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Question of Cyprus

Oceans and the law of the sea

**Letter dated 10 January 2020 from the Chargé d'affaires a.i. of the
Permanent Mission of Turkey to the United Nations addressed to
the Secretary-General**

I have the honour to transmit herewith a letter dated 7 January 2020, addressed to you by İsmet Korukoğlu, Representative of the Turkish Republic of Northern Cyprus (see annex).

I would be grateful if the present letter and its annex could be 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 *Law of the Sea Bulletin*.

(Signed) Serhad Varli
Deputy Permanent Representative
Chargé d'affaires a.i.



**Annex to the letter dated 10 January 2020 from the Chargé d'affaires
a.i. of the Permanent Mission of Turkey to the United Nations
addressed to the Secretary-General**

I am writing in response to the letter dated 13 November 2019 addressed to you by the Greek Cypriot representative in New York, which was issued as a United Nations document (A/74/549-S/2019/881). In the face of gross misrepresentations in the said letter, I feel compelled to bring the following facts and considerations of the Turkish Cypriot side to your kind attention.

First and foremost, I wish to point out that the arguments put forward in the said letter reflect neither legal nor political realities, as they are based on the false pretence that the Greek Cypriot administration of Southern Cyprus has the legal, political or moral right to represent or act on behalf of the Turkish Cypriot people or the entire island. This extends to unlawful acts by the Greek Cypriot administration, such as the signing of bilateral agreements on the delimitation of maritime borders, the opening of tenders and the licensing of energy companies to conduct exploration and exploitation activities. I also deem it necessary to reiterate that the Turkish Cypriot side has made written representations to the United Nations and put on record that these unilateral actions of the Greek Cypriot side, undertaken without the consent and joint decision of the Turkish Cypriot side as the co-owners of the island, as well as the hydrocarbon resources around the island, are totally unacceptable and not binding in any way on the Turkish Cypriot people.

At the core of the Cyprus problem and the matters pertaining to it, including hydrocarbon exploration and exploitation activities, stands the unlawful claim of the Greek Cypriot side to be the “government of the Republic of Cyprus”, the legitimacy of which ceased to exist when the Turkish Cypriots were forcibly ejected from all its organs in 1963. Needless to say, there has not been a joint central administration capable of representing the entire island since 1963, but two independent self-governing administrations on the island of Cyprus. I also wish to bring to your attention that the Greek Cypriot side, by referring to its so-called “exclusive sovereign rights”, is disregarding the fundamental principle that sovereignty in Cyprus emanates equally from the Turkish Cypriots and Greek Cypriots.

I wish to recall the report of the then Secretary-General on the United Nations operation in Cyprus (S/2012/507), dated 29 June 2012, which states that “the natural resources ... belong to all Cypriots”, a fact also acknowledged by the international community, as well as the Greek Cypriot administration of Southern Cyprus. This being the case, the unilateral activities of the Greek Cypriot side as regards the hydrocarbon resources around the island, which disregard the equal and inherent rights of the Turkish Cypriots, are not only faits accomplis and outright unlawful, but also lead to the escalation of tensions in the Eastern Mediterranean.

The Turkish Cypriot side has always maintained the view that cooperation on the hydrocarbon resources around the Island of Cyprus would serve as a catalyst to bring about a negotiated settlement in Cyprus. It must also be reiterated that the Turkish Cypriot side made proposals in 2011 and 2012, respectively, which were rejected by the Greek Cypriot side. Most recently, on 13 July 2019, the Turkish Cypriot side made an updated comprehensive proposal for cooperation to the Greek Cypriot side. The said proposal, which was also conveyed to you and the President of the European Commission, envisaged the establishment of a joint committee to be composed of an equal number of members coming from the two sides, under the auspices and facilitation of the United Nations, and with the European Union taking part as an observer. The proposal also included details regarding the structure of the committee, its aims and mandate, as well as the establishment of a fund and ways to

utilize it, which would result in the creation of interdependencies between the two sides and increase the trust between the two peoples of the island. This is in line with the call in your most recent report on the United Nations operation in Cyprus dated 10 July 2019 (S/2019/562), in which you encourage development of cooperation among the sides, local and international actors, without clinging to insurmountable obstacles. It is beyond doubt that realization of the said proposal through diplomacy and cooperation between the co-owners of these hydrocarbon resources around the island would have led to the de-escalation of the tension on the island and in the region. However, on 16 July 2019, the Greek Cypriot side once again discarded the opportunity for cooperation by rejecting the latest Turkish Cypriot proposal on the matter and chose to continue with the policy of escalation.

It must also be underlined that the so-called proposal of the Greek Cypriot side to set up an escrow account under the guardianship of the Greek Cypriot administration is a non-starter and a perfect example of the hegemonic Greek Cypriot mentality, which sees itself as the owner of the island, disregarding the rights and interests of the Turkish Cypriot people. The Greek Cypriot side, regrettably, presents no intention to put an end to its provocative unilateral acts. In the face of the unilateral acts of the Greek Cypriot side and its insistent rejection of cooperation, the Turkish Cypriot side could not and will not stand idly by, but has and will continue to take equivalent and reciprocal peaceful measures to protect the inherent and inalienable rights of the Turkish Cypriot people over the hydrocarbon resources around the island.

