



PERMANENT MISSION OF GREECE TO THE UNITED NATIONS

Ref. No. 90.2.2/ AS 757

New York, 20 April 2020

Excellency,

With regard to the letter of the Permanent Representative of Turkey to the United Nations, under reference A/74/757, dated March 18, 2020, addressed to your Excellency, I would like to state the following:

- A. The aforementioned letter and the map attached thereto reiterate Turkey's unsubstantiated and legally unfounded claims regarding the outer limits of its continental shelf in the Eastern Mediterranean.

These claims, including the geographical coordinates that purportedly define the outer limits of the Turkish continental shelf in the Eastern Mediterranean, as presented in the letter of the Permanent Representative of Turkey to the United Nations, dated 13 November 2019, disregard the entitlements of the Greek islands to maritime zones, beyond the territorial sea, blatantly violate the legitimate sovereign rights of my country and other neighbouring countries in that maritime area and have been rejected *in toto* by Greece through my letter dated 19 February 2020 (A/74/710-S/2020/129).

Furthermore, these coordinates infringe on the indivisibility of the territorial integrity and sovereignty of Greece and create an egregiously inequitable result in violation of the pertinent rules of international law of the sea, including articles 74 and 83 of the United Nations Convention on the Law of the Sea, as well as of international jurisprudence pertaining to maritime delimitation.

- B. With regard to the "Memorandum of Understanding between the Government of the Republic of Turkey and the Government of National Accord – State of Libya" to which the above Turkish letter (A/74/757) refers to, I reiterate my country's position that it is concluded in clear violation of the Libyan Political Agreement approved by the UN Security Council (23 December 2015) through its Resolution 2259(2015), it is null and void and produces no effect whatsoever neither for its purported parties nor for any other State. Greece rejects it in its entirety, as stated in my letter dated 9 December 2019 (annexed to the letter dated 14 February 2020 -A/74/706).

Moreover, the said memorandum was concluded in bad faith and in violation of the rules of the international law of the sea. Turkey and Libya have no adjacent nor opposite coasts and therefore have no common maritime boundaries. Consequently, there is no geographical and thus no legal basis to conclude a maritime delimitation agreement. Given that no issue of delimitation exists, the mere existence of such an agreement has no legal basis in international law.

The geographical coordinates (point F 34°16'13.720"N-26°19'11.64"E and point E 34°09'07.9"N-26°39'06.30"E) contained in the said memorandum, and annexed to the above Turkish letter (A/74/757), are fictitious, illegal and arbitrary, as they violate the right of the Greek islands to generate maritime zones as any land territory; this is a rule clearly stipulated in article 121(2) of the United Nations Convention on the Law of the Sea, which reflects customary international law - and, is, therefore, binding even for States non-parties - and is confirmed by international jurisprudence. These coordinates, rejected also in my letter dated 19 March 2020 (A/74/758), as well as the resulting purported "delimitation" line, which is fabricated contrary to any concept of maritime delimitation, are void of any legal consequences.

Greece also rejects as invalid the so called "principles", erroneously and arbitrarily invoked by Turkey, on which the said memorandum is based. In particular, in light of the international jurisprudence, the reference to the "wrong side of the median line" is falsely and deceitfully used, given that the insular territories of the Dodecanese islands and of Crete, lying between Turkey and Libya, belong neither to Turkey nor to Libya, but to Greece. Moreover, the said memorandum aims at cutting-off these insular territories of Greece from the maritime areas, into which their coasts project, in violation of the rules of international law and of international jurisprudence regarding maritime delimitation. As regards references to the length or direction of the coasts, these are totally irrelevant in the present context since, as already mentioned, the coasts of the purported parties of the said memorandum are not opposite nor adjacent. Thus, the inclusion of "base points" in the said memorandum, in an attempt to give a semblance of legitimacy to the purported "delimitation", is unlawful and cannot produce any legal effect, since the projection of the coasts of Turkey, on which the base points are placed, overlaps with the projection of the coasts of the Greek islands. In the same vein, a large number of base points included therein have no relevance or influence on the drawing of the purported "line" and solely aim at falsely presenting a fictional coastal "length".

