

# Notes on the History of the Venezuela/Guyana Boundary Dispute

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Leslie Bethell

**Abstract:** In December 2023, Venezuelan President Nicolás Maduro threatened to annex Essequibo, a region corresponding to two-thirds of Guyana territory, reviving a dispute dating back almost 200 years between Venezuela and British Guiana, later Guyana. Despite an 1899 arbitration awarding most of the land to Britain, Venezuela revived its claim in 1962. Efforts to resolve the issue, including the 1966 Geneva Agreement, have failed. Oil discoveries in 2015 heightened tensions, culminating in Maduro's 2023 ultimatum, though international pressure prevented military action.

**Keywords:** Venezuela; Guyana; Essequibo; boundary dispute; territory.

## Notas sobre a história da disputa de fronteira Venezuela/Guiana

**Resumo:** Em dezembro de 2023, o presidente da Venezuela, Nicolás Maduro, ameaçou anexar Essequibo, região que corresponde a dois terços do território da Guiana, reavivando uma disputa que remonta a quase 200 anos entre a Venezuela e a Guiana Britânica, mais tarde Guiana. Apesar de uma arbitragem de 1899 ter atribuído a maior parte do território à Grã-Bretanha, a Venezuela reviveu a sua reivindicação em 1962. Os esforços para resolver a questão, incluindo o Acordo de Genebra de 1966, falharam. As descobertas de petróleo em 2015 aumentaram as tensões, culminando no ultimato de Maduro em 2023, embora a pressão internacional tenha impedido uma ação militar.

**Palavras-chave:** Venezuela; Guiana; Essequibo; conflito de fronteiras; território.

In December 2023, Venezuelan President Nicolás Maduro threatened to annex Essequibo, the territory west of the Essequibo river, which constitutes two thirds of the neighbouring State of Guyana, and incorporate it into Venezuela as *Guyana Esequiba*. These notes trace the history of the almost 200-year dispute between Venezuela and the British colony of British Guiana (formed from three former Dutch colonies in 1831), which became the independent republic of Guyana in 1966 over the territory between the rivers Orinoco and Essequibo. In October 1899 an arbitration tribunal, before which the United States represented Venezuelan interests, awarded 95% of the disputed territory to Britain. The decision was accepted by Venezuela until 1962, when President Rómulo Betancourt declared the award null and void and resuscitated Venezuela's claim to sovereignty over Essequibo. The 1966 Geneva Agreement between Venezuela and Britain/Guyana to reach an agreement satisfactory to both sides failed, and no progress on the issue was made during the following decades. With the discovery of oil offshore Essequibo in 2015, Venezuela intensified its claim to the territory. This led eventually to Maduro's decision in 2023 to take unilateral action. International pressure (including from Brazil) deterred Venezuela from the use of force, but the Venezuela/Guyana boundary dispute remains unresolved.

Christopher Columbus, the Genovese navigator in the service of the king of Spain, on his third voyage to the Indies in May 1498, was probably the first European to reach the northern coast of South America, the so-called "wild coast," between the mouths of the Orinoco and the Amazon.<sup>1</sup> The Spanish were the first to sail along the shore, and up and down the Orinoco, but the interior was largely neglected and unexplored. An outpost was established at Santo Tomé de Guayana on the Orinoco, but there was no effective Spanish possession of territory east of the Orinoco.

The first printed account of the region was by an Englishman, Sir Walter Raleigh, writer, explorer, favorite of Elizabeth I, founder of the first English colony in North America in 1584. He led an expedition to the Orinoco in search of gold, *El Dorado*, in 1595, and published *The Discovery of Guiana* (1596; Hakluyt

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1. Or, was it, if we are to believe his own generally unreliable account, the Florentine merchant adventurer Amerigo Vespucci in 1497?

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Society edition 1848). A second expedition led by Raleigh was mounted in 1617. He attacked Santo Tomé de Guyana against orders and in violation of Anglo-Spanish treaties, which led to his execution in 1618.

The Dutch were the first to establish permanent settlements on the north coast of South America during the 17th and 18th centuries: Essequibo, Demerara, Berbice, and later Suriname. The Dutch West India Company established trading posts and made peace with the Amerindian populations in the interior.

