

Shenzhen College of International Education Model United Nations (SCIEMUN) Conference 2024



# **UN SECURITY COUNCIL**

# Background Guide

**Topic: On the Crisis in Guyana After the De Jure Invasion** 

of Essequibo

Committee: Security Council

**Topic:** On the Crisis in Guyana After the De Jure Invasion of Essequibo

President: William Wen



# Letter from the Presidents

Greetings delegates!

Welcome to SCIEMUN 2024. My name is William Wen, your president for the Security Council. I am a G2 (10<sup>th</sup> Grade) student at SCIE. I have been part of the SCIE MUN Club since G1 and I am currently deputy head of operations. As your president, I will be moderating the committee sessions alongside your deputy president, Jemie Wong.

In this conference, our committee will focus on the most concerning yet unaddressed issues the developing world faces today: The insurgency in Mali and the long-standing territorial dispute in Essequibo. Despite the lack of attention to such crises, they are nevertheless significant in disrupting regional security and international peace. These issues deserve to be addressed and will be addressed at this conference.

Given that the Security Council is an advanced committee, I strongly encourage every delegate to research beyond this background guide. I hope to witness riveting discussion and compelling debate during this conference. But most of all, I hope that you will all be able to have fun and approach the discussion and other delegates with a positive and respectful attitude. Prepare well.

Please feel free to contact me at s23453.wen@stu.scie.com.cn if you have any questions about MUN procedure or the topic. We are excited to see you all on November 8th!

Sincerely,

William Wen

### **Committee Background and Mission Statement**

According to the United Nations Charter, the Security Council is in charge of maintaining global peace and security. The Security Council will decide when and where to send out a UN peace operation. It has a variety of alternatives at its disposal and responds to crises across the world on a case-by-case basis. When deciding whether to launch a new peace operation, several variables are taken into account, including:

- whether a cease-fire is in effect and whether the parties have agreed to participate in a peace process aimed at reaching a political agreement;
- 2. whether there is a distinct political objective and whether the mandate can represent it;
- 3. if a UN operation may be given a specific mission;
- whether it is possible to properly protect the safety and security of UN employees, especially whether it is possible to acquire acceptable guarantees for this purpose from the principal parties or groups.

By passing a Security Council resolution, the Security Council establishes a peace operation. The resolution specifies the purpose and scope of that mission.

The Security Council keeps a continuous eye on the progress of UN peace operations, among other things by receiving reports from the Secretary-General on a regular basis and by convening special Security Council meetings to examine the progress of particular operations.

The Security Council may decide to vote to prolong, modify, or terminate mission mandates as it sees fit.

According to Article 25 of the UN Charter, all members consent to accept and implement Security Council decisions. The UN Council alone has the authority to

adopt decisions that Member States are required to execute, whereas other UN entities only have the authority to offer recommendations to Member States.

# Key Terms

Term	Definition
Tribunal	A court or forum of justice (Merriam-Webster).
Territorial Dispute	A disagreement between two or more states over who has authority/sovereignty over a particular region (Curtis, Mallet-Prevost).
Exclusive Economic Zone (EEZ)	The maritime area adjacent to the territory extending 200 nautical miles. Countries are given the sovereign rights to explore/exploit the resources in their respective EEZ (United Nations).
Good Offices	Diplomatic or humanitarian initiatives taken by a neutral third-party state in resolving potential conflicts that threaten international security (Swiss Federal Department of Foreign Affairs).

# Introduction



#### Figure 1: Map of the Essequibo region and territorial disputes

The Essequibo Region lies along the northeastern coast of South America, covering approximately 159,500 square kilometers. This region has been a source of territorial dispute between Guyana and Venezuela for centuries, dating back to 17th-century colonial periods when European powers, particularly the British and Spanish, held competing claims in South America. Essequibo was a region that never had its borders and territorial claim defined before the late 19th century, which sparked disputes over territory and natural resources like gold. After gaining independence from colonial rule, the modern states of Guyana and Venezuela inherited this unresolved border issue, which has since evolved into one of the most contended territorial disputes in the region.

