

Law of Georgia
On the Maritime Space

Chapter I - General Provisions

Article 1 - Scope of the Law

This Law defines the legal status of the internal waters, territorial sea (waters), contiguous zone, exclusive economic zone and continental shelf of Georgia in the Black Sea in accordance with the universally recognised principles and rules of international law.

Article 2 - Purpose of the Law

The purpose of the Law is to:

- a) protect the rights, interests, territorial integrity, sovereignty and security of Georgia within the maritime space of Georgia;
- b) use the Black Sea for peaceful purposes, improve cooperation with the Black Sea states and other foreign states;
- c) facilitate navigation and ensure its safety;
- d) protect the Black Sea environment and maintain the ecological balance;
- e) promote scientific research and rationally use the resources of the Black Sea.

Article 3 - Legal status of the internal waters and territorial sea of Georgia, of the air space above them, and of their bed and subsoil

The internal waters and territorial sea of Georgia, the air space above them, and their bed and subsoil shall be part of the territory of Georgia over which it exercises sovereignty.

Article 4 - Jurisdiction of Georgia in the contiguous zone of Georgia

Georgia shall exercise control in its contiguous zone in compliance with the principles and rules of international law and this Law.

Article 5 - Legal status of the exclusive economic zone and continental shelf of Georgia

With a view to using and preserving natural resources, and to protecting economic and environmental interests, Georgia shall exercise its sovereign rights and jurisdiction in its exclusive economic zone and continental shelf according to the principles and rules of international law, the legislation of Georgia and the treaties to which Georgia is a party.

Law of Georgia No 1963 of 14 May 1999 – LHG I, No 18(25), 1.6.1999, Article 69

Article 6 - Definition of terms used in the Law

The terms used in this Law shall have the following meaning:

- a) delimitation- establishment of a separating line for the territorial sea, the exclusive economic zone or the continental shelf between interested States, based on an agreement;
- b) a flag state- the State whose flag a ship is flying and in whose public registry of ships it is registered;
- c) Notice to Mariners - a special information bulletin on changes in the navigation situation and navigation regime in the seas and oceans, which is published by a duly authorised legal entity under public law operating under the Ministry of Economy and Sustainable Development of Georgia;
- d) pollution of the marine environment- introduction, directly or indirectly, into the marine environment, including estuaries, a substances or energy that may harm living resources, endanger marine life and human health, interfere with marine activities, including fishing and other legitimate uses of the sea, and result in the impairment of the quality of the water to be used, and reduce amenities;
- e) a war ship- a ship of the armed forces of Georgia or of a foreign state bearing distinguishing marks of a war ship, under the command of a duly commissioned officer registered in the service list of maritime officers of that state or its equivalent, and manned by a crew that is under military



discipline;

f) baselines- a coastline during low-water or straight lines connecting the most remote points of the coastline in the sea, including roadsteads, hydraulic structures and other permanent harbour works;

g) dumping - any disposal of waste or other matter from vessels, aircraft, platforms and other artificial structures at sea; also any deliberate disposal of vessels, aircraft, platforms or other artificial structures at sea; dumping does not include the disposal of waste or other matter incidental to the normal operation of ships, aircraft, platforms or other artificial structures at sea and their equipment, except for waste or other matter specially transported by or to ships, aircraft, platforms or other artificial structures at sea operating for the purpose of disposal of such matter.

Law of Georgia No 783 of 19 December 2008 – LHG I, No 40, 29.12.2008, Article 251

Law No 5366 of 24 November 2011 of Georgia - web-site, 5.12.2011

Article 7 - Monitoring compliance with the legal regime of the maritime space of Georgia

1. Compliance with the legal regime of the maritime space of Georgia shall be monitored by:

- a) a duly authorised body operating within the system of the Ministry of Internal Affairs of Georgia;
- b) (deleted);
- c) the Ministry of Transport and Communications of Georgia;
- d) the Ministry of Environment and Natural Resource Protection of Georgia.

2. All ships navigating in the maritime space of Georgia shall comply with vessel identification system requirements.

Law of Georgia No 295 of 11 May 2000 – LHG I, No 17, 12.5.2000, Article 41

Law of Georgia No 3157 of 25 May 2006 – LHG I, No 19, 1.6.2006, Article 146

Law of Georgia No 623 of 5 December 2008 – LHG I, No 35, 5.12.2008, Article 229

Law of Georgia No 783 of 19 December 2008 – LHG I, No 40, 29.12.2008, Article 251

Chapter II - Internal Waters of Georgia

Article 8 - Internal waters of Georgia

Internal waters of Georgia shall include:

- a) the water area of the ports of Georgia landward of the baselines connecting the outermost points of the entrance hydraulic structures of the port;
- b) the mouths of the rivers of Georgia, from a straight line drawn across the mouth of the river between relevant points on its banks;
- c) the part of the sea between the coastline and the baselines from which the breadth of the territorial sea is measured.

Article 9 - Entry of foreign ships operated for commercial or charity purposes into the internal waters, ports and roadsteads of Georgia

- 1. Foreign ships operated for commercial or charity purposes may enter the ports and roadsteads open to foreign ships in the internal waters of Georgia as prescribed by the legislation of Georgia.
- 2. The Government of Georgia shall approve the list of ports and roadsteads open to foreign ships, which shall be published in the Notice to Mariners.
- 3. A foreign ship operated for commercial or charity purposes may enter the internal waters of Georgia with the permission of the relevant authorities of Georgia.

Law No 1359 of 27 September 2013 of Georgia, web-site, 9.10.2013

Article 10 - Entry of foreign government ships or special-purpose ships operated for non-commercial purposes into the internal waters, ports and roadsteads of Georgia

A foreign government ship or special-purpose ship operated for non-commercial purposes may enter the ports and roadsteads open to foreign ships in the internal waters of Georgia with permission of the relevant authority of Georgia. The permission shall be requested through diplomatic channels 14 days before the entry.