No boundary between Dutch and Spanish or—after Venezuela's independence from Spain in 1811—Dutch and Venezuelan possessions was ever defined. And none existed when three Dutch colonies—Essequibo, Berbice and Demerara—were captured by the British during the Napoleonic Wars, ceded to Britain under the Treaty of Vienna in 1815, and consolidated into the single British colony of British Guiana in 1831.

Except for Angostura (formerly Santo Tomé de Guayana, today Ciudad Bolívar), the main riverine port on the Orinoco, Venezuelan (formerly Spanish) Guayana stagnated. There was no Venezuelan attempt to explore and map the territory between the Orinoco and the Essequibo.

On the other hand, in 1834 Robert Schomburgk (1804-65), German-born, British naturalized, was commissioned by the Royal Geographical Society in London to explore the physical geography of the southern and western regions of British Guiana. In 1838-1839 he explored much of the interior of the colony, crossed into Brazil and completed the arduous overland journey to the upper Orinoco. In 1840 HM Commissioner of Boundaries commissioned Schomburgk to make a survey of the British colony's boundaries with the republic of Venezuela and the Empire of Brazil. In this he was accompanied by his younger brother, Richard (1811-1891), a German botanist. They made three journeys between 1841 and 1843. What became

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known as the “Schomburgk Line” was the boundary they marked out dividing the territory of Venezuela from British Guiana. It claimed for British Guiana the territory west of the Essequibo river up and including the south bank of the Orinoco delta.<sup>2</sup>

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In the 1870s and 1880s, attempts were made to find an agreed frontier between Venezuela and British Guiana. They all failed. Venezuela reiterated that its frontier with British Guiana was the Essequibo river. Britain was still ready to concede the mouth of the Orinoco and adjoining territory to Venezuela, but otherwise the Schomburgk Line would remain the frontier of British Guiana with Venezuela.

In February 1887, Venezuela severed diplomatic relations with Great Britain over the issue, and at the same time tried to involve the United States in its dispute with Britain. The U.S. offered its good offices, but they were declined by London. In 1894-1895, Venezuela finally succeeded in getting U.S. support for arbitration.

In the late 19th century, the United States was asserting its new power, especially in the Western Hemisphere, and was highly sensitive to any evidence of British or European imperialism in the region. Venezuela appealed to U.S. politicians and U.S. public opinion on the question of its frontier with British Guiana. In October 1894, William Lindsay Scruggs, a former U.S. minister to both Colombia and Venezuela, who was hired as a special agent by the Venezuelan government, published a pamphlet entitled *British Aggression in Venezuela, or the Monroe Doctrine on Trial*, which proved extremely influential. It supported the Venezuelan claim to the territory west of the Essequibo river. It asserted, falsely, that Britain was trying to gain control of the Orinoco’s mouth. The acquisition of new territory in the Western Hemisphere by a European power was a clear violation of the Monroe Doctrine (1823). If the United States allowed Britain to expand its territory, other European powers would follow. Africa was already being partitioned by the European powers. South America would be next.

2. See Moritz Richard Schomburgk, *Reisen in Britisch Guiana in den Jahren 1840-1844* (3 vols, 1847-1848). There is an English-language edition of volumes 1 & 2, “the narrative of the travels proper” (volume 3 being basically “a catalogue of flora and fauna”): *Richard Schomburgk’s Travels in British Guiana, 1840-44* (1922-1923), translated and edited by Walter E. Roth. And see Peter Rivi re edited volume *The Guiana Travels of Robert Schomburgk 1835-44* (2 vols, 2006): “Volume I - Explorations on behalf of the Royal Geographical Society 1835-1839” and “Volume II - The Boundary Survey 1840-1844”; D. Graham. Burnett, *Masters of All They Surveyed. Exploration, Geography and a British El Dorado* (2000).

In January 1895, the U.S. House of Representatives voted in favor of arbitration of the Venezuela/British Guiana boundary dispute. With the approval of President Grover Cleveland, Secretary of State Richard Olney wrote on July 20 to the U.S. ambassador in London formally re-asserting the Monroe Doctrine: “Today the United States is practically sovereign on this continent, and its fiat is law...” He declared that any permanent union between a European and an American State was “unnatural and inexpedient.” He demanded that Britain agree to submit the Venezuela/British Guiana boundary dispute “in its entirety” to arbitration.

