

*Translated from Arabic*

**Permanent Mission of the State of Kuwait to the United Nations**

New York, 12 May 2022

The Permanent Mission of the State of Kuwait to the United Nations presents its compliments to the Secretary-General and has the honour to refer to his letter of 2 March 2022 stating that the Republic of Iraq has deposited a chart of geographic coordinates in accordance with article 16, paragraph 2 of the 1982 United Nations Convention on the Law of the Sea. The State of Kuwait objects to, and wishes to protest against, the baseline and baseline points claimed by the Republic of Iraq, on the following grounds:

1. The baseline and baseline points are not consistent with the provisions of part II of the Convention and, in particular, articles 5, 7 and 11 thereof.

2. Article 7, paragraph 1, of the Convention provides as follows:

[i]n localities where the coastline is deeply indented and cut into, or if there is a fringe of islands along the coast in its immediate vicinity, the method of straight baselines joining appropriate points may be employed in drawing the baseline from which the breadth of the territorial sea is measured.

The Iraqi coastline is not, however, deeply indented or cut into, and there is no fringe of islands along it. The baseline is thus inconsistent with article 7, paragraph 1.

3. Article 11 of the Convention provides as follows:

For the purpose of delimiting the territorial sea, the outermost permanent harbour works which form an integral part of the harbour system are regarded as forming part of the coast. Off-shore installations and artificial islands shall not be considered as permanent harbour works.

Given that the breakwater is not part of the “permanent harbour works which form an integral part of the harbour system”, the Iraqi baseline is inconsistent with article 11.

The State of Kuwait therefore objects to and protests against the baseline and baseline points claimed by the Republic of Iraq and reserves all its rights in that regard.

The Permanent Mission of Kuwait requests the Secretary-General to circulate the present note to Member States and have it published in the forthcoming issue of the *Law of the Sea Bulletin*.

Accept, Sir, the assurances of my highest consideration.

*(Signed)* Bader A. **Almunayekh**

Chargé d'affaires a.i.

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