

THE GUYANA/BENEZUELA CONFLICT

THE POSITION OF CARICOM

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The disputed area constitutes two thirds of Guyana. Since 2015, oil companies, including ExxonMobil XOM have uncovered 46 oil fields in Guyana, with four found in 2023 and the latest discovery publicly announced in October of this year. Guyana may have oil deposits in excess of 11 billion barrels, which, if developed, will make its population richer than Kuwait or UAE.

In Sept 22, 2023, the Caribbean Community (CARICOM) noted with grave concern the contents of a Communique emanating from the Bolivarian Republic of Venezuela regarding the announcement made by our sister Member State, the Cooperative Republic of Guyana, about its intention to open bids for certain oil blocks in the waters adjacent to Guyana's coast.

CARICOM views the stated intention of Venezuela to "apply all the necessary measures" to prevent the operations licensed by Guyana in its waters, as a threat of the use of force contrary to international law. It is also not in keeping with the long-standing position of the Latin American and Caribbean countries that our Region must remain a Zone of Peace.

CARICOM has also taken note of the decision of the Venezuelan National Assembly to conduct a popular referendum on defending Venezuela's claim of the Essequibo. CARICOM expresses the hope that Venezuela will engage fully in the process before the International Court of Justice, which has determined that it has the jurisdiction in the case brought before it. The Court's final decision will ensure a resolution that is peaceful, equitable and in accordance with international law.

CARICOM reiterates its full and unequivocal support for the sovereignty and territorial integrity of the Cooperative Republic of Guyana, including its right to peacefully develop the resources of its territory.

On October 25, 2023, CARICOM further notes that two of the questions approved to be posed in the Referendum, If answered in the affirmative, they would authorise the government of the Bolivarian Republic of Venezuela to embark on the annexation of territory, which constitutes part of the Cooperative Republic of Guyana, and to create a state within Venezuela known as Guyana Essequibo.

CARICOM reaffirmed that international law strictly prohibits the government of one State from unilaterally seizing, annexing or incorporating the territory of another state. An affirmative vote as aforesaid opens the door to the possible violation of this fundamental tenet of international law.

CARICOM notes that the language of two questions approved to be posed in the Referendum seeks an affirmation and implementation of Venezuela's stance on the issue "by all means, according to/with the Law." It is open to reasonable persons to conclude that "by all means", includes means of force or war.

CARICOM earnestly hoped that Venezuela is not raising the prospect of using force or military means to get its own way in this controversy over territory. It has been the long-standing position of Latin American and Caribbean countries, including Venezuela, that our Region must remain a Zone of Peace.

CARICOM insists that the Referendum proposed by Venezuela has no validity, bearing, or standing in international law in relation to this controversy; the Referendum is a purely domestic construct, but its summary effect is likely to undermine peace, tranquility, security, and more, in our Region.

CARICOM reiterates its support for the judicial process and expresses the hope that Venezuela will engage fully in that process before the International Court of Justice which has determined that it has the jurisdiction in the case brought before it to determine the validity of the 1899 Arbitral Award which Venezuela questions. The Court's final decision will ensure a resolution that is peaceful, equitable and in accordance with international law.

On December 1, 2023, the ICJ Order reinforces the fundamental principle of international law, enshrined in the UN and OAS Charters, that every State has the duty to respect the sovereignty and territorial integrity of others. The Order makes clear that holding a national referendum does not exempt a State from its obligation to comply with this duty. Venezuela cannot by a referendum, or otherwise, violate international law and disregard the Order of the world's highest Court. CARICOM expected Venezuela to uphold the ICJ's Order of 1 December 2023. It also insisted that Venezuela complies with international law in all respects, and the Charter of the United Nations, and, in this connection, calls on it to take no actions in violation of them.

CARICOM emphasized that the Venezuela-Guyana controversy is properly before the ICJ by the decision of the Secretary-General of the United Nations for 'final settlement', pursuant to the provisions of the 1966 Geneva Agreement to which both Venezuela and Guyana are bound. CARICOM demands that Venezuela pursue its claims within the law and the legal process.

Further, CARICOM demands that the Caribbean be respected as a Zone of Peace and that nothing should be done to disrupt the tranquility of the Region, which is essential to the economic prosperity and social well-being of all countries of CARICOM and Latin America.

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