This dispute derives from Venezuela's claim to the entire Essequibo region, which amounts to almost two-thirds of Guyana's total land area and roughly the size of Florida state. This claim is based on historical documents, including maps and treaties from the colonial era, which Venezuela argues were unfairly imposed by Britain. Guyana, on the other hand, contends that the issue was definitively settled in 1899 by an international arbitration tribunal, which had granted most of the disputed territory to British Guiana, now Guyana. Despite efforts on resolving the issue diplomatically over the past decades, tensions have persisted and even increased in recent years, with the discovery of significant oil reserves off the coast of the disputed area in 2015. For Guyana, the dispute threatens the economic potential of the Essequibo region, particularly given the recent oil discoveries that transformed the country into one of the fastest growing economies in the world. The region and its surrounding territorial waters poses itself as crucial for Guyana as a key factor in their rapid economic growth. For Venezuela, however, the territorial claim has been a symbol of national pride and a tool for improving the image of the United Socialist Party of Venezuela led by Venezuelan president Nicolás Maduro. The dispute also has broader implications for regional stability and international relations, as both countries have sought diplomatic and legal support from regional organizations, such as the Caribbean Community (CARICOM) and the Organization of American States (OAS), as well as from global powers like the United Nations (UN) and the International Court of Justice (ICJ).

Despite only being indirectly involved in this dispute, the UNSC still presents itself as an international organ which prevents regional tensions from escalating into conflicts. The council met in April of this year and has agreed that any actions must be in accordance with international law (France-Presse, 2023). No real resolutions addressing this issue have been passed, however, and this conflict continues even to this day. Delegates here at SCIEMUN are expected to propose a multifaceted approach in addressing this complex dispute, fulfilling the best of their delegation's stances. As the most powerful body in the UN, the Security Council is tasked with resolving the world's most troubling issues in the modern world, and one of them is the Essequibo Dispute.

### History and Current Situation

#### **Colonial History of the Essequibo Region**

This dispute has its roots in colonialism. The Netherlands first settled in the Essequibo region around 1616, in which a trading post was established by the Dutch West India Company (Loader, n.d.). A century later the Dutch colony of Demerara was established in 1745 after more than a century of power shifts and the increase in sugarcane plantations. The colonies were captured by the British during the Napoleonic Wars between 1796 to 1803 and were temporarily returned to the Dutch before being informally occupied by Britain up until 1814. The Treaty of Vienna in 1815 formally ceded the colonies of Essequibo, Berbice, and Demerara to Britain. (Bethell, 2024). The treaty never defined a formal Western boundary (Ridderhof, 2016), and the British now shared an undefined border with the Venezuelans (Bayard, 1895) who had gained

independence from Spain in 1811 and split from Gran Colombia in 1830 (Bethell, 2024).

One year later, the colonies of Essequibo, Berbice, and Demerara combined to form British Guinea (Loader, n.d.). The western boundary of the colony bordering Venezuela was still undefined. Therefore, in 1835 the British Royal Geographical Society commissioned Robert Hermann Schomburgk to conduct geographical and scientific explorations in British Guinea along the Essequibo River, where the supposed border was. In 1839, Schomburgk ended his expedition and concluded how a new boundary should be drawn by geographical surveys. In 1841, he did exactly that, and proposed the Schomburgk line, a new border that incorporated large swaths of Essequibo into British Guinea (Loader, n.d.). Venezuela invalidated the proposed border, referring to the 1810 Captaincy General of Venezuela, which had declared the border to be the Essequibo River and had the Essequibo region included in Venezuelan territory (Bayard, 1895). Despite the controversial border dispute, British Guinea saw its territory expand at least 85,000 square kilometers, with the Granville Line of 1881 and the Rosebery Lines of 1886 and 1893 pushing further into Essequibo, eventually claiming the entirety of the region (Bayard, 1895).

