

BACONGO Lies!

Belmopan, August 20, 2002.

The Government of Belize through the Attorney General's Ministry advises that the statements made in an article entitled "No green light for Chalillo Dam, GOB lawyers tell Supreme Court" are incorrect and misleading. The article, published in the Reporter of 18th August 2002, was obviously based on a press release by the Natural Resource Defence Council of Washington and Probe International of Toronto and does not accurately represent the statements or arguments made by the Government's lawyers to the Supreme Court during the submission of arguments in BACONGO's application. The release by the Natural Resource Defense Council and Probe International is a further example of the misrepresentations being spread by foreign environmental groups and their lobbyists about Belize. The Government of Belize is very disappointed that these groups and some local newspapers continue to spread these false statements and requires that the statements be retracted.

The article and the press release in question seem to be based on statements made by, one of the Government lawyers, Mr. Denys Barrow, SC. Mr. Barrow submitted to the Supreme Court that as of the date of the BACONGO application for leave for Judicial review no decision on the projects had been made because the National Environmental Appraisal Committee's

(NEAC's) recommendation was conditional on the signing of an Environmental Compliance Plan (ECP). The facts are as follows:-

On 9th November 2001 NEAC recommended to the Department of Environment that the Environmental Impact Assessment for the Chalillo Project be approved subject to the signing of an ECP.

On 8th February 2002 BACONGO filed an application in the Supreme Court for leave to quash the 9th November 2001 decision. BACONGO contended in their application that the NEAC's recommendation of 9th November 2001 was a final decision on the Chalillo Project and was unlawful.

On 28th February, 2002, the Supreme Court granted leave for the application to be heard. The Judge's ruling stated, "leave is granted to the Applicants to seek judicial review for certiorari and declaration of the decision of NEAC of 9th November 2001." The Supreme Court agreed to hear the application "in the interest of justice and the wider public concern".

The statements made by Mr. Denys Barrow were based on the above chronology of events and as such, were factually correct. He simply asked that the Supreme Court give consideration to the fact that BACONGO's application was premature, as the 9th November 2001 decision was conditional on the signing

of an Environmental Compliance Plan. The fundamental question placed by Mr. Barrow was "How can a decision be quashed if indeed there were no final decision in February 2002?"

how the above domain, can Government the Chalillo

It is a press release that the granted was a emm... tations includ Comp signed Chali

however, when the Government lawyers pointed out that BACONGO had participated in the approval of the ECP.