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CABINET

DEFENCE AND OVERSEAS POLICY COMMITTEE

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THE DISPUTE WITH GUATEMALA OVER BELIZE

MEMORANDUM BY THE SECRETARY OF STATE FOR FOREIGN  
AND COMMONWEALTH AFFAIRS

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1. Guatemala has a longstanding claim to sovereignty over the Crown Colony of Belize, formerly known as British Honduras. Since 1945 the claim has been enshrined in the Guatemalan Constitution. Various attempts to negotiate a settlement of this claim have failed. A note on the history of the dispute is attached at Annex A, together with a map of the territory.
2. Belize has been internally self-governing since 1964. The interim Constitution then introduced was expected to last for only a short period. It is high time that the colony proceeded to independence. We should not have to maintain a defence garrison there at a cost of £3.7 million per annum, simply and solely because of the Guatemalans' claim and the military threat with which they back it. The United Nations by increasingly overwhelming majorities at each succeeding UNGA (134-0 with 8 abstentions last time) have endorsed the right of the people of Belize to self-determination. The Commonwealth and the Group of Non-Aligned Nations have made similar declarations. But since November 1978, when the

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Guatemalan Government publicly rejected proposals by the then British Government, no progress has been made. The intervening elections both in the UK and in Belize have delayed further negotiations; but it is now time to get on with resolving this problem.

3. Mr George Price, Premier of Belize, was re-elected convincingly for a further five years in November 1979 with a clearly defined mandate for early independence. In January at confidential talks in London with Nicholas Ridley he agreed, however, that a peaceful solution through negotiation offered by far the most secure future to an independent Belize. Britain is in any case publicly committed to further negotiation with Guatemala.

4. In the past, the Guatemalan Government has shown no desire for a settlement, preferring the status quo. However, the disturbing erosion of stability in Central America now makes a solution more urgent. Moreover, Mr Price is getting impatient and there is evidence that he is already in touch with other regional governments (eg, Panama, Barbados) about a possible multilateral defence guarantee after independence without Guatemalan endorsement. There is also a danger of pre-emptive action by others, eg the Non-Aligned Group, whipped up by Cuba. The status quo will not, therefore, hold for much longer.

5. Hitherto, the Guatemalan Government has taken comfort from the non-committal attitude of the United States, who have always abstained in the United Nations vote. It is now clear from recent talks between Nicholas Ridley and senior State Department officials that the Guatemalan Government can no longer count on tacit American acceptance of their position. Mr Vance has promised American support for our efforts to reach a satisfactory settlement.

6. We must set ourselves the objective of secure independence for Belize within a limited time. Negotiating tactics would be to make the Guatemalans aware of our determination to achieve this. This signal should not be conveyed baldly at the outset of negotiations or in the form of an ultimatum.

7. We consider that the Guatemalan Government and most



informed people in Guatemala no longer have realistic expectations of gaining the whole of the territory of Belize. There is evidence, however, that some acquisition of Belizean territory remains a minimum Guatemalan objective. This aim might be satisfied with a slice of territory in the south of Belize or in the cays. There are indications that the Guatemalans may be working on proposals of their own which include some territorial adjustment. Any form of territorial cession is unacceptable to Mr Price and the people of Belize. We must try to persuade the Guatemalans that proposals of this nature are not negotiable. We shall need an alternative package with substantial attractions for them.

8. Guatemala has legitimate fears of left wing (especially Cuban) subversion through an independent Belize. Current increase of guerrilla activity in Guatemala and Central America heightens these fears. Reassurance, which a multi-lateral defence guarantee for Belize might help to provide, would be an essential feature of any package which the Guatemalans are likely to accept.

9. I propose therefore:

- i. that negotiations with the Guatemalan Government should be resumed as soon as possible;
- ii. that our objective should be to convince the Guatemalans that the clock can no longer be held back on independence and that they must accept a realistic settlement;
- iii. that we should at an appropriate stage make clear to the Guatemalans that failure would not necessarily deter us from taking steps to bring Belize to independence;
- iv. if these negotiations open the prospect of a solution that we should be prepared to offer a package of proposals (Annex B) likely to be of interest to the Guatemalans.

10. Unilateral action to take Belize to independence without a settlement with Guatemala would heighten tension and might even provoke an invasion of Belize. Even the threat of such action might cause Guatemala to break off negotiation and resort to belligerent actions. We could not exert such pressure

without being prepared in principle to reinforce. Independence without a settlement might also entail maintaining a British garrison in an independent Belize and the establishment of an effective international guarantee of the security of the territory from Guatemalan attack.

