

*Translated from Spanish*

Minister of People's Power for Foreign Affairs of the Bolivarian Republic of Venezuela

Caracas, 10 July 2023

DM No. 000677

Sir,

I have the honour to write to you in reference to the submission made by the Government of the Republic of Trinidad and Tobago to the Commission on the Limits of the Continental Shelf on 14 April 2023 regarding a comprehensive amendment to its original submission (12 May 2009) on the limits of its continental shelf beyond 200 nautical miles from its baselines, from which the breadth of its territorial sea is measured, submitted to the Secretariat of the United Nations through note verbale No. CLCS.49.2009.LOS.Add.1 of 17 April 2023.

In this regard, the Bolivarian Republic of Venezuela states its objection and refutes the content of the information provided by the Republic of Trinidad and Tobago in the executive summary of its submission of 14 April 2023, for the following reasons:

First, in its initial submission to the Commission on the Limits of the Continental Shelf (12 May 2009), under the heading entitled "Absence of disputes", the Republic of Trinidad and Tobago states that:

It is recognized that off the north east shoulder of the South American continent, there is an area of continental shelf in the Atlantic Ocean where the extended continental shelf claims of Barbados, Guyana, Suriname, Trinidad and Tobago and the non-party State, Venezuela, converge and overlap.

His Excellency Mr. António Guterres  
Secretary-General  
United Nations  
New York

Although this statement is not to be found in the executive summary of the amended submission, published on 14 April 2023, and the Government of the Republic of Trinidad and Tobago states that “there is no dispute with its neighbouring States related to this submission”, the Bolivarian Republic of Venezuela calls attention to the fact that the extension of the continental shelf, as submitted by the Republic of Trinidad and Tobago, lies in an area where the maritime jurisdictions of several States converge, including the Bolivarian Republic of Venezuela, and where extended continental shelf claims may overlap.

The Bolivarian Republic of Venezuela, in accordance with customary international law and regardless of the fact that it is not a party to the United Nations Convention on the Law of the Sea, has rights over the continental shelf that extends to the outer edge of the continental margin corresponding to the Atlantic region. In the area referred to in the submission made by the Republic of Trinidad and Tobago on 14 April 2023, those rights of the Bolivarian Republic of Venezuela are excluded, regardless of its effective or notional occupation. Regardless of any express declaration by the Republic of Trinidad and Tobago, the Bolivarian Republic of Venezuela hopes that this situation might be corrected by the proposing party.

In accordance with the United Nations Convention on the Law of the Sea, to which the Republic of Trinidad and Tobago is a State Party, the Rules of Procedure of the Commission on the Limits of the Continental Shelf (2008) state, in rule 46, paragraph 2, that: “The actions of the Commission shall not prejudice matters relating to the delimitation of boundaries between States”, in this case, between the Bolivarian Republic of Venezuela and its neighbouring States, in the Atlantic Ocean.

Similarly, it is important to note that the Republic of Trinidad and Tobago did not consult with the Bolivarian Republic of Venezuela in regard to its submission, despite the provisions of rule 46 mentioned above, and paragraph 2 (a) of annex I of the Commission’s Rules of Procedure (2008), which states:

In case there is a dispute in the delimitation of the continental shelf between opposite or adjacent States, or in other cases of unresolved land or maritime disputes, related to the submission, the Commission shall be: (a) Informed of such disputes by the coastal States making the submission.

Therefore, the Bolivarian Republic of Venezuela reserves all its rights under international law, including making future objections or observations to the amended submission of the Republic of Trinidad and Tobago.

The Government of the Bolivarian Republic of Venezuela expresses its surprise and concern at the fact that at no time was it consulted by the authorities of the Government of the Republic of Trinidad and Tobago about the submission dated 14 April 2023.

In addition, the Treaty between the Republic of Venezuela (now the Bolivarian Republic of Venezuela) and the Republic of Trinidad and Tobago on the delimitation of marine and submarine areas, signed in Caracas on 18 April 1990, established the delimitation of marine and submarine waters between both countries.

Regarding this delimitation already agreed with the Republic of Trinidad and Tobago, that agreement is framed in international law and its a priori disregard affects the sovereignty of the Venezuelan State and the legality of the already recognized Treaty on the delimitation of marine and submarine areas between (the Bolivarian Republic of) Venezuela and the Republic of Trinidad and Tobago of 1990.

As stipulated in article II (2) of the Treaty:

Both Parties reserve the right, in case of determining that the outer edge of the continental margin is located closer to 350 nautical miles from the respective baselines, to establish and negotiate their respective rights up to this outer edge in conformity with the provisions of international law; no provision of the present Treaty shall in any way prejudice or limit these rights or the rights of third parties.

In this regard, the Bolivarian Republic of Venezuela has been categorical in stating its position that the United Nations Convention on the Law of the Sea should not be considered to be the only legal framework under which all activities carried out on the oceans and seas should be governed.

It is of the utmost importance to highlight that article 74 (4) of the United Nations Convention on the Law of the Sea, in relation to the delimitation of the exclusive economic zone between States with opposite or adjacent coasts, stipulates that:

Where there is an agreement in force between the States concerned, questions relating to the delimitation of the exclusive economic zone shall be determined in accordance with the provisions of that agreement.

The Government of the Bolivarian Republic of Venezuela, in view of the foregoing and in consideration of the relevant rules of procedure of the Commission on the Limits of the Continental Shelf, objects to the submission made by the Republic of Trinidad and Tobago and also opposes consideration or endorsement by the Commission on the Limits of the Continental Shelf of the information submitted.

I have the honour to request that this note be circulated to the members of the Commission on the Limits of the Continental Shelf, and to the States Members of the United Nations.

Accept, Sir, the renewed assurances of my highest consideration.

*(Signed)* Yvan **Gil**  
Minister

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