Lord Salisbury, British Prime Minister and Foreign Secretary, and Joseph Chamberlain, Colonial Secretary, flatly rejected U.S. claims under the Monroe Doctrine and in particular the demand that the boundaries of British Guiana should be submitted to arbitration. A Colonial Office memorandum rejected “the bogus claims of Venezuela to the greater part of a British Colony.” The Law Officers found Olney’s interpretation of the Monroe Doctrine “absolutely incompatible with international law.”

But Salisbury’s firm reply to Olney via Sir Julian Pauncefote, British ambassador in Washington, arrived after President Cleveland’s annual message to Congress (drafted by Olney) on December 17, in which he strongly reaffirmed the validity of the Monroe Doctrine and its application to the Anglo-Venezuelan dispute. Cleveland asked Congress to appropriate funds for a Boundary Commission “to investigate and report upon the true divisional line between the Republic of Venezuela and British Guiana.” Any decision on land deemed to belong to Venezuela would be enforced regardless of any British objections. Any aggression by Britain in defense of its claims would be resisted. Salisbury and his colleagues were shocked by Cleveland’s language.

There were prominent figures in both Britain and the United States seeking confrontation. There was even talk of war. But in the end, concerned over imperial overstretch in Africa and Asia, problems in South Africa, and the German naval challenge, the British government retreated, and in January 1896 accepted the U.S. right to interfere in the Venezuela/British Guiana dispute and insist on international arbitration. It is often argued that this represented the moment when Great Britain ceded hegemony in Latin America to the United States.<sup>3</sup>

The United States, with British concurrence acting on behalf of Venezuela, argued in favor of arbitration, complete and unrestricted, of all territory claimed by either side, though conceded to Britain that due weight should be given to settlement

3. See R.A.Humphreys “Anglo-American Rivalries and the Venezuelan Crisis of 1895,” originally published in *Transactions of the Royal Historical Society* 5th series, xvii (1967), reprinted in *Tradition and Revolt in Latin America and Other Essays* (1969).



and long continued occupation. But what constituted settlement? It was finally agreed that settlement included trading posts and “alliances” with indigenous populations. What constituted long continued occupation? Political control. For how long? Two generations? 60 years? Both sides finally settled on 50 years. Britain clearly had little to fear from arbitration.

Olney and Pauncefoot agreed to the terms of arbitration and the composition of the arbitration tribunal in November 1896. The Tribunal was composed of two judges appointed by Britain and two representing Venezuela chosen by the United States. Fyodor (Friedrich) von Martens, a notable Russian diplomat, jurist (author of *International Law of Civilized Nations*) and arbitrator, was appointed a fifth judge and president of the tribunal.<sup>4</sup>

The Venezuelan government, which had been enthusiastic about U.S. support demonstrated in Cleveland’s message to Congress in December 1895 and the subsequent establishment of the U.S. Boundary Commission, was dismayed at the suspension of the Commission in November 1896 (it still produced a report: nine volumes, 1896-1897). Venezuela was even more dismayed by the terms of arbitration proposed by the United States and Britain. The press and politicians protested against the interpretation of “settlement” and “occupation,” the 50-year rule and the selection of arbitrators. President Joaquín Crespo called it a “national humiliation.” As a concession Crespo was allowed to name one arbitrator, though it was understood that this would not be a Venezuelan. He chose Melville Weston Fuller, U.S. Chief Justice.

In February 1897, the Treaty of Washington for arbitration on the boundaries of British Guiana was signed by the United States (representing Venezuela) and Great Britain (representing its colony British Guiana), and ratified in June. The Arbitration Tribunal convened in Paris in 1898. The two legal teams, British and U.S., presented written submissions, Case and Counter-Case. Venezuela again appointed four U.S. lawyers, including former President Benjamin Harrison, to represent its interests. Oral presentations were made between June and September 1899.

On October 3, after six days of deliberations, the Tribunal delivered its unanimous decision: 95% of the disputed territory west of the Essequibo river was confirmed as belonging to British Guiana. Its frontier with Venezuela was broadly the Schomburgk line. But the mouth of the Orinoco and land on either side was awarded to Venezuela, as Britain had always been willing to concede.<sup>5</sup>

4. For the view that the U.S. and the UK encouraged Venezuela to reopen its territorial dispute with Britain in 1962 because of the pro-Cuban sympathies of Cheddi Jagan (People’s Progressive Party), Prime Minister of pre-independence British Guiana 1961-1964, see Cedric L. Joseph (2008), *Anglo-American Diplomacy and the Reopening of the Guyana-Venezuela Boundary Controversy, 1961-1966*.

