



PERMANENT MISSION OF GREECE TO THE UNITED NATIONS

Ref. No. 40.1.184/AS 1652

New York, 27 July 2021

Excellency,

With reference to the letter by the Permanent Representative of Turkey to the United Nations, under reference A/75/961-S/2021/651, dated 13 July 2021, addressed to Your Excellency, we wish to underline the following:

At first, the arguments contained in the above Turkish letter that sovereignty over the Greek islands of the Aegean and Eastern Mediterranean was ceded to Greece by the Treaty of Lausanne of 24 July 1923 and the Treaty of Paris of 10 February 1947 "...on the specific and strict condition that they be kept demilitarised", are not only manifestly unsubstantiated and unfounded but also legally and historically incorrect. Once again we wish to reiterate that sovereignty over the islands, islets and rocks of the Aegean was ceded to Greece definitively and unconditionally by the above Treaties and any interpretation against the letter or spirit of these fundamental Treaties would amount to an unauthorised attempt to unilaterally review and modify them.

More specifically:

1. Regarding the Lausanne Peace Treaty of 24 July 1923, it should be stressed that Greece's sovereignty over Eastern Aegean Sea islands was officially confirmed by article 12 of the Treaty. Greek sovereignty on Eastern Aegean islands, according to the said article, is not conditional upon any obligation whatsoever, including any obligation to demilitarize them.
2. Furthermore, in article 13 of the same Treaty there is no mention of the terms "demilitarized", "demilitarization" or "demilitarization regime"; instead, the said article makes reference to specific military restrictions and only in respect to four islands of the Eastern Aegean, namely Mytilene, Chios, Samos and Icaria.

In addition, the fact that the Eastern Aegean islands are falsely considered in the above letter as "lying on [the] prolongation" of the Anatolian mainland and as related to the "defence and security" of the latter, is indicative of Turkey's intention to challenge Greece's sovereignty over those islands.

3. Turning in particular to the Greek islands of Lemnos and Samothrace, it should be stressed that these islands had been subject to a demilitarization status, together with the Turkish islands of Imbros and Tenedos, namely to the status of the Straits, on the basis of articles 4 and 6 of the 1923 Convention of Lausanne Concerning the Straits. This demilitarized status was completely abolished since the abovementioned Convention was replaced in its entirety by the 1936 Montreux Convention, which governs the same subject. More specifically, the Preamble of the said Convention expressly stipulates that the Parties thereto "ont résolu de substituer la présente Convention à la Convention signée à Lausanne le 24 juillet 1923". The Montreux Convention does

not provide for the demilitarization of or any other military restriction whatsoever on these islands.

Turkey has officially recognized Greece's sovereign right to militarize Lemnos and Samothrace, inter alia, by an official letter (Ref. No 7894/65), dated 6 May 1936, addressed by the then Turkish Ambassador to Athens to the Greek Prime Minister, as well as by a relevant statement made before Turkey's National Assembly on 31 July 1936 by the then Turkish Foreign Minister R. Aras, on the occasion of the ratification of the Montreux Convention. Thus, there is no demilitarization obligation for Lemnos and Samothrace and, therefore, any arguments to the contrary are false and misleading.

4. With respect to the Dodecanese islands, it should be underlined that the 1947 Paris Peace Treaty with Italy ceded full and unconditional sovereignty to Greece over them and the adjacent islets. It should be additionally noted that the provisions of the said Treaty, including those relating to demilitarization, are *res inter alios acta* and cannot be invoked by Turkey which is not a Party to that Treaty. This is also confirmed by article 89 of the above Treaty, according to which its provisions shall not confer any rights and benefits to States that are not Parties to it.

5. In view of the above, Greece rejects all the Turkish allegations contained in the aforementioned letter with regard to the purported "material breach of its demilitarization obligations", as well as the allegations that Greece's sovereignty over the Eastern Aegean islands is conditional on their demilitarization, as totally unsubstantiated, arbitrary and in bad faith. At this point, Greece cannot but avail itself of the opportunity to refer to the numerous incidents of violation of Greek airspace over, among others, Greek islands, by unauthorized Turkish military aircraft; such acts, by themselves illegal anyway, are in violation, inter alia, of the relevant prohibition of point (2) of article 13 of the Lausanne Peace Treaty.

Turkey, by baselessly – in legal terms – linking allegations of a purported demilitarization obligation of Greek islands to the entitlement itself of these islands to maritime zones confirms attempts to negate Greek islands' continental shelf and exclusive economic zone (EEZ), contrary to article 121(2) of the UNCLOS, which reflects customary international law, and which explicitly provides for the entitlement of islands to all maritime zones. These intentions became even more transparent when Turkey concluded with Libya's Government of National Accord, on 27 November 2019, the null and void "Memorandum of Understanding" on "Delimitation of the Maritime Jurisdiction Areas in the Mediterranean [see letter of the Permanent Representative of Greece, dated 9 December 2019, annexed to the letter dated 14 February 2020 (A/74/706)].

Moreover, Turkey claims that the alleged obligations for demilitarization "...were set forth in the interest of the maintenance of international peace and security", apparently echoing article 13 of the Lausanne Peace Treaty. However, Turkey maintains a large military force with an aggressive posture along its coast facing the Eastern Aegean Greek islands, conducting simultaneously military landing exercises in the area. Furthermore, Turkey is the country which invaded the Republic of Cyprus in 1974 and has, since then, occupied the north of the island where it established a secessionist entity with an alleged statehood recognized only by Ankara, while still maintaining 37.000 troops there; at the same time, it disputes Greek sovereignty on a number of islands and violates, almost on a daily basis, Greek territorial waters and airspace; it attempts to usurp sovereign rights of Greek islands on their maritime zones through concluding illegal agreements such as the one mentioned above or conducting illegal seismic surveys on Greece's

continental shelf. Last but not least, Turkey is the country which has an explicit and solemnly declared threat of war (*casus belli*) still in force since 1995 against Greece in case my country extends its territorial sea beyond the current limit of 6 nautical miles, exercising its lawful right in accordance with international law for extension up to the limit of 12 nautical miles. Such an attitude, other than being conducive to peace, as mentioned in article 13, clearly projects Turkey's long-lasting aggressive stance against Greece.

Furthermore, and in order to complete the country's regional profile, one should take into consideration that Turkey has invaded and illegally occupies, apart from a part of Cyprus, also parts of Iraq and Syria, claiming it has done so out of concerns for its security. In addition, it still refuses to withdraw its military forces and mercenaries from Libya, defying relevant persistent calls by the entire international community, in the context of the latter's endeavours for a peaceful solution to the Libyan crisis.

Against this background, Greece reiterates its position that it is fully justified to take all elementary precautionary measures to ensure that it will be able to exercise its inalienable right to self-defense on the basis of article 51 of the UN Charter itself, in particular given the above mentioned conduct of Turkey since 1974. Therefore, Greece rejects all the Turkish allegations contained in its aforementioned letter as legally and factually unfounded, arbitrary and in bad faith.

I would be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda item 76 (a) and of the Security Council.



Maria Theofili  
Ambassador  
Permanent Representative

H.E. Mr. António Guterres  
Secretary-General of the United Nations  
United Nations, New York