

# New Dynamics in Northern South America's Geopolitical Neighborhood

By Ivelaw Lloyd Griffith

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Northern South America is heating up, and not just because of the massive oil fields being discovered offshore Guyana since May 2015.

## *Provocative Moves*

On January 7, 2021, Venezuelan president Nicolás Maduro launched a series of saber-rattling measures against neighboring Guyana, most notably issuing Decree No. 4.415, which claimed exclusive rights in the waters and seabed extending 200 nautical miles off the Orinoco Delta. The decree created a strategic zone, the “Territory for the Development of the Atlantic Façade,” that abuts Guyana’s maritime space northwest of the Essequibo River—where several oil fields have been discovered—including the Atlantic façade of the Orinoco Delta up to 200 nautical miles.

**According** to President Maduro, establishing the zone is “part of the battery of legal, diplomatic, political and State actions to defend our sacred rights of 200 years of the Republic.” The decree provides for a single board of directors—comprised of representatives from the seven vice presidencies, the armed forces, and the Ministry of Foreign Affairs—to manage all aspects of the “strategic area,” including revenue, taxes, and import facilities.

Understandably, Guyana has rejected this attempt to encroach upon its territory and petroleum resources. In a special address to the nation on January 9, President Irfaan Ali **declared** that “Venezuela’s attempt to claim for itself the seas and seabed adjacent to the coast west of the Essequibo River is another legal nullity, which will receive no legal regard from any other State in the world, including Guyana.”

Over the years, Venezuela has made numerous aggressive moves against Guyana’s sovereignty—as **outlined** by Alejandro Sanchez in *E-International Relations* and by Guyana’s March 2018 **application to the International Court of Justice**—The year Maduro became president, 2013, witnessed more intimidation, with the

Venezuelan navy seizure of the oil exploration vessel *RV Teknik Perdana*, releasing it one week later. The seismic research vessels had been under contract with U.S. oil company Anadarko to survey the seafloor of Guyana's Exclusive Economic Zone (EEZ) and had a 35-member multinational crew from the United Kingdom, the United States, Russia, France, Brazil, Malaysia, Indonesia, and Ukraine. Indeed, the captain, Igor Bekirov, was Ukrainian.

Two years later, in May 2015, Maduro issued Decree 1.787, asserting sovereignty and sovereign rights over Guyana's entire maritime area adjacent to the Essequibo coast and authorizing the Venezuelan navy to enforce jurisdiction. This decree divided Venezuela's coast into four Operational Maritime and Insular Defense Zones (ZODIMAINs). This included the Atlantic ZODIMAIN, which would have extended from Venezuela's Paria Peninsula (near the border with Trinidad and Tobago) to the Essequibo maritime space and annexed the majority of Guyana's maritime zone. However, the ZODIMAINs also affected the sovereignty of Colombia, Suriname, Trinidad and Tobago, and Barbados, which joined Guyana in protesting them. Caracas then backpedaled and issued Decree No. 1.859, which withdrew specific coordinates for the zones.

The latest decree is one of the most provocative of Venezuela's moves, given the vast amount of Guyanese waters it claims and the oil reserves [now known to exist there](#). Significantly, the area's much-touted petroleum extraction and exploration are poised to be an economic game changer for Guyana and its investors.

Since the new decree, the Maduro government has ramped up its intimidation in this potentially lucrative maritime space. On January 21, Venezuelan naval vessel *Comandante Hugo Chávez GC 24* arrested a dozen fishermen and detained two Guyanese-registered fishing vessels, the *Lady Nayera* and the *Sea Wolf*, that were operating off Waini Point within Guyana's EEZ. In response to condemnation from [Guyana](#) and other entities—including the United States, the European Union, the Caribbean Community (CARICOM), and the [Organization of American States](#) (OAS)—the fishermen and the vessels were released on February 3.

However, shortly afterward, Venezuela took its provocation to new heights—literally. According to Guyanese authorities, on March 2, two Venezuelan Soviet-made Sukhoi SU 30 fighter jets flew over the community of Eteringbang at a threatening 1,500-foot altitude, circling the area before departing. Foreign Minister Hugh Todd [denounced](#) the overflight, proclaiming it an act of aggression and a clear infringement on Guyana's sovereignty. He issued a [statement](#) on March 3 that “the incursion of our territory of the two Venezuelan fighter jets is a clear indication that the government of Venezuela is prepared to use aggression and intimidation to accomplish what cannot be accomplished by legal means: the surrender by Guyana of its patrimony.”