As I have explained in my previous letter dated 28 March 2019 (A/73/827–S/2019/297), the Turkish Republic of Northern Cyprus signed, in 2011, a continental shelf delimitation agreement with Turkey, and the Council of Ministers of the Turkish Republic of Northern Cyprus adopted a decision designating offshore exploration blocks, authorizing and regulating the activities in these blocks for the purpose of exploration and exploitation of the natural resources. As part of this decision, we have licensed the Turkish Petroleum Corporation to carry out exploration and exploitation activities for hydrocarbon resources, on behalf of the Turkish Cypriots, in the licenced areas. Since then, the Turkish Petroleum Corporation, with the express authorization of my Government, has been carrying out seismic surveys and drilling in the said concession blocks. The Turkish Petroleum Corporation drilling vessel *Yavuz* has recently completed its activities in the concession blocks south of the Karpaz peninsula licensed to it by my Government, in line with the decision of the Council of Ministers. Contrary to the Greek Cypriot representative's allegation in his letter, the Karpaz peninsula, 10 nautical miles north-east of the island, falls within the territorial sea of the Turkish Republic of Northern Cyprus, where only our State has sovereignty and exclusive jurisdiction, and the drilling ship *Yavuz* was positioned in the area as per the licence granted by the Government of the Turkish Republic of Northern Cyprus. In this connection, the Greek Cypriot administration, which in the said letter refers to Turkey as if Turkey is its counterpart on the island, should, once again, be reminded that its counterpart in Cyprus is, and has always been, the Turkish Cypriot side, and the Turkish Republic of Northern Cyprus is the only competent authority to exercise sovereignty and jurisdiction within North Cyprus, its continental shelf and its airspace. Hence, the activities of the Turkish Petroleum Corporation as regards hydrocarbons in the aforementioned concession blocks are conducted on behalf of the Turkish Cypriot side within the territorial sea of the Turkish Republic of Northern Cyprus.

Believing that turning this potential cause of tension into an opportunity for cooperation would also reflect positively on the political problem in Cyprus, and that cooperation on this matter could be a game-changer for the benefit of both sides of the island, the Turkish Cypriot side stands ready, as it has in the past, to make every possible effort to establish cooperation and interdependency between the two sides. I

hope and trust that you will urge the Greek Cypriot administration to cooperate in the field of hydrocarbon resources around the island and call upon the international community to take the necessary steps for creating a climate conducive to the establishment of such cooperation between the two sides on this matter. Needless to say, such cooperation on hydrocarbon resources would ensure stability in the region.

Regarding the Greek Cypriot representative's allegations about military activities of the Turkish Republic of Northern Cyprus and aerial vehicle flights over the airspace of the Turkish Republic of Northern Cyprus, it is beyond logic to expect the Turkish Cypriot side not to take any reciprocal measures while the Greek Cypriot side continues to escalate the tension both on the island and in the region, not only by its unilateral actions on the hydrocarbon resources, but by its establishment of new regional military alliances, as well. Regrettably, these military alliances, which are, in essence, against the Turkish Cypriot side and Turkey, naturally escalate the tension on the island and in the region. The Greek Cypriot side's growing armament and modernization of its weapons, in fact, presents its real intention regarding the future of our island. The truth of the matter is that the Greek Cypriot side is using armed and unarmed aerial vehicles in cooperation with various countries and making military concessions to certain countries, including access to its military airports and seaports, hiding behind the excuse of protecting the unilateral exploration and exploitation activities of hydrocarbon resources around the island. These activities not only violate the rights of the other co-owner of the island, namely the Turkish Cypriots, but also threaten the lives of civilians living on the island. As is clearly stated in the letter, dated 24 October 2019, from the Deputy Prime Minister and Minister for Foreign Affairs of the Turkish Republic of Northern Cyprus, Kudret Özersay, addressed to Jean-Pierre Lacroix, Under-Secretary-General for Peace Operations, Greek fighter jets taking part in a Greek Cypriot national guard exercise in Larnaca flew over Turkish Cypriot villages armed with live ammunition, putting at risk the lives of civilians. Due to these developments, the Turkish Cypriot side inevitably had to take reciprocal balancing measures against the rising armament, provocations and violations of the Greek Cypriot side that have been taking place not only at sea but on the ground, as well.

In the light of the above, the false allegations made by the Greek Cypriot representative cannot go beyond political statements. The fact of the matter is that the present situation in and around the island is the result of provocations and tensions created by the Greek Cypriot side itself. Hence, we hope and trust that you will urge the Greek Cypriot administration to abandon its hostile and provocative actions at once in order to prevent the deteriorating relations and trust between the two peoples of the island.

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 of the Security Council, and published on the website of the Division for Ocean Affairs and the Law of the Sea and in the *Law of the Sea Bulletin*.

(Signed) İsmet **Korukoğlu**
Representative
Turkish Republic of Northern Cyprus