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Ref. T2-OSS/2.7.1

SN.1/Circ.260
10 January 2007

**RESTRICTIONS ON NAVIGATION IN THE ABKHAZIAN SECTION
OF THE GEORGIAN TERRITORIAL WATERS**

Communication by the Government of Georgia

Reference is made to a communication received from the Embassy of Georgia which was communicated by circular SN/Circ.239 dated 3 September 2004.

A further communication received from the Embassy of Georgia is circulated pursuant to the request of the Embassy of Georgia.



საგარეო ურთიერთობების სამინისტრო
MINISTRY OF FOREIGN AFFAIRS OF GEORGIA

№ 10-10/274

The Ministry of Foreign Affairs of Georgia presents its compliments to the International Maritime Organization and has the honour to inform the following.

A very tense criminal situation in Abkhazia, Georgia represents a fertile soil for penetration of mercenaries, arms, drugs and smuggled goods into the territory of Abkhazia, Georgia that threatens the security of the country in the whole.

In this concern, the Embassy of Georgia in London has submitted the Statement (Verbal Note №8-05/2, 06.08.2004) of the Ministry of Foreign Affairs of Georgia to the IMO with the request to inform all IMO member states that due to current situation it is impossible to provide security and safety measures for foreign ships navigating in the waters adjacent to this province of Georgia. Accordingly all ports of Abkhazia, Georgia and Abkhaz section of Georgian waters were closed for the navigation of all types of vessels, except international humanitarian cargo shipments. In this special case, humanitarian aid destined for Abkhazia, the border, customs and port State control inspection must be carried out by the relevant Georgian authorities at the port of Poti, Georgia.

As it was stated, this decision fully complies with internationally recognized IMO conventions, the UN Security Council Resolution №876 of October 19, 1993, the CIS Heads of State Council decision of January 19, 1996 and decrees of the President of Georgia №140 of January 31, 1996 and №328 of May 19, 1999. In August 3, 2004 and in July 22, 2005 new decrees of the President of Georgia №313 and №622 were issued, which confirmed once again special procedures of control in Abkhazian section of territorial waters of Georgia.

The IMO member states have been informed over the above-mentioned legislative acts as soon as these regulations entered into force. Since entering into force of new procedures of control in Abkhazian section of territorial waters of Georgia several vessels were detained by navy guards of Georgia, the cargo was duly inspected and the ships were fined. However, the vessels of some countries failed to obey these regulations, explaining their behavior with lack of information.

The Ministry of Foreign Affairs of Georgia makes a request to the International Maritime Organization to inform once again all IMO member states that all ports of Abkhazia, Georgia and Abkhaz section of Georgian waters are still closed for the navigation of all types of vessels, except international humanitarian cargo shipments. In the case of latter, clearance must be carried out by the relevant Georgian authorities at the port of Poti, Georgia. The province of Abkhazia and Georgian territorial waters at this section are embraced by Georgian jurisdiction, and the Georgian authorities have an inalienable right to control them.

The Ministry of Foreign Affairs of Georgia avails itself of this opportunity to renew to the International Maritime Organization the assurances of its highest considerations.

International Maritime Organization
London