## *Historical Backdrop*

The stakes are high for Guyana. Venezuela claims all the territory west of the Essequibo River, which begins near the border with Brazil and runs 600 miles north to the Atlantic Ocean, making it South America's third-largest river after the Amazon and the Orinoco. Not surprisingly, the [derivation of the river's name](#) is itself disputed. One account is that the name derives from an Arawak word meaning “hearth-stones,” said to be a reference to the Arawak custom of collecting stones from the river's banks for their firesides. Another explanation associates derivation with explorer Juan de Esquivel, who reputedly traveled into the Essequibo area beginning in the 16th century along the river that later was dubbed Esquivel's River.

The Essequibo region, which Venezuela calls the *zona en reclamación* (“reclamation zone”), comprises 61,600 square miles of Guyana's 83,000 sq mi, almost 75 percent of the country or about the size of the state of Massachusetts and a little more than the state of Georgia. It could accommodate all of England with room to spare, Jamaica fourteen-and-a-half times, and Costa Rica three times. The territory spans 6

of Guyana's 10 administrative regions and contains around 300,000 of the country's estimated population of just under 800,000. Many of these residents—as much as **89 percent** of the population in the Upper Essequibo region—are members of Guyana's nine distinct Indigenous groups: the Lokono (Arawak), Akawaio (Kapon), Arecuna (Pemon), Macusi, Warrau, Wapisiana, Wai, Patamona, and Kalina (Carib).

The controversy over the Essequibo dates to 1841, when Venezuela disputed the demarcation of “British Guiana's” borders, which had not been defined in the United Kingdom's 1814 treaty acquiring it from the Netherlands. In the 1930s, the British commissioned German surveyor Robert Schomburgk to delineate the boundary, which came to be known as the “Schomburgk Line.” However, Venezuela claimed that its borders were established upon its independence from Spain in 1810 and that they extended east to the Essequibo River.

After the discovery of gold in the disputed area in the 1850s, the United Kingdom claimed an additional 33,000 square miles west of the Schomburgk Line, and tensions continued to grow until 1887, when Caracas broke off diplomatic relations with London and appealed to the United States for assistance, recalling the 1823 Monroe Doctrine and offering it as justification for U.S. involvement. With U.S. encouragement in 1897, the United Kingdom and Venezuela **signed** the Treaty of Washington, in which they agreed to have a tribunal decide the matter and to consider the outcome “as a full, perfect, and final settlement of all the questions referred to the Arbitrators.”

The resulting October 1899 Arbitral Award gave Venezuela the mouth of the Orinoco River and a 5,000-square-mile extension around Point Barima, while the United Kingdom received the land to the east, including most of the Essequibo Basin. In 1905, after a joint Anglo-Venezuelan Commission demarcated the exact boundary, British and Venezuelan commissioners affirmed the coordinates, and the matter appeared resolved.

However, in 1949 *the American Journal of International Law* [*American Journal of International Law*, Vol. 43, July 1949] published a posthumous letter by Severo Mallet-Prevost, one of the Venezuelan lawyers at the arbitration, alleging that the Russian president of the tribunal and the British members colluded to disadvantage Venezuela. Later, as Guyana's independence talks progressed, Venezuela informed the United Nations in February 1962 that it considered its border with soon-to-be-independent Guyana as disputed—though it. Even someone with a mere passing familiarity with Venezuela's claim to Guyana's oil- and mineral-rich territory would be curious that Venezuela waited 63 years after the 1899 Award to contest its validity.

Former Guyanese envoy to Caracas Geoffrey Da Silva cites the recently released July 12, 1962 memo from U.S. Secretary of State Dean Rusk to President John F. Kennedy, which provides **credible evidence** that Venezuela had Cold War-related geopolitical considerations for renewing the dispute. The memo outlined contingency plans “to hamper or prevent a communist takeover in British Guiana,” where the left-oriented People's Progressive Party (PPP) had won elections in 1953, 1957, and 1961 and had formed a strong friendship with Cuba. Notably, there was a Plan B: “Encourage Venezuela and possibly Brazil to pursue their territorial claims. This could result in an indefinite delay of independence.”

