



General Assembly

Distr.: General
11 February 2025
English
Original: French

Seventy-ninth session

Agenda item 75

Oceans and the law of the sea

Note verbale dated 23 January 2025 from the Permanent Mission of Tunisia to the United Nations addressed to the Secretary-General

The Permanent Mission of Tunisia to the United Nations in New York has the honour to refer to the note verbale dated 5 December 2023 from the Permanent Mission of Libya to the United Nations addressed to the Secretary-General ([A/78/672](#)), notifying the Secretary-General of decision No. 727 (2023) of 5 November 2023 of the Council of Ministers of the Government of National Unity of Libya, by which Libya declared a contiguous zone to a distance of 12 nautical miles beyond its territorial sea, as measured from the straight baselines¹ and defined by the points with the coordinates set out in the annex to the decision and illustrated on a chart (article 1),² and to inform the United Nations that Tunisia would like to state the following:

First, Tunisia opposes the decision of the Council of Ministers of Libya, by which Libya claims to exercise not simply “control” but “jurisdiction” in the contiguous zone, with a view to preventing or punishing infringements of its customs, fiscal, immigration or sanitary laws within its territory or in its territorial sea. Article 33 of the United Nations Convention on the Law of the Sea does not authorize any State to prescribe laws and regulations in the areas listed or to apply them to conduct in the contiguous zone itself that will not or should not occur in its territorial sea. The decision of Libya expands the exercise of its powers in the contiguous zone to the areas of security and the environment. Any expansion of the scope of the concept of a contiguous zone to include rights other than those already specified would be contrary to article 33 of the United Nations Convention on the Law of the Sea and to customary international law.

¹ General People's Committee decision No. 104 of 20 June 2005 concerning straight baselines for measuring the breadth of the territorial sea and maritime zones of the Libyan Arab Jamahiriya. Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs, *Law of the Sea Bulletin* No. 59, 2005, pp. 15–18.

² Note verbale dated 5 December 2023 from the Permanent Mission of Libya to the United Nations addressed to the Secretary-General ([A/78/672](#)).



Second, Tunisia contests the western boundary of the contiguous zone as unilaterally determined by Libya, which follows the line of delimitation of the continental shelf between Tunisia and Libya as determined by the judgment of the International Court of Justice of 24 February 1982 in the case concerning the *Continental Shelf (Tunisia/Libyan Arab Jamahiriya)* and considers that it could prejudice the sovereign rights and jurisdiction exercised by Tunisia in its exclusive economic zone in accordance with the United Nations Convention on the Law of the Sea and customary international law.

In the light of the above and of the positions already expressed by Tunisia in relation to the claims made by Libya, Tunisia considers that the aforementioned decision of the Council of Ministers of Libya could affect the status of the maritime spaces between the two countries.

Tunisia wishes to affirm its readiness and willingness to cooperate, consult and negotiate in good faith with Libya, in order to reach an agreement on the delimitation of maritime boundaries on the basis of international law, taking common interests into account.

The Permanent Mission of Tunisia would be grateful if the present note verbale could be circulated as a document of the General Assembly, under agenda item 75, and 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*.
