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**Identical letters dated 22 August 2023 from the Chargé d'affaires a.i.
of the Permanent Mission of Iraq to the United Nations addressed to
the Secretary-General and the President of the Security Council**

The Government of the Republic of Iraq always strives to apply the rules of international law and safeguard the sovereign rights of Iraq in the Arabian Gulf, in particular in the exclusive economic zone and the area of the continental shelf, in accordance with the provisions of the 1982 United Nations Convention on the Law of the Sea and on the basis of the sovereign rights of coastal States arising therefrom in relation to the exploration and exploitation of living and non-living natural resources in waters above the seabed, as well as in the seabed and subsoil thereof, and to conserve and manage those resources. The exclusive economic zone is shared by all coastal States that have coasts opposite or adjacent thereto. The coastal States neighbouring Iraq in the northern Arabian Gulf (the State of Kuwait, the Kingdom of Saudi Arabia and the Islamic Republic of Iran) have taken measures to exploit the continental shelf in the area of the Durrah field by concluding a number of bilateral agreements and calling for negotiations in that regard that exclude Iraq. In 2019, the State of Kuwait and the Kingdom of Saudi Arabia signed an agreement on the division of the adjacent submerged zone that included a call to accelerate development and exploitation of the Durrah field. That was followed by many other bilateral negotiations that are in addition to the negotiations that the State of Kuwait and the Islamic Republic of Iran had previously held in that regard.

Given that Iraq has a seaward projection onto the Gulf, it entered into bilateral negotiations with the State of Kuwait to demarcate the maritime boundaries beyond marker No. 162. In addition, it has expressed its desire to negotiate the demarcation of maritime areas with the Iranian side, which drew the baseline of its territorial sea without indicating explicitly the coordinates of one point. As a result, the Government of Iraq sent two identical letters, CMT6/2022/21 of 31 January 2022 and CMT6/2022/459 of 8 November 2022, regarding this matter.

In view of the foregoing, the Government of the Republic of Iraq sent a number of diplomatic communications to the State of Kuwait in 2005 and 2007. It also sent diplomatic notes in 2020 and 2022 to the State of Kuwait, the Kingdom of Saudi Arabia and the Islamic Republic of Iran in which the Government reaffirmed the sovereign rights of the Republic of Iraq in the maritime area and emphasized that Iraq



must be included in all future negotiations between the relevant parties regarding the demarcation of the continental shelf and the exploitation of the Durrah gas field. The Government of the Republic of Iraq received a response from the Kuwaiti and Saudi sides in which they denied that Iraq had any rights in the exclusive economic zone and claimed that the resources located in the continental shelf (the Durrah field) are shared only by those two States and that they alone have exclusive sovereign rights therein.

The Government of the Republic of Iraq asserts its sovereign rights in the exclusive economic zone by virtue of its seaward projection. In addition, it reiterates its call to the other coastal States to abide by the provisions of article 74 of the United Nations Convention on the Law of the Sea concerning the demarcation of the exclusive economic zone between States that have opposite or adjacent coasts. The agreements that were concluded with regard to the exploration, exploitation and management of natural resources in the Durrah did not take into account the rights of Iraq as a State that shares the exclusive economic zone with the other coastal States. Accordingly, it requests the Secretary-General, given the effective political role that he can play in relation to such issues, to urge the fellow coastal States of Iraq (the State of Kuwait, the Kingdom of Saudi Arabia and the Islamic Republic of Iran) to abide by the international rules relevant to the exploitation of natural resources in the exclusive economic zone, and to call upon all the coastal States to negotiate in a spirit of understanding and cooperation and not to impose a *fait accompli* in that area, which they are still demarcating.

I should be grateful if the present letter could be circulated as a document of the United Nations.

(Signed) Sarhad Sardar Abdulrahman **Fatah**
Chargé d'affaires a.i.
