, which was upheld at the 37th meeting in Phnom Penh, Cambodia June 16-27th, 2013.

The Government of Belize continues to make progress in implementing the corrective measures and recommendations made at the 37th session of the World Heritage Committee. The commitment by the Government of Belize for the inscription of the Belize Barrier Reef Reserve System (N 764) is an unwavering one and the GOB will do all in its power to ensure that Belize's World Heritage Site is removed from the "In Danger" List.

This report represents the State of Conservation of the Property for the year 2013 and is inclusive of Belize's progress to address the recommendations of the World Heritage Centre upheld at the 37th Session. Belize's response is now being presented for examination by the World Heritage Committee at its upcoming 38th session in 2014.

1.0 Response from the State Party to the World Heritage Committee's Decision 2013

1. *Commends the State Party for the progress made in implementing certain corrective measures, but urges it to address as a matter of priority the critically important issues related to permanent cessation of the sale and lease of lands throughout the property, clear definition and strict control of development rights on existing private and leased lands, the restoration of areas disturbed by unauthorized activities and to make a clear commitment toward no oil exploration with the property;*
2. *Welcomes the decision of the Government of Belize to develop an offshore oil exploration and exploitation policy that would be compatible with the World Heritage Status of the property and requests the State Party that the draft of such policy is provided for review by the World Heritage Centre and IUCN;*
Corrective Measure:
3.d) Make an unequivocal legislative commitment to eliminating all oil concessions granted within the boundaries of the property and adjacent waters and ensure that necessary legal and institutional instruments are in place to effectively control oil exploration and exploitation in areas outside the property which might have negative impact on its Outstanding Universal Value (OUV),

The Government of Belize through its Ministry of Energy, Science and Technology and Public Utilities, continues to finalize the petroleum exploration planning framework. This framework is

being developed to manage petroleum exploration both on land and offshore in Belize's territorial waters.

Initially, the petroleum exploration planning framework was being developed from a petroleum exploration approach; however during the past year, the Ministry decided to change its perspective and revised the draft framework to reflect a more environmental approach. The framework should reflect some policy and best practices that would be more compatible with the World Heritage Status of the Property. It is expected that the final draft should be completed by April 2014.

At this point in time, the Government of Belize is not prepared to consider fully the elimination of all oil concessions within and adjacent to the Property. However, as previously mentioned in the past State of Conservation report, the number of petroleum sharing agreements (PSA) has decreased to only five PSAs in the marine environment. Furthermore, large areas of two separate PSAs have already been relinquished; areas which encompassed two of the three coral atolls of Belize which are the Turneffe Atoll and Lighthouse Reef Atoll. The latter being home to two protected areas of the Property, namely: the Blue Hole Natural Monument and Half Moon Caye Natural Monument.

3. *Also urges the State Party to continue its efforts to implement the remaining corrective measure as updated:*
 - a) *Implement the necessary legal measures to guarantee the permanent cessation of the sale and lease of lands throughout the property,*

At this point in time, the only legal measure that guarantees the cessation of sale and lease of lands throughout the property is Cabinet's decision on shoals (inundated lands) on how to address current leases/titles and future processing of applications of shoals.

The Government of Belize has agreed that no shoal areas should be developed, that no further lease applications should be entertained, and that there should be no cancellation/revocation of existing titles unless in cases where there is good and sufficient cause.

- b) *Undertake an inventory of the lands previously disturbed by unauthorized activities with a view to identifying a set of practical solutions to restore the degraded lands within the boundaries of the property,*

The Government of Belize through the Ministry of Forestry, Fisheries and Sustainable Development has collected information on developments within the Property that have disturbed

the natural environment illegally through unauthorized activities. However, it must be mentioned again that in certain protected areas within the Property, land was sold and/or leased to private land owners before the establishment and designation of the protected areas. So this has caused some issues in the enforcement of developments on some lands.