Article 11 - Entry of foreign war ships into the internal waters, ports and roadsteads of Georgia

1. A foreign war ship may enter the ports and roadsteads open to foreign war ships in the internal waters of Georgia with permission of the Prime Minister of Georgia, unless otherwise provided for by treaties to which Georgia is a party.
2. Prior permission for entry of a foreign war ship into the ports and roadsteads open to foreign war ships in the internal waters of Georgia shall be requested 30 days before the entry.
3. The prior permission specified in paragraphs 1 and 2 of this article shall not be required:
 - a) during official visits, when the head of state, or the head of the government or of the ministry of foreign affairs is on board the foreign war ship or government ship. During such visits, a prior notification shall be made 5 days before the proposed entry;
 - b) in the case of a forced entry caused by an accident, natural calamity, storm or the necessity of emergency medical aid, the commander of the war ship shall be required to contact, by any possible means, the captain of the closest port of Georgia and act according to his/her instructions.

Law No 1359 of 27 September 2013 of Georgia, web-site, 9.10.2013

Article 12 - Entry of foreign nuclear-powered ships and nuclear-powered war ships into the internal waters, ports and roadsteads of Georgia

1. A foreign nuclear-powered ship or a nuclear-powered war ship may enter the ports and roadsteads open to foreign ships and war ships in the internal waters of Georgia in accordance with Article 11 of this Law. Before entry, such ships shall undergo a special inspection for radiation safety. The inspection shall be carried out by the relevant authorities of Georgia.
2. During the stay of a foreign nuclear-powered ship or a nuclear-powered war ship in the internal waters, ports and roadsteads of Georgia, the relevant authorities of Georgia shall, on a regular basis, perform dosimetric monitoring of such ships, and if the background radiation rises to a dangerous level, shall request the administration of the ship or war ship to immediately leave the internal waters and territorial sea of Georgia.
3. The provisions of this article shall also apply to ships transporting nuclear, radioactive, toxic or any other harmful substances.

Article 13 - Ports and roadsteads closed to foreign ships and war ships

A list of ports and roadsteads closed to foreign ships and war ships shall be compiled by the relevant authorities of Georgia and shall be published in the Notice to Mariners.

Law of Georgia No 1963 of 14 May 1999 – LHG I, No 18(25), 1.6.1999, Article 69

Article 14 - Release of foreign ships or war ships from port charges

When entering the ports open to foreign ships and war ships in the territorial waters of Georgia, foreign government ships and war ships shall, in cases specified in Article 11(3)(a) of this Law, be exempt from port charges, except for fees for services provided to them.

Chapter III - Territorial Sea of Georgia

Article 15 - Territorial sea of Georgia

1. The territorial sea of Georgia is a belt of sea with the breadth of 12 nautical miles adjacent to the land territory or internal waters of Georgia. The breadth of the territorial sea shall be measured from baselines.
2. The territorial sea of Georgia shall be delimited from the territorial seas of other Black Sea states based on an agreement with those states. If there is no such agreement, delimitation shall be performed according to the principles and rules of international law.
3. The outer limit of the territorial sea of Georgia shall be the state border of Georgia.

Article 16 - Right of innocent passage through the territorial sea of Georgia

1. Under the legislation of Georgia and international law, foreign ships shall enjoy the right of innocent passage through the territorial sea of Georgia.
2. The rules for the passage of foreign war ships, nuclear-powered ships and special-purpose ships (except for emergency and rescue ships and search aircraft) through the territorial sea of Georgia shall be determined by the Law of Georgia on the State Border of Georgia.
3. Innocent passage means:



a) traversing the territorial sea of Georgia without entering the internal waters, or calling at ports or roadsteads;

b) proceeding to or from the internal waters of Georgia, or calling at a port facility or roadstead.

4. Innocent passage shall be continuous and expeditious, in compliance with the legislation of Georgia and international law. Stopping and anchoring shall be allowed if related to ordinary navigation or rendered necessary by *force majeure* or distress, or for the purpose of providing assistance to persons, ships and aircraft in danger.

5. Passage through the territorial sea shall be considered innocent, unless it is prejudicial to the peace, order and the universal principles of state security.

6. Due to the vital and sovereign interests of Georgia, the Prime Minister of Georgia may, where necessary, temporarily restrict or ban the entry and stay of foreign ships, nuclear-powered ships and war ships in any area of the territorial sea and internal waters of Georgia. Such restriction or ban shall enter into force upon publication in the Notice to Mariners.

Law No 1359 of 27 September 2013 of Georgia, web-site, 9.10.2013

Article 17 - Breach of innocent passage rules by a foreign ship

Passage of a foreign ship shall be considered as a breach of innocent passage rules if it engages in any of the following activities in the territorial sea of Georgia:

a) any threat or use of force against the sovereignty, territorial integrity or political independence of Georgia, or in any other manner in violation of the principles and rules of international law;

b) any military exercise or practice using weapons of any kind;

c) any activity aimed at collecting information to the prejudice of the defence and security of Georgia;

d) any act of propaganda aimed at affecting the defence and security of Georgia;

e) the launching or taking on board of any aircraft;

f) the launching or taking on board any military device;

g) the loading or unloading of any cargo, currency or person in violation of Georgian legislation;

h) the intentional and serious pollution of the marine environment;

i) any fishing activities;

j) any scientific research, prospecting or hydrographic survey;

k) creating conditions for interfering with the operation of the communications and electronic systems or any other facilities and installations of Georgia;

l) any other activities not directly related to innocent passage.

Article 18 - Temporary suspension of innocent passage

1. During military exercises and practices, the Ministry of Defence of Georgia may, in agreement with the Maritime Transport Agency - a legal entity under public law operating within the system of the Ministry of Economy and Sustainable Development of Georgia (the Agency), temporarily stop navigation in certain regions of the territorial sea and internal waters of Georgia in a non-discriminatory form and manner.

2. A decision on the temporary suspension of innocent passage through the territorial sea of Georgia shall enter into force upon its publication in the Notice to Mariners.

Law of Georgia No 295 of 11 May 2000 – LHG I, No 17, 12.5.2000, Article 41

Law of Georgia No 4599 of 30 March 2007 – LHG I, No 11, 10.4.2007, Article 103

Law of Georgia No 4220 of 22 February 2011 - web-site, 10.3.2011

Article 19 - Procedures for navigation in the territorial sea of Georgia

1. To ensure safe navigation in the territorial sea of Georgia, the Agency and the Ministry of Internal Affairs of Georgia shall develop traffic separation schemes, sea lanes, channels and recommended routes, as well as rules of navigation in the territorial sea, which shall be approved by an ordinance of the Government of Georgia and published in the Notice to Mariners. Such rules shall be binding upon all foreign ships. Where necessary, deviations from the norms approved under the above ordinance shall be permitted only temporarily, based on an agreement between the Ministry of Internal Affairs of Georgia and the Agency.