5. Reports of International Arbitral Awards, vol. XXVIII (United Nations 2010).

It had been agreed in the Treaty of Washington that any settlement would be final. Both sides accepted the award. A mixed commission carried out a survey and demarcation of boundaries in 1901-1905. A map was finalized in Georgetown on January 7, 1905.<sup>6</sup>

After more than 40 years of Venezuelan acceptance of the Venezuela/British Guiana frontier agreed in 1899, the publication in 1949 (on his death) of a memorandum written in 1944 by Severo Mallet-Prevost, a junior U.S. lawyer, Official Secretary of Cleveland's Boundary Commission (1896) and of the U.S. legal team representing Venezuela before the Arbitration Tribunal (1898-1899), threatened to give the issue a new lease of life. Mallet-Prevost claimed that in 1899 there had been a political stitch-up. Freidrich von Martens, the president of the arbitration tribunal, and the British arbitrators had met in the summer of 1899 and agreed to offer the U.S. judges the choice of a unanimous decision broadly in favor of the British claim to the territory west of the Essequibo river but excluding the Orinoco delta, or what would be a 3-2 decision even more favorable to the UK, that is to say, including the entire Schomburgk Line to the mouth of Orinoco. According to Mallet-Prevost, the U.S. arbitrators were shocked by this manoeuvre but went along to avoid depriving Venezuela of even more territory. Mallet-Prevost, however, provided no evidence to support his claims, and they were never corroborated.

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The issue lay dormant for another decade until in 1962, as Britain prepared to concede independence to British Guiana, Venezuelan President Rómulo Betancourt resuscitated Venezuela's claim to two thirds of the territory of the new State by declaring the 1899 arbitration award null and void. The terms of the arbitration had been set by the United States and Great Britain, he argued. They were favorable to

6. Brazil had a long-standing dispute with Great Britain over an area of 30,000 largely uninhabited sq kms north of the Amazon between Brazil and British Guiana, which Schomburgk had placed within the boundaries of British Guiana. In November 1901, the Brazilian government agreed that the dispute should go to international arbitration by king Victor Emmanuel II of Italy. Joaquim Nabuco, head of the Brazilian legation in London, prepared and presented the Brazilian case. Over 2000 written pages, plus maps and documents, were sent to Rome. In June 1904, to Nabuco's dismay, the king awarded three fifths of the disputed territory to Great Britain. On the boundary of British Guiana with Brazil, see Peter Rivière, *Absent-minded Imperialism: Britain and the Expansion of Empire in Nineteenth Century Brazil* (1995); José Theodoro Mascarenhas Menck, *A questão do rio Pirara, 1829-1904* (2009).

Great Britain. No Venezuelan judges or lawyers had appeared before the Arbitration Tribunal. And, as the notorious Mallet-Prevost memorandum had demonstrated, the U.S. arbitrators supposedly looking after Venezuelan interests had yielded to British pressure backed by the president of the Tribunal.

In February 1966, an Agreement was reached in Geneva between Venezuela and Great Britain (replaced in May by the independent Republic of Guyana). All claims on Guyana territory would be suspended while a Venezuela/Guyana mixed commission tried to reach a definitive settlement acceptable to both parties—within a period of four years. It was an “agreement to reach agreement.” In the meantime, the disputed territory remained part of Guyana. The opposition in Guyana led by Cheddi Jagan was against the Agreement on the grounds that it recognized that Venezuela had a claim.

No new evidence was presented to the mixed commission, and no agreement was reached. In 1970, as part of its effort to project itself in the Caribbean region, Venezuela signed, with Guyana, the Protocol of Port of Spain, which established a twelve-year moratorium on the dispute over the Essequibo territory. But in 1982 Venezuela refused to ratify an extension of the Protocol. Instead, it proposed a renewal of direct negotiations between the two countries, which Guyana rejected. For its part Guyana proposed that the case should go before the UN General Assembly or the UN Security Council or the International Court of Justice at The Hague, all of which Venezuela rejected. The issue of the Venezuela/Guyana boundary landed—and languished during the following decades—on the desk of the UN Secretary General.

