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Question of Cyprus

Oceans and the law of the sea

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

I wish to respond to the letter dated 2 July 2020 addressed to you by the Permanent Representative of Turkey to the United Nations, which is contained in document [A/74/936](#).

Cyprus rejects in toto the preposterous claim that all drilling operations conducted by Turkey in the Eastern Mediterranean lie within the continental shelf of Turkey. As stated repeatedly, the purported limits of the continental shelf of Turkey in the Eastern Mediterranean clearly encroach upon the maritime zones of Cyprus as well as of other coastal States in the region. It is a clear case of usurpation and unilateral attempts, against any notion of legality, to appropriate maritime areas where Turkey does not and could not have any rights whatsoever under international law.

The maritime zones of Turkey and the rights it has therein do not exist in the abstract, nor in a vacuum. Neither can exist, or be asserted, if their limits are defined arbitrarily to the detriment of the maritime areas and rights of other States, in utter disregard of international law. As sovereign equality and non-discrimination are fundamental tenets of the rules-based international order, international law could not but dictate that all States possess the same rights and no State is granted preferential treatment owing to its size and might. Turkey must abandon its imperialist conviction that its own rights supersede those of everyone else and that international law can be distorted and tailored to suit its own interests.

As far as Cyprus is concerned, Turkey must stop acting as if the island of Cyprus and the Republic of Cyprus, which represents the island in its entirety, did not exist. Geography cannot be refashioned to fit a country's geopolitical designs, nor can a State itself concoct the limits of its maritime areas, based on self-interest and the arbitrary meaning it ascribes to relevant rules of international law of the sea. The constant repetition of legal falsehoods, driven by what Turkey wished the provisions of international law of the sea were, does not alter what these rules, or relevant case law, actually stipulate. There is no rule or judgment that diminishes, let alone ignores, the rights of islands to maritime zones, and there is no legal basis supporting the



position that the size of a country and/or its coastline weaken the rights of islands to maritime zones.

The international community has been clear and unequivocal regarding international legality following the use of force by Turkey against Cyprus, the forty-sixth anniversary of which we observe today. The Republic of Cyprus, the sole subject of international law on the island, has sovereignty over the whole island of Cyprus and all the rights consubstantial to this sovereignty. The legal authority of the Government of the Republic, the sole legitimate and recognized Government on the island, extends over the whole island of Cyprus. The Government of Cyprus will continue to protect all the rights and legitimate interests of Cyprus under international law, including its *ab initio* and both *ipso facto* and *ipso jure* sovereign rights over its maritime areas beyond the limits of its sovereign space.

Whether Turkey, the aggressor and occupying Power, recognizes Cyprus is simply not relevant, nor could it have any bearing on the delimitation of maritime zones in our region. The only relevant facts here are that Cyprus has the same rights as all coastal States under international law and that the general principles of international law are equally binding upon Turkey, irrespective of its non-accession to the United Nations Convention on the Law of the Sea. To declare readiness to find solutions with everyone on all pending issues, except Cyprus, is simply a public confirmation of the lack of willingness of Turkey to implement the most fundamental aspect of the United Nations Charter, relating to the peaceful settlement of disputes.

As regards the “memorandum of understanding between the Government of the Republic of Turkey and the Government of National Accord-State of Libya on delimitation of the maritime jurisdiction areas in the Mediterranean”, signed in Istanbul on 27 November 2019, the position of Cyprus has been made clear in previous communications. Contrary to Turkish claims, the Memorandum *per se* is not and could not be a valid international agreement and even less so could it be opposable to any third country or affect any third country’s rights under international law.

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