2. Navigation in the territorial sea of Georgia shall be carried out under the flag of the state of registry of the ship.

Law of Georgia No 295 of 11 May 2000 – LHG I, No 17, 12.5.2000, Article 41

Law of Georgia No 3157 of 25 May 2006 – LHG I, No 19, 1.6.2006, Article 146

Law of Georgia No 4599 of 30 March 2007 – LHG I, No 11, 10.4.2007, Article 103

Law of Georgia No 70 of 27 June 2008– LHG I, No 12, 14.7.2008, Article 92

Law of Georgia No 623 of 5 December 2008 – LHG I, No 35, 5.12.2008, Article 229

Law of Georgia No 783 of 19 December 2008 – LHG I, No 40, 29.12.2008, Article 251

Law of Georgia No 4220 of 22 February 2011 – web-site, 10.3.2011

Law No 1359 of 27 September 2013 of Georgia, web-site, 9.10.2013

Article 20 - Release of foreign ships from charges during their innocent passage through the territorial sea of Georgia

During the innocent passage through the territorial sea of Georgia, a foreign ship shall be released from charges, except for fees for services provided to it.

Article 21 - Obligations of foreign ships and war ships during their presence in the internal waters, territorial sea, ports and roadsteads of Georgia

1. During their presence in the internal waters, territorial sea, ports and roadsteads of Georgia, foreign ships and war ships shall comply with the navigation safety rules and the navigation, port, veterinary, phito-sanitary and environmental legislation of Georgia; also with treaties on the protection of the marine environment and conservation of natural resources, as well as with radio communication rules and regulations.

2. During their presence in the internal waters, territorial sea, ports and roadsteads of Georgia, a foreign war ship shall raise its state flag, and a foreign ship shall raise the flag of Georgia along with its state flag. Submarines and other underwater vehicles shall navigate on the water surface and show their state flags.

3. When staying in the internal waters, territorial sea, ports and roadsteads of Georgia, foreign ships and war ships shall be prohibited from:

- a) launching small-size watercraft, except where so required for searching and rescuing people;
- b) carrying out underwater work;
- c) engaging in fishing or keeping fishing gear in working order;
- d) using light and sound signals, except for signals envisaged by international regulations;
- e) taking photo or video recordings, or draft schemes and topographic maps of ports and coastal areas;
- f) intentionally grounding or sinking the ship;
- g) engaging in actions that cause damage to submarine cables and pipelines, navigational aids, off-shore installations and other equipment;
- h) dumping waste and sewerage generated from the operation of the ship.

Article 22 - Immunities of foreign war ships and other government ships operated for non-commercial purposes

1. If a foreign war ship or government ship operated for non-commercial purposes violates this Law or any other normative act, and disregards any request of the relevant authorities of Georgia made to it, the ship shall immediately leave the internal waters and territorial sea of Georgia.

2. Except for the cases specified in paragraph 1 of this article, it shall be prohibited to violate the immunities of foreign war ships or other government ships operated for non-commercial purposes.

3. The flag state shall be responsible for any damage caused by a foreign war ship or other government ship operated for non-commercial purposes during the ship's stay in the internal waters and territorial sea of Georgia.

Article 23 - Protection of the state sea border of Georgia

1. The state sea border of Georgia shall be protected by:

- a) (deleted);
- b) the Ministry of Defence of Georgia;



- c) the Ministry of Foreign Affairs of Georgia;
 - d) (deleted);
 - e) a duly authorised body operating within the system of the Ministry of Internal Affairs of Georgia.
2. Activities relating to the maintenance of the state border regime of Georgia shall be carried out by:

- a) the relevant agency of the Ministry of Finance of Georgia;
- b) the Ministry of Transport and Communications of Georgia;
- c) the Ministry of Labour, Health and Social Affairs of Georgia;
- d) the Ministry of Agriculture and Food of Georgia;
- e) the Ministry of Environment and Natural Resource Protection of Georgia.

3. It shall be prohibited to transfer the functions of protection of the state sea border to any other agency or authority.

4. (Deleted).

Law of Georgia No 63 of 9 December 1999 – LHG I, No 47(54), 9.12.1999, Article 239

Law of Georgia No 295 of 11 May 2000 – LHG I, No 17, 12.5.2000, Article 41

Law of Georgia No 487 of 13 July 2000 – LHG I, No 28, 24.7.2000, Article 88

Law of Georgia No 3157 of 25 May 2006 – LHG I, No 19, 1.6.2006, Article 146

Law of Georgia No 4265 of 29 December 2006 – LHG I, No 51 31.12.2006, Article 425

Law of Georgia No 4856 of 5 June 2007 – LHG I, No 21, 18.6.2007, Article 179

Law of Georgia No 623 of 5 December 2008 – LHG I, No 35, 5.12.2008, Article 229

Law of Georgia No 4222 of 11 March 2011 - web-site, 17.3.2011

Law of Georgia No 483 of 25 March 2013 -web-site, 5.4.2013

Article 24 - Rights of the relevant authorities of Georgia with respect to foreign ships

With respect to foreign ships staying in the internal waters, territorial sea, ports and roadsteads of Georgia, the relevant authorities of Georgia shall be authorised to:

- a) send a question and receive a response if the ship is suspected of violating the rules of innocent passage;
- b) propose to the ship to change its direction if it is heading towards an area where navigation is prohibited;
- c) stop and examine, or inspect the ship and prepare appropriate documents;
- d) make a decision to impose administrative penalties;
- e) arrest the ship and escort it to the closest port of Georgia, submit the materials relating to the violation committed by the ship to investigative authorities, and immediately notify the diplomatic office or consular service of the flag state in Georgia;
- f) ban the entry of the ship into the internal waters, ports and roadsteads of Georgia if the ship or its cargo endangers human life and health or living resources of the sea;
- g) ban the departure of the ship from the port, unless the ship's technical condition or equipment complies with international norms and standards;
- h) if a foreign ship does not obey the demands of the relevant authorities of Georgia and offers resistance during its arrest, those authorities may apply coercive measures, including, the use of arms in a prescribed manner.

