
BOOK REVIEW

Lili Lazarashvili/Paata Lobzhanidze/Gia Liluashvili/Eka Zarnadze,
Comments of the Case Law in Civil and Company Laws
Tbilisi (Meridiani), 2003, ISBN 99928-32-75-4

Comments of the Case Law in Civil and Company Laws is a collection of works by a group of authors dealing with the practice of Georgian courts of various instances and regions. As a matter of fact, it is the first attempt at analysing the decisions made by the Georgian judges in a systematised manner that was not available in the Georgian legal reality in the past. This is welcome, for such editions greatly encourage correct application of the law in practice. Moreover, a case reveals the shortcomings and advantages of judge-made law.

It is noteworthy that the authors are not limiting the chosen discussable decision to one instance or region, which should be considered as one of the positive sides of the comments.

The comments consists of five parts and cover some basic aspects of ownership, pecuniary obligations, law of contracts, inheritance and company laws. Materials covered in each part is quite topical in a practical viewpoint since it exposes some legal problems related to acquisitive prescription on thing, loan relations, lease and sales contracts, inheritance by law and succession by will, limited liability and joint stock companies. These legal institutions are quite frequently used and so it is interesting to review the trends of application of their regulatory norms. In making analysis, the authors have shown that often judges either apply substantive norms wrongly or make no reference of them at all. The comments not only evaluate the decision but deal with the correct trends as well.

As already mentioned, the comments deal with only specific legal institutions or segments of private law and the title is rather general, which leaves the reader somewhat unsatisfied. As for the text, it is filled with analytical spirit although the structural division of each part according to classical structure of court decision would not be incorrect and would make the works stylistically more stable. It is also noteworthy that each author has its own style which naturally is not a defect, however when bringing materials quite different in their nature into one book, common techniques of providing information to readers should be applied in order to allow for single understanding of the whole book.

And finally, Georgian legal science is still in the process of development; Introduction of the methods of analysis and generalisation of court practice typical for common law countries, demonstrated in the present comments, is greatly beneficial not only for specialists, but also for ordinary members of society.

Vakhtang Zaalishvili

Roberta Cohen/Walter Kälin/Erin Mooney (editors), *The Guiding Principles on Internal Displacement and the Law of the South Caucasus*
Washington, 2003, 371, ISBN 0-9729423-2-7

This volume is the outcome of a two-year study of the legal regulation of internal displacement in the South Caucasian countries carried out within the framework of the joint project of Brookings Institution, the Office for Democratic Institutions and Human Rights of the OSCE, the Norwegian Refugee Council and the Georgian Young Lawyers Association.

The study offers a detailed analysis of laws of the South Caucasian countries – Georgia, Armenia and Azerbaijan – in the field of internal displacement and their comparison with UN Guiding Principles on Internal Displacement.

Article-by-Article comparative analysis of respective laws of the South Caucasian countries and the Guiding Principles clarify the level of compatibility of domestic legislation in the field of internal displacement with international standards. This analysis provides for the possibility to make changes to national legislation and harmonise with international standards. This will improve the legal protection of internally displaced persons.

The problem of internally displaced persons is pressing in the South Caucasus (where there are over a million such persons) and specifically for Georgia. The legal regulation of this issue would considerably enhance the settlement of the problem. The documents and analytical material incorporated in the study will assist those directly involved in the settlement of the problem. It will be interesting for displaced persons to know how international standards protect their interests and what is provided by national legislation. To this end it would be expedient to speed up translation into the local languages.

Special appreciation goes to the experts from Georgia, Armenia and Azerbaijan (two from each country) who provide a labour-intensive comparative study of their respective domestic laws and the Guiding Principles. The result is very high quality research.

Finally, it should be mentioned, that the book is a particularly important contribution to improving the legal regulation of internal displacement. It will assist lawyers, politicians and legislators not only in the South Caucasus, but in many other countries that face a similar problem of improving policy and laws concerning internally displaced persons.

Zurab Bekaia

Levan Aleksidze/Levan Giorgadze/Zurab Davitashvili/Marine Kvachadze/Konstantin Korkelia/David Pataraiia/Irine Kurdadze,
Contemporary International Law: Dictionary-Reference Book
Tbilisi, 2003, ISBN 99940-17-04-7

As growing numbers of Georgian legal professionals are working on international law and relations, the need for good reference materials is more apparent. One of the first resources these professionals may want to have is a dictionary of international law. This book is a first attempt by Georgian legal scholars to provide such a reference book. Comprising around 1000 terms, this relatively large volume is a fine introduction to contemporary international law designed as a quick point of reference for those wanting an explanation of common international legal terms. The book provides not only extended definitions of terms, but also reference to international organisations, treaties, conventions, as well as to international legal practice and relevant domestic legislation of Georgia. The only omission is the absence of a table of contents and list of abbreviations that could make it easier to find terms or names.

The book is aimed at those interested in international law and relations. The authors' state that the volume will be helpful for legal scientists and practitioners, diplomats and for students studying international law.

Tato Urjumelashvili