



PRESS RELEASE

The Bar Association of Belize has reviewed the Belize Constitution (Ninth Amendment) Bill, 2011. After consulting the membership the Bar issues the following statement:

POSITION OF THE BAR ASSOCIATION OF BELIZE ON THE BELIZE CONSTITUTION (NINTH AMENDMENT) BILL, 2011

Amendment to section 69

1. The Bar Association of Belize does not support the proposed amendment to section 69 of the Belize Constitution. The proposed clause has the effect of removing constitutional supremacy which is the bedrock of our constitutional democracy and replacing it with parliamentary supremacy, in direct contravention of the intention of our founding fathers as stated in Section 2 and of the fundamental principles upon which the Nation of Belize was founded as set forth in the preamble to the Belize Constitution.

The Bar calls on the Government to withdraw this proposed amendment in its entirety.

Amendment to section 2

2. The Bar does not support the amendment to section 2 in connection with the definition and treatment of "other law" as proposed in the Belize Constitution (Ninth Amendment) Bill. Any amendment to the Constitution should, in a constitutional democracy, be subject to judicial review, and if such amendment is found to be unconstitutional, to be declared so by the Courts. Any attempt to oust the jurisdiction of the Courts in this manner undermines the Rule of Law, lays bare from constitutional and judicial protection our fundamental rights and freedoms and the way we are governed and violates the doctrine of Separation of Powers, which are essential elements in our Constitution.

The Bar calls on the Government to withdraw this proposed amendment in its entirety.

Part XIII

3. The Bar does not support the proposed amendment to the extent that it seeks to deny rights of property owners to access the courts to challenge nationalisations.

The Bar calls on the Government to withdraw this proposed amendment in its entirety or otherwise to make such amendments as may be necessary and sufficient to ensure the protection of the rights of property owners of access to the courts in accordance with section 17 of the Constitution.



JACQUELINE MARSHALLECK
President

Dated: July 27, 2011