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The Permanent Mission of Turkey to the United Nations presents its compliments to the Secretary-General of the United Nations and with reference to the Verbal Note of the Permanent Mission of Greece No: 389, dated 20 February 2013 regarding the decrees published in the Turkish Official Gazette of 16 July 2009 and 27 April 2012, granting oil exploration and exploitation licenses to the Turkish Petroleum Corporation (TPAO), has the honour to state the following:

As was emphasized in our letter of 5 September 2012 (published as UN General Assembly document A/66/899), the above-mentioned permit areas fall entirely within the Turkish continental shelf where Turkey exercises exclusive sovereign rights for the purpose of exploring and exploiting its natural resources of the seabed and subsoil under international law, both customary and as reflected in the jurisprudence of international courts and arbitral tribunals. Contrary to the Greek allegations, those permit areas lie well beyond the territorial waters of the Island of Castellorizo, as well as other Greek islands in the region.

The Permanent Mission also wishes to state that Turkey's views and position on this matter were communicated to Greece through a number of Verbal Notes of the Turkish Foreign Ministry, inter alia, No: 2012/DHGY/712916, dated 23 November 2012; No: 2012/DHGY/7385070, dated 7 May 2012; No: 2011/DHGY/1692972, dated 23 January 2012; No: 2011/DHGY/4448771, dated 30 September 2011; No: 2010/DHGY/23169, dated 19 August 2010; No: 2010/DHGY/321378, dated 5 March 2010; and No: 2008/DHGY/553030, dated 22 December 2008.

Furthermore, the Greek contention that "the outer limits of Greece's continental shelf are clearly defined by the Article 2(1) of the Greek Law No. 4001/2011" is misleading and unfounded. The said article of the law clearly contradicts the well-established rules and principles of international law by attempting to establish continental shelf and exclusive economic zone boundaries through a median line between continental land masses and insular formations. As was emphasized also in the Turkish Verbal Notes No: 2012/DHGY/996420, dated 23 November 2012 and No: 2012/DHGY/5999476, dated 9 May 2012 communicated to Greece, the fundamental principle according to international law governing the delimitation of the continental shelf or the exclusive economic zone between states with opposite or adjacent coasts is to produce an equitable result (principle of equity). Delimitation should therefore be effected by agreement on the basis of this principle which acquires particular importance in enclosed and semi-enclosed seas where special circumstances prevail and must be respected.

His Excellency  
The Secretary-General of the United Nations  
New York

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In view of above, the relevant article of the said Greek law and the arguments in the above-referred Greek Verbal Note are in contradiction with international law and shall bear no legal effect on, or prejudice Turkey's *ipso facto* and *ab initio* sovereign rights over its continental shelf areas in the Aegean and the Mediterranean Seas.

Finally, as was stated in the Turkish Verbal Notes No: 2004/Turkuno DT/4739, dated 2 March 2004 and No. 2005/Turkuno DT/16390, dated 4 October 2005 (published in the Law of the Sea Bulletins No. 54 (2004) and No. 59 (2005) respectively), Turkey has *ipso facto* and *ab initio* legal and sovereign rights in the maritime areas in the Eastern Mediterranean that are west of meridian 32°16'18"E.

In this respect, it is Turkey's well-considered position that, the outer limits of the Turkish continental shelf in the above-mentioned maritime areas follow the median line between the Turkish and Egyptian coastlines, the western terminal point of which will be determined in accordance with the outcome of future delimitation agreements in the Aegean Sea as well as in the Mediterranean among all concerned States, taking into account all relevant and special circumstances.

Therefore, Turkey refutes all the arguments and claims contained in the above-referred Verbal Note of the Permanent Mission of Greece.

The Permanent Mission of Turkey to the United Nations kindly requests the present Note Verbal be circulated to all member States and published in the next Law of the Sea Bulletin.

The Permanent Mission of Turkey to the United Nations avails itself of this opportunity to renew to the Secretary-General of the United Nations the assurances of its highest consideration.

New York, 12 March 2013