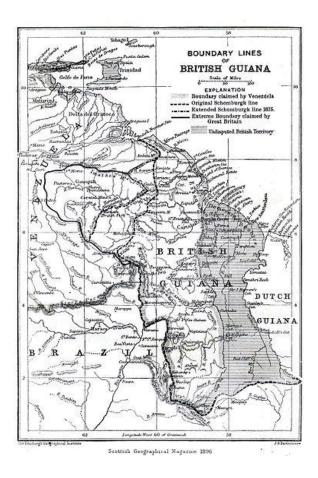


Figure 2: Map of the original Schomburgk Line and further extensions in 1875

During the period multiple negotiations commenced but produced no result. Venezuela had offered to accept the contemporary proposed border in 1876 but failed, as Britain pushed for further extensions of the line. Venezuela rejected the new line and negotiations fell off (Banyard, 1895). Britain was willing to concede parts of Essequibo, specifically the strategic mouth of Orinoco, but was unwilling to give up the border claimed by the Schomburgk Line. In 1886, a treaty under the Gladstone government of Britain was produced that contained a general arbitrary, leaving the decision to a third-world neutral country (Bayard 1854). However, the British government was replaced and refused to accept the treaty, stating how any decision made should only change the status quo of areas west of the Schomburgk Line. As a result, Venezuela severed diplomatic relations with the U.K in 1887 and turned to the United States for support (Bethell, 2024).

The U.S House of Representatives voted in favor of an arbitration to the Essequibo dispute in 1895. Despite the Venezuelan enthusiasm regarding U.S support, the terms agreed upon by both parties were incredibly in favor of Britain, with the definition of occupation and settlement being defined as 50 years, and the selection of arbitrators disapproved by the Venezuelan government (Bayard, 1895). On October 3, 1899, the tribunal decided on the resolution to award 95% of the disputed territory west of the Essequibo River to British Guinea. The border consisted mainly of the Schomburgk Line, with the only British concession being the northern mouth of Orinoco, which was given to Venezuela (Bethell 2024). The agreement was finalized in 1905, with Venezuela less than satisfied (Loader, n.d.).

### **Post-Arbitrary Conflicts**

This dispute was brought up again less than half a century later upon the publication of a memorandum written by U.S. lawyer Severo Mallet-Prevost, who was a member of the U.S. legal team that presented during the 1899 Paris arbitrary (Bethell, 2024). The memorandum revealed the scandal behind the 1899 arbitration in which Friedrich von Martens, president of the tribunal, and British arbitrators offered a deal to American arbitrators that same year. The deal provided a choice to be made unanimously supporting all British claim to Essequibo excluding the Orinoco delta (Bethell, 2024). American arbitrators agreed to the deal as they ensured no further extensions of the Schomburgk Line could be proposed, resolving the dispute. Mallet-Prevost in his memorandum did not provide conclusive evidence to his statements, however (Bethell, 2024).

In 1962, Venezuelan president Rómulo Betancourt denounced the 1899 award by calling it "null" and "void", invalidating the settlement by restoring Venezuela's claim

to all the territories west of the Essequibo River (Bethell, 2024). His basis of the declaration rooted in Mallet-Prevost's memorandum and argued the arbitration had been pre-arranged by the U.K. due to the lack of Venezuelan judges (Bethell, 2024). In that same year, Venezuela filed a complaint to be discussed in the United Nations General Assembly, in which the Foreign Minister claimed that a "political compromise" was made and provided evidence largely based on the memorandum verifying the scandal. During the same session, the British representative questioned the legitimacy of the memorandum and stressed on the legality of the 1899 arbitrary (United Nations, 1962).

Before the concession of British Guinea and the independence of Guyana in May 1966, representatives from Venezuela and Britain met in Geneva that February, agreeing on the establishment of a commission aimed at reaching a definitive resolution within the timespan of 4 years (United Nations 1966). All claims to the Essequibo region were suspended, and the disputed territory temporarily remained under Guyanese sovereignty. Despite the commission failing to reach an agreement in 1970, Venezuela agreed to sign the Protocol of Port of Spain, which prohibited any claim on the disputed region for another 12 years (United Nations, 1971). During this period, Guyana nevertheless refused to open direct relations with Venezuela, and Venezuela refused to submit the case under the ICJ, effectively halting discussions for the following decades (Ridderhof, 2016)

#### **Discovery of Oil**

It is key to note that the Essequibo region provided little to no economic value for both countries, until the discovery of oil in the region's maritime territory in 2015 (Bethell, 2024). American oil company ExxonMobil, which had been operating in Guyana since 2008, located significant amounts of oil reserves offshore of Essequibo in May (Loader, n.d.). Estimates show that the reserves could potentially hold more than 700 million barrels of oil, worth well over USD 40 billion (Loader, n.d.). The reserves proved essential for Guyana, but it was even more essential to Venezuela, which was amidst an economic and migrant crisis (BBC, 2022). Nicolás Maduro, president of the United Socialist Party of Venezuela revived the nation's claims to the Essequibo region. In 2021 Maduro issued Decree No. 4.415, claiming waters 200 nautical miles from the Essequibo region on the creation of a "strategic zone" (Griffith, 2021). Despite the offers of UN good offices by both secretary generals, both parties failed to produce an agreement with this new game changer. On March 29, 2018, Guyana appealed to the ICJ for a declaration on the validity of the 1899 Paris Arbitral Award (International Court of Justice, 2018), to which Venezuela responded by challenging the court's

authority and legitimacy (Bethell, 2024). Nonetheless, the ICJ confirmed the jurisdiction of the dispute and proceeded with the case (Loader, n.d.).

### 2023 Referendum

Tensions quickly escalated in late 2023 when Maduro announced a referendum that would be held on the legitimacy of the 1899 Arbitral trial, the re-establishment of a commission like 1966, the rejection of the ICJ's authority, and the forceful annexation of Essequibo (Loader n.d.). Despite warnings from the ICJ prohibiting Venezuela from changing the current status quo in Essequibo two days before the referendum, the plebiscite was held on December 3, 2023. National sources state that the voter turnout rate was 51%, while the opposition party and other external outlets claim it was less than 10%. A support rate of 95% was recorded, and Madura immediately ordered a bill to be passed on the annexation of Essequibo (Loader, n.d.). On December 5th, promptly after the referendum Brazil militarized its northern border with Venezuela, stating that Venezuelan forces are prohibited to use Brazilian territory "in any hypothesis", and that it will not tolerate an invasion of Guyana in any way possible (Gomes, 2023). The United States Military Command announced on December 7 that it would be conducting joint operations alongside the Guyanese Defense Force (Vidal, 2023). On December 14, leaders from both parties met in St. Vincent and the Grenadines, agreeing on the use of peace and the promise of not escalating tensions over Essequibo (U.S. News, 2023). However, in response to the dispatch of British warship HMS Trent on December 24th, Madura ordered over 5000 Venezuelan troops to conduct military drills near the border (France 24, 2023). There have been reports of military buildup near the Essequibo region on the Venezuelan side, with the most recent report in April 2024 (BBC, 2024).

Date	Event
1616	The Dutch arrives in Essequibo Valley, establishing trading posts and the first official settlement.
1814	Britain acquires the region from the Netherlands after the Napoleonic Wars.
1830	Venezuela splits from Gran Colombia and claims sovereignty to Essequibo.
1831	Essequibo unites with Berbice and Demerara to form the

### **Timeline**

	colony of British Guinea in 1831.
1841	The Schomburgk Line is drawn.
1887	Venezuela severs diplomatic relations with Britain.
1894	Venezuela appeals to the U.S for arbitration.
1899	The 1899 Paris Arbitral Award rules in favor of Britain and awards approximately 90% of the Essequibo region to British Guinea.
1949	A memorandum written by Mallet-Prevost is published.
1962	Venezuela declares the 1899 decision as illegitimate.
1966	A mixed commission is established to negotiate settlements between both parties.
May 1966	British Guinea gains independence and becomes a republic in 1970.
June 18, 1970	Port of Spain Protocol signed to dismiss the dispute for 12 years.
2004	Hugo Chavez, the 52nd Venezuelan President eases tensions with Guyana by visiting Georgetown and claims the border dispute has been "settled".
2015	American oil company, ExxonMobil, discovers substantial amounts of oil off the coast of Guyana in disputed waters. The government estimates around 700 million barrels, coming around at \$40 billion USD.
March 29, 2018	Guyana appeals to the International Court of Justice (ICJ) to validate the legitimacy of the 1899 arbitrary decision, which confirms its jurisdiction in 2020.
January 7, 2021	Venezuelan President Nicolás Maduro issues Decree No. 4.415, claiming waters 200 nautical miles from the disputed Essequibo region and includes large swathes of the discovered oil rigs.
September 23, 2023	The National Assembly of Venezuela proposes a referendum on the ICJ ruling and the incorporation of Essequibo into its national boundaries.
December 1, 2023	The ICJ warns and forbids Venezuela from changing the status quo in Essequibo.
December 3, 2023	The referendum is held 2 days later, with results averaging over a 95% support rate for the occupation of Essequibo.
December 5th, 2023	Brazil militarizes its northern border in preparation for a Venezuelan invasion of Essequibo.
December 14, 2023	Maduro and Guyanese president Irfaan Ali meet in the Caribbean, agreeing on refraining from using violence to resolve the dispute.