Article 25 - Foreign nuclear-powered ships and ships carrying nuclear, toxic or other hazardous substances and materials

When exercising the right of innocent passage through the territorial sea of Georgia, foreign nuclear-powered ships and ships carrying nuclear, toxic or other hazardous substances and materials shall carry relevant documents and comply with special precautionary measures established by international organisations.

Law of Georgia No 1963 of 14 May 1999 – LHG I, No 18(25), 1.6.1999, Article 69



Article 26 - Civil jurisdiction over foreign ships navigating in the internal waters and territorial sea of Georgia

1. If a foreign ship navigating in the internal waters and territorial sea of Georgia breaches the legislation of Georgia and rules of international law, civil proceedings shall be brought according to the legislation of Georgia and heard only by the courts of Georgia.
2. It shall be impermissible to stop or divert a foreign ship passing through the territorial sea of Georgia for the purpose of exercising civil jurisdiction over a person on board the ship.
3. The relevant authorities of Georgia may levy execution against or arrest a foreign ship only for its failure to fulfil the obligations incurred by the ship while lying or passing through the internal waters and territorial sea of Georgia.
4. Coercive measures for the purpose of civil proceedings may be taken with respect to a foreign ship that has left the internal waters of Georgia and is crossing the territorial sea of Georgia, or is lying in the territorial sea of Georgia.

Article 27 - Criminal jurisdiction over foreign ships navigating in the internal waters and territorial sea of Georgia

1. The criminal jurisdiction of Georgia shall be exercised with respect to crimes committed on board a foreign ship during its passage through the territorial sea of Georgia, if:
 - a) its consequences extend to Georgia;
 - b) it violates peace and order in the territorial sea of Georgia;
 - c) it has been committed by a citizen of Georgia;
 - d) drugs, psychotropic or radioactive substances have been illicitly trafficked;
 - e) a person's liberty has been illegally deprived;
 - f) a crime against peace and mankind has been committed;
 - g) the ship's captain, a diplomatic agent or a consular officer of the flag state requests assistance from the relevant authorities of Georgia.
2. The criminal jurisdiction of Georgia shall apply to all crimes committed on board a foreign ship during its stay in the internal waters, ports and roadsteads of Georgia. The criminal jurisdiction of Georgia shall apply to a crime committed on board a foreign ship even after the ship has left the internal waters and entered the territorial sea of Georgia.

Law of Georgia No 1963 of 14 May 1999 – LHG I, No 18(25), 1.6.1999, Article 69

Chapter IV - Zones Contiguous to Georgia

Article 28 - Zones contiguous to Georgia

1. A zone contiguous to Georgia shall be a sea belt adjacent to the territorial sea of Georgia the outer limit of which is 24 nautical miles away from the baselines from which the breadth of the territorial sea is measured.
2. In a zone contiguous to Georgia, the relevant authorities of Georgia shall exercise control in order to prevent the violation of tax, emigration, fiscal and sanitary laws of Georgia and to punish persons who violate those laws.

Law of Georgia No 1963 of 14 May 1999 – LHG I, No 18(25), 1.6.1999, Article 69

Law of Georgia No 3806 of 12 November 2010 – LHG I, No 66, 3.12.2010, Article 414

Article 29 - Measures aimed at preventing the violation of tax, emigration, fiscal and sanitary laws of Georgia in a zone contiguous Georgia

If a foreign ship navigating within a zone contiguous to Georgia has violated or intends to violate the tax, emigration, fiscal and sanitary laws of Georgia, the relevant authorities of Georgia may stop and inspect the ship, take necessary measures to prevent the violation and arrest the ship in order to bring the offender to justice.

Law of Georgia No 1963 of 14 May 1999 – LHG I, No 18(25), 1.6.1999, Article 69

Law of Georgia No 3806 of 12 November 2010 – LHG I, No 66, 3.12.2010, Article 414

Chapter V - Exclusive Economic Zone of Georgia



Article 30 - Exclusive economic zone of Georgia

1. The exclusive economic zone of Georgia shall be a sea area, including its bed and subsoil, outside of and adjacent to the territorial sea of Georgia.
2. The breadth of the exclusive economic zone of Georgia shall be measured from the baselines from which the breadth of the territorial sea is measured.

Law of Georgia No 1963 of 14 May 1999 – LHG I, No 18(25), 1.6.1999, Article 69

Article 31 - Outer limits of the exclusive economic zone of Georgia

1. The outer limits of the exclusive economic zone of Georgia or the geographical coordinates substituting such outer limits shall be determined by treaties entered into between Georgia and other Black Sea states.
2. The geographical coordinates of the outer limits of the exclusive economic zone of Georgia shall be shown on charts of an established scale by the duly authorised body operating within the system of the Ministry of Internal Affairs of Georgia and shall be published in the Notice to Mariners. Copies of such charts shall be deposited with the Secretary General of the United Nations.

Law of Georgia No 783 of 19 December 2008 – LHG I, No 40, 29.12.2008, Article 251

Article 32 - Rights and duties of Georgia in its exclusive economic zone

1. In its exclusive economic zone, Georgia shall have:
 - a) sovereign rights to explore, exploit and conserve natural resources, whether living or non-living, also to generate energy using water, currents and winds;
 - b) jurisdiction with regard to the establishment or use of artificial islands, installations and equipment, the conduct of marine scientific research and the protection and preservation of the marine environment;
 - c) other rights and duties provided for in treaties to which Georgia is a party.
2. In exercising the rights and performing the duties under this Law in the exclusive economic zone, Georgia shall have due regard to the rights and duties of other states and act according to the rules established by international law.
3. The rights of Georgia set out in this Law with respect to the seabed and subsoil of the exclusive economic zone of Georgia shall be exercised in accordance with Chapter VI of this Law.

Law of Georgia No 1963 of 14 May 1999 – LHG I, No 18(25), 1.6.1999, Article 69

Article 33 - Rights of a foreign state in the exclusive economic zone of Georgia

1. In the exclusive economic zone of Georgia, all States, whether coastal or land-locked, shall enjoy, subject to the requirements of international law and this Law, the freedom to navigate and overfly, the right to lay cables and pipelines, and other lawful opportunities of using the sea related to these freedoms.
2. In exercising their rights and performing their duties, foreign states shall have due regard to the rights and duties of Georgia in accordance with this Law and the rules of international law.

