

**NINTH PARLIAMENT OF GUYNA
FIRST SESSION (2006-2007)
NATIONAL ASSEMBLY**

RESOLUTION NO. 39

WHEREAS Guyana initiated arbitration proceedings concerning the delimitation of its maritime boundary with Suriname on 24th February, 2004 and among the submissions made by Guyana in initiating the arbitration proceedings was that the Tribunal should find and declare that Suriname breached international law by the use of or threat to use force against the CGX rig in June 2000;

AND WHEREAS Guyana brought these proceedings pursuant to Articles 286 and 287 of the 1982 United Nations Convention on the Law of the Sea and in accordance with Annex VII to the Convention;

AND WHEREAS Guyana and Suriname ratified the Convention on 16th November, 1993 and 9th July, 1998, respectively;

AND WHEREAS in its Notification and Statement of Claim, Guyana stated that the Parties are deemed to have accepted arbitration in accordance with Annex VII of the Convention by operation of Article 287(3) of the Convention;

AND WHEREAS Guyana noted that neither Party had made a declaration pursuant to Article 287(1) of the Convention regarding their choice of compulsory procedures, and that neither Party had made a declaration pursuant to Article 298 regarding optional exceptions to the applicability of the compulsory procedures provided for in Section 2;

2.

AND WHEREAS in its Notification and Statement of Claim, Guyana appointed Professor Thomas Franck as a Member of the Tribunal in accordance with Article 3(b) of Annex VII, and Suriname appointed Professor Hans Smit in accordance with Article 3(c) of Annex VII;

AND WHEREAS by joint letter to the Secretary-General of the Permanent Court of Arbitration dated 15th June, 2004, the Parties noted that they had agreed to the appointment of the remaining three Members of the Tribunal in accordance with Article 3(d) of Annex VII, headed by H.E. Judge L. Dolliver M. Nelson (President);

AND WHEREAS once constituted, the Tribunal commenced its work immediately and the final pleadings of the Parties were heard by the Tribunal during the month of December, 2006 at the Headquarters of the Organisation of American States;

AND WHEREAS the Governments of Guyana and Suriname made numerous submissions and provided evidence to support their separate cases to the Tribunal;

AND WHEREAS the Arbitral Tribunal's unanimous Award of 17th September, 2007 was favourable to Guyana and finally and forever settled the maritime boundary between Guyana and Suriname;

AND WHEREAS the Award of the Arbitral Tribunal established under the International Tribunal of the Law of the Sea in the matter of an Arbitration between Guyana and Suriname has been tabled in this Parliament,

RESOLVED,

That this National Assembly acknowledges with appreciation the Government of Guyana for having the courage and wisdom to take the Guyana Claim to the Arbitral Tribunal;

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3.

FURTHER RESOLVED,

That this National Assembly places on record its appreciation and recognition of the work done by the Guyana team of distinguished Agents and Counsel and the support work of the staff of the Ministry of Foreign Affairs, the National Archives, the Guyana Land and Surveys Commission and many researchers and friends and supporters of Guyana;

FURTHER RESOLVED,

That this National Assembly unanimously notes with approval the Award of the Arbitral Tribunal and orders that it be incorporated into the official records of the Guyana Parliament.

Passed by the National Assembly on Thursday, 1st November, 2007.


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H. GILGEOURS

Assistant Clerk of the National Assembly