



General Assembly Security Council

Distr.: General
12 July 2019

Original: English

General Assembly
Seventy-third session
Agenda items 45 and 78

Security Council
Seventy-fourth year

Question of Cyprus

Oceans and the law of the sea

Letter dated 11 July 2019 from the Chargé d'affaires a.i. of the Permanent Mission of Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government, and further to my letters dated 12 December 2018 (A/73/651) and 19 February 2019 (A/73/753-S/2019/160) regarding the illegal hydrocarbon exploration activities conducted by the Republic of Turkey in the continental shelf and exclusive economic zone (EEZ) of Cyprus, and in particular, further to the letter dated 2 May 2019 from the President of the Republic of Cyprus addressed to you, I am compelled to inform you of the latest developments with regard to Turkey's continuing provocative and unlawful actions against the Republic of Cyprus.

I turn first to Turkey's illegal drilling operations in the territorial sea of the Republic of Cyprus. On 8 July 2019, the drilling vessel *Yavuz* of the State-owned Turkish Petroleum Company, accompanied by warships and supporting vessels, was deployed within the territorial sea of the Republic of Cyprus, approximately 10 nautical miles south of the Karpasia Peninsula, to the east of the island (see annex I). The drilling operations, which were publicly announced by Turkish officials, are planned to take place until 30 September 2019, as set out in an unauthorized navigational warning issued by Turkey. I note that this is the second planned drilling operation, within two months from the commencement of the ongoing illegal drilling operations within the EEZ/continental shelf of Cyprus (see below).

The drilling operation by the *Yavuz* constitutes a very serious violation of the sovereignty of the Republic of Cyprus within its territorial sea, in contravention of the 1982 United Nations Convention on the Law of the Sea, as well as customary international law, and an unacceptable escalation of Turkey's continued violations of the sovereignty and sovereign rights of the Republic of Cyprus in its maritime zones.

Turkey claims that said drilling operations are conducted by virtue of a purported licence by the so-called "TRNC". It should be borne in mind that any exploration activities, including seismic surveys and drilling operations, to be conducted on behalf of the so-called "TRNC" are unlawful as a matter of international



law. The self-proclaimed “TRNC” is a secessionist entity installed by Turkey, the Occupying Power, in the northern part of the island following the illegal Turkish invasion of the island in 1974 and its ongoing occupation. The Security Council has called on all States not to recognize or in any other way facilitate or assist said breakaway regime (Security Council resolutions [541 \(1983\)](#) and [550 \(1984\)](#)).

The only internationally recognized state in Cyprus is the Republic of Cyprus, which enjoys all rights afforded to it by international law with respect to the entire territory of the island of Cyprus, as well as the sea adjacent to its coasts. It follows that any actions either of Turkey itself or through the aforementioned secessionist entity or of any company, including the Turkish Petroleum Company, are illegal. Furthermore, any drilling operations carried out by Turkey in the sea waters adjacent to the occupied areas of Cyprus are in breach of the law of belligerent occupation. According to the pertinent rules, Turkey, the Occupying Power, cannot exploit the natural resources of the area it illegally occupies.

Turning to the illegal drilling operations in the EEZ/continental shelf of the Republic of Cyprus, I would like to remind you that, on 4 May 2019, the drilling vessel *Fatih* of the State-owned Turkish Petroleum Company, also accompanied by warships, was deployed within the continental shelf/EEZ of the Republic of Cyprus and remains there at a distance of about 36 nautical miles from the western coast of Cyprus. As depicted on the map in annex II, the drilling target is 30 nautical miles from the median line between the coasts of the two States, towards the coast of Cyprus, and at least 83 nautical miles from the nearest coast of Turkey.

According to international law, the establishment of installations and structures on the continental shelf/EEZ falls within the ambit of the coastal State’s exclusive rights and jurisdiction. Consequently, the deployment of the *Fatih* in the continental shelf/EEZ of Cyprus is in breach of articles 56 (1) (b) (i), 60 and 80 of the United Nations Convention on the Law of the Sea, which form part of customary international law and thus are also binding on non-parties to the Convention, including Turkey.