Law of Georgia No 1963 of 14 May 1999 – LHG I, No 18(25), 1.6.1999, Article 69

Article 34 - Artificial islands, installations and facilities in the exclusive economic zone of Georgia

1. In its exclusive economic zone, Georgia shall enjoy the exclusive right to construct and to authorise and regulate the construction, operation and use of:
 - a) artificial islands;
 - b) installations and facilities for the purposes provided for in Article 32 of this Law, as well as for other economic purposes.
2. Georgia shall have exclusive jurisdiction over such artificial islands, including jurisdiction with respect to tax, emigration, fiscal, safety and sanitary laws and regulations.
3. Georgia may, where necessary, establish reasonable safety zones around such artificial islands, installations and facilities in which it may take required measures to ensure the safety both of navigation and of the artificial islands, installations and facilities.
4. The breadth of the safety zones shall be determined by Georgia, taking into account international standards, according to the nature and functions of the artificial islands, installations and facilities and shall not exceed a distance of 500 meters around them, measured from each point of their outer edge,



except as authorised by international standards or as recommended by the competent international organisation. The relevant authorities of Georgia shall publish information on the breadth of the safety zones in the Notice to Mariners.

5. The artificial islands, installations and facilities in the exclusive economic zone of Georgia shall not have the status of islands and their own territorial sea; their presence shall not affect the delimitation of the territorial sea, the exclusive economic zone or the continental shelf of Georgia.

6. Artificial islands, installations and facilities and the safety zones around them may not be established in universally recognised sea lanes essential to international navigation.

7. The legal persons of Georgia and of foreign states and international organisations responsible for the use and operation of artificial islands, installations and facilities in the exclusive economic zone of Georgia shall maintain in good working order the means for giving warning of the presence of such artificial islands, installations and facilities. These persons and international organisations shall remove any abandoned or disused artificial islands, installation and facilities within the time limits prescribed by the permit for their construction; such removal shall be carried out in such a way as not to interfere with navigation and fishing and not to create a risk of pollution of the marine environment.

8. The relevant authorities of Georgia shall be notified about the installation of artificial islands, installations and facilities in the exclusive economic zone of Georgia, as well as about the establishment of safety zones around them and on full or partial removal of such artificial islands, installations and facilities. At the same time, information on the depth of their location and on the dimensions of any structures not entirely removed shall also be provided. This information shall be published in the Notice to Mariners.

Law of Georgia No 1963 of 14 May 1999 – LHG I, No 18(25), 1.6.1999, Article 69

Law of Georgia No 3806 of 12 November 2010 – LHG I, No 66, 3.12.2010, Article 414

Article 35 - Rational use and protection of living resources of the sea in the exclusive economic zone of Georgia

1. It shall be prohibited to harvest living resources in the exclusive economic zone of Georgia, unless an agreement on harvesting living resources has been entered into between Georgia and the flag state.

2. To ensure the rational use and protection of living resources in its exclusive economic zone, Georgia shall, based on the most reliable data, annually determine the allowable catch for all species of living resources.

3. Where the harvesting organisations of Georgia do not have the capacity to harvest the entire allowable catch, or if there is a special agreement between Georgia and a foreign state on harvesting living resources, access to the allowable catch may be given to other states based on licenses or principles of reciprocity.

4. A license to foreign and Georgian natural and legal persons of Georgia shall be granted by the National Environmental Agency - a legal entity under public law operating within the system of the Ministry of Environment and Natural Resource Protection of Georgia.

5. Foreign natural and legal persons that have been granted the right to harvest living resources in the exclusive economic zone of Georgia, shall comply with the relevant legislation of Georgia.

6. Unless a foreign harvesting vessel has a special permit to harvest living resources in the exclusive economic zone of Georgia, when navigating in that area, it shall have its fishing gear stowed.

Law No 4222 of 11 March 2011 of Georgia - web-site, 17.3.2011

Law of Georgia No 483 of 25 March 2013 -web-site, 5.4.2013

Article 36 - Protection of anadromous stocks

1. Georgia has primary interest in and responsibility for the protection and rational use of anadromous stocks that originate in the rivers of Georgia and spend part of their lifespan in the waters of another state.

2. Georgia shall ensure the maintenance, protection and optimal use of anadromous stocks by regulating their fishing in its waters and by entering into agreements with other interested states.

Article 37 - Measures against the violation of the sovereign rights and jurisdiction of Georgia in its exclusive economic zone

1. If, in the exclusive economic zone of Georgia, a foreign ship has violated or intends to violate the sovereign rights and jurisdiction of Georgia, the authorised body operating within the system of the Ministry of Internal Affairs of Georgia shall take necessary measures to eliminate or prevent such violation. It shall have the right to inspect and arrest the ship in order to bring the offenders to justice.

2. The measures taken to eliminate or prevent the violation of the sovereign rights and jurisdiction of Georgia in its exclusive economic zone shall be reported to a diplomatic agent or a competent official of the flag state.

Law of Georgia No 3157 of 25 May 2006 – LHG I, No 19, 1.6.2006, Article 146

Law of Georgia No 623 of 5 December 2008 – LHG I, No 35, 5.12.2008, Article 229



Article 38 - Continental shelf of Georgia

The continental shelf of Georgia comprises the seabed and subsoil, including the natural prolongation of its land territory to the outer edge of the continental margin, which extends from the outer limits of the territorial sea of Georgia to the borders of the continental shelf of other Black Sea states established by treaties.

Law of Georgia No 1963 of 14 May 1999 – LHG I, No 18(25), 1.6.1999, Article 69

Article 39 - Outer limits of the continental shelf of Georgia

1. The outer limits of the continental shelf of Georgia shall coincide with the outer limits of the exclusive economic zone of Georgia.
2. In establishing the outer limits of the continental shelf of Georgia, Article 31 of this Law shall apply.