In his letter to the editor in the January 29, 2021 edition of **Stabroek News**, Ambassador Da Silva recalls some of the Cold War geopolitical flashpoints in the neighborhood at the time. In 1959, Fidel Castro had succeeded in overthrowing the U.S.-backed Fulgencio Batista dictatorship and established the Cuban Revolution; in 1961, the U.S.-backed Bay of Pigs invasion of Cuba ended in disaster, and later that year Castro declared Cuba a socialist state and announced his alliance with the Soviet Union. Moreover, in 1962 the Cuban Missile Crisis almost witnessed the launch of a nuclear war between the United States and the Soviet Union.

Within Venezuela, the U.S.-backed Rómulo Betancourt government was losing support, and two Cuban-backed guerilla armies had tried to overthrow it. Venezuela had the largest U.S. corporate investments in Latin America, notably in petroleum and minerals. As Ambassador Da Silva [explains](#), “In 1961, to protect USA investments and to defeat the growing influence of Cuba and the left-center forces in Latin America, President John F. Kennedy visited Venezuela and launched the US\$20 billion Alliance for Progress (AFP) to support land reform, to deepen democracy, to develop industry and agriculture and to increase the incomes of the peoples.” Meanwhile, the United States financed [destabilization measures](#) in Guyana in 1962 and 1963 to prevent the possibility of “a second Cuba.” Thus, as Da Silva [posits](#), the memo’s recommendation to encourage Venezuelan territorial claims in Guyana “should put an end to the contention that there is a legitimate dispute or controversy about the Essequibo.”

In February 1966, Venezuela, the United Kingdom, and British Guiana signed an [agreement](#) in Geneva to find a solution to competing border claims, thus paving the way for Guyana’s independence. However, Venezuelan provocations persisted. In October of that year, Guyanese officials discovered the presence of Venezuelan [troops](#) on the Guyanese portion of Ankoko, a riverine border island that Venezuela had evidently been occupying for several years. Venezuela continues to maintain a military presence on the 3-square-mile island, which lies at the confluence of the [Cuyuni and the Wenamu](#) rivers. Two years later, in July 1968, Venezuelan President Raúl Leoni issued a “Decree of the Sea,” which annexed a 12-mile stretch of maritime space along the Guyanese coast near the mouth of the Essequibo River and ordered the Venezuelan armed forces to secure it. The following year, Venezuela made a failed attempt to instigate a secession of Indigenous citizens in the Rupununi district, which the Guyana Defense Force (GDF) successfully quelled on January 2, 1969.

The controversy is partly why Guyana allowed American religious leader Reverend Jim Jones to establish the infamous Jonestown commune—site of the world’s largest mass suicide, of 918 individuals including 287 children in November 1978—also was in the Essequibo region. The utopian community was established in 1974 on 3,852 acres of land in Guyana’s northwestern Barima-Waini region. Forbes Burnham, then Guyana’s prime minister, viewed the request from Jim Jones as an opportunity to forestall Venezuelan military action in the Essequibo area.

As Fielding McGehee of San Diego State University has [explained](#), “Burnham knew that he would strengthen his own claim to the region by placing Americans there. If Venezuela were ever to launch a cross-border incursion, Caracas wouldn’t be answering only to Georgetown, but also to Washington, D.C.”

The massive oil discoveries since May 2015, with offshore deposits currently estimated at 8 billion barrels, have raised the stakes for Guyana, which is now on the way to becoming one of the world’s largest crude oil producers. The [Stabroek Block](#) alone, located approximately 120 miles offshore, covers 6.6 million acres and is being operated by a consortium between local branches of ExxonMobil, the Hess Corporation, and the China National Offshore Oil Corporation (CNOOC). Hess is so confident about its profitability that on March 18, 2021, it [announced](#) the sale of \$150 million of its Danish assets, noting that “proceeds will be used to fund our world-class investment opportunity in Guyana.” Similarly, ExxonMobil’s senior vice president of upstream, Neil Chapman, [told investors](#) on March 3, 2021, that the company’s acreage in the Guyana–Suriname basin is the largest of all the international oil companies. Meanwhile, companies from the United Kingdom, Canada, France, Israel, and Spain also are [pursuing the Guyanese oil bounty](#).

