

BELIZE

REFERENDUM PETITION

(Pursuant to Section 2(1)(b) of the Referendum Act (as amended by the Referendum (Amendment) Act, 2008) Chapter 10 of the Laws of Belize)

TO: Her Excellency, Dame Froyla Tzalam, GCMG
Governor-General of Belize
Office of the Governor-General
Belize House
Belmopan
Cayo District
Belize

WHEREAS:

- (A) In 2009 “Oceana in Belize” (hereinafter referred to as “Oceana”) was incorporated in Belize as a company limited by guarantee without a share capital;
- (B) Oceana is registered under the Non-Governmental Organizations Act, Chapter 315 of the Laws of Belize and is dedicated to marine conservation and the protection as well as preservation of marine life in Belize;
- (C) The Belize Barrier Reef Reserve System (“BBRRS”) consists of seven marine protected areas and was designated a UNESCO World Heritage site in 1996, which includes Bacalar Chico National Park and Marine Reserve, Blue Hole Natural Monument, Half Moon Caye Natural Monument, Glover’s Reef Marine Reserve, South Water Caye Marine Reserve, Laughing Bird Caye National Park and Sapodilla Cayes Marine Reserve;
- (D) In 2007 the Environmental Impact Assessment Regulations, 1995 made pursuant to Chapter 328 of the Laws of Belize, was amended by the Environmental Impact Assessment (Amendment) Regulations, 2007 to remove “oil exploration” from Schedule 1 projects, programs, undertakings or activities which “shall” require an Environmental Impact Assessment, and to include “Petroleum exploration activities such as seismic surveys” in Schedule 2 projects, programs, undertakings or activities which “may” require Environmental Impact Assessment”, thereby effectively easing the conditions required for the conduct of petroleum exploration and petroleum exploration via seismic surveys;

(E) In a judgment made on 16th April, 2013 in Supreme Court Claim No. 810 of 2011, *Oceana in Belize, Citizens Organized for Liberty Through Action (COLA), Belize Coalition to Save Our Natural Heritage v. Minister of Natural Resources and the Environment*, Legall J. declared that six Production Sharing Agreements made by the Government of Belize (the “Government”) on 25th May, 2004 and one PSA made on 12th October, 2007 were unlawful, null and void in that no environmental impact assessment was carried out before they were ordered and further declared that, “before entering into agreements or contracts which authorize oil exploration and seismic surveys, an environmental impact assessment is required under the provisions of the Environmental Protection Act, Chapter 328 and the Environmental Impact Assessment Regulations 1995 as amended”;

(F) On December 1st, 2015 Cabinet issued a Press Release which stated that:

“Cabinet at its meeting today, Tuesday, December 1, 2015, approved a policy that will legally apply a ban on offshore exploration in areas along the Belize Barrier Reef System, and within the seven (7) World Heritage Sites in Belize.

Cabinet has agreed to specifically ban offshore exploration in all 7 World Heritage Sites:

- 1. Bacalar Chico Marine Reserve and National Park*
- 2. Caye Caulker Marine Reserve and National Park*
- 3. Half Moon Caye Natural Monument*
- 4. South Water Caye Marine Reserve*
- 5. Laughing Bird Caye National Park*
- 6. Glovers Reef Marine Reserve*
- 7. Sapodilla Caye Marine Reserve*

This effectively results in a total of 448 square miles being banned. In addition, Cabinet agreed to a ban offshore exploration within one kilometer on either side of the Belizean Barrier Reef System, resulting in an additional 868 square miles falling under the offshore exploration ban. The total area covered by the ban is 842,714 acres or 1,316 square miles.

Cabinet further agreed that areas that fall outside of the large acreages banned, would not automatically allow for seismic activities and exploration drilling without conducting the existing stringent environmental studies to determine critical habitats and sensitive zones. The required environmental studies would then further give guidance to areas outside the ban, to scientifically determine the type and nature of exploration that can occur in these explorable areas.

