



General Assembly Security Council

Distr.: General
20 January 2020

Original: English

General Assembly
Seventy-fourth session
Agenda items 41 and 74

Security Council
Seventy-fifth year

Question of Cyprus

Oceans and the law of the sea

Letter dated 20 January 2020 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

With reference to the letter dated 13 November 2019 ([A/74/550](#)) from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General, I would like to bring to your attention the following.

The Republic of Cyprus rejects in toto the submission by Turkey of a list of geographical coordinates concerning the outer limits of its alleged continental shelf in the Eastern Mediterranean Sea. Cyprus also rejects the Turkish positions and groundless claims contained in the aforementioned letter.

The submission of geographical coordinates by Turkey has no legal basis and creates no legal obligation for the Republic of Cyprus or any other third State. The maritime area claimed by Turkey is excessive and unreasonable and encroaches on the lawful rights of the Republic of Cyprus over its maritime zones, in violation of international law.

In particular, as regards the geographical coordinates listed in part A of the annex to Turkey's aforementioned letter, which supposedly correspond to a so-called "agreement" between Turkey and the illegal secessionist entity in the north of Cyprus, as per the relevant Security Council resolutions, are null and void, as is the so-called "agreement" itself. Moreover, the said claim encroaches on Cyprus' northern exclusive economic zone (EEZ)/continental shelf, far beyond a good faith median line claim, partly allocating to Cyprus only a 12-nautical-mile territorial sea. Cyprus, further, refers to its letter dated 19 May 2014 ([A/68/883](#)) and reiterates its rejection of the letter from the Permanent Representative of Turkey to the United Nations of 25 April 2014 ([A/68/857](#)), through which Turkey attempted once again to register this position, having failed to do so through the appropriate channels, due to the "agreement's" self-evident illegality.

The geographical coordinates of points listed in part B of the same annex, which supposedly correspond to a median line between Turkey and Egypt, have no legal nor pragmatic basis and are in complete disregard of the rights of Cyprus and other nearby islands to maritime zones. Moreover, the said coordinates do not take into account



that the relevant maritime area adjacent to Cyprus' coasts is already duly delimited in accordance with international law between the relevant States with opposite coasts, namely the Republic of Cyprus and the Arab Republic of Egypt, by virtue of the 2003 Exclusive Economic Zone Delimitation Agreement.

The outer limits of Turkey's claimed continental shelf between the geographical coordinates listed in part C of the annex leave Cyprus with no continental shelf/EEZ whatsoever in the west of the island, completely disregarding Cyprus' lawful rights to an EEZ and continental shelf west of longitude 32°16'18"E.

Turkey bases its assertions on the false proposition that islands are not entitled to maritime zones other than a mere territorial sea, contrary to article 121 (2) of the United Nations Convention on the Law of the Sea. Thus, Turkey attempts to delimit its maritime zones with opposite continental States on the basis of the median line, as if any existing islands were completely "erased" from the map. The same approach by Turkey is also observed in the recent so-called "memorandum of understanding" signed between Turkey and Libya purporting to delimit the EEZ/continental shelf between their coasts, in complete disregard of the nearby islands.

Article 121 (2) of the United Nations Convention on the Law of the Sea explicitly provides for the entitlement of islands to a territorial sea, contiguous zone, continental shelf and EEZ. This entitlement constitutes a rule of customary international law and, as such, is opposable also to States which are not parties to the Convention, like Turkey. It is, indeed, quite astonishing the ease with which Turkey refers to international law and to specific articles of the Convention as rules of customary international law, even in the aforementioned letter, manifesting once more the country's cynical, "cherry picking" and self-contradictory attitude towards well-established principles of international law.

The Republic of Cyprus declared an EEZ in 2004 and has inherent rights over the continental shelf of the island of Cyprus, the outer limits of both zones being determined on the basis of the median line between the coasts of Cyprus and those of opposite States, pending relevant agreements to the contrary. In this regard, Cyprus has signed EEZ delimitation agreements with Egypt, Lebanon and Israel, on the basis of the median line method.

