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Adv. Joy Thattil had the esteemed honour of serving as a judge at the finals of the Bose & Mitra International Maritime Arbitration Moot Court Competition, which took place at the prestigious National University of Odisha. He was joined by Justice Sibbo Sankar Mishra and several other distinguished figures from the legal profession, all of whom contributed their expertise and insight to this noteworthy event.

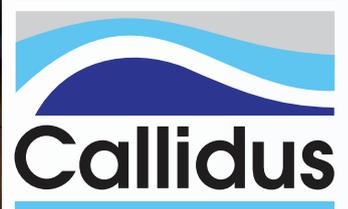
Congratulations to all the participants for their hard work and dedication, and a special commendation to the winners for their outstanding performances! ■



**THOUGHT  
for  
the MONTH**

The future belongs to those  
who believe in the beauty of  
their dreams

**ELEANOR ROOSEVELT**



# MARITIME BORDER DISPUTES IN THE BLACK SEA: LEGAL AND GEOPOLITICAL IMPLICATIONS

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**T**he Black Sea is a geopolitically significant maritime region, bordered by Russia, Ukraine, Turkey, Romania, Bulgaria, and Georgia. It plays a major role in trade, energy transit, and military operations. Maritime border disputes primarily revolve around Exclusive Economic Zones (EEZs), territorial waters, and offshore resources. Russia's annexation of Crimea in 2014 intensified disputes, challenging Ukraine's sovereignty and maritime boundaries. The Serpent Island conflict between Romania and Ukraine as well as Turkey's control under the Montreux Convention,

reflect competing national interests.

## LEGAL FRAMEWORK FOR MARITIME BORDERS

Under the governance of UNCLOS, the territorial waters extend upto 12 nautical miles, while the Exclusive Economic Zones (EEZs) can stretch up to 200 nautical miles. Resolving overlapping claims requires equitable resolution. Key disputes include Russia-Ukraine, Romania-Ukraine (resolved by the ICJ in 2009), and Bulgaria-Romania. UNCLOS offers mechanisms for resolutions, such as bilateral agreements, International Court of

Justice (ICJ), the Permanent Court of Arbitration (PCA), and International Tribunal for the Law Of the Sea (ITLOS).

## KEY MARITIME DISPUTES IN THE BLACKSEA

### A. RUSSIA-UKRAINE MARITIME DISPUTE:

Before 2014, Ukraine had an EEZ extending from Crimea, granting it sovereign rights over resources and navigation in the Black Sea. Following Russia's annexation of Crimea in 2014, Russia claimed Crimea's EEZ. Ukraine filed a case with PCA in 2016, and ITLOS ruled in Ukraine's favor in

2019 after the Kerch Strait seizure.

### **B. ROMANIA-UKRAINE DISPUTE OVER SERPENT ISLAND**

The area in dispute contained significant oil and gas reserves, making it a crucial issue of energy security. In 2019, the ICJ ruled that the Serpent island doesn't generate its own EEZ, awarding 80% of the disputed area to Romania.

### **C. TURKEY AND THE MONTREUX CONVENTION (1936):**

During the Russia-Ukraine war, Turkey blocked the passage of Russian and NATO warships, citing Article 19 of the Montreux Convention, which allows Turkey to restrict military access in times of war.

### **GEOPOLITICAL IMPLICATIONS**

The region serves as a strategic maritime corridor, impacting global security, energy resources, and military alliances.

### **A. RUSSIA'S MARITIME EXPANSION AND ITS STRATEGIC INTERESTS**

The Sevastopol naval base in Crimea has emerged as a crucial outpost for Russian naval operations, granting Russia significant dominance over regional

maritime routes. The Kerch Strait blockade (2018) and subsequent seizure of Ukrainian naval vessels exemplify Russia's aggressive maritime strategy.

### **B. NATO'S BLACK SEA STRATEGY AND REGIONAL MILITARY PRESENCE**

NATO considers the Black Sea a key security front, given Russia's aggressive maritime maneuvers. In response, NATO and the EU imposed economic sanctions, restricting Russian trade and blocking access to Western maritime technology.

### **C. TURKEY'S STRATEGIC CONTROL OVER THE BOSPORUS AND DARDANELLES**

Turkey maintains diplomatic ties with both Russia and NATO, often acting as a mediator in Black Sea disputes. The Grain Deal Negotiations (2022-2023), where Turkey brokered an agreement between Russia and Ukraine to allow safe passage for grain exports, showcased its strategic leverage in maritime diplomacy (UN, 2023).

### **D. ENERGY SECURITY AND COMPETITION OVER BLACK SEA RESOURCES**

The Black Sea holds significant gas

reserves, but disputes have delayed Romania and Bulgaria's offshore projects. Russia claims the seabed and deters rivals. While TurkStream bypasses Ukraine prompting the EU to seek alternate energy routes.

Russia's disregard for UNCLOS rulings and lack of enforcement by ICJ and PCA aggravates tension. Rising conflicts may be mitigated through diplomacy, particularly via BSEC and Turkey's mediation efforts.

### **CONCLUSION:**

Maritime disputes in the Black Sea reflect the clash between legal norms and power. Russia's annexation of Crimea, NATO's countermeasures, Turkey's control under the Montreux Convention, and resource claims reveal the limitations of legal enforcement. Despite UNCLOS and ICJ/PCA rulings, non-compliance—especially by Russia—weakens their impact. The region's strategic value fuels militarization and tensions, making resolution unlikely without a power shift. While legal norms provide guidance, strategic dominance ultimately prevails. ■



## **HOT NEWS**

# **DUBAI'S NEW BUSINESS REGULATION ALLOWS FREE ZONE COMPANIES TO EXPAND INTO MAINLAND OPERATIONS**

Dubai has issued **Executive Council Resolution No. (11) of 2025**, enacted by H.H. Sheikh Hamdan Bin Mohammed Bin Rashid Al Maktoum, Crown Prince of Dubai. This resolution enables free zone businesses to expand and operate outside their designated zones within Dubai, subject to specific licensing requirements overseen by the Dubai Department of Economy and Tourism (DET). This

promotes greater integration between free zone and mainland businesses.

### **Key Provisions of the Resolution**

Under this new regulatory framework, businesses licensed by free zone authorities can expand their operations into the Mainland Dubai, provided they obtain the necessary licenses or permits for specific activities from the Dubai Department of Economy

and Tourism (DET). However, financial institutions operating within the Dubai International Financial Centre (DIFC) are exempt from this provision, and the resolution does not apply to them as DIFC operates under its independent regulatory framework.

Under this resolution, businesses are required to:

- Obtain a DET-issued branch

license or an activity-specific permit for mainland operations.

- Renew the branch license annually, as it is valid for one (1) year.
- Maintain separate financial records for activities conducted outside the free zone.
- Adhere to all applicable federal and local regulations governing their industry.
- Secure additional approvals if they wish to operate outside the Emirate of Dubai.



Establishments operating under this resolution are subject to inspections to ensure compliance with relevant laws and procedures.

The DET will publish a list of permissible economic activities within six months, clarifying the scope of

business expansion opportunities. All free zone entities currently operating outside their zones must comply with these provisions within one year from the resolution's effective date.

**Impact on Dubai's Business Ecosystem**

By allowing free zone companies

to seamlessly integrate into the mainland economy, this resolution fosters business growth, innovation, and new opportunities. It enhances market accessibility for businesses, creating a more interconnected and competitive commercial environment ■



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