The conduct of drilling operations by the *Fatih* in the continental shelf/EEZ of Cyprus constitutes an egregious violation of Cyprus’ exclusive sovereign rights over the natural resources of its continental shelf/EEZ, in contravention of articles 56 (1) (a), 77 and 81 of the United Nations Convention on the Law of the Sea, which also form part of customary international law. Moreover, the unauthorized and unregulated Turkish drilling operations in the maritime zones of Cyprus cause irreparable damage to the seabed and subsoil and, consequently, generate irreversible harm to the sovereign rights of Cyprus, as well as to the marine environment.

Despite Turkey’s attempt to use the interests of the Turkish Cypriot community as a pretext for the illegal drilling operations by the *Fatih*, its claim to the continental shelf to the west of Cyprus is, by Ankara’s own admission, a claim to the continental shelf solely for the Republic of Turkey. Indeed, it is a claim that runs contrary to the very interests of the Turkish Cypriots, who, together with the Greek Cypriots, would be deprived of a fair share of the benefits from the resources of the western and northern maritime area of Cyprus if the totally unfounded Turkish position were ever to be tolerated or imposed.

I reiterate that the Government of the Republic of Cyprus has repeatedly addressed an invitation to Turkey for negotiations with a view to delimiting our respective maritime zones, in line with international law. Turkey has, instead, not only ignored that invitation, but has not acted in good faith by resorting to actions that jeopardize and hamper the reaching of a final agreement, in violation of articles 74 (3) and 83 (3) of the United Nations Convention on the Law of the Sea, which reflect

customary principles such as good faith, self-restraint and the peaceful settlement of disputes.

What is more, by not being a party to the Convention and by not accepting the compulsory jurisdiction of the International Court of Justice, Turkey has conveniently chosen to keep itself outside the ambit of all such third-party dispute resolution procedures. Due to its own refusal to accept recourse to international adjudication, there is no international dispute settlement mechanism by which Turkey's patently unreasonable and conflicting claims can be put to the test.

I should note that the aforementioned illegal drilling operations by Turkey are taking place over and above an ongoing illegal seismic survey, the third consecutive one in the course of just nine months, conducted by the Turkish vessel *Barbaros Hayreddin Paşa*, in the southern continental shelf/EEZ of the Republic of Cyprus (see annex III). I refer to the previous letters mentioned above, and I reiterate that any such unauthorized exploration activities by Turkey constitute a violation of the exclusive sovereign rights of the Republic of Cyprus within its continental shelf/EEZ.

Turkey has, in effect, surrounded the island of Cyprus, conducting illegal hydrocarbon exploration activities, escorted by numerous warships, which, together with Turkey's repeated military exercises, have led to an intense militarization of extensive maritime areas around Cyprus. Turkey's overall practice in those areas constitutes not only a serious violation of applicable international law but also an abuse of the freedom of navigation, violates the principle of the peaceful uses of the seas, endangers the safety of navigation and poses a threat to peace and international security.