- C. The map annexed to the above letter (A/74/757) is an effort to depict Turkey's illegal claims with regard to the outer limits of its purported continental shelf in the Eastern Mediterranean. As such, it is a compromised tool, contaminated by the same illegal claims aimed to legitimize.

Actually, it illustrates Turkey's attempt to deprive other States of their inherent rights to maritime zones in accordance with international law. It, thus, aims at refashioning geography of the area by completely ignoring Greek territory and by disregarding the sovereign rights of the States in the region. This map does nothing more than confirm the arbitrariness of the conduct of Turkey, which is manifested by the violation of established rules of international law, the

“invention” of new rules and the invocation of non-existent or non-applicable “principles”, which aim at distorting international jurisprudence. Therefore, the aforementioned map does not produce any legal effect.

I reiterate my country’s position that it has *ipso facto* and *ab initio* sovereign rights and jurisdiction in the above area of the Eastern Mediterranean on the basis of the relevant provisions of the United Nations Convention on the Law of the Sea, which reflects customary international law, as well as of its national legislation. This position has been registered on numerous occasions with the United Nations (Verbal Note dated 24.2.2005, see Law of the Sea Bulletin, vol. 57, p. 129, Verbal Note dated No. 974/8.5.2012, see Law of the Sea Bulletin, vol. 79, p. 14, Verbal Note No. 389/20.2.2013, see Law of the Sea Bulletin, vol. 81, p. 23 and letters from the Permanent Representative of Greece dated 23 May 2016 (A/70/900-S/2016/474), 25 April 2019 (A/73/850-S/2019/344), 19 February 2020 (A/74/710-S/2020/129), 19 March 2020 (A/74/758), and has also been communicated bilaterally to Turkey (Verbal Notes No. 187/AS 2207/24.7.2009, No. 187/AS 2648/15.11.2011, No. 187/1066/30.4.2012, No. 156.3/1675/12.7.2012, No. 2019/503.14/267/15.1.2019).

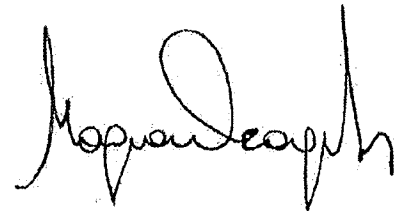
The publication of this map challenges international legality and contravenes the established rules of international law and the rules and procedures of the United Nations. These procedures are actually abused by Turkey in order to promote its illegal and unfounded claims. This is also confirmed by the stated intention of Turkey to commence illegal hydrocarbon exploration activities in the area attempted to be illegally delimited in the said memorandum, following its registration with the United Nations.

- D. Moreover, the letter of the Permanent Representative of Turkey to the United Nations, under reference A/74/757, and the map annexed to it, in blatant violation of Security Council Resolutions 541(1983) and 550(1984), reconfirm Turkey’s provocative conduct, by disregarding the existence of the Republic of Cyprus, a member of the United Nations, and by violating its unquestionable sovereign rights to maritime zones.
- E. Further to being in blatant violation of the international law, the aforementioned provocative acts exacerbate tensions and seriously endanger international peace and stability in the sensitive region of the Eastern Mediterranean. They are in striking contrast to Greece’s and other neighbouring countries’ efforts to preserve stability in this region in good faith and in accordance with international law.

In light of the above, Greece strongly rejects the aforementioned Turkish claims in their entirety, including the illegal coordinates annexed to the above letter, as well as the annexed map which have no legal consequences and cannot be invoked against Greece. My country reserves all its rights under international law.

I would be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda item 74(a), 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*.

Please accept, Excellency, the assurances of my highest consideration.

A handwritten signature in black ink, appearing to read 'Maria Theofili', with a large, stylized initial 'M'.

Maria Theofili
Ambassador
Permanent Representative

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