The Essequibo region also contains a significant amount of Guyana’s gold, diamond, bauxite, manganese, uranium, and other mineral reserves, as well as natural resources such as timber. As analyst [Reybert Carrillo](#) has explained, Venezuela would acquire sizeable economic, strategic, and biodiversity gains if it

possessed the disputed territory. For instance, it would obtain “an extensive hydrographic network that includes the Essequibo River and its Atlantic delta, the Cuyuní, Rupununi, Mazaruni, and Supenaam rivers, as well as the Potaro River,” which could be developed into a renewable energy source.

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In addition, the Essequibo region’s 280 kilometers (174 miles) of coastline would allow for more Venezuelan ports (including more customs taxes and commercial exchange), fishing, military installations, and tourism. As Carrillo [notes](#), gaining this coastline would also extend its maritime sovereignty and customs jurisdiction beyond its current “ability to cover the southern Caribbean thanks to the checkpoints at the Isla de Aves and the Los Monjes archipelago.”

Some analysts have speculated that Venezuela might even be willing to [go to war over oil](#). However, my own sense is that although Venezuela outnumbers Guyana’s armed forces by a factor of around 35 to one (if counting paramilitary units), wisdom will prevail in foregoing use of the military option; Venezuelan leaders will most likely realize that the potential geopolitical and economic losses from a military occupation of the Essequibo region would far outweigh any gains.

### *Battle before the International Court of Justice*

Because of the high stakes, dispute resolution has been contentious. Much to Venezuela’s chagrin, Guyana brought the matter before the International Court of Justice (ICJ), filing an [application](#) in March 2018—a last resort after decades of failed negotiations. Guyana asked the ICJ for judgment in five areas. First, it hopes the court will rule that the 1899 Award and 1905 boundary agreement are valid and binding upon both countries and, second, to reiterate that Guyana has full sovereignty over the Essequibo region and Venezuela has full sovereignty west of the 1905 boundary. Third, Guyana hopes the court will order Venezuela to withdraw immediately from and cease its occupation of the Guyanese part of Ankoko Island. More significantly, Guyana also seeks to have Venezuela “refrain from threatening or using force against any person and/or company licensed by Guyana to engage in economic or commercial activity in Guyanese territory,” to include maritime areas, and for the court to declare that Venezuela is “internationally responsible for violations of Guyana’s sovereignty and sovereign rights, and for all injuries suffered by Guyana as a consequence.”

Venezuela has long preferred a political settlement instead, referencing its 1966 Geneva Agreement with the United Kingdom and Guyana. In Venezuela’s March 2018 memorandum to the ICJ, it [emphasized](#) that “the Geneva Agreement requires a settlement be amicably reached through a practical, acceptable, and satisfactory solution for both Parties.” It argued that the ICJ has no jurisdiction in the matter unless it agrees to refer the case to the court—which would then need to “settle the dispute in accordance with the Geneva Agreement, and not just on the basis of international law.” Consequently, in April 2019, Venezuela confirmed its non-participation in the court’s written proceedings but [explained](#) that “out of respect for the

Court and in accordance with the precedents,” it will provide the ICJ with information to enable the court to fulfill its duty in keeping with Article 53.2 of its statute.

Writing in the June 29, 2018 edition of [EJIL:Talk!](#), legal scholar Alexander Wentker of the Max Planck Institute for Comparative Public Law and International Law in Germany explained that Art 53 of the ICJ Statute implies that states are not obliged to participate in proceedings before the court. However, Venezuela became a party to the case when Guyana filed the application, meaning—as Alexander Wentker [argues](#)—“Venezuela will thus have the obligation to abide by the Court’s decisions.”

In a significant victory for Guyana, the court [decided](#) in December 2020 that it did, indeed, have jurisdiction to consider its first two entreaties regarding the 1905 boundary. However, the court also unanimously ruled that it lacked jurisdiction to consider the other requests because they are related to events that occurred after the 1966 Geneva Agreement was signed.