Article 40 - Rights of Georgia over its continental shelf

1. Georgia shall exercise sovereign rights over its continental shelf for the purpose of exploring and exploiting natural resources including mineral and other non-living resources, as well as living organisms belonging to sedentary species (crawfish, crustaceans, sea sponge, etc.), which, at the harvestable stage, either are immobile on or under the seabed, or are unable to move except in constant physical contact with the seabed or the subsoil.
2. The rights established by paragraph 1 of this article shall fall under the exclusive competence of Georgia, which is regulated according to Article 34 of this Law. If Georgia is not exploring its continental shelf and exploiting its resources, no one has the right to explore and exploit the continental shelf of Georgia without its authorisation.
3. With respect to its continental shelf, Georgia shall enjoy exclusive rights to:
 - a) carry out, authorise and regulate drilling;
 - b) construct, authorise and regulate the construction, operation and use of artificial islands, installations and facilities.
4. With respect to its continental shelf, Georgia shall have jurisdiction over:
 - a) marine scientific research;
 - b) environmental protection and maintenance;
 - c) the cables and pipelines laid or used for the purpose of exploring its resources or operating the artificial islands, installations and facilities under the jurisdiction of Georgia.
5. When exercising its rights over its continental shelf, Georgia shall not prejudice the rights of foreign states set out by this Law and by international law.

Law of Georgia No 1963 of 14 May 1999 – LHG I, No 18(25), 1.6.1999, Article 69

Article 41 - Operation of natural and legal persons on the continental shelf of Georgia

Foreign and Georgian natural and legal persons may search, prospect, exploit and use the resources of the continental shelf of Georgia, lay cables and pipelines and carry out any other activities relating to the continental shelf only with the consent of the relevant authorities and in accordance with the legislation of Georgia.

Law of Georgia No 1984 of 3 November 2009 – LHG I, No 32, 6.11.2009, Article 196

Article 42 - Laying of cables and pipelines on the continental shelf of Georgia by foreign states and international organisations

1. Foreign states, their natural and legal persons, as well as international organisations may lay cables and pipelines on the continental shelf of Georgia subject to Georgia's right to take measures for the exploration of the continental shelf of Georgia, the exploitation of its natural resources and the protection of the marine environment.
2. The delineation of the course for the laying of such cables and pipelines on the continental shelf of Georgia shall be subject to the consent of the relevant authorities of Georgia.

Article 43 - Measures against the violation of the sovereign rights and jurisdiction of Georgia within its continental shelf



If, within the continental shelf of Georgia, a foreign ship has violated or intends to violate the sovereign rights and jurisdiction of Georgia, the procedures stipulated by Article 37 of this Law shall apply.

Chapter VII -Right of Access of Land-locked States to and from the Sea and Freedom of Transit through Georgia

Article 44 - Right of Access of Land-locked States to and from the Sea and Freedom of Transit through Georgia

1. Land-locked states may, in order to access the sea, enjoy freedom of transit through the territory of Georgia by any means of transport.
2. The procedure for transiting n the territory of Georgia for the purpose of gaining access to the sea shall be determined by bilateral or regional agreements entered into between the land-locked states and Georgia.
3. Georgia may take all appropriate measures to ensure that the rights of the land-locked states shall in no way infringe on the rights of Georgia.

Article 45 - Release of the means of transport of land-locked states from import duties and from other taxes and charges during their transit for gaining access to the sea

Transit traffic through Georgia of the means of transport of a land-locked state for gaining an access to the sea shall not be subject to import duties, taxes or other charges except charges levied for specific services related to such traffic.

Law of Georgia No 3806 of 12 November 2010 – LHG I, No 66, 3.12.2010, Article 414

Chapter VIII - Marine Scientific Research in the Maritime Space of Georgia

Article 46 - Conduct of marine scientific research by natural and legal persons of Georgia in the internal waters and territorial sea of Georgia

Natural and legal persons of Georgia shall carry out marine scientific research ('the scientific research') and prospecting works in the internal waters and territorial sea of Georgia based on the programmes approved and permits issued by the relevant authorities of Georgia.

Article 47 - Conduct of scientific research by foreign natural and legal persons and by international organisations in the internal waters and territorial sea of Georgia

1. Foreign natural and legal persons and international organisations may carry out scientific research and prospecting works in the internal waters and territorial sea of Georgia under permits and recommendations issued by the relevant authorities of Georgia.
2. The relevant authorities of Georgia may suspend or ban the conduct of scientific research and prospecting works in the internal waters and territorial sea of Georgia by foreign natural and legal persons or by international organisations, if they violate the terms set for the conduct of the research.

Article 48 - Principles of conducting scientific research in the exclusive economic zone and on the continental shelf of Georgia

Scientific research in the exclusive economic zone and on the continental shelf of Georgia shall be carried out according to the following principles:

- a) a scientific research shall be conducted for peaceful purposes only;
- b) a scientific research shall be carried out using adequate scientific methods and funds, in accordance with this Law and the legislation of Georgia, as well as the requirements set out by treaties to which Georgia is a party;
- c) scientific research shall not create unreasonable obstacles to the lawful use of the sea as determined by this Law and the legislation of Georgia, as well as by treaties to which Georgia is a party;
- d) scientific research shall be conducted taking into account all the rules that have been adopted according to the this Law, the legislation of Georgia and treaties to which Georgia is a party.

Article 49 - Scientific research in the exclusive economic zone and on the continental shelf of Georgia

1. Georgia, in the exercise of its jurisdiction under this Law, the legislation of Georgia and the treaties to which Georgia is a party, shall regulate and undertake scientific research, and shall authorise foreign states and international organisations to undertake scientific research, in its exclusive economic zone and on its continental shelf.

2. Scientific research in the exclusive economic zone and on the continental shelf of Georgia shall be carried out with the permission of the relevant authorities of Georgia. Georgia shall, in normal circumstances (including in the absence of diplomatic relationships), authorise foreign states or



international organisations to carry out scientific research for peaceful purposes and for increasing scientific knowledge of the marine environment.

3. Georgia may refuse to authorise foreign states and international organisations to undertake scientific research in the exclusive economic zone or on the continental shelf of Georgia if the scientific research project:

- a) is related to the exploration and exploitation of natural resources;
- b) involves drilling into the continental shelf, the use of explosives or the introduction of harmful substances into the marine environment;
- c) involves the construction, operation and use of artificial islands and installations and facilities;
- d) contains inaccurate information on the purpose and nature of the scientific research, or the researching State or international organisation has outstanding obligations to Georgia from a prior research project.

