



General Assembly

Distr.: General
9 October 2020
English
Original: Spanish

General Assembly
Seventy-fifth session
Agenda item 34
Prevention of armed conflict

Letter dated 2 October 2020 from the Permanent Representative of the Bolivarian Republic of Venezuela to the United Nations addressed to the Secretary-General

I have the honour to write to you in order to condemn recent events which are endangering and undermining peace and security in Venezuela and the Latin American and Caribbean region.

On 30 September 2020, the Administration of the United States of America, with no prior warning, stationed the USS *William P. Lawrence* (DDG-110), an Arleigh-Burke class United States Navy destroyer, 16.1 nautical miles off the coast of Venezuela, in an area that is legally part of the zone contiguous to the country's territorial sea.

This is not an isolated incident, as on 15 July 2020, United States Navy destroyer USS *Pinckney* (DDG 91) entered the contiguous zone of Venezuela and sailed to a point 15.9 nautical miles from the country's main airport, in waters very close to the limit of the territorial sea and only 40 kilometres from the capital, Caracas.

These operations are set against the background of over three years of recurring threats of military force against Venezuela by President Donald Trump and Administration officials, representing an escalation in the hostile acts seeking to provoke a military incident.

In our previous letters to the Security Council, dated 6 August 2019 (S/2019/641), 20 September 2019 (S/2019/765), 3 April 2020 (S/2020/277) and 13 May 2020 (S/2020/399), we denounced the threats made by the Administration of the United States of America to use military force against Venezuela in clear violation of the purposes and principles of the Charter of the United Nations and the norms of international law.

On 10 July 2020, against the background of his electoral campaign, President Donald Trump said "something will happen with Venezuela [soon]", and that the United States would be "very much involved".¹ On the same day, President Donald

¹ See <https://www.mintpressnews.com/trump-tells-florida-crowd-something-will-happen-in-venezuela-soon/269406/?fbclid=IwAR3Jl1Q6ue1Y3wViE43NtbMAanCA-lezRQq9VOSj0HGChKLuJgbyycQ0ru0#.Xw4UGjdvpUw.facebook>.



Trump, Secretary of Defence Mark Esper and Commander of the United States Southern Command Craig Faller described Venezuela as a rogue State that presents a threat to the security of the United States of America, and White House National Security Adviser Robert O'Brien said "The United States will continue its maximum pressure campaign on the Maduro regime (...). This operation is part of that effort."² These statements are proof of the military adventurism present in the policy that the United States Administration is implementing against Venezuela.

The excuse advanced by the United States Administration for its hostile operations in the zone contiguous to the country's territorial sea is an apparent "excessive claim" over territory by the Bolivarian Republic of Venezuela. This is a false and absurd excuse. The authority of Venezuela is in line with article 24 of the Geneva Convention on the Territorial Sea and the Contiguous Zone of 29 April 1958, which both Venezuela and the United States of America recognize, and which states:

"1. In a zone of the high seas contiguous to its territorial sea, the coastal State may exercise the control necessary to:

(a) Prevent infringement of its customs, fiscal, immigration or sanitary regulations within its territory or territorial sea;

(b) Punish infringement of the above regulations committed within its territory or territorial sea."

2. The contiguous zone may not extend beyond twelve miles from the baseline from which the breadth of the territorial sea is measured".

Clearly, the Bolivarian Republic of Venezuela does therefore have limited authority in this contiguous zone. The Administration of the United States of America, on the other hand, has no authority whatsoever, and refuses to acknowledge the international obligations it has pursuant to the 1958 Geneva Convention, fabricating a non-existent "excessive claim" on the part of Venezuela in order to station military vessels a few miles from the Venezuelan coast.

Furthermore, until 2017 the United States Administration had made no reference to the non-existent excessive claim by Venezuela. Only during the presidency of Donald Trump did this fabricated excuse begin to be invoked as part of the plans for political and military intervention in our country. This is proven by the Freedom of Navigation reports of the Department of State of the United States Administration.³ The position of Venezuela on article 24 of the 1958 Geneva Convention, meanwhile, has not changed. What has changed is that the current United States Administration has adopted an aggressive stance. As clarification, we can quote the relevant parts of the Organic Law on Aquatic Areas, in force in the Bolivarian Republic of Venezuela since 2014:

"Article 9. The territorial sea shall extend twelve nautical miles (12 NM) from all of the continental and island coasts of the Bolivarian Republic of Venezuela, ordinarily measured from the low water line as appropriately marked on large-scale charts published officially by the national executive authorities, or from the baselines established in this Decree, which holds the rank, validity and force of an Organic Law."

"Article 43. For the purpose of maritime security and safeguarding of its interests, the Bolivarian Republic of Venezuela shall have, contiguous with its territorial sea, a zone extending up to twenty-four nautical miles (24 NM)

² See <https://www.whitehouse.gov/briefings-statements/remarks-president-trump-briefing-southcom-enhanced-counternarcotics-operations/>.

³ See <https://policy.defense.gov/OUSDP-Offices/FON/>.

measured from the low tide mark or the baselines from which the breadth of the territorial sea is measured.”

The second excuse used by the United States Administration for the stationing of a military vessel in the zone contiguous to the territorial sea of Venezuela is the supposed countering of drug trafficking. We should point out that Venezuela undertakes all the necessary operations to prevent and counter such trafficking, in accordance with its national legislation and its international obligations, and neither needs nor has requested the military presence of the United States Administration.

The use of a naval destroyer equipped with guided missiles capable of effectively striking targets on land, and possessing anti-aircraft defences, is out of step with a policing operation to combat organized crime such as drug trafficking. This demonstrates the fraudulent character of the propaganda used by the United States Administration to justify the stationing of a large military vessel off the coast of Venezuela. The real purpose is to pursue the threat of use of force, the provocation of a military incident and the coordination of a plan of attack against our country.

The Bolivarian Republic of Venezuela is a responsible member of the United Nations, and has the central objective of maintaining peace, security and prosperity for its people and for the nation. It is unacceptable for the United States Administration, in the midst of a deadly global pandemic such as that caused by COVID-19 coronavirus disease, to be violating international law and its obligations under the Charter of the United Nations and other internationally binding instruments in order to operate a programme of economic terrorism against our people, now escalating the situation with military-style operations with the sole purpose of triggering armed conflict.

Since 23 March 2020, Venezuela has publicly expressed complete support for the call that you made, using your powers under the Charter of the United Nations, and in the spirit of furthering the maintenance of international peace and security, for an immediate worldwide cessation of hostilities, to enable the collective effort of the international community to be focused on combating COVID-19. For that reason, we respectfully request that you use your good offices to prevent the United States Administration’s present military escalation, and to call for an immediate end to the threat of use of force against Venezuela.

I kindly request that you circulate this letter to the States Members of the Organization, and as a document of the General Assembly, under item 34 of its agenda.

(Signed) **Samuel Moncada**
Ambassador
Permanent Representative
of the Bolivarian Republic of Venezuela to the United Nations