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Question of Cyprus

Oceans and the law of the sea

## Letter dated 19 February 2019 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government, and further to my letter dated 12 December 2018 ([A/73/651](#)) regarding the illegal hydrocarbon exploration activities conducted by the Republic of Turkey in the continental shelf and exclusive economic zone (EEZ) of Cyprus, I regret to inform you of yet another provocative and unlawful action against the Republic of Cyprus.

On 26 January 2019, the Turkish State-owned survey vessel *Barbaros Hayreddin Paşa* and supporting vessels, accompanied and supported by Turkish warships, commenced seismic surveys in the southern continental shelf/EEZ of the Republic of Cyprus. The area has purportedly been reserved for seismic surveys by Turkey, via an unauthorized navigational warning dated 26 January 2019, for the period from 26 January to 26 May 2019. The surveys are being conducted within exploration blocks 1, 8, 9 and 12, which have been designated for hydrocarbon exploration and exploitation by the Republic of Cyprus. In fact, blocks 8 and 9 have been assigned by the Republic of Cyprus to European companies, namely Eni (Italy) and Total (France) for hydrocarbon exploration activities on behalf of Cyprus. Furthermore, the illegal seismic survey area lies, in its entirety, within a continental shelf/EEZ area duly delimited between the relevant States, namely, Cyprus and Egypt, Lebanon and Israel respectively, in full conformity with the international rules of maritime delimitation (please see annex).

I would like to reiterate, once again, that the aforementioned surveys constitute a violation by Turkey of the sovereign rights of Cyprus under international law and, in particular, the 1982 United Nations Convention on the Law of the Sea, the relevant provisions of which have long been crystallized into customary international law. These sovereign rights of Cyprus within its continental shelf/EEZ are exclusive; hence, only the Republic of Cyprus may authorize such exploration activities with respect to the natural resources contained therein. In this respect, Turkey's illegal seismic surveys have activated its international responsibility; thus, Turkey is under an obligation, among others, to cease those unlawful activities.



Those illegal exploration activities in the maritime zones of Cyprus without the express authorization of the Government of the Republic of Cyprus constitute a serious criminal offence under Cyprus law and may lead to the commencement of criminal proceedings against any natural or legal person providing services or otherwise assisting Turkey/the Turkish Petroleum Corporation, either directly or indirectly. It should also be stressed that all seismic or other data collected by Turkey during those illegal and unauthorized exploration activities belong to the Republic of Cyprus, and any person acquiring or processing those illegally collected data is liable for an offence.

Any allegation by Turkey that the said surveys have been licensed by the breakaway regime in the north of the island has no standing in international law. The said regime in the north of Cyprus is, as stated by the Security Council, a legally invalid secessionist entity, established by Turkey itself, the Occupying Power, following the Turkish invasion of the island in 1974 in violation of international law. Thus, that particular entity does not and cannot have the rights of a State and, therefore, does not have any legal standing whatsoever to license exploration activities with respect to the natural resources onshore or in the maritime areas of Cyprus. The only internationally recognized State in Cyprus is the Republic of Cyprus, which enjoys all the rights afforded to it by international law with respect to the entire territory of the island of Cyprus, as well as the maritime areas thereof. It follows that any actions by Turkey, directly or through its secessionist entity, are null and void.

Moreover, in light of frequent threatening statements by Turkish officials to the effect that Turkey/the Turkish Petroleum Corporation will soon conduct drilling operations within the maritime zones of Cyprus, I would like to stress that any drilling operation following these or other seismic surveys conducted by Turkey in the continental shelf/EEZ of Cyprus will constitute a grave violation of the sovereign rights and jurisdiction of Cyprus, as prescribed by the United Nations Convention on the Law of the Sea and customary international law. According to the Convention and international case law, drilling operations carried out unilaterally by a third country in another State's continental shelf/EEZ blatantly infringe international law, as they cause irreparable damage to the seabed and subsoil and, consequently, generate irreversible harm to the sovereign rights of the coastal State. The Government of the Republic of Cyprus is determined to take all available peaceful measures under international law in order to safeguard its rights against any country, entity or person that acts and/or assists in the violation of international law and its national legislation within its maritime zones.

I would be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda items 45 and 78, and of the Security Council, and published on the website of the Division for Ocean Affairs and the Law of the Sea and in the next edition of the *Law of the Sea Bulletin*.

(Signed) Kornelios S. **Korneliou**

**Annex to the letter dated 19 February 2019 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General**