This decision by Cabinet demonstrates government’s resolve in ensuring the continued protection of Belize’s Barrier Reef System and its seven World Heritage Sites.”;

(G) On October 20th, 2016 the Government issued a Press Release in which it stated as follows:

“Based on multiple concerns raised by concerned citizens regarding the seismic survey being conducted in the deep offshore of Belize as well as the fact that extensive consultation with a wider group of stakeholders did not occur prior to the commencement of the survey, the Government of Belize (GOB) has decided that it will suspend seismic operations until such consultations can be conducted. Accordingly, the Geology and Petroleum Department will inform the ship that they are to cease seismic operations immediately;

- (H) On October 21st, 2016, her Majesty’s Loyal Opposition, the People’s United Party issued a Press Release in which it condemned the decision of the Government to allow a certain United States company to conduct seismic testing and multi-beam studies within Belizean waters without consultation with stakeholders and the wider Belizean public; the said Press Release further stated as follows:

“The Belize Barrier Reef System is a World Heritage site and any seismic activity within or near this system can present a significant impact. Seismic activity represents offshore oil exploration and that is a threat to this resource. Offshore drilling and any activities related to it must be properly ventilated nationally. It was only 4 years ago that thousands of Belizean’s signed the People’s Referendum on offshore drilling. Over 95% of respondents said no to offshore oil exploration.

The PUP end their press release by urging all Belizean to support an official national referendum on offshore drilling and to support a ban on any seismic and multi-beam tests pending the results of a referendum that determined if Belizeans support or reject offshore oil exploration and drilling in Belize”;

- (I) On November 7th, 2016 the Government via the Ministry of Economic Development and Petroleum confirmed by Press Release that the regional offshore seismic survey had been cancelled on October 20th, 2016 and that the initially proposed public consultations on the issue would no longer be held; and further stated therein that *“If, in the future, such an opportunity were to arise, the Ministry will continue to ensure that all legal requirements are followed and that the appropriate level of consultations are held with stakeholders”;*
- (J) On December 28th, 2016 the Government issued a Press Release which invited the general public to a public consultation on the Marine Multibeam and Sea Deep Survey which the Government intended to complete in the deep offshore territorial waters of Belize, however the proposed consultation was subsequently cancelled;
- (K) In 2017 the National Assembly of Belize unanimously passed the *Petroleum Operations (Maritime Zone Moratorium) Act*, Chapter 330 of the Laws of Belize (hereinafter referred

to as the “Act”), which prohibits petroleum operations in the maritime zone of Belize, which per the Act was defined to mean the internal waters, the territorial sea and exclusive economic zone of Belize, and includes the Belize Barrier Reef System, but does not include that part of the internal waters that is landward of the low-water line along the coast of the mainland of Belize;

- (L) The Act defines ‘petroleum operations’ to mean operations related to the exploration, development, extraction, production, field separation, transportation, storage, or disposal of petroleum, but does not include any transportation or other operations in relation to petroleum that is imported into or exported from Belize by way of the maritime zone;
- (M) The Act was passed with bi-partisan support of the Government and Opposition, and a Channel 7 news report posted on December 8th, 2017 quoted then Leader of the Opposition, the Honourable John Briceno as follows;

"Look at the Spanish Lookout oil field. What did we get? We got a little over 600 million dollars Madam Speaker. Oil done. Money done. And what do we have to show for it? Poverty didn't go down. We didn't say we give thousands of students scholarships out of the oil money, but the money gone, the money finished, the oil finished. The point I'm trying to make, we can't risk for a little bit of oil to do oil exploration into our waters, because when you look at the Belize Barrier Reef, in my mind, the Belize Barrier Reef gives us more than 600 million dollars every year."

- (N) On November 4, 2021 the Government entered into a Conservation Funding Agreement with Belize Blue Investment Company, LLC (“BIC”) as a part of its debt restructuring obligations under a Blue Loan Agreement with BIC (“Blue Bonds”), under which the Government agreed to accelerate and improve its ocean conservation and management through various undertakings and commitments, which include the commitment of Belize to undertake additional activities that recognize the need to balance the development of Belize’s economy with the social, economic and environmental needs of a healthy and biodiverse Ocean and an undertaking to revise the Environmental Impact Assessment Regulations to better support the international designations such as the BBRRS World Heritage Site listing;
- (O) In September of 2022, Prime Minister John Briceno directly informed the Vice President of Oceana, Senator Janelle Chanona, of the intention of the Government to carry out oil exploration in Belize by way of seismic blasting, thereby signalling the intention of the Government to end the moratorium on offshore oil exploration established by the Act;
- (P) In October of 2022, the Government through the Ministry of Blue Economy and Civil Aviation launched a Development, Policy and Strategy (“BEDPS”) and first Belize Maritime Economy Plan (“MEP”), which endorsed research into “emerging sectors” like

deep and ultra-deep-water oil and gas, marine and seabed mining, and marine biotechnology;

- (Q) At a panel discussion held on October 31st 2022 to discuss “Belize’s Blue Economy Contribution to Development; Past and Future”, Ryan Cobb, Energy Director in the Ministry of public Service, Energy and Utilities made the following statement:

“Although we do have a moratorium on the exploration of fossil fuels, I don’t think that should prevent us from getting to know what the current resources are, so that we could leverage that information whenever we are negotiating as well (on in), specifically that on the international stage”.