Following the commencement of illegal drilling operations by Turkey within Cyprus' EEZ/continental shelf and after having repeatedly invited Turkey to enter into negotiations in order to conclude an agreement for the delimitation of the common maritime boundary between Cyprus and Turkey, the Republic of Cyprus sent a note verbale, dated 4 May 2019, to the Secretary-General depositing the geographical coordinates of points corresponding to the northern and north-western outer limits of Cyprus' EEZ/continental shelf, stressing at the same time that the said geographical coordinates could be reviewed and/or modified as necessary in the light of future delimitation with other concerned neighbouring States and in accordance with agreements to be concluded in this matter.

Turkey continues to refuse to enter into negotiations with Cyprus, yet it insists that its claims are in accordance with international law. Articles 74 (1) and 83 (1) of the United Nations Convention on the Law of the Sea, which form part of customary international law, require that the delimitation of the EEZ and continental shelf shall be effected by agreement between States with opposite or adjacent coasts, on the basis of international law, as referred to in article 38 of the Statute of the International Court of Justice, in order to achieve an equitable solution. Alternatively, and should Turkey continue to object to enter into such negotiations with Cyprus, such maritime delimitation may only be effected by a competent court or tribunal.

Cyprus, fully confident of the validity of its legal positions with regard to its rights to maritime zones, stands ready to settle the matter once and for all in accordance with international law. In this respect, Cyprus has recently officially invited Turkey to conclude a special agreement (*compromis*) in order to address the maritime delimitation between the relevant coasts of Cyprus and Turkey, namely the common maritime boundary of the two States in the north and north-west of Cyprus, before the International Court of Justice.

Regrettably, Turkey continues to pursue a course of action which is in contravention of international law, putting forward claims that are legally unfounded and go beyond any plausible geographical limits. On top of that, since May 2019, Turkey has illegally conducted four drilling operations using the State-owned vessels *Fatih* and *Yavuz*, in Cyprus' territorial sea and continental shelf/EEZ, to the west, east and south of the island; the most recently completed illegal drilling was located in the eastern EEZ/continental shelf of Cyprus, in close vicinity of its territorial sea, at 12.4 nautical miles from the Karpas peninsula. I wish to also refer you to my letters dated 11 July 2019 (A/73/944-S/2019/564) and 13 November 2019 (A/74/549-S/2019/881). What is more, Turkey has just commenced a fifth such illegal drilling (planned between 18 January and 14 May 2020) in the southern EEZ/continental shelf of Cyprus, in a maritime area which has been delimited in accordance with international law between Cyprus and the relevant coastal States, namely Israel and Egypt. This latest illegal drilling also lies within exploration block 8 which was duly licensed by the Republic of Cyprus to the European companies Eni and Total.

The aforementioned drilling operations by Turkey are in violation of the sovereignty of the Republic of Cyprus in its territorial sea and its sovereign rights and jurisdiction in its continental shelf and EEZ, under the United Nations Convention on the Law of the Sea as well as customary international law. At the same time, the ongoing illegal seismic surveys by Turkish vessels *Barbaros Hayreddin Paşa* and *Oruç Reis* in large areas of the southern EEZ/continental shelf of Cyprus likewise violate Cyprus' sovereign rights therein.

The Republic of Cyprus reiterates that it remains determined to uphold its rights to maritime zones and protect its sovereign rights and jurisdiction to explore and exploit its natural resources within its continental shelf and EEZ, using all peaceful means at its disposal, in good faith and within the framework of international law. Any efforts by Turkey to undermine those rights, including through the submission of geographical coordinates of its alleged continental shelf in the Eastern Mediterranean as well as its illegal exploration activities and intense military presence, further stray Turkey away from international legality and increase tensions, putting at risk the peace and security of the entire region.

I would be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda items 41 and 74, 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) Andreas D. Mavroyiannis