



# INTERNATIONAL COURT OF JUSTICE

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## Press Release

Unofficial

No. 2023/58

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### *Arbitral Award of 3 October 1899 (Guyana v. Venezuela)*

#### **Guyana requests the Court to indicate provisional measures**

THE HAGUE, 31 October 2023. Yesterday, the Co-operative Republic of Guyana filed in the Registry of the International Court of Justice a Request for the indication of provisional measures in the case concerning *Arbitral Award of 3 October 1899 (Guyana v. Venezuela)*, pursuant to Article 41 of the Statute of the Court.

In its [Request](#), Guyana states that “[o]n 23 October 2023, the Government of Venezuela, through its National Electoral Council, published a list of five questions that it plans to put before the Venezuelan people in a . . . ‘Consultative Referendum’ on 3 December 2023”. According to the Applicant, the purpose of this referendum is “to obtain responses that would support Venezuela’s decision to abandon [the current proceedings before the Court], and to resort instead to unilateral measures to ‘resolve’ the controversy with Guyana by formally annexing and integrating into Venezuela all of the territory at issue in these proceedings, which comprises more than two-thirds of Guyana”.

Guyana requests the Court to indicate the following provisional measures:

- “1. Venezuela shall not proceed with the Consultative Referendum planned for 3 December 2023 in its present form;
2. In particular, Venezuela shall not include the First, Third or Fifth questions in the Consultative Referendum;
3. Nor shall Venezuela include within the ‘Consultative Referendum’ planned, or any other public referendum, any question encroaching upon the legal issues to be determined by the Court in its Judgment on the Merits, including (but not limited to):
  - a. the legal validity and binding effect of the 1899 Award;
  - b. sovereignty over the territory between the Essequibo River, and the boundary established by the 1899 Award and the 1905 Agreement; and

- c. the purported creation of the State of ‘*Guayana Esequiba*’ and any associated measures, including the granting of Venezuelan citizenship and national identity cards.
4. Venezuela shall not take any actions that are intended to prepare or allow the exercise of sovereignty or *de facto* control over any territory that was awarded to British Guiana in the 1899 Arbitral Award.
5. Venezuela shall refrain from any action which might aggravate or extend the dispute before the Court or make it more difficult to resolve.”

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### **History of the proceedings**

Earlier [press releases](#) relating to this case, including the history of the proceedings, are available on the Court’s website.

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*Note:* The Court’s press releases are prepared by its Registry for information purposes only and do not constitute official documents.

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The International Court of Justice (ICJ) is the principal judicial organ of the United Nations. It was established by the United Nations Charter in June 1945 and began its activities in April 1946. The Court is composed of 15 judges elected for a nine-year term by the General Assembly and the Security Council of the United Nations. The seat of the Court is at the Peace Palace in The Hague (Netherlands). The Court has a twofold role: first, to settle, in accordance with international law, legal disputes submitted to it by States; and, second, to give advisory opinions on legal questions referred to it by duly authorized United Nations organs and agencies of the system.

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