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PRESS RELEASE

Court of Appeal Reverses High Court \$2.1 Million Judgment Against GOB

Belmopan, September 1, 2025.

The Attorney General's Ministry is pleased to announce that, through the efforts of retained Senior Counsel and our own Head of Litigation, the people and the Government of Belize have been saved from having to pay out millions of dollars.

The Court of Appeal handed down a landmark decision in the case of Rudolph Ramirez & Anor against the Attorney General on Friday, August 29, 2025. This reversed a \$2.1 million liability imposed on the Government of Belize by the High Court in January 2024 and clarified the law on an important matter: what happens when the Government issues title to the same land to more than one person.

This is a situation that has bedevilled the sale of national lands, where, innocently or otherwise, duplication of titles occurs. When this occurs, based on previous decisions of the Court of Appeal, the State must pay one of the persons the market value of the land. This is usually many times greater than what was originally paid as the purchase price to the Government.

The case of Andre Vega, which the Government was bound to follow, graphically illustrates this. As far back as 1988, GOB sold 2.28 acres of national land near the mouth of the Belize River to a private citizen (Carlton Russell). That meant that the land was no longer national land but private land. However, in 2013, GOB sold one acre of this private land to Hilmar Alamilla, who in turn sold it to Andre Vega for \$15,000. When it was discovered that the title to the land had been sold to Russell, the Government entered into a settlement agreement with Vega in the sum of \$400,000, the market value of the one acre he bought from Alamilla. This compensation agreement was upheld by the Court of Appeal in April 2022, on the basis that Vega was a legitimate purchaser of the land and had no knowledge that the land had been previously sold by GOB twenty-five years ago. Based on this decision, GOB has paid substantial damages to other landowners who held duplicate titles issued erroneously by the Government, sometimes collusively.

In the case of Ramirez, in 2008, the Government inadvertently sold 14.76 acres of land on Cats Caye in the Stann Creek District to Mr. Rudolph

Ramirez, who, in turn, sold it to Mr. Julius Zabaneh. It was thought at the time that the land was still national and undeveloped. However, three years earlier, the land had been sold by the Government to someone else.

In 2021, Ramirez and Zabaneh (the claimants) sued the Government for \$8,900,000 in compensation as the market value of the 14.76 acres of land. The Government's valuation differed.

In the trial before the High Court, the parties and the Court felt bound by the Andre Vega decision. The High Court therefore agreed with the claimants that GOB did not have a viable defence to the claim and all that the court should be concerned with was how much compensation should be paid to them. The High Court, in making the award of compensation, accepted the valuation of the Government as more probable with adjustments and awarded the claimants \$2,087,936.28.

The claimants, however, appealed the award to the Court of Appeal on a number of bases, including that the 2.1 million dollars award was insufficient. This being a matter with myriad implications, including substantial financial ones, the Government retained outside counsel to work on this appeal.

The Government successfully argued that, based on the evidence in the trial, the claimants knew that when the title was reissued in 2019, the Government did not own the land and therefore this should bar them from receiving any compensation.

The Court of Appeal agreed, explaining:

“For the grant of land which was clearly no longer national land and thus not in the Minister's power to convey, the State (and by extension, taxpayers of Belize) would be liable to repay a party who knew of the true state of affairs, millions of dollars in damages. In my opinion, no procedural rule could justify or should be allowed to enable such a perverse outcome.” [93]

In relation to its previous Vega decision, the Court of Appeal clarified that that case should not be used as one of general application, explaining:

“In all fairness, the trial judge presumably felt bound by this court's decision in Vega, but as demonstrated above, this decision must be confined to its narrow facts in which the subsequent grantee purportedly had no knowledge of the earlier [grant]” [68].

With this decision, the Government, on behalf of the people of Belize, can now push back and fight these types of claims with vigour.

The Government of Belize would like to thank Senior Counsel Eamon Courtenay and Assistant Solicitor General Samantha Matute, who worked on this important case for the nation.

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