4. During the conduct of scientific research in the exclusive economic zone and on the continental shelf of Georgia, foreign states shall not unjustifiably interfere with activities undertaken by Georgia in exercising its sovereign rights and jurisdiction.

Article 50 - Obligation of foreign states and international organisations to provide information to Georgia

Foreign states and international organisations intending to undertake scientific research in the exclusive economic zone and on the continental shelf of Georgia shall, 6 months before the commencement of the research, provide to the relevant authorities of Georgia the following information:

- a) the purpose and nature of the project;
- b) the research methods and name of scientific equipment, name, tonnage, type and class of the ship, and a description of scientific equipment;
- c) the exact geographical coordinates of the areas where the project is to be carried out;
- d) the expected date of first entry and final departure of the research ships, or of the deployment and removal of the equipment;
- e) the name of the organisation carrying out the project, as well as details of the director, and of the persons in charge of the project;
- f) the opportunity of Georgia to participate in the project;
- g) any other essential details.

Article 51 - Obligation to comply with the conditions established by foreign states and international organisations

When carrying out scientific research in the exclusive economic zone and on the continental shelf of Georgia, foreign states and international organisations shall:

- a) ensure the right of Georgia to participate in the scientific research, especially on board research ships and installations, when practicable;
- b) provide Georgia, at its request, with preliminary reports, as soon as practicable, and with the final results and conclusions of the research;
- c) provide access for Georgia to the results of the scientific research, to data that may be copied and to samples that may be divided without detriment to their scientific value;
- d) if requested, provide Georgia with summary information on the data, samples and results of the research specified in sub-paragraph (c) of this article, or assist Georgia in their assessment and interpretation;
- e) inform the relevant authorities of Georgia immediately of any major changes made to the research project;
- f) remove the scientific equipment after the completion of the research, unless otherwise agreed.

Article 52 - Implied consent

Foreign states and international organisations may undertake scientific research in the exclusive economic zone and on the continental shelf of Georgia 6 months after the date on which the information required by Article 50 of this Law was provided to the relevant authorities of Georgia unless within 4 months [of the receipt of communication containing such information] the above authorities informed the foreign state or international organisation of the refusal of Georgia to grant consent to the scientific research for one of the following reasons:

- a) information provided regarding the project is not true;
- b) additional information on the terms of the scientific research is requested based on Articles 50 and 51 of this Law;
- c) the foreign state or international organisation intending to undertake scientific research in the exclusive economic zone or on the continental shelf of Georgia, has outstanding obligations to Georgia with respect to previous scientific research.



Article 53 - Suspension or termination of scientific research in the exclusive economic zone and on the continental shelf of Georgia

1. Georgia may require the suspension of any scientific research in its exclusive economic zone and on its continental shelf if:
 - a) the research activities are not being conducted in accordance with the information provided for in Article 50 of this Law;
 - b) the foreign State or international organisation conducting scientific research fails to comply with the requirements set forth by Article 51 of this Law.
2. Georgia may require the termination of scientific research in its exclusive economic zone and on its continental shelf in the case of any non-compliance with the provisions of Article 50 of this Law if this amounts to a major change in the research project or the research activities.
3. Georgia may require the termination of scientific research in its exclusive economic zone and on its continental shelf, unless the situation specified in paragraph 1 of this article changes within a certain period of time.
4. After Georgia provides notice of its decision on the suspension and termination of scientific research, the State or international organisation conducting the research shall suspend or terminate the research activities.
5. An order of suspension under paragraph 1 of this article shall be lifted by Georgia, and the research may be resumed if the State or international organisation authorised to carry out the research has complied with the requirements of Articles 50 and 51 of this Law.

Law of Georgia No 1963 of 14 May 1999 – LHG I, No 18(25), 1.6.1999, Article 69

Article 54 - Communication with coastal services of the relevant authorities of Georgia

Foreign States and international organisations carrying out scientific research in the exclusive economic zone and on the continental shelf of Georgia shall maintain a regular communication with the coastal services of the relevant authorities of Georgia.

Chapter IX - Protection of the Marine Environment in the Maritime Space of Georgia

Article 55 - Prohibition of the pollution of the Marine Environment in the Maritime Space of Georgia

It shall be prohibited to pollute the maritime space of Georgia and its atmosphere by disposing, dumping or discharging toxic or radioactive substances or any other waste and matter that is harmful to human health and the resources and ecosystem of the Black Sea.

Article 56 - Prevention of the pollution of the maritime space and coastline of Georgia from pollution sources located on the coastline and river banks of Georgia

1. It shall be prohibited to pollute the maritime space and coastline of Georgia from pollution sources located on the coastline and river banks of Georgia. The liability for the pollution of the maritime space and coastline of Georgia shall be determined under the legislation of Georgia.
2. The public authorities shall ensure the prevention and elimination of pollution of the maritime space and coastline of Georgia.
3. The owner/manager of an oil terminal located in a seaport shall equip the terminal with relevant equipment for the elimination of accidental oil spillage, as well as to eliminate accidental oil spillage and cooperate with the Agency during such accidents.

Law of Georgia No 4856 of 5 June 2007 – LHG I, No 21, 18.6.2007, Article 179

Law of Georgia No 70 of 27 June 2008– LHG I, No 12, 14.7.2008, Article 92

Law No 4220 of 22 February 2011 of Georgia - web-site, 10.3.2011

Article 57 - Liability of a shipowner or the pollution of the maritime space and coastline of Georgia

The liability of a shipowner for the pollution of the maritime space and coastline of Georgia shall be determined under the legislation of Georgia.

Article 58 - Dumping earth into the sea and removing seabed sediments from the sea in the maritime space of Georgia

Earth may be dumped into the sea in the maritime space of Georgia with the consent of the Ministry of Environment and Natural Resource Protection of Georgia and the Ministry of Economy and Sustainable Development of Georgia, and seabed sediments may be removed from the sea with the consent of the Ministry of Environment and Natural Resource Protection of Georgia, in the manner prescribed by the legislation of Georgia, in specially designated areas.

Law of Georgia No 295 of 11 May 2000 – LHG I, No 17, 12.5.2000, Article 41

Law No 4222 of 11 March 2011 of Georgia - web-site, 17.3.2011



Article 59 - Refusal to release a ship that creates threat of pollution of the marine environment

The Agency may refuse to release a ship lying in the internal waters, port or roadstead, unless its technical condition complies with the rules and standards adopted by Georgia with respect to the prevention and reduction of the pollution of the marine environment.

