

Translated from Arabic

Declaration of the Ministry of Foreign Affairs of the Arab Republic of Egypt

The Ministry refers to decision No. 27 (1990) of the President of the Republic concerning the baselines and maritime zone of the Arab Republic of Egypt, which was deposited with the Secretary-General of the United Nations on 2 May 1990. It refers also to the declaration formulated by the Ministry of Foreign Affairs of the Republic of the Sudan dated 5 December 2017, by which the Republic of the Sudan objected to the maritime boundary agreement concluded on 8 April 2016 between the Arab Republic of Egypt and the Kingdom of Saudi Arabia.

1. The Arab Republic of Egypt rejects the declaration made by the Republic of the Sudan and all of the claims set forth therein. Egypt has sovereignty over all of the territories located north of the 22nd parallel north. That line marks the international border between the two countries that was clearly delimited in the Convention concluded between the British Queen and the Khedive of Egypt in January 1899 concerning the future administration of the Sudan. Article I of the Convention clearly states that the word “Sudan” in the agreement means all the territories south of the 22nd parallel of latitude. The Sudan asserts that Egypt is “occupying” the area and that the Sudan has historic rights over it. However, the Hala’ib and Shalatin area is located north of the 22nd parallel. It follows that those claims have no basis in truth and are inconsistent with the sound legal administration of the permanent status enshrined in the 1899 Convention. Nor are they consistent with the provisional nature of the administrative arrangements that were made for the Sudan under the administrative decisions taken for humanitarian purposes by the Egyptian Minister of the Interior during the Anglo-Egyptian condominium. Those decisions entail no change to the international borders.
2. Egypt reaffirms the points made in all of its correspondence addressed to the Secretary-General and the various United Nations agencies in that regard, including the letters dated 4 May 2017 and 13 November 2017 from the Permanent Representative of Egypt to the United Nations addressed to the Secretary-General. Those letters state that Egypt has sovereignty over the territorial waters adjacent to its land north of the 22nd parallel north. They further state that Egypt has the exclusive prerogative to exercise its sovereign rights in all of its territorial waters, including its exclusive economic zone and the Red Sea continental shelf.
3. Egypt reaffirms the information set out in the document that it deposited with the Secretary-General on 2 May 1990 pursuant to article 16, paragraph 2 of the United Nations Convention on the Law of the Sea. That communication sets out the list of geographic coordinates of the points of the Egyptian baseline on the Red Sea Coast in accordance with decision No. 27 (1990) of the President of Egypt, which defines the basepoints and baselines delimiting the maritime zone of Egypt, including that located in the Red Sea, which extends to point 36° 52’ 54” E 22° 00’ 00” N. The communication was published by the United Nations Division for Ocean Affairs and the Law of the Sea in *Law of the Sea Bulletin* No. 16 (December 1990).
4. Egypt has exercised all forms of permanent and uninterrupted sovereignty over its own land and territorial waters, including the sovereign right to conclude international agreements applicable to the entirety of its territory. The international community has thus recognized the sovereignty of Egypt over all of its territory north of the 22nd parallel north.
5. The Government of Egypt emphasizes that the border delimitation agreement that was concluded between Egypt and Saudi Arabia on 8 April 2016, entered into force on 2 July 2017, and was deposited with the Secretariat of the United Nations on 25 July 2017 with the reference number 54577, is a bilateral agreement delimiting the maritime border in the Red Sea and the Gulf of Aqaba. It was concluded between two sovereign States in accordance with the provisions of the United Nations Convention on the Law of the Sea, by which States with opposite shores have the right to delimit their maritime borders by mutual agreement.
6. The Government of the Sudan claims that the maritime basepoints from point 55 to point 61, as defined in the agreement concluded between Egypt and Saudi Arabia, encroach on the sovereignty of the Sudan and its historic right to the land and territorial sea of what it calls the Hala’ib triangle. That claim is spurious and without legal basis. Egypt has sovereignty over the land to the north of the 22nd parallel and its adjacent maritime area. In accordance with the 1982 United Nations Convention on the Law of the Sea, Egypt therefore has the power to exercise sovereignty over its territorial waters and to assert its exclusive legal and sovereign rights to explore and exploit the natural resources of its exclusive economic zone and continental shelf within its maritime boundaries.

Cairo, 27 December 2017