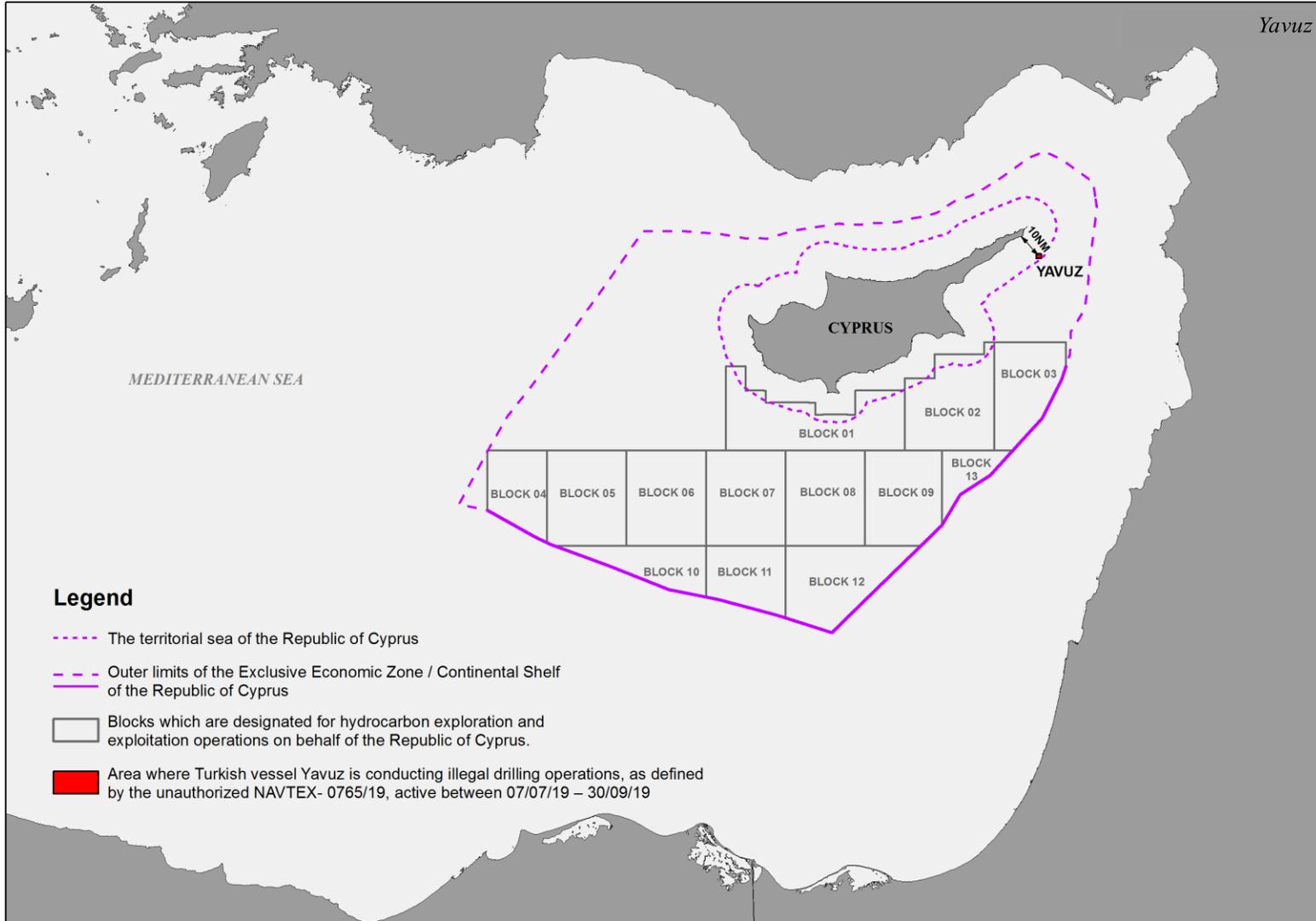
Turkey's wrongful conduct has triggered its international responsibility. Turkey is under an obligation to cease immediately its unlawful activities, to offer guarantees of non-repetition and make full reparation for the damage caused by its wrongful behaviour.

Turkey continues to deliberately pursue a policy of escalation in the Eastern Mediterranean, systematically employing practices that pose a threat to the security and stability of the region, despite being repeatedly urged by the international community to refrain from actions that exacerbate tensions and run contrary to the international legal order. Therefore, my Government kindly requests that you convey an unequivocal message to the Government of Turkey to comply with international law, respect the sovereignty, sovereign rights and jurisdiction of the Republic of Cyprus and refrain from any actions that are not conducive to the resumption of the negotiations for the reunification of the Republic of Cyprus.