Law of Georgia No 1963 of 14 May 1999 – LHG I, No 18(25), 1.6.1999, Article 69

Law of Georgia No 70 of 27 June 2008– LHG I, No 12, 14.7.2008, Article 92

Law No 4220 of 22 February 2011 of Georgia - web-site, 10.3.2011

Article 60 - Institution of proceedings when a ship is voluntarily anchored within a port or at a terminal of Georgia

When a ship is voluntarily anchored in a port or at a terminal of Georgia, the relevant authorities of Georgia may institute proceedings if in the exclusive economic zone of Georgia, the ship has violated the legislation of Georgia on the prevention, reduction and control of pollution of the marine environment.

Article 61 - Pollution of the exclusive economic zone of Georgia by foreign ships

1. If, in the exclusive economic zone of Georgia, a foreign ship violates the legislation of Georgia on the prevention, reduction and control of the pollution of the marine environment by ships, the relevant authorities of Georgia may require the administration of the ship to provide the following information:

- a) the name of the ship;
- b) the name of the port of registry;
- c) the name of its last and its next port of call;
- d) other relevant information required to establish whether a violation has occurred.

2. If a ship navigating the exclusive economic zone of Georgia has polluted the marine environment or created a threat of its pollution, the relevant authorities of Georgia may inspect the ship.

3. If the violation provided for in paragraph 1 of this article has caused major damage or threat of major damage, the relevant authorities of Georgia may, according to the rules of international law, conduct an investigation and arrest the ship in the manner prescribed by the legislation of Georgia.

Article 62 - Pollution of the maritime space of Georgia by foreign war ships or other ships or aircraft used for governmental non-commercial purposes

Information on the pollution of the maritime space of Georgia by foreign war ships and naval auxiliaries or other ships or aircraft used for governmental non-commercial purposes shall immediately be communicated to the diplomatic mission of the flag state accredited to Georgia.

Article 63 - Legal assistance in the case of pollution of the maritime space of a foreign State

1. If the maritime space of a foreign State is seriously polluted, Georgia, at the request of that State, shall provide it with legal aid in the form of interrogation of persons, examination of documents, and checking of the technical condition of the ship during the time when the ship that has polluted the marine environment is in a port or internal waters of Georgia. Such assistance shall be provided also at the request of the flag State.

2. The legal aid specified in paragraph 1 of this article shall be provided based on the principle of mutual assistance.

Article 64 - Marine protected area and marine sanitary areas

The following marine protected areas and sanitary areas shall be established in Georgia:

a) marine protected area- a coastline of the territorial sea of Georgia from the mouth of the Rioni River northwards up to the inhabited area of Anaklia with the breadth of 5 nautical miles. The marine protected area is surrounded by a two-mile wide protection zone. Fishing shall be prohibited in this area. Navigation shall be allowed only in exceptional cases;

b) the first marine sanitary area (water use zone) of Georgia - internal waters and the coastline of the territorial sea of Georgia the breadth of which is 12 nautical miles. In this area, it shall be prohibited to discharge oil-containing mixtures, ship-generated waste, ship waste water, and clean ballast from tankers;



c) the second marine sanitary area - a coastal area the breadth of which is 50 nautical miles. In this area, it shall be prohibited to discharge oil-containing waters and clean ballast into the sea, except when the requirements set forth by the International Convention for the Prevention of Pollution from Ships are simultaneously being complied with.

Chapter X - Hot Pursuit and Arrest of Foreign Ships

Article 65 - Hot pursuit and arrest of foreign ships

Hot pursuit and arrest of a foreign ship shall be performed if the ship has:

- a) has violated the legislation of Georgia during its navigation in the internal waters or territorial sea of Georgia;
- b) or intends to violate the tax, emigration, fiscal or sanitary legislation of Georgia in a zone contiguous to Georgia;
- c) violated sovereign rights and jurisdiction of Georgia with respect to the exclusive economic zone or continental shelf of Georgia.

Law of Georgia No 1963 of 14 May 1999 – LHG I, No 18(25), 1.6.1999, Article 69

Law of Georgia No 3806 of 12 November 2010 – LHG I, No 66, 3.12.2010, Article 414

Article 66 - Procedure for pursuing foreign ships

1. The hot pursuit of a ship of a foreign state may be initiated if the ship or one of its boats is within:

- a) the internal waters or territorial sea of Georgia in violation of Article 65(a) of this Law;
- b) a zone contiguous to Georgia, in violation of Article 65(b) of this Law;
- c) the exclusive economic zone or on the continental shelf of Georgia, in violation of Article 65(c) of this Law.

2. The hot pursuit of a foreign ship shall be initiated if the ship does not obey an order to stop. The hot pursuit shall be uninterrupted until the ship enters the territorial sea of its own State or of any other State.

3. The hot pursuit of a foreign ship shall be performed by war ships and military aircraft of the relevant authorities of Georgia, or by a ship and aircraft of any other authorised state that possess relevant identification markings.

Article 67 - Escorting an arrested foreign ship into a port of Georgia

An arrested foreign ship may be escorted to the closest port of Georgia to conduct an investigation and in order to bring the offenders to justice.

Article 68 - Indemnification of damage caused to a foreign ship

If a foreign ship has been stopped or arrested unjustifiably outside the territorial sea of Georgia, it shall be indemnified for damage sustained.

Chapter IX – Final Provisions

Article 69 - Acts repealed upon the entry into force of this Law

Upon the entry into force of this Law, the following shall be repealed:

- a) Order No 284 of 13 March 1981 of the Presidium of the Supreme Soviet of the Soviet Union on the Amount of Compensation Payable by the Ship Owner for the Damage Caused by the Pollution of the Sea with Oil and other Substances Harmful to Human Health or to Living Resources of the Sea;
- b) Order No 137 of 28 February 1984 of the Presidium of the Supreme Soviet of the Soviet Union on the Economic Zone of the Soviet Union.

Article 70 - Entry into force of the Law

This Law shall enter into force on the 15th day after its promulgation.



President of Georgia

Eduard Shevardnadze

Tbilisi,

24 December 1998.

№1761-Іb