Throughout the past years, a number of field visits have been carried out within the Property which the Department of the Environment along with other Government agencies (Forest Department, Fisheries Department, Ministry of Natural Resources, etc.) has identified a number of unauthorized developments or activities. Through this medium, developers/proprietors are requested through the Department of the Environment to cease activities and to meet with the Department to discuss measures to ameliorate current and potential environmental impacts and to bind the developers to an Environmental Compliance Plan (a legal binding document) to ensure better management over these developments and/or activities.

c) Finalize the legislative instruments and policy documents relevant to the management of the property, including the Coastal Zone Management Plan, Land Use Policy Implementation Plan, National Protected Areas System Bill, Aquatic Living Resources Bill, Forest (Protection of Mangroves) Regulations and Petroleum Exploration Framework and ensure that the requirements for the protection and management of the property are addressed in those documents as well as in their implementation and financial plans,

Currently, a number of legislative instruments and policy documents are still being finalized. The Integrated Coastal Zone Management Plan is still currently being reviewed; one drawback for the final plan was the disbanding of the Coastal Zone Board that occurred in 2013. The Coastal Zone Authority is working to revamp the Board in 2014 in order for the revision of the ICZ management plan to be completed and submitted to Cabinet for approval in this upcoming year.

The Land Use Policy Implementation plan under the Ministry of Natural Resources with the aid of the World Bank is currently being established. Progress has already been made with the development of TORs for the consultants to help steer this initiative. Another progress to note under the Ministry of Natural Resources is the drafting of a seabed policy which is currently being reviewed in-house.

Through the Ministry of Forestry, Fisheries and Sustainable Development, the National Protected Areas System Bill is currently being reviewed by the Technical committee. It is envisioned that the Bill will be reviewed by a wider committee in February 2014 and that draft bill

and relevant amendments to other legislations will be submitted in June 2014 for approval by Cabinet. It is anticipated that the Bill will be passed into law by the end of 2014 or early 2015.

The Aquatic Living Resources Bill, renamed the Fisheries Resources Bill, is still currently being reviewed and revised by the Solicitor General's Office of the Attorney General's Ministry. To complement the draft Principal Act, the fisheries regulations have been drafted through the consolidation and updating of the current regulations to reflect the spirit of the law illustrated in the draft Bill. This initiative was possible through funding by the European Commission through the ACP Fish II Programme. Currently, a review of the regulations is being conducted by the FAO Legal Office to provide input into the draft regulations.

The Forest (Protection of Mangroves) Regulations has not been approved as yet by the Government of Belize, however, it should be noted that there is currently mangrove regulations under the 2003 Revised Subsidiary Laws of the Belize, Chapter 213 (Forest Act). The draft regulations are an update of the mangrove regulations.

The Petroleum Exploration Framework, mentioned earlier in this report, is being finalized for its submission to Cabinet in April 2014. It is expected that this framework will reflect measures to ameliorate/minimize negative impacts to the Property.

e) Carry out a property-wide assessment of marine no take zones in the property, and based on ecological criteria, identify and put into place a process designed to expand them in those areas of the property where the OUV is considered to be most vulnerable to fishing pressures and climate change,

The Government of Belize with the leadership of the Wildlife Conservation Society has implemented the "National Replenishment Zone Expansion" project. This initiative is funded through the Oak and Summit Foundations and is partnered with NGOs mainly The Nature Conservancy for its planning and implementation phase.

Presently, only 3% of Belize's territorial waters are designated as no-take or replenishment zones. The overall objective of the above mentioned project is to protect at least 10% of Belize's territorial waters as no-take or replenishment zones by the year 2015; this is to conserve marine biodiversity, sustain fisheries and increase resilience of marine ecosystems to climate change.

To date, the performance of no-take zones has been reviewed by the Steering committee and is expected to be completed by February 2014. Two main outputs of the project will be the development of a national plan for no-take expansion, as well as a communication strategy to support the national plan.

f) Carry out an assessment of the threat arising from introduced species at the property, and develop and put into place a coordinated approach amongst its components to identifying priority actions for eradication and control campaigns;

Since the completion of the National Lionfish Management Plan, there has been substantial progress in the control and eradication of the lionfish population.

