



Security Council

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Letter dated 14 January 2021 from the Permanent Representative of the Co-operative Republic of Guyana to the United Nations addressed to the President of the Security Council

I address you in your capacity as President of the Security Council of the United Nations regarding a letter dated 8 January 2021, addressed to you, from the Ambassador and Permanent Representative of the Bolivarian Republic of Venezuela to the United Nations, Samuel Moncada.

In my “immediate and preliminary” response to that letter, dated 12 January 2021 ([S/2021/54](#)), I indicated that my Government would address you further. I do so herewith.

Regrettably, the content of Ambassador Moncada’s letter is so egregiously misleading that my Government is constrained to respond to ensure that you and other representatives of member States of the Security Council are made aware of the facts.

Ambassador Moncada asserts, on behalf of his Government, that “under the disguise” of an operation to combat illegal, unreported, and unregulated fishing, the Defence Force of Guyana and the United States Coast Guard carried out what he described as “joint military exercises”. My Government advises you and the distinguished representatives of member States of the Council that the joint operation between agencies of the United States and Guyana were not conducted in “disguise”. The operation was announced in advance and was precisely to help in the process of Guyana combatting illegal, unreported, and unregulated fishing, which United Nations bodies, such as the Food and Agriculture Organization of the United Nations, are fully aware has plagued Guyana, eroding our national food security, adversely affecting the livelihood of our fishing community and depriving our economy of earnings.

Exercises, such as were conducted by Guyana and the United States of America, have been conducted within the Latin American and Caribbean region routinely to help to build capacity to combat drug trafficking and illegal fishing. There is nothing sinister in them.

Further, the Venezuelan Government alleges that the joint operation took place “in very close proximity to Venezuelan waters”. The fact is that the operation took place entirely in Guyana’s waters in accordance with its sovereign rights and in conformity with international law.

In what can generously be described as a misstatement, Ambassador Moncada seeks to mislead the members of the Security Council into accepting that the operation was “an attempt from the United States government to interfere in the existing and



longstanding territorial controversy between Guyana and Venezuela over the Essequibo, but also a deliberate attempt to fabricate a conflict in Venezuelan waters, to provoke an incident of a military nature and to advance the United States plan of aggression against our country". The Government of the United States can speak for itself regarding this calumny.

However, the Government of Guyana makes it clear that Guyana is pursuing – as it has always done – legal and peaceful means of settling the unfounded Venezuelan claim to 75 per cent of our territory within borders that were settled, and accepted by Venezuela, as long ago as 1899, until Caracas resurrected the matter in 1962 on the eve of Guyana's independence. The matter is before the International Court of Justice in hearings in which, so far, the Government of Venezuela has refused to participate.

My Government also draws attention to the fact that, on 7 January 2021, the President of Venezuela, Nicolas Maduro, issued a decree claiming sovereignty and exclusive sovereign rights for Venezuela in the waters and seabed adjacent to Guyana's coast west of the Essequibo river. In doing so, President Maduro violated international law.

As members of the Security Council know well, no State can unilaterally determine its international boundaries, whether they are land boundaries or maritime boundaries. The fixing of an international boundary under international law can only result from an agreement between neighbouring States, or a binding determination by an international court or arbitral tribunal. Therefore, this effort by Venezuela to attempt, unilaterally, to fix both its land and maritime boundaries with Guyana is a legal nullity that cannot be respected by any other State in the world.

Also, under well-established rules of international law, there is a fundamental principle that "the land dominates the sea". This means that sovereignty, and sovereign rights in the sea and seabed, emanate from title to the land that forms the coast to which those seas and seabed are adjacent.

Since Guyana is sovereign over the coast west of the Essequibo river, as far as Punta Playa, it follows, consequently, that only Guyana can enjoy sovereignty and exclusive sovereign rights over the adjacent sea and seabed.

By his decree, President Maduro provocatively flouts international law and the tenets of the Charter of the United Nations. The Government of Guyana has registered its protest with the authorities in Caracas and has continued its pursuit of a peaceful and legal path of arbitration on this matter by the world's highest and most authoritative court.

My delegation has the honour to request that the present letter be distributed to all member States of the Security Council as a document of the Council.

(Signed) Carolyn **Rodrigues-Birkett**
Permanent Representative of the
Cooperative Republic of Guyana to the United Nations