- (R) According to the Terms of Reference published in 2020 by the World Wildlife Fund in partnership with the Belize World Heritage Advisory Committee, which is tasked with ensuring that our national heritage sites are protected and preserved, *“It is estimated that more than half of Belize’s population, or about 190,000 people, are supported by income generated through reef related tourism, and fisheries linked to the Belize Barrier Reef Reserve System”*;
- (S) The IDB Group Country Strategy with Belize 2022-2025 (the “Strategy”) noted that travel and tourism had been the main engine growth of Belize and represented 10.3% of GDP and 37.2% of GDP respectively; and that over overnight visitors to Belize overwhelmingly flock to destinations along Belize’s Barrier Reef, seeking sun and sea; the Strategy further noted that *“coral reefs, seagrasses and mangroves are a cornerstone of the Belizean natural capital and economy”* with data from the past decade showing that Belize’s coral reefs generated an estimated US\$135-176 million in annual gross revenue directly related to tourism;
- (T) The Belize Barrier Reef plays a critical role in protecting the shoreline of mainland Belize ,as well as coastal communities like Ambergris Caye and Caye Caulker, from the effects of coastal erosion and storm surges because it acts as a natural barrier, as was the case with Hurricane Lisa which recently made landfall in Belize;
- (U) Against this background Oceana believes that the protection afforded by the Act to marine life in Belize will be lost and that the BBRRS, which supports and sustains the people of Belize in a myriad of ways, will be at risk for damage and loss; and
- (V) Oceana is of the view that petroleum exploration, whether by seismic surveys or multibeam surveys, are harmful to the BBRRS and the marine life of Belize;
- (W) Oceana is also of the opinion that offshore petroleum and natural gas exploration and the development of a petroleum industry is counterproductive to: (i) Belize’s commitment to

reduce its carbon emissions, (ii) our desire to staunch the negative effects of global warming on small island territories like Belize and (iii) the commitments made by the Government under the terms and conditions of the Blue Bonds;

- (X) To effectively ban and prohibit offshore petroleum and natural gas exploration, seismic testing, seismic surveys, multibeam surveys, development, drilling, extraction, production, storage and disposal within the internal waters, territorial sea and exclusive economic zone of Belize, Oceana believes that the Constitution of Belize must be amended to ban petroleum operations unless and until the people of Belize say otherwise by way of a referendum held in accordance with the Referendum Act, Chapter 10 of the laws of Belize; and
- (Y) The issue of oil exploration by seismic or other means and the conduct of petroleum operations in pursuit of the development of an offshore petroleum industry in Belize, is of sufficient public importance that it should be submitted to the electors for their views through a referendum.

WE, the undersigned, have hereunto affixed our signatures on the attached pages and provided our personal information, in accordance with Section 2(2) of the Referendum Act, in support of this Petition which seeks by way of a referendum, to vote on the matter of offshore oil and natural gas exploration and petroleum operations (as defined in the Act) in Belize.

WE, the undersigned, registered voters of Belize, do hereby petition pursuant to the Referendum Act, that the following question be put to a referendum for the approval or disapproval of the people of Belize:

Do you support a legislative ban by way of an amendment to the Belize Constitution, Chapter 4 of the Laws of Belize, which will prohibit offshore petroleum and natural gas exploration (including but not limited to seismic testing, seismic surveys, multibeam surveys), development, drilling, extraction, production, storage and disposal within the internal waters, territorial sea and the exclusive economic zone of Belize (“petroleum operations”), unless a referendum is held in accordance with the Referendum Act, Chapter 10 of the Laws of Belize which approves such petroleum operations?

WE hereby respectfully request, that you forthwith refer our Petition to the Chief Elections Officer for verification of our signatures and for certification that at least ten percent (10%) of the registered electors in the entire country of Belize, have in fact appended their signatures to this Petition.

Dated the _____ day of _____, 2023