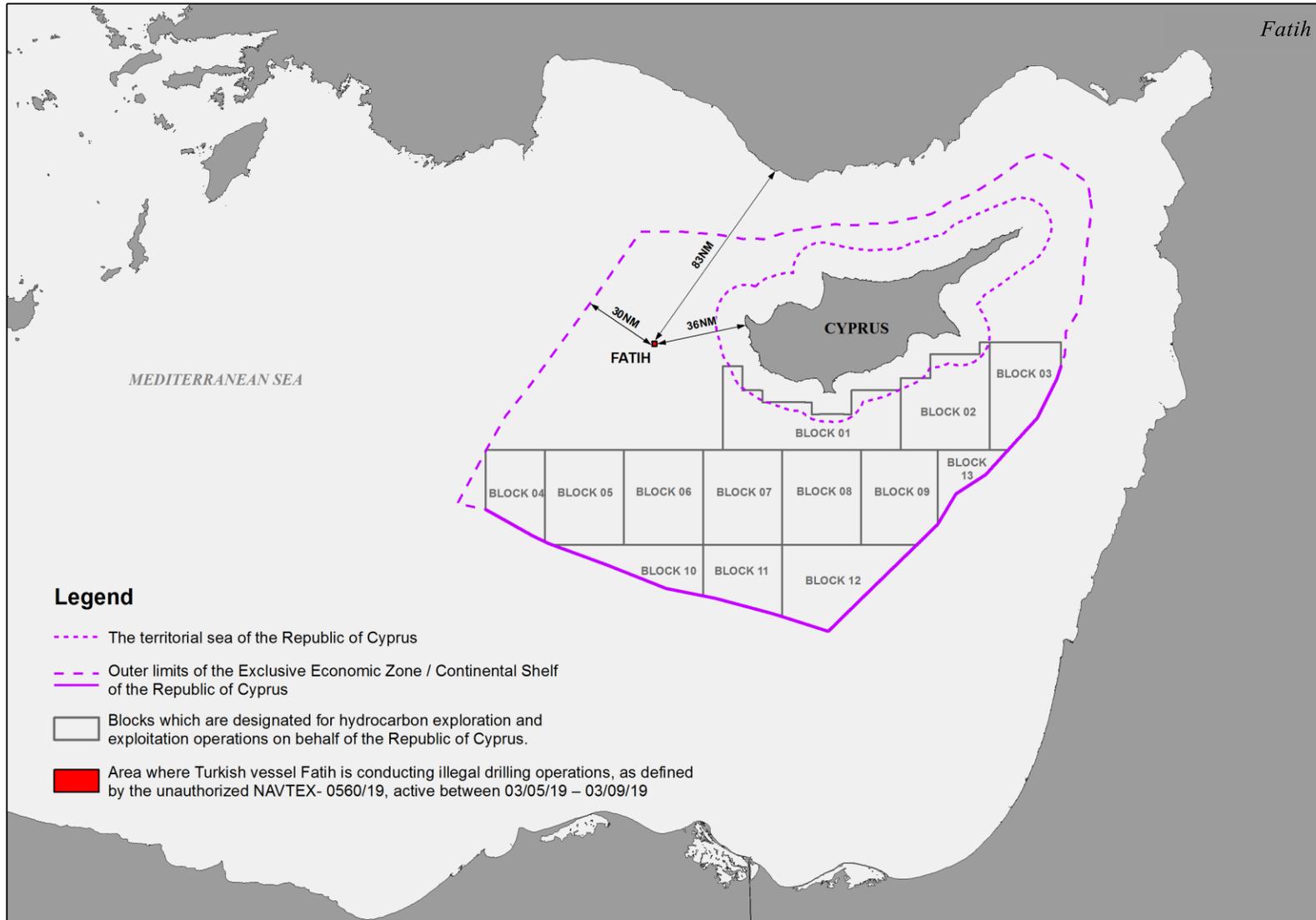
I would be grateful if you would have the present letter and its annexes circulated as a document of the General Assembly, under agenda items 45 and 78, and of the Security Council, and published on the website of the Division for Ocean Affairs and the Law of the Sea and in the next edition of the *Law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

(Signed) Polly Ioannou
Chargé d'affaires a.i.

Annex I to the letter dated 11 July 2019 from the Chargé d'affaires a.i. of the Permanent Mission of Cyprus to the United Nations addressed to the Secretary-General



Annex II to the letter dated 11 July 2019 from the Chargé d'affaires a.i. of the Permanent Mission of Cyprus to the United Nations addressed to the Secretary-General



Annex III to the letter dated 11 July 2019 from the Chargé d'affaires a.i. of the Permanent Mission of Cyprus to the United Nations addressed to the Secretary-General

