



UNIVERSITI KUALA LUMPUR
Malaysian Institute of Marine Engineering Technology

FINAL EXAMINATION
JANUARY 2016 SESSION

SUBJECT CODE : LGB 11402
SUBJECT TITLE : INTERNATIONAL LAW OF THE SEA
LEVEL : DEGREE
TIME / DURATION : (2.5 HOURS)
DATE : JANUARY 2016

INSTRUCTIONS TO CANDIDATES

1. Please read the instructions given in the question paper **CAREFULLY**.
 2. This question paper is printed on both sides of the paper.
 3. Please write your answers on the answer booklet provided.
 4. Answer should be written in blue or black ink except for sketching, graphic and illustration.
 5. This question paper consists of **TWO (2)** sections; Section 'A' and Section 'B'. Answer all questions in Section 'A' and **THREE (3)** questions only from Section 'B'.
 6. Answer all questions in English.
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THERE ARE 3 PAGES OF QUESTIONS, EXCLUDING THIS PAGE.

SECTION A (Total: 40 marks)

INSTRUCTION: Answer ALL questions. Please use the answer booklet provided.

Question 1

(a) Explain the various Maritime Zones under the 1982 United Nations Convention on the Law of the Sea. (UNCLOS)

(10 marks)

(b) Discuss the application of the innocent passage regime in the territorial seas.

(10 marks)

Question 2

Examine the following incidents. Your answer should start with either "**Guilty**" or "**Not Guilty**" followed by the reasons. In answering your questions, assume that all countries claimed their waters until the maximum limit permissible by the 1982 UNCLOS.

(a) Two (2) nuclear powered navy ships cruising continuously and expeditiously three (3) nautical miles (NM) from the Malaysian Baseline.

(b) A Russian Navy Unmanned Aerial Vehicle was detected flying at 150 NM from the Malaysian Baseline.

(c) MV Buana registered in Panama purposely anchored 1 NM from the Malaysian Baseline. The Ship's Captain and three (3) crew members were Malaysians.

1

(d) A Thailand's trawler trawling 120 NM from the Malaysian Baseline.

(e) A Japanese fishing vessel catching lobster 220 NM from the Australian Baseline without any permit from the Australian government.

- (f) MV Star Cruises on passage from Melaka to Phuket. After passing the Malaