

Press Release
Global Witness report fails to respect Guyana's sovereignty over its territory:
Guyanese request retraction and apology

29th September 2020
Georgetown, Guyana

More than 30 individuals and CSOs, have written to Global Witness requesting that they retract the 'Signed Away' report which claims that Guyana has a border dispute with Venezuela. Guyana's border with Venezuela was settled in 1899 by binding arbitration. The letter, which was sent to Mark Stephens CBE, the chair of the board, and all of the board members, states:

"Your report conflicts with the United Nations position as set out in statements issued by successive Secretaries-General describing the situation as a "border controversy" not a "border dispute." Your report contradicts the United Kingdom's long standing foreign policy position that there is a border controversy not a dispute. Your report undermines Guyana's international standing by describing the border controversy as a border dispute."

The letter goes on to explain that:

"A border 'dispute' between Guyana and Venezuela calls into question Guyana's sovereignty over two-thirds of its territory. A border 'controversy' is limited to dealing peacefully with Venezuela's attempts to question the binding arbitration decision of 1899 which Venezuela had accepted for more than 60 years as the final settlement of the border."

The signatories request Global Witness to issue a public apology to the people of Guyana, saying

"We are a sovereign people. We object strongly to Global Witness' disrespect for our sovereignty and our security as Guyanese people as evidenced by Global Witness' use of language, escalating a 'controversy' into a 'dispute'"

The Global Witness report was released several months after Guyana applied to the International Court of Justice for peaceful settlement of the controversy under the Geneva Agreement yet Global Witness misrepresented the case, stating instead,

'Mar 29: Guyana files Venezuela border dispute case before ICJ'."

The letter concludes:

"Guyana is a small country with GDP per capita of less than US\$5,000. Nevertheless, we will continue to provide refuge and humanitarian assistance to our Venezuelan sisters and brothers whose country is in crisis and whose vast oil reserves have failed to bring peace and prosperity to its people."

Signatories include Transparency Institute Guyana Inc., Public Interest Research and Action, A Fair Deal for Guyana – A Fair Deal for the Planet, 7 Re Inc., Guyana Shield Initiative, and Justice Institute Guyana, as well as religious, business sector, lawyers and Amerindians from the hinterland. They request the Board to undertake that Global Witness will not do further work in Guyana.

Editor's Notes

1. The board of Global Witness comprises: Mark Stephens CBE (Chair), Charmian Gooch, Patrick Alley, Simon Taylor, Mark Hannam, Gaby Darbyshire, Fatima Hassan, Chinmayi Arun, Juana Kweitel,
2. The Chairman of the Board Mark Stephens CBE has advised the governments of sovereign states. <https://www.howardkennedy.com/en/people/mark-stephens-cbe>
3. Shots were reportedly fired at a joint Guyana police force and army patrol a few days ago by Venezuelan bandits: <https://www.stabroeknews.com/2020/09/24/news/guyana/joint-army-police-patrol-comes-under-fire-from-venezuelan-shore/>
4. Note on the border controversy

2nd February 1897: Treaty of Arbitration between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and the United States of Venezuela for an amicable settlement of the boundary. Article XIII states: The High Contracting Parties engage to consider the result of the proceedings of the Tribunal of Arbitration as a full, perfect, and final settlement of all the questions referred to the Arbitrators.”

3rd October 1899: Award regarding the Boundary between the Colony of British Guiana and the United States of Venezuela.

November 1900 to June 1904: Anglo-Venezuelan Boundary Commission identified, demarcated and permanently fixed the boundary established by the 1899 Award.

10th January 1905, the Commissioners signed a Joint Declaration and accompanying maps in accordance with the 1899 Award.

1962: Venezuela announced that it would not recognize the border.

1966: Geneva Agreement: Agreement to resolve the controversy over the frontier between Venezuela and British Guiana. The Geneva Agreement provides for recourse to the UN and the International Court of Justice.

2018: UN Secretary-General Guterres chose the International Court of Justice as the means to be used as the “solution to the controversy.”¹

5. PRESS STATEMENT BY MINISTRY OF FOREIGN AFFAIRS ON DECISION BY UNITED NATIONS SECRETARY-GENERAL ON BORDER CONTROVERSY BETWEEN GUYANA AND VENEZUELA

Guyana welcomes the decision of the Secretary-General of the United Nations to refer the controversy between Guyana and Venezuela to the International Court of Justice (ICJ).

¹ <https://www.un.org/sg/en/content/sg/statement/2018-01-30/statement-attributable-spokesman-secretary-general-border>

Guyana has always held the view that the ICJ is the appropriate forum for the peaceful and definitive settlement of the controversy, and is pleased that that view has prevailed under the process developed by both Secretary-General Ban Ki-Moon and Secretary General Antonio Guterres.

Guyana will not allow factors extraneous to the controversy to influence its referral to the Court; but it will continue the advancement of peaceful relations with Venezuela whose people are the brothers and sisters of Guyanese. In this context, Guyana acknowledges the Secretary General's suggestions for the immediate future.

That Guyana has stood firm against Venezuela's attempt to re-open a territorial boundary settled and recognised for half a century before its independence, and done so despite the manifest unequal strengths between the two countries, is to our national credit. Guyana, as one of the world's small developing countries, is pleased that its reliance on the rule of law internationally has been the underpinning of its national sovereignty.

Ministry of Foreign Affairs

January 30, 2018

<https://www.minfor.gov.gy/statements/press-statement-by-ministry-of-foreign-affairs-on-decision-by-united-nations-secretary-general-on-border-controversy-between-guyana-and-venezuela/>