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Question of Cyprus

Oceans and the law of the sea

Letter dated 13 October 2021 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to bring to your attention, as a matter of urgency, the latest developments regarding the unlawful and aggressive actions of the Republic of Turkey within the southwest areas of the continental shelf and exclusive economic zone of the Republic of Cyprus, thus fuelling further tensions and putting at risk peace and security in the Eastern Mediterranean.

In particular, on 3 October 2021, two (2) Turkish warships, namely the frigate “ORUC REIS” and the corvette “BAFRA”, harassed and prevented the Maltese-flagged and Italian-owned survey vessel “NAUTICAL GEO”, duly licensed by the competent authorities of Cyprus, from carrying out a survey on the potential route of the “EASTMED PIPELINE PROJECT”. The project is of significant regional importance and has also been designated a Project of Common Interest of the European Union in the field of energy.

The Turkish warships performed dangerous manoeuvres and illegally obstructed the course of the survey vessel, forcing it to abandon the area, under the fallacious argument that the area falls within Turkish maritime jurisdiction. However, the incident took place at a distance of only 22 nautical miles from Cyprus’s southwestern coasts within its exclusive economic zone and continental shelf already delimited in accordance with international law, between the relevant opposite coastal States, namely the Republic of Cyprus and the Arab Republic of Egypt, by means of the Agreement between the Republic of Cyprus and the Arab Republic of Egypt on the Delimitation of the Exclusive Economic Zone of 2003. Just to illustrate the implausibility of Turkey’s claims, the closest Turkish shore to the incident lies at a distance of 112 nautical miles (a relevant map is attached depicting the exact position of the vessel “NAUTICAL GEO” when it was harassed). Hence, the assertions made on the part of Turkey lack any legal basis and run counter to geography.

Turkey’s new unlawful actions aiming at hindering Cyprus from exercising its legitimate rights constitute yet another severe violation of the sovereign rights of



Cyprus under international law: both the United Nations Convention on the Law of the Sea of 1982 and customary international law. The position of Cyprus regarding its rights to maritime zones is reflected in my previous letters addressed to you and circulated as documents of the General Assembly and of the Security Council. Moreover, the aforementioned Turkish conduct constitutes a threat of use of force, in breach of Article 2(4) of the Charter of the United Nations.

Regrettably, Turkey continues to refuse the invitation of Cyprus to enter into negotiations with the Republic of Cyprus for the delimitation of their respective maritime zones, as prescribed by international law and the law of the sea. In this respect, Cyprus reiterates its invitation to Turkey to commence negotiations with a view to delimiting their maritime zones. In the alternative, Cyprus restates its proposal to Turkey with respect to the conclusion of a special agreement (*compromis*) to jointly submit the issue of the delimitation of their maritime boundaries to the International Court of Justice, thus putting its assertions to the test.

I reaffirm that the Government of the Republic of Cyprus has no doubt about its sovereign rights over its continental shelf/exclusive economic zone and remains determined to continue exercising, upholding and protecting them in good faith and in accordance with international law, including the United Nations Convention on the Law of the Sea, using all peaceful means at its disposal.

I would be grateful if the present letter could be circulated as a document of the General Assembly, under agenda items 44 and 78, and of the Security Council, and published on the website of the Division for Ocean Affairs and the Law of the Sea, as well as in the next edition of the *Law of the Sea Bulletin*.

(Signed) Andreas **Hadjichrysanthou**

Annex to the letter dated 13 October 2021 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