Predictably, Venezuela repudiated the ruling, [noting](#) that, “by deciding that it possesses jurisdiction over the validity of the 1899 arbitration award based on Guyana’s unilateral claim, the ICJ commits an incomprehensible and unusual error, not only in terms of the consent not given by Venezuela to said jurisdiction, but by admitting an object of dispute other than the substantial object of the dispute, as defined by the 1966 Geneva Agreement.” Moreover, influential Venezuelan legislator Hermann Escarrá has launched an initiative to [amend Articles 10 and 11](#) of the Venezuelan Constitution “in order to ratify that the Essequibo territory is ours.” This is part of Escarrá’s work as the chair of the new “Special Commission for the Defense of the Guayana Esequiba Territory and Territorial Sovereignty,” [established](#) in January 2021 by the National Assembly. These efforts directly build upon Maduro’s vow to “reconquer” the Essequibo.

The December 2020 judgment clears the way for the ICJ to proceed with the case. ICJ president Joan Donoghue convened a virtual case management conference with the parties on February 26, 2021, to consider the way forward. Venezuela voiced its ambivalence about the proceedings, noting that because the court’s judgment might have implications for its sovereignty, it was required constitutionally to conduct popular consultations on the matter—which would take time, as would other anticipated difficulties in preparing its case. Venezuela therefore requested at least 18 months to prepare, whereas Guyana expressed a willingness to proceed within 12 months. In response, the court [issued an order](#) on March 8, 2021, granting Guyana until March 8, 2022, to submit its case, formally called a memorial, and Venezuela until March 8, 2023, to submit its counter-memorial. Resolving the case is expected to take an additional two to three years after Venezuela submits its defense. And even if the court upholds the 1899 Arbitral Award, as seems likely, it remains to be seen how Venezuela will react to the final ruling and how it will be [enforced](#).

Although Guyana is expected to win the case, the drawn-out timeframe means its litigation costs will be high—and as of March 2021, Guyana still did not know what the final price tag will be. At the start of the legal journey, Guyana set aside \$15 million of the \$18 million it had received from ExxonMobil as a signing bonus when they signed the contract to extract the offshore oil deposits. The National Assembly [approved](#) \$4 million of this money to launch the legal battle in 2018, about [\\$3.7 million](#) of which had been used by the end of the year. However, in April 2018, then minister of foreign affairs Carl Greenidge [cautioned](#) that the \$15 million might be insufficient, as Guyana lacks the requisite legal capabilities and is relying on the expertise of eminent advocates and scholars from Guyana, the United Kingdom, the United States, Belgium, France, and Canada. In 2021, the government set aside \$1.9 million of the initial \$15 million, according to a senior government official. Interestingly, Carl Greenidge, the respected foreign minister in the previous government, was retained by the Ali government as Adviser on Borders and Agent to the ICJ.

## *Imperatives for Guyana*

Although Guyana's legal action before the ICJ is necessary, it is not sufficient to forestall Venezuela's territorial ambitions. Guyana should pursue several simultaneous imperatives in the fields of public education, diplomacy, and security.

### **PUBLIC EDUCATION**

Unlike Venezuela, Guyana has not undertaken a consistent public education campaign about the Essequibo controversy. I still recall my first visit to Caracas, in 1980, where I was surprised at the frequency with which the musically impressive national anthem, *Gloria al Bravo Pueblo*, was played on radio and television. I quickly learned that such was part of Venezuela's national patriotic education campaign, official maps, textbooks, and other documents all show Essequibo as the "reclamation zone."

Guyanese authorities should launch and sustain their own comprehensive public education campaign—incorporating popular culture and social media—about the history of the dispute, the value of the territory, and the implications of losing it. While the campaign should be spearheaded by the government, it should also involve education, civic, corporate, religious, and Diaspora organizations in order to successfully reach citizens at home and abroad.

Although most of the country's population lives along the coast, this campaign cannot be effective if it does not extend to the towns and villages, especially in the six administrative regions included in the Essequibo region. Such a campaign would also need to account for the country's demographic realities, especially the linguistic pluralism that contributes to the nation's rich socio-cultural diversity. Although English is Guyana's official language, Spanish and Portuguese are increasingly important mediums of communication, including in the capital, Georgetown. Moreover, for many Indigenous Guyanese, Akawaio, Patamona, Wapishana, and other local languages are their mother tongue. Incorporating these languages into a public education campaign about Essequibo could look to Guyana's program to celebrate the International Year of Indigenous Languages as an example. During festivities in the village of Aishalton in southern Guyana in January 2019, I witnessed the country's national anthem being performed in both Wapishana and English, and speeches delivered in Patamona, Akawaio, Wapishana, Macushi, Waiwai, Carib, Arekuna, and Arawak.