### **Guiding questions**

- 1. Who are the stakeholders involved in this territorial dispute?
- 2. How far should international legal decisions, such as the 1899 arbitration award play in the settlement?
- 3. What measures should be taken in response to the aggressive militarization of Venezuelan troops along the Essequibo border?
- 4. Should the U.K. or the U.S. bear responsibility in resolving this dispute?
- 5. How far should historical context be considered when determining the outcome of Essequibo?
- 6. What measures can be taken to prevent the escalation of this dispute into an armed conflict?

### **Bloc Positions**

#### China

China's stance on the Essequibo dispute is neutral. Beijing has significant economic ties with both Venezuela and Guyana, so it avoids taking sides directly. China has substantial investments in Guyana, particularly in infrastructure and energy, but China also has a longstanding partnership with the Venezuelan oil industry. The Chinese media had referred to the conflict as a "dispute" rather than as an assertion of sovereignty. Overall, China's approach is largely driven by economic interests rather than ideological or territorial concerns, and stresses on maintaining economic development to challenge the US dominated industry. Beijing avoids public intervention in the dispute, preferring that the two countries resolve the issue through international mechanisms such as the ICJ.

#### Guyana

Guyana stands firmly with the 1899 Arbitral Decision and advocates for the use of international legal systems to resolve this territorial dispute, as it was awarded 90% of the contested region. This position has been consistent over time, with Guyana seeking a peaceful resolution through international legal channels. Since Venezuela reignited the dispute in the 1960s, Guyana has favored international arbitration and brought the matter to the ICJ in 2018. In recent years, Guyana's stance has strengthened, especially after oil was discovered in the disputed offshore areas, further solidifying its economic interest in retaining control over the region. The region is particularly essential for the nation's economy as economic growth in the past decade has been directly linked to the Essequibo oil reserves. Guyana rejects any Venezuelan claims or unilateral actions, such as the 2023 Venezuelan referendum. The left-leaning opposition of Guyana stands with the Maduro administration emphasizing the unlawful expansion of U.S. influence in the region.

#### **United Kingdom**

The United Kingdom (UK) maintains a neutral yet diplomatically supportive position towards Guyana regarding the Essequibo dispute. The UK's historical involvement dates back to the arbitration of 1899, which settled the border in favor of British Guiana. Upon the independence of the colony, the UK has continued supporting its stance on resolving the dispute, helping both parties administrate the mixed commission in 1962 and the Treaty of Spain Protocol in 1970. London upholds the legitimacy of this agreement and supports Guyana's territorial integrity, while strongly opposing Venezuelan aggression. They are also willing to intervene to protect Guyana's sovereignty, as shown in the dispatch of warship HMS Trent to the region on December 24.

#### **United States**

The United States (US) firmly supports Guyana's sovereignty over the Essequibo region and has endorsed Guyana's rights to explore and exploit its natural resources, particularly oil, in the contested area. Washington's position is partly driven by its interest in ensuring stability in the Western Hemisphere, while simultaneously protecting their own economic interests. Specifically, to protect the oil rigs established by American oil company ExxonMobil had established in the region. The U.S. aligns itself with the ICJ process and strongly condemns the Maduro administration and its actions. Over time, the U.S. stance has grown more supportive of Guyana, especially as tensions with Venezuela have increased. This is reflective of broader geopolitical

trends, including U.S. opposition to authoritarian regimes like Maduro's and its strategic interest in expanding influence in Latin America.