11. It might be useful for our purposes to retain some facilities and troops in an independent Belize, eg for training or to enable us to provide rapid military assistance to our friends in the area. One means of doing so, subject to a study of the political and financial implications, might be the establishment of a sovereign base area. Another might be the maintenance of a second frigate on station in the Caribbean. Further examination would be needed before any recommendation could be made.

12. I invite your agreement to the course of action proposed above. I shall, in due course, report to the Committee on our progress.

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FOREIGN AND COMMONWEALTH OFFICE

26 March 1980

## ANNEX A

## THE DISPUTE WITH GUATEMALA

1. The original Guatemalan claim to Belize is based on the fact that both Belize and what is now Guatemala once formed part of the Spanish administrative-political unit of the Captaincy General of Guatemala (most of Central America and part of Southern Mexico also came under the same Captaincy General but Guatemala does not claim sovereignty over these areas). The countries of Central America overthrew the Spanish colonial regime in 1821. After that time de facto British control of the territory of British Honduras, first settled in the 17th century, ripened into full sovereignty by virtue of the dereliction of the Spanish title.
2. Guatemala effectively abandoned her claim to Belize in 1859 by signing and ratifying the 1859 UK-Guatemala Treaty in which she recognised the already existing boundaries between the two countries. The Treaty also contained an Article calling upon both parties to use their best efforts to establish a means of communication between Guatemala City and the Atlantic coast. The British Government conducted a survey of the route but in view of the difficulties encountered, the two countries negotiated a Convention in 1863 under which Britain was to pay £50,000 as her contribution to the cost of the project. This Convention never entered into force because the Guatemalan Government failed to ratify it.
3. In 1939 Guatemala denounced the 1859 Treaty and claimed Belize on the grounds that the road project undertaking had not been fulfilled. The Treaty had, however, made both parties responsible for the project. For the 80 years preceding 1939, Guatemala formally and legally recognised the present boundaries of Belize; her claims against Britain during that period related to financial compensation in connection with the road project.

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4. Since 1945 the Guatemalan Constitution has included an article to the effect that Belize is part of Guatemalan territory. The Guatemalans now argue that they cannot abandon the claim because it is enshrined in their Constitution; the Guatemalan Armed Forces are required by the Constitution to defend the Constitution, hence the military threat to Belize, if she moved to independence without a settlement of the Guatemalan claim. In 1964 Belize secured a new Constitution which provided full internal self-government on the basis of universal adult suffrage. During the London Constitutional Conference Guatemala broke diplomatic relations with the United Kingdom on the grounds that Britain had no right to make constitutional changes in a part of Guatemala.

5. HM Government have always denied any legal validity in the Guatemalan claim and offered in 1946 to refer the matter to the International Court of Justice. The Guatemalans said that they would agree to this only if the matter were to be judged "ex aequo et bono", ie in such a manner that the Court could base their decision not upon the issue of legal title but upon equitable considerations. This the United Kingdom did not accept. Various attempts have since been made to resolve the dispute through negotiations with Guatemala.

6. In 1965 the two parties agreed to submit the dispute to mediation by the US Government. In April 1968 the proposals made by the US mediator, Mr Bethuel Webster, were rejected unanimously by both the Government and the Opposition in Belize on the grounds that they were incompatible with full sovereignty, and subsequently by the British Government in accordance with an undertaking that Britain would not accept any proposals which were unacceptable to the people of Belize. Negotiations since then have explored various political ways of reaching a settlement.

7. In 1975 the Guatemalans stated that they would not agree to any settlement which did not include substantial cession of territory. Negotiations continued although by then the UNGA had given overwhelming support to Belize's right to self-determination, independence and territorial sovereignty. In

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1977 in response to a reduction in the amount of territory demanded by the Guatemalans, and at US urging, HMG explored without commitment the possibility of including cession of territory in a settlement. When the fact that territorial cession was under discussion leaked, the Belize Opposition accused the Belize Government of planning a sell out; the Belize Government reacted by announcing publicly that they would agree to no settlement which contained territorial cession and they have maintained this position firmly ever since.

8. Throughout the last decade political initiatives and negotiations have been punctuated by periods of tension as pressure for independence has grown. Reinforcements in 1972, 1975 and 1977 have raised the strength of the British defence garrison progressively from 600 to approximately 1900 and have necessitated the deployment of modern air defence and support equipment to provide an effective military deterrent.

