

IN THE SUPREME COURT OF BELIZE, A.D. 2002
ACTION NO. 61

IN THE MATTER of an application for leave to apply for
Judicial Review

AND

IN THE MATTER of a Decision of the National
Environmental Appraisal Committee made on Friday,
November 9th, 2001 to approve an Environmental
Impact Assessment by Belize Electric Company Limited

AND

IN THE MATTER of a Decision of the Department of the
Environment or of the National Environmental
Appraisal Committee made on Friday, November 9th
2001 to grant environmental clearance to the Macal
River Upstream Storage Facility Project

AND

IN THE MATTER of the Environmental Protection Act,
Chapter 328 of the Laws of Belize, Revised Edition
2000, and the Regulations made thereunder

THE QUEEN

And

THE DEPARTMENT OF THE ENVIRONMENT

BELIZE ELECTRIC COMPANY LIMITED - Respondents

EX PARTE, BELIZE ALLIANCE OF
CONSERVATION NON GOVERNMENTAL

ORGANIZATIONS (BACONGO) - Applicant

FOURTH AFFIDAVIT OF AMBROSE TILLET

DATED 10TH JULY 2002

I, Ambrose Tillett of Vista Del Mar, Ladyville, Belize District,
MAKE OATH AND SAY as follows:

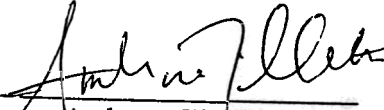
I ask leave of the Court to refer to my affidavit entitled
"Third Affidavit" dated 17th April 2002 in which I refer to
the Third Master Agreement between the Government of
Belize, BECOL and BEL.

2. The Third Master Agreement only became available when the Court order and its production in Supreme Court Action No. 138 of 2002 on the 12th June 2002.
3. I wish to further state that in clause 4.2 of the Third Master Agreement, *“If the Producer gives notice to the Government that it has determined that it will build the New Project...”* then the Government of Belize must design and construct the Chalillo access road (New Project Access Road).
4. On the 6th November 2001 I saw and heard, on the Channel 7 television station in Belize City, an interview between Jules Vasquez and the Prime Minister of Belize, in which the Prime Minister said the following:
Channel 7 interviewer: “Your appearance out here, and well, it’s a position of your party—a resolution it has taken... Your clear advocacy as prime minister: how much influence will that have on NEAC which is presently in deliberations...”

Prime Minister Musa: “Well I’m hoping it does have an influence. I think that as politicians, we not only have to sit down in rooms and make decisions, we have to show leadership and the political directorate of the ruling party in government today sincerely believes that this is a good project for Belize, it’s very important to our future and we have to take a stand. That’s what I’m doing today.”
5. The Channel 7 interviewer cut to Jamillah Vasquez and apparently asked if she thought the Prime Minister’s presence would influence NEAC.
Channel 7 interviewer: *“Do you think the Prime Minister’s presence here today will have an effect on NEAC*


6. I am in custody of a copy of the video tape containing this interview and it is available for court viewing.

Sworn to at Belize City by Ambrose)
Tillett on the 10th day of July 2002)



Ambrose Tillett

Before me,



M. A. Chester
Commissioner of the Supreme Court

This Affidavit is filed on behalf of the Applicant and subject to leave of the Court will be used at hearing of the Originating Notice of Motion herein.