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Letter dated 9 December 2022 from the Permanent Representatives of Libya and Türkiye to the United Nations addressed to the Secretary-General and the President of the Security Council

We are writing to you in reference to the letter dated 17 November 2022 from the Permanent Representative of Greece ([A/77/604](#)). In the concerned letter, Greece puts forward baseless allegations and arguments and seeks to undermine the international legitimacy of the Government of Libya, as well as the two memorandums of understanding that Libya and Türkiye have signed as sovereign states. The letter is inconsistent with fundamental principles of international law embodied in the Charter of the United Nations, in particular the principle of sovereign equality and the principle of non-interference in matters relating to the domestic jurisdiction of states.

Libya and Türkiye therefore reject all of the arguments and allegations contained in the letter and would like to make the following points:

First, the memorandum of understanding signed on 3 October 2022 between the Governments of National Unity of Libya and the Republic of Türkiye on Cooperation in the Field of Hydrocarbons is a legal instrument based on the principle of sovereign equality. The memorandum of understanding envisages the development of bilateral cooperation in the field of hydrocarbons, both on land and at sea in the Eastern Mediterranean and therefore is in full observance of the principles of international law concerning friendly relations and cooperation among states.

Contrary to the Greek claim, the Government of National Unity of Libya has full legitimacy, authority and competence to initiate and finalize international instruments. In this respect, we would like to refer to the letter of Chargé d'affaires of the Permanent Mission of Libya dated 26 December 2019 ([A/74/634](#)). Libyan national legislation duly empowers the Libyan Government to conclude memorandums of understanding with other States.

The Greek contention that the memorandum of understanding on Cooperation in the Field of Hydrocarbons is in contradiction with the 2020 Roadmap for the Preparatory Phase of a Comprehensive Solution, produced by the United Nations-led Libyan Political Dialogue Forum, lacks any legal, or other, merit. Greece chooses to ignore the fact that the same Roadmap grants full powers to the executive authority



comprised of the Presidency Council and the Government of National Unity during the preparatory phase, which will end with the holding of presidential and parliamentary elections. As it was also reiterated by the United Nations on 22 June 2022, the preparatory phase has not yet expired, owing to the fact that elections did not take place as scheduled on 24 December 2021. The internal and international legitimacy therefore lies indisputably with the current Government of National Unity in Libya.

Second, Greece fails to mention, or deliberately ignores, that many states, including European Union member states, have concluded tens of other similar memorandums of understanding with the Government of National Unity of Libya in areas that require long-term commitments by the signatories, ranging from energy to infrastructure and economic activities.

Third, all Libyan institutions, as well as Libyan political personalities, are well aware that this memorandum of understanding upholds and safeguards fully the rights and interests of Libya. It is unacceptable and even condescending to expect Libya to reject such a solid legal framework, so obviously to the benefit of the people and the State of Libya. No state, whether Greece or any other, can sit in judgement as regards agreements freely entered into between sovereign states.

Fourth, the maritime delimitation set out in the memorandum of understanding between the Government of the Republic of Türkiye and the Government of National Accord-State of Libya on the Delimitation of Maritime Jurisdiction Areas in the Mediterranean, signed at Istanbul, Türkiye, on 27 November 2019 and duly registered with the Secretariat of the United Nations in accordance with Article 102 of the Charter as of 11 December 2019, is an equitable solution reached on the basis of international law.

Greece's objections to the said memorandum of understanding on the ground that it allegedly violates Greek sovereign rights are unacceptable to Libya and Türkiye. So is the purported maritime boundary delimitation agreement signed between Egypt and Greece. We regard them null and void; they are in no way opposable to us. In accordance with international law, Greece is not entitled to sovereign rights in the maritime areas delimited between Libya and Türkiye.

Greece's maximalist and excessive maritime boundary claims in the region disregard Türkiye's and Libya's sovereign rights. Greece continues to interpret the law of the sea and general international law selectively. It ignores the principle of equity in maritime boundary delimitation. It poses unlawfully as an archipelagic state, by asserting that full weight should be given in maritime boundary delimitation to all islands, islets and rocks regardless of their location, size or ability to sustain human habitation or economic life of their own.

It is furthermore deeply regrettable that Greece, during a period of turmoil in Libya and in furtherance of its maximalist approach, attempted to define licence areas for hydrocarbon exploration activities in violation of Libya's sovereign rights in 2014. Libya protested, in a note verbale, Greece's purported issuance of hydrocarbon licence areas and its signing of exploration contracts with international and local companies. Libya also protested through an official statement, on 7 December 2022, the ongoing offshore survey and drilling activities, which were unilaterally launched by Greece on 26 November 2022 at the expense of Libya's sovereign rights. Libya furthermore expressed its reservations to the signing of the maritime delimitation agreement between Egypt and Greece on 6 August 2020, on the grounds that the agreement violated Libyan sovereign rights in the Eastern Mediterranean. Türkiye has also publicly declared its non-recognition of the same agreement, both bilaterally and through the letter of the Permanent Mission of Türkiye to the United Nations dated 14 August 2020 (A/74/990).

The implementation of the memorandums of understanding dated 27 November 2019 and 3 October 2022 thus constitutes neither a violation of international law nor an infringement of the sovereign rights of Greece or any other party in the region.

The letter by the Permanent Representative of Greece stands as an ill-fated attempt to discredit the efforts by Libya and Türkiye to promote dialogue in the Mediterranean region.

Our two Governments, guided by the principles of the Charter, reiterate that conflicts in the Eastern Mediterranean and the Aegean are best resolved through the peaceful means stipulated in Article 33 of the Charter, on the basis of the mutual consent of the parties.

We call on the Government of Greece to respect the sovereign decision of two neighbouring countries and cease to incite confrontation through baseless accusations, hostile rhetoric and escalatory actions. A maximalist and revisionist approach has the potential to threaten regional peace and security.

We should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda item 72 (a), and of the Security Council, and have it 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) Taher M. Elsonni
Permanent Representative of Libya to the United Nations

(Signed) Feridun H. Sinirlioğlu
Permanent Representative of Türkiye to the United Nations
