



General Assembly Security Council

Distr.: General
15 November 2019

Original: English

General Assembly
Seventy-fourth session
Agenda items 41 and 74

Security Council
Seventy-fourth year

Question of Cyprus

Oceans and the law of the sea

Letter dated 13 November 2019 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

Further to my letter dated 11 July 2019 ([A/73/944-S/2019/564](#)) regarding the illegal hydrocarbon exploration activities conducted by the Republic of Turkey in the territorial sea, the continental shelf and the exclusive economic zone (EEZ) of Cyprus, I regret to inform you that Turkey has not only continued its illegal behaviour, but has since further escalated its provocative and unlawful actions against Cyprus, in terms of both hydrocarbon exploration and military activities.

In particular, in early October 2019, Turkey, through the State-owned Turkish Petroleum Company, deployed its drilling vessel the *Yavuz* within the EEZ/continental shelf of Cyprus, in offshore exploration block 7, which has been licensed by the Government of Cyprus to European oil and gas companies (Total and Eni). It should be noted that the drilling point lies just 44 nautical miles from the coast of Cyprus, within the EEZ/continental shelf of Cyprus, which has already been 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 EEZ delimitation agreement of 2003 (see annex). The said drilling operations are planned to continue until 10 January 2020, as set out in an unauthorized navigational warning issued by Turkey.

This is the third consecutive illegal drilling since May 2019, when another Turkish drilling vessel, namely the *Fatih*, commenced its operations in the EEZ/continental shelf of Cyprus, at a distance of about 36 nautical miles from its western coast. It is also recalled that the above-mentioned vessel, the *Yavuz*, which is now positioned in exploration block 7 of the EEZ/continental shelf of Cyprus, had previously completed another such drilling within the territorial sea of Cyprus, approximately 10 nautical miles from the north-eastern coast of the island Karpas, infringing the sovereignty of the Republic of Cyprus.

According to international law, the establishment of installations and structures on the EEZ/continental shelf falls within the ambit of the coastal State's exclusive rights and jurisdiction. Consequently, the deployment of both aforementioned drilling



vessels in the EEZ/continental shelf 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. Moreover, the conduct of drilling operations in the EEZ/continental shelf of Cyprus constitutes a violation of the exclusive sovereign rights of Cyprus over the natural resources of its EEZ/continental shelf, in violation of articles 56 (1) (a), 77 and 81 of the Convention, which also form part of customary international law.

Since July 2019, Turkey has also conducted three additional hydrocarbon exploratory seismic surveys within the EEZ/continental shelf of Cyprus. In particular, on 25 July, Turkey reserved another area in the southern part of the EEZ/continental shelf of Cyprus (spanning licensed blocks 2, 8, 9, 12 and 13), for a renewed unauthorized seismic survey by the State-owned seismic vessel *Barbaros*, for the period 25 July to 20 August 2019. At the end of this period, the same vessel moved to an adjacent area in the southern EEZ/continental shelf of Cyprus, spanning licensed blocks 2, 9 and 13, for the purpose of conducting an illegal seismic survey until 31 December 2019. All of these areas fall within the maritime areas duly delimited, in accordance with international law, between Cyprus and the relevant opposite States. Moreover, the Turkish Government, on 17 September, deployed a second seismic vessel, the *Oruç Reis*, for an illegal seismic survey in an area falling partly within the western EEZ/continental shelf of Cyprus. I reiterate once again that these activities by Turkey are in violation of the sovereign rights of Cyprus in its EEZ/continental shelf, in accordance with the pertinent rules of the United Nations Convention on the Law of the Sea and customary international law.

In addition to the extensive hydrocarbon exploration campaign pursued by Turkey around the whole island of Cyprus, it is deeply concerning that the military forces of Turkey have surrounded the island, either in escort of the exploration vessels or in conduct of military exercises. In fact, since July 2019, the number of Turkish military exercises within the EEZ of Cyprus has increased dramatically, with 51 military exercises involving warships and aircraft reported at the end of October 2019. In addition, there is an alarming increase in the use of unmanned aerial vehicles, both armed and unarmed, the competent authorities of Cyprus having reported 144 such flights since July 2019. Those flights constitute an infringement of international air traffic regulations (and, in some cases, violations of the national airspace of Cyprus) and place an additional security burden on the Nicosia flight information region. Turkey's overall militarization of the maritime zones of Cyprus 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 an overall threat to international peace and security.

Turkey's illegal activities in the maritime zones of Cyprus not only run contrary to applicable international law, but, as exemplified by the ongoing drilling operation within a duly delimited maritime area between Cyprus and Egypt, constitute yet another attempt on behalf of Turkey to challenge one of the core attributes of the Republic of Cyprus as a sovereign and independent State and member of the United Nations, namely its capacity to conclude international agreements with its neighbours for the delimitation of their respective EEZs. By doing so, Turkey, in essence, is challenging the very foundations of international law, including the Charter of the United Nations and the rules and principles governing the world order.

It is thus ironic that Turkey claims that its actions in the maritime areas around Cyprus are "in accordance with international law", as one of the very few States in the world that has neither signed nor acceded to the United Nations Convention on the Law of the Sea and the only State that, every single year, votes against the General Assembly resolution on the law of the sea. What is more, Turkey refuses to enter into

negotiations with Cyprus in order to delimit our maritime zones, as predicated by the rules of international law, despite my Government's invitation to that effect, which was welcomed by the European Union. Having not accepted the jurisdiction of any international adjudication mechanism, including the International Court of Justice, Turkey has, in effect, conveniently excluded itself from any international dispute settlement mechanism where its assertions can be put to the test.

In view of the above, my Government kindly requests you to call upon 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 endanger international peace and security and are counterproductive to our efforts to resume negotiations for the reunification of Cyprus.

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 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**

Annex to the letter dated 13 November 2019 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