### **DIPLOMACY**

Since Guyana's independence, wariness of its hostile western neighbor has prompted the country's leaders to pursue diplomacy as the nation's **first line of defense**. This defense diplomacy—which has entailed "the development of closer relations with Brazil, support for the African liberation movements, Caribbean integration, close coordination with the Commonwealth, the active utilization of the United Nations, and the pursuit of non-alignment"—has paid off handsomely in **several ways**. Through this approach, Guyana has been able to fend off territorial challenges from Venezuela and from Suriname, which maintains its own claim on 15,000 square kilometers (5800 square miles) in southeastern Guyana. The current government of President Irfaan Ali has continued to embrace this strategy and has been able to mobilize critical support from CARICOM, the United States, the United Kingdom, the OAS, and other stakeholders in dealing with Venezuela's threatening moves this year.

However, Guyana lacks a clear strategy for pursuing diplomatic goals in the contemporary context. In particular, it should ensure key missions—including those in Washington, New York, London, Brussels, Caracas, and Brasilia—are led by experienced and energetic hands and not erstwhile politicians with discernible diplomacy deficits. Moreover, it is troubling that envoys are yet to be appointed for some of these

missions. Georgetown should move with alacrity to appoint skilled diplomats—not sinecures—to Brussels, Caracas, Brasilia, and London. The experience of Guyana and other small states suggests that having skilled diplomats is a cardinal requirement of success in pursuing Defense Diplomacy.

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In a commendable move, in October 2020, the Guyanese government appointed Carolyn Rodrigues-Birkett as its permanent representative to the United Nations. She brings to the post considerable experience and networking from having served as the country's minister of foreign affairs from 2008-15 and as director of the Food and Agriculture Organization's Liaison Office in Geneva from 2017-20.

However, one wonders about another move: Guyana has also tapped 77-year-old [Sam Hinds](#), its former prime minister, as its next ambassador to the United States and the OAS. He will replace Riyad Insanally, a multilingual career diplomat with an exemplary record of service in Guyana, London, and at the OAS, who had been applying his reservoir of diplomatic skills to these significant missions.

#### **SECURITY ASSETS INVESTMENT**

As noted in a [March 2020 report](#) for the Center for Strategic and International Studies, Guyana's leaders need to pay attention to three geopolitical neighborhoods: *the Proximate, Far Away, and Wet* Neighborhoods. In addition to the territorial, trade, and environmental concerns encompassed by these spheres, Guyana should boost the nation's public security capabilities to confront [persistent issues](#) with homicides, armed robberies, prostitution, sex trafficking, illegal mining, and drug trafficking.

As the oil boom begins to attract investors and other individuals from both the *Proximate* and *Far Away* neighborhoods, the potential for piracy, cybercrime, and money laundering will also increase. As such, major investments in the country's public security are a geopolitical imperative, not just to enhance domestic safety and security but also to deter possible Venezuelan aggression.

The National Assembly's 2021 budget allocations for defense, domestic security, and foreign policy suggest that the government is taking this imperative seriously and seeking to address serious deficits in equipment personnel, and training. For instance, the GDF is a minuscule force made up of only [3,400](#) active members across the army, air corps, and coast guard, according to the 2021 edition of the respected *The Military Balance*.

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Although the GDF suffers considerable shortcomings in its aerial (and maritime) capabilities, its recent \$9.5 million purchase of a new Bell 412EPI medium lift **helicopter** from the United States is an important symbolic and substantive step toward investing in security assets. The GDF will use the new helicopter to monitor offshore oil fields and fisheries, conduct search and rescue operations, and move troops around the country. At the commissioning ceremony on March 13, President Ali pledged to boost the coast guard's capabilities further by acquiring **additional assets** before the end of 2021. Because the coast guard's flagship vessel—the *GDFS Essequibo*, a converted British minesweeper acquired in 2001—has been rendered unserviceable, the GDF “does not have any vessels that can patrol at certain distances and depths of the Exclusive Economic Zone.” This seriously compromises the ability of the GDF to provide adequate maritime security. ■

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