

Current situation on the delimitation of Georgia's maritime boundaries.

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In 2006 when I applied for the UN-Nippon Foundation of Japan fellowship the issue of the delimitation of maritime boundaries of Georgia was actual, that's why my research was on this field. The maritime delimitation process is a complicated subject, because of both the number of real and potential situations throughout the world, and the complexities of the delimitation process. Georgia has maritime boundaries only with two States, Turkey and Russian Federation. With Turkey delimitation process is complete and respective agreements on the delimitation of maritime boundaries are in force. With Russian Federation the situation is different. In my research I analyzed respective ICJ cases on the delimitation of maritime boundaries, especially between adjacent states, also state practices similar to the Georgia's maritime boundaries, and in the conclusion I find out that from the legal perspective, as well as from the technical view delimitation of maritime boundaries between Georgia and Russian Federation seem not difficult. The coasts of the states runs directly, there is no concave coasts, no islands in the delimitation area, no valuable resources, and the interest of third state is also excluded.

The problem seems to be more political. Maritime delimitation area between Georgia and Russia is situated in the region of Abkhazia, which is a breakaway region under the governance of a separatist government, not recognized by the international community, but supported by Russia.

For the solution of boundary issues the delimitation/demarcation State commission was created by the decree of president. Representatives from different state agencies and experts are involved in this commission. Commission deals with delimitation/demarcation of land and maritime boundaries with all neighbor states of Georgia.

Before the August 2008 the process of the delimitation with Russia was slow, but ongoing process. Representatives from respective state agencies from the two states were working on the completion of the delimitation of land boundaries, after which it would be possible to start the delimitation of maritime boundaries in the Black Sea. After the invasion of Russian military troops in August 2008 in Georgia, in Tskhinvali region (former South Ossetia) and some cities of west Georgia and unilateral recognition of Abkhazia and Tskhinvali Region as independent states by Russia, the delimitation process, as well as relation with Russia went in tunnel.

On 14 August 2008 Georgia submitted a request to the International Court of Justice (ICJ), the principal judicial organ of the United Nations for the indication of provisional measures in order to preserve a right under the International Convention on the Elimination of All Forms of Racial Discrimination to protect its citizens against violent discriminatory acts by Russian armed forces, acting in concert with separatist armed groups. By the order of 15 October 2008 ICJ indicated

provisional measures for both parties and parties are required to comply with. On December 2008 ICJ fixed time limits for both parties to prepare memorials.

In such situation the delimitation process with Russia, as well as other relations are postponed. Diplomatic relation is severed between two states and hope that in the future it will be possible to start direct dialogue with Russia from a clean list.