

Courtesy Translation

Caracas, January 31st, 2024

His Excellency
Antonio Guterres
Secretary-General
United Nations Organization
New York.

I respectfully address to you to refer to Note No 00024, dated March 9, 2012, about the declaration by the Government of the Bolivarian Republic of Venezuela on the submission made by the Government of the Cooperative Republic of Guyana on September 6, 2011 regarding the information on the limits of the Continental Shelf beyond the 200 nautical miles.

The Government of the Bolivarian Republic of Venezuela emphasizes that the Guianese submission is a serious event committed against the sovereignty of our country. In this light, the Venezuelan Government absolutely rejects the information provided by the Government of the Cooperative Republic of Guyana in 2011, whose *Executive Summary*,¹ suggests the demarcation of a limit to the Continental Shelf corresponding to an area having maritime zones pending delimitation between the parties and is on the western territory located from the boundary of the Essequibo River

¹ A submission of data and information on the outer limits of the continental shelf of the Co-operative Republic of Guyana pursuant to Part VI of and annex II to the United Nations Convention on the Law of the Sea, submitted to the Commission on the Limits of the Continental Shelf through the Secretary-General of the United Nations August 2011.

which is subject to the territorial sovereignty dispute which is subject to the 1966 Geneva Agreement.

1. In light of the above, the Bolivarian Republic of Venezuela, as a non-State Party of the United Nations Convention on the Law of the Sea (UNCLOS), acting in conformity with the customary international law, hereunder refers to the Rules of Procedure of the Commission on the Limits of the Continental Shelf, adopted on April 17, 2008, as follows:

Article 46.

Submissions in case of dispute between States with opposite or adjacent coasts or any other pending territorial or maritime disputes.

1. Submissions corresponding to disputes arising in relation with the delimitation of the continental shelf between States with opposite or adjacent coasts or any other pending territorial or maritime disputes shall be made and examined under Appendix I of the present Rules of Procedure (...)

2. Additionally, rule 5 (a) of Appendix 1 of the Rules of Procedure of the Commission on the Limits of the Continental Shelf expressly states as follows:

In case of a territorial or maritime dispute, the Commission shall not consider or qualify the submission made by any of the Party States in such dispute (...) [Emphasis added].

Consequently, by virtue of the specify of the legal rules governing the performance of the mentioned international entity, this Commission shall not know or deal with Guyana's submission.

The Bolivarian Republic of Venezuela clearly specifies that it has rights over the Continental Shelf extending to the outer edge of the continental margin corresponding to the Atlantic region. It is urgent to warn that the Cooperative Republic of Guyana, with its submission before the Commission, incurs in a prevarication of the Venezuelan rights that would cause irremediable damages to our nation.

The Bolivarian Republic of Venezuela reiterates the contents of communication No. 00024, dated March 9, 2012, addressed to the Secretary General of the United Nations, and expressly and categorically protests the refutable submission made by the Cooperative Republic of Guyana. Consequently, Venezuela requests that said information be rejected by the Commission on the Limits of the Continental Shelf, under the rules governing its functions.

In requesting that this communication be circulated to the Members of the Commission on the Limits of the Continental Shelf and to the Member States of the United Nations, I wish to take this opportunity to renew to you the assurances of my highest consideration and esteem.

Yván Gil
Minister