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LETTER DATED 11 AUGUST 1976 FROM THE PERMANENT REPRESENTATIVE OF
TURKEY TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit herewith the texts of the two notes of the Turkish Government delivered to the Greek Government on 8 and 10 August 1976 respectively, regarding the unfounded allegations and provocative actions of the Greek Government in connexion with the Aegean Continental Shelf.

I would be grateful if these notes were circulated as a document of the Security Council.

(Signed) Ilter TÜRKMEN
Ambassador
Permanent Representative

Annex I

The Ministry of Foreign Affairs presents its compliments to the Embassy of Greece and with reference to its Note No. 64242.42/285/AS 2183 of 7 August 1976 has the honour, under the instructions of its Government, to communicate the following to the Greek Government:

Since the delimitation of the Aegean Continental Shelf between Turkey and Greece has not been effected, the recent Greek attempt to qualify certain areas beyond the territorial waters in the Aegean as "the Greek Continental Shelf" is in contravention with the rules and principles of International Law. Consequently, the Greek claim of violation of the Greek sovereign rights is completely unfounded.

The Government of Turkey would also like to draw the attention of the Greek Government to the fact that MTA Sismik-I is carrying out its researches outside the territorial waters in the Aegean where the Continental Shelf is yet to be delimited.

The Government of Turkey, while reserving its position regarding the delimitation of the Aegean Continental Shelf, would like to reiterate that unilateral declarations or claims of Greece do not constitute a legal basis for establishing sovereign rights on the Continental Shelf on which Turkey and Greece have undertaken bilateral negotiations with a view of finding an acceptable solution to both parties.

In view of the foregoing considerations, as it has been orally expressed to the Greek Ambassador His Excellency Mr. Cosmadopoulos, on 7 August, the Government of Turkey deems the protest of the Greek Government which is devoid of any basis, totally unacceptable.

The Government of Turkey states that the research activities shall be carried out in accordance with the established programme and urges the Greek Government to refrain from all provocative acts which may hinder the research activities of MTA Sismik-I in the Aegean.

The Ministry of Foreign Affairs avails itself of this opportunity to renew to the Embassy of Greece the assurances of its highest consideration.

Annex II

The Ministry of Foreign Affairs presents its compliments to the Embassy of Greece and with reference to their Note NR.F.6242.42/AS 2196, of 9 August 1976, has the honour to communicate the following:

The present tension in the Aegean has stemmed from the position of Greece which does not distinguish allegations from rights with regard to the Aegean Continental Shelf. It should be borne in mind that the Continental Shelf in the Aegean Sea has not yet been delimited. Therefore, the Greek position can only be considered as being based on mere allegations. Departing from these allegations, Greece pretends that her own sovereign rights in the Aegean have been violated by Turkey.

It should be reiterated that unilateral declarations or allegations do not constitute a legal basis for establishing sovereign rights on the Continental Shelf. No allegation can be violated unless it has been acquired as right by virtue of law. Violation of allegation is legally impossible.

This fact has been conveyed to the Greek Government on several occasions and more recently in its Note of 8 August 1976. It has also been made public.

The statement made by the Minister of Foreign Affairs of Turkey, to which reference is made in the Greek Note of 9 August 1976, should be evaluated within this context. Researches of an unarmed and unescorted civilian vessel conducted outside the Greek territorial waters in the Aegean are fully in line with this statement and can in no way be qualified as provocative. In this connexion, it should be recalled that, in the past, Greece had carried out similar activities in the Aegean.

Consequently, Greek assertion that her sovereign rights have been violated is completely unfounded.

The activities of MTA Sismik-I are in no way incompatible with the rules of International Law. Furthermore, the researches undertaken by MTA Sismik-I cannot be considered as an impediment for the success of bilateral negotiations, which are under way between Turkey and Greece, in order to find a negotiated settlement to the Aegean Continental Shelf question.

As it has also been stated in the Greek Note of 9 August 1976, the Turkish authorities made public on March 1976 that MTA Sismik-I would carry out researches in the Aegean Sea. Greece, in full awareness of this, took part in Bern meeting of June 1976, and thus accepted that the activities of MTA Sismik-I would not be construed as an obstacle for the continuation of bilateral negotiations.

The Government of Turkey would like to reiterate that MTA Sismik-I is fulfilling its task in accordance with International Law and emphasizes once again

that the Greek allegations and protests contained in the Embassy's Note of 9 August 1976, as well as in its Note of 7 August 1976, which are based on purely arbitrary and extrajudicial grounds are totally unacceptable to Turkey.

The Government of Turkey would like to draw the attention of the Government of Greece that since 6 August 1976 the Turkish research vessel MTA Sismik-I is under the harassment of vessels and aircraft belonging to the Greek Navy and Air Force. The Turkish Government vigorously protests such illegal acts and requests the Government of Greece to put an end to these activities.

The Government of Turkey also states that the responsibility of any undesirable incident that might occur as a result of such provocative action will lie with Greece.

The Ministry of Foreign Affairs avails itself of this opportunity to renew to the Embassy of Greece the assurances of its highest consideration.
