

IN THE
INTERNATIONAL COURT OF JUSTICE

No. 132-2004

THE GOVERNMENT OF ROMANIA
PETITIONER

v.

THE GOVERNMENT OF UKRAINE
RESPONDENT

Case Concerning the Maritime Delimitation in the Black Sea

BACKGROUND GUIDE

THE MATERIAL FACTS

In 1997, the governments of Romania and Ukraine agreed to negotiate amongst themselves about certain matters, including the boundary of the economic zones in the Black Sea. These negotiations resulted in the Treaty on Relations of Co-operation and Good Neighbourliness. Also concluded was the Additional Agreement between the two countries, which established a two-year time limit for further negotiations. However, an agreement could not be reached on the delimitation of the continental shelf and the maritime boundary of economic zones in the Black Sea in the two year time limit as established in the above Treaty and Agreement.

The government of Romania alleges that Ukraine has failed to respect the agreements made during previous negotiations and is not abiding by international law as pursuant to the Montego Bay

United Nations Convention on the Law of the Sea. Romania asks the court to delimit the boundary of the continental shelf between economic zones in the Black Sea.

THE LEGAL FACTS

In 1982 the international community concluded the Montego Bay United Nations Convention on the Law of the Sea, also known as UNCLOS, which establishes binding restrictions on agreements concerning maritime law in international waters. Both Ukraine and Romania are subject to these restrictions.

The Treaty on the Relations of Good Neighbourliness and Co-operation between Romania and Ukraine establishes cordial relations between the two countries and maintains the territorial integrity of both states.

THE LEGAL ISSUES

Are Ukraine's objections in accordance with the Treaty and Agreements made between the two countries?

What is the limit of territorial sovereignty in international waters?

How do states establish economic zones in international waters?

VALUABLE RESEARCH AIDS

The docket of the International Court of Justice, containing cases from the present to 1947. Especially relevant are the press releases, objections, and arguments of the participating countries. Please be aware that the documents are in both French and English. Available at: <http://www.icj-cij.org/docket/index.php?p1=3>.

Maps of the disputed territories, especially the difference between the international and territorial waters of both Romania and Ukraine, available at <http://maps.google.com/>.

The Treaty Collection of the United Nations, containing all treaties agreed upon by member states. Please be aware that the Treaties pursuant to this case are in the annexes of the application to the court. Also available at <http://treaties.un.org/home.aspx>.