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Oceans and the law of the sea

Note verbale dated 19 April 2026 from the Permanent Mission of Tunisia to the United Nations addressed to the Secretary-General

The Permanent Mission of Tunisia to the United Nations has the honour to refer to the note verbale dated 27 May 2025 from the Permanent Mission of Libya to the United Nations addressed to the Secretary-General ([A/79/916](#)), and has the honour to inform the Secretary-General that Tunisia wishes to make the following comments.

Tunisia disputes the official position expressed by the State of Libya regarding the delimitation of the maritime boundary between points 30 and 32, as set forth in the note verbale ([A/79/916](#)) and illustrated by a map annexed to the note, accompanied by a list of the coordinates of points (30, 31, and 32) that Tunisia considers illegitimate and excessive.

Indeed, Tunisia categorically rejects the Libyan assertion that “[t]he maritime boundary between points 30 and 32 up until the land border between Libya and Tunisia illustrates the limits of continental shelf between Libya and Tunisia, as was established by the International Court of Justice in a Judgment handed down in 1982 (Continental Shelf (Tunisia/Libyan Arab Jamahiriya)).”

First, the line of delimitation does not correspond either to the practical method established by the International Court of Justice for the delimitation of the continental shelf between Tunisia and Libya in its Judgment of 24 February 1982, or to the agreement on its implementation concluded on 8 August 1988 between the two States.

It should be recalled that the definition of the continental shelf, as set forth in article 76 of the United Nations Convention on the Law of the Sea, is as follows: “The continental shelf of a coastal State comprises the seabed and subsoil ... beyond its territorial sea.”

This definition reflects customary international law. Similarly, in the case concerning the *Continental Shelf (Tunisia/Libyan Arab Jamahiriya)*, the International Court of Justice stated that “the delimitation of the continental shelf should start from the outer limit of the territorial sea, in accordance with a principle of international law embodied in Article 1 of the 1958 Geneva Convention on the Continental Shelf and Article 76, paragraph 1, of the draft convention on the Law of the Sea.”¹

¹ International Court of Justice, case concerning the *Continental Shelf (Tunisia/Libyan Arab Jamahiriya)*, Judgment, I.C.J. Reports 1982, para. 82, p. 51.



In light of the foregoing, the delimitation of the continental shelf between Tunisia and Libya can only start from the outer limit of the territorial sea. The line of delimitation of the continental shelf does not cover the delimitation of the territorial sea. The Court was not entrusted with drawing the line of delimitation of the territorial sea between Tunisia and Libya.² There is as yet no agreement between Tunisia and Libya on the delimitation of the territorial sea.

Second, with regard to point 30 of the line of delimitation of the continental shelf, Tunisia objects to the interpretation provided by the State of Libya, as illustrated in the map attached as an annex to its note verbale. This point does not correspond to the outer limit of the line of delimitation of the continental shelf.

In its aforementioned Judgment, the International Court of Justice did not precisely define the boundary of the line of delimitation extending northeastwards. It should be recalled that the Court concluded that “the extension of this line northeastwards is a matter falling outside the jurisdiction of the Court in the present case, as it will depend on the delimitation to be agreed with third States.”³ Consequently, this point will depend on the delimitation of continental shelves with third States. In the absence of a provisional arrangement or agreement, point 30, as unilaterally defined, does not correspond to the boundary point of the line of delimitation of the continental shelf between Tunisia and Libya.

Third, Tunisia affirms that, in the absence of a bilateral agreement with Libya on the delimitation of the exclusive economic zone, the position adopted by the State of Libya regarding the outer limit of its continental shelf, as set forth in the Libyan note verbale (A/79/916), does not correspond to the line delimiting their respective exclusive economic zones.

Fourth, Tunisia continues to contest the contiguous zone and its boundaries as proclaimed by Libya in 2023 and depicted on the map annexed to the note verbale (A/79/916). In this regard, Tunisia refers to the note verbale dated 23 January 2025 from the Permanent Mission of Tunisia to the United Nations addressed to the Secretary-General (A/79/784).

Furthermore, Tunisia wishes to affirm its readiness and willingness to cooperate 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.

The Permanent Mission of Tunisia kindly requests the Secretary-General to have the present note verbale 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 and in the next edition of the *Law of the Sea Bulletin*.

² International Court of Justice, case concerning the *Continental Shelf (Tunisia/Libyan Arab Jamahiriya)*, Judgment, I.C.J. Reports 1982, para. 116, p. 69.

³ International Court of Justice, case concerning the *Continental Shelf (Tunisia/Libyan Arab Jamahiriya)*, Judgment, I.C.J. Reports 1982, para. 133, p. 80.