Small communities and groups have conducted monthly diving operations to eradicate lionfish in their areas. The Hugh Parkey's Belize Adventure Lodge and the University of Belize are examples of communities and groups who are implementing measures to eradicate the lionfish population in the Spanish Bay Caye area and the Turneffe Atoll area. The San Pedro Tour Guide Association has also made an effort in controlling the population by eradicating lionfish seen on any dive tours by removing them from the water and preparing lionfish dishes for the tourists to eat. Under the Ministry of Forestry, Fisheries and Sustainable Development, marine reserve staff is tasked with eradicating lionfish monthly from the no-take/replenishment zones of the marine reserves.

It is noteworthy to mention that the Placencia Fishermen Cooperative has identified a market for the lionfish and are exporting lionfish fillet to Minnesota in the USA. The cooperative has been encouraging fishermen in the area to harvest lionfish for local trade and export; the cooperative has also upgraded their processing plant, which is now FDA approved. The Northern Fishermen Co-operative Society Ltd. in Belize City has also been buying lionfish from fishermen for the local consumption.

- 4. Notes with concern that the National Environmental Appraisal Committee of Belize approved the Environmental Impact Assessment (EIA) for the Yum Balisi Resort without previously submitting it for review by the World Heritage Centre and IUCN, in accordance with Paragraph 172 of the Operational Guidelines , and urges the State Party to suspend the signed Environmental Compliance Plan for the Yum Balisi Resort and not to renew it until the EIA of the project has been reviewed;*

The Environmental Compliance Plan (ECP) is a legal binding document between the developer (in this case: Yum Balisi) and the Department of the Environment. The ECP cannot be suspended unless conditions under the document have been breached. It is worth mentioning however, that the development is dormant on the island even though the project has been approved.

Since the year 2011, it was decided during the 35th session of the World Heritage Committee that the World Heritage Centre would need to review the EIA for Yum Balisi. However, it should be noted that this decision was subsequent to the project's approval by the National Environmental Appraisal Committee. Nevertheless, this should not have hindered any assessment by the WHC as the ECP does make provisions for amendments, should it be required. To date, it is discouraging that no input on the matter has been forthcoming from the WHC.

On a positive note there have been recommendations from IUCN based on their Reactive Monitoring Mission to Belize in February 2013. Although the EIA was made public on the internet since 2010, the EIA was submitted to the IUCN team when they visited Belize last year. It is noteworthy to mention that it is agreed, based on the recommendations of the IUCN Reactive Monitoring Mission report, that Belize should strengthen its position and develop stricter regulations for development projects within the BBRRS World Heritage Site.

Other current conservation issues identified by the State Party

- I. The Climate Change Unit under the Ministry of Forestry, Fisheries and Sustainable Development is continuing to develop policies and strategies to ensure continuous sustainable development and increased resilience to climate change. The project "Enhancing Belize's Resilience to the Effects of Climate Change" is still ongoing and is expected to be completed by the end of 2014. The main output of the project is the National Climate Change Policy which will be implemented thereafter. The Unit, under the Grants Programme has also aided in the development of a GHG inventory, increased the building capacity of Public Servants on climate change management, and drafted an Integrated Vulnerability and Adaptation Assessment for six sectors: agriculture, tourism, water, coastal development, health and fisheries.

- II. The Fisheries Department continues its partnership with the Environmental Defense Fund, Wildlife Conservation Society and OAK Foundation in the implementation of managed access and catch shares in Belize. Founded on the rights based approach to fisheries management, the pilot project within two of the marine reserves has been successful. The Department along with its partners is now working on the roll out of managed access to more marine reserves by the end of 2014 with the goal that managed access will be implemented in all marine reserves by 2016-2017.

- III. An initiative under the Fisheries Department was developed to promote conservation and compliance of the Sapodilla Cayes Marine Reserve, which is one of the seven protected areas that make up the BBRRS-WHS. Its objectives are to improve conservation and compliance efforts within the marine reserve, to foster an appreciation of the BBRRS and the importance of its conservation and protection. The project which is funded by UNESCO started in September 2013 and is expected to end by the summer of 2014.

Conclusion

In conclusion, the Government of Belize continues to make progress towards its commitment in maintaining the inscription of the Belize Barrier Reef Reserve System as a World Heritage Site. Belize expresses its gratitude to the World Heritage Committee for its assistance in addressing critically important issues related to the Property in order to achieve the goal of having Belize's World Heritage Site removed from the "In Danger" List.