It should be remembered that the territory in dispute between Venezuela and Guyana had no known great economic value and, with a population of less than 100,000, was largely uninhabited. The discovery of significant oil offshore Essequibo in May 2015 by Exxon Mobil (which had been in Guyana since 2008) was a game-changer. One of the poorest and least developed countries in the

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Caribbean, with a population of 750.000 in 2000, entered a period of economic boom. And already oil-rich Venezuela, with a population of 24 million in 2000, revived its claim to the territory up to the Essequibo river. Two UN Secretaries General, first Ban Ki-moon, then António Guterres, offered their good offices, but failed to find agreement. In March 2018, Guyana unilaterally took the case to the International Court of Justice (ICJ) for a declaration that the 1899 Arbitral Award was valid and binding on both parties. Venezuela denied the competence of the ICJ, but on December 18, 2020 the ICJ decided that it did have jurisdiction and proceeded to hear the merits of the case.<sup>7</sup>

On October 23, 2023, Venezuelan President Nicolás Maduro, with a low approval rate, facing elections in the second half of 2024 and U.S. pressure for free elections, played the nationalist card: he announced that a consultative referendum would be held on whether Venezuela should reject the 1899 arbitration award, support a return to the Geneva Agreement of 1966, reject ICJ jurisdiction in the dispute with Guyana, simply annex Essequibo and offer Venezuelan citizenship to its population. The referendum was held on December 3. Despite a low turnout (officially 51%, but the opposition and outside observers estimated 10%), the Venezuelan government announced 96-98% support for its proposals. Maduro immediately proposed a law to declare Essequibo a Venezuelan state (Guyana Esequiba) and to give the Venezuelan state oil company PDVSA the right to explore oil, gas and mineral resources there. There were reports of Venezuelan troop movements on the border with Guyana.

However, Maduro was persuaded to meet the Guyanese President Irfaan Ali on December 14 in St Vincent and the Grenadines. The two Presidents agreed that the long-standing dispute over the Venezuelan/Guyana boundary should not be settled by force. They agreed to meet again in Brazil in April 2024. The immediate crisis was defused, but the issue remains unresolved.

Some final thoughts on the territorial dispute between Venezuela and Guyana as things stand in 2024:

- Venezuela will persist in claiming sovereignty over two thirds of Guyana (Essequibo).
- It could be argued on the basis of the December 2023 consultative referendum that the Venezuelans themselves do not seem to care very strongly, although this would be vigorously denied by the Venezuelan government.

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7. International Court of Justice (2020).

- The Venezuelan case, based on supposed Spanish occupation of the disputed territory before it was occupied first by the Dutch and then by the British, was always weak.
- The British “mapped,” “settled” and “occupied” the disputed territory during the 19th century.
- The Venezuela/British Guiana boundary dispute went to arbitration in 1898-1899 and, fair or not, the decision in Britain’s favor was agreed by both sides, and was not seriously challenged by Venezuela until 1962.
- Guyana will never voluntarily give up Essequibo, especially now that it is oil rich. Guyana is today one of the fastest growing economies in the Caribbean.
- The people who live in Essequibo (120,000) will not vote to join Venezuela and accept the offer of Venezuelan citizenship;
- It is highly unlikely that, despite its military superiority, Venezuela would actually attempt to invade Guyana and take Essequibo by force. And it would be extremely difficult, some would say impossible, logistically.
- Neither the United States, which does not have a defense treaty but does have a military cooperation agreement with Guyana, nor the UK, which also does not have a defense treaty which accepts its responsibilities to an ex-colony and member of the Commonwealth, would allow Venezuela to take Essequibo by force.
- Brazil, despite President Lula’s close relationship with Maduro, is firmly against regional wars in South America, and would not permit Venezuela to invade Guyana through Brazilian territory (which would be necessary).
- There have been declarations of support for Guyana from the UN, the Organization of American States (OAS), the Community of Latin American and Caribbean States (CELAC), the Caribbean Community (CARICOM), the Union of South American Nations (USAN) and the Commonwealth. Where is the support for Venezuela? 🇻🇪

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