#### Venezuela

Venezuela is strongly critical of the 1899 Arbitral Decision and acts in defiance of international law. The referendum opposing the ICJ and the militarization of troops near the border are clear examples. It believes in the historical claim that Essequibo was under Spanish colonial occupation during the 18th century, how Venezuelan independence inherited this region and unfavorable terms in the Paris Arbitral Award. Venezuela calls for another commission or arbitrary that can re-evaluate the decision made in 1899, while also questioning the authority of the ICJ. In recent years, Venezuela's stance has become increasingly assertive, especially under the Maduro administration. Current president of Venezuela, Nicolás Maduro faces low approval rates and is deeply unpopular with the population. Maduro therefore reiterates the dispute and uses it as a nationalist movement, diverting public attention from domestic issues like hyperinflation. The opposition party opposes the autocratic characteristics of Maduro's government and supports the settlement of this dispute through international law. For Venezuela, Essequibo's oil reserves present itself as a massive opportunity for economic growth for the nation's struggling economy under international sanctions. The government has also viewed this as a potential method to increase popularity for the Maduro administration.

### **Possible Solutions**

Note that these are only examples of possible solutions: given the complex and multi-faceted nature of the issue, delegates are encouraged to research other solutions that fit their countries' stances.

#### Establishment of a new arbitrary tribunal

A key potential solution would be to re-establish an arbitrary process that can be held in a neutral forum, like the 1899 Paris Arbitrary Award. This would allow the two countries to present their historical and legal arguments to an independent body of experts, possibly chosen from a diverse panel representing various nations or international organizations once again. It fulfills Venezuela's key argument that the 1899 arbitral decision was invalid, ensuring a fair trial respected by both parties. This new arbitration would also offer an alternative to the ongoing ICJ jurisdiction, which Venezuela does not recognize. However, with Venezuela's recent referendum and assertion over the disputed region, any decision made favoring Guyana would be intolerable to Maduro's administration currently facing domestic pressure. Furthermore, the replacement of the ICJ ruling with the arbitration would possibly be rejected by Guyana, as a new arbitration decision could potentially lead to a loss of control of Essequibo.

#### **Shared Resource Management**

A more practical solution would be the emphasis on joint occupation of the Essequibo region, specifically shared use of the natural resources in the region. This approach shifts the focus away from territorial sovereignty and toward mutual economic benefits, which can help both countries avoid conflict while benefiting from the region's resources. It addresses both countries' interests, as Venezuela would be able to gain access to much-needed natural resources, and Guyana would continue its economic development without the fear of confrontation. This method of resolving territorial disputes has been seen before in other parts of the world, as shown with Malaysia and Thailand in the Gulf of Thailand. However, amidst the current political climate, this solution is unfeasible. For Venezuela, the Essequibo region has been tied to nationalist pride by the Maduro regime, and the implementation of a shared resource management zone would fail to fulfill such interests. For Guyana, sharing the region's natural resources with Venezuela would imply limited opportunities for economic growth.

#### Establishing a bilateral commission

In the past, bilateral talks between Guyana and Venezuela have occasionally borne fruit, such as the 1966 Geneva Agreement, in which efforts to resolve the dispute led to a decrease in tensions. The lack of regular, structured means of negotiation had resulted in a sharp escalation in tensions and mobilization of forces. Reviving the concept of a biannual commission could institutionalize cooperation and prevent long periods of diplomatic silence, during which tensions tend to rise. The success of a mixed commission would highly depend on the political will of both countries to commit to peaceful negotiations, however. Venezuela's current political climate under President Maduro, with its assertive stance on Essequibo, could complicate initial efforts, in stark contrast to the situation in 1966. Similarly, Guyana's insistence on adhering strictly to international legal rulings could make negotiations challenging. However, the commission could be a way to bring both parties back to the table and mend broken political relationships, paving the way for future resolutions.

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