9. The last set of negotiations took place in the autumn of 1978. The then Secretary of State for Foreign and Commonwealth Affairs put forward to the Guatemalan Foreign Minister proposals which met most of the primary concerns which had been expressed by the Guatemalan Government - security, a road element, seaward boundaries in the south and free port facilities for goods travelling to or from the Peten. In November, in the absence of any response from the Guatemalans, Britain gave an account of these proposals to the UN Committee discussing Belize. Two days later in a radio broadcast the Guatemalan Foreign Minister rejected the British proposals and British overtures for a resumption of diplomatic relations, and restated Guatemala's claim to the whole of Belize. However, he expressed willingness to continue negotiations. These have not taken place because of the British and Belizean General Elections held last year but the Guatemalans have made it plain that they are ready to negotiate whenever we are willing.

ANNEX B

PROPOSALS WHICH MIGHT BE OFFERED TO GUATEMALA

1. Seaward Concessions

Provision to give Guatemala in perpetuity access to her Caribbean ports through her own territorial waters. This might mean restricting the width of Belize's eventual territorial sea where it extends towards Honduras from the southernmost cays.

2. Security

Some kind of guarantee (membership of the OAS for Belize; a security arrangement involving Belize, Guatemala, UK, US, and others) which might help to allay Guatemalan (and American) fear of left wing subversion through an independent Belize.

3. Road Project

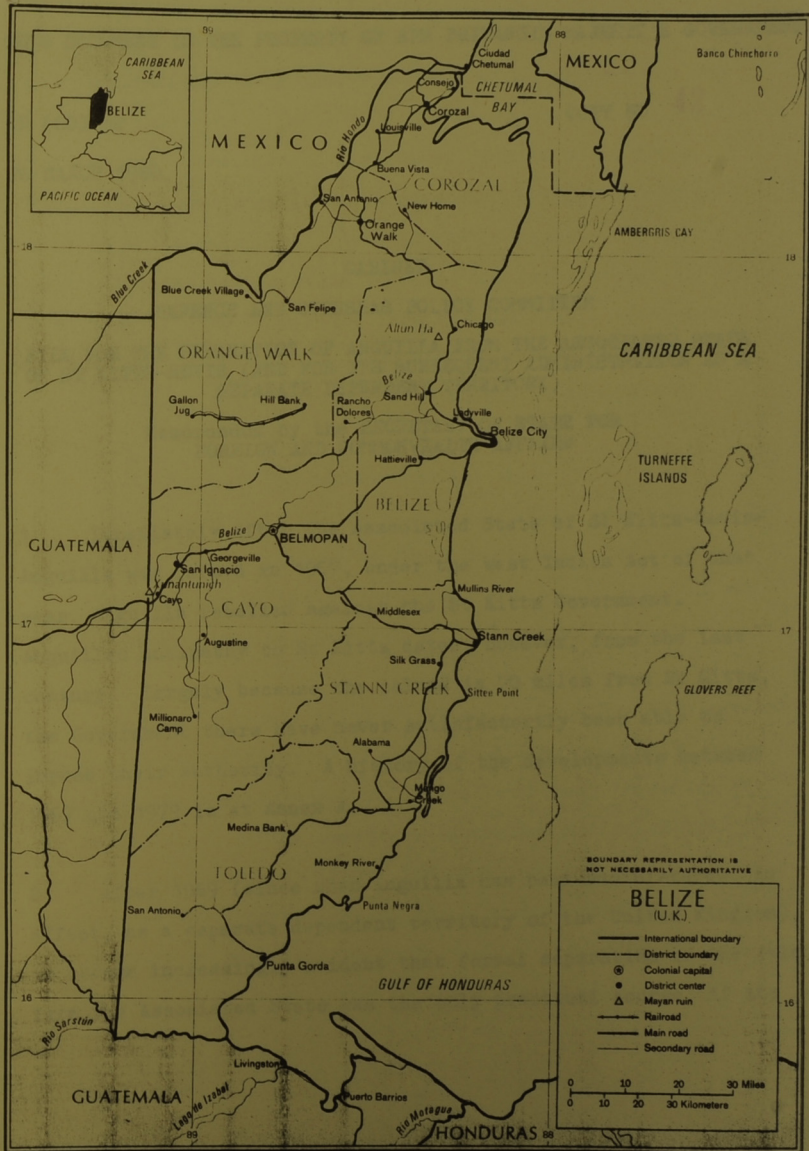
Improvement or construction of roads between Guatemala and Belizean ports, thus fulfilling the 1859 boundary treaty undertaking mentioned in paragraph 2 of Annex A

4. Joint Development Projects

Free port facilities in Belize City, a joint hydro-electric scheme, improved ferry landings in the South, joint agricultural development of boundary areas in the South (without affecting sovereignty), joint tourist development, provision of technical expertise in development fields.

5. The proposals above have yet to be considered by Departments - it would be necessary to estimate cost and availability of international finance before anything could be offered to the Guatemalans. They are listed as examples of what a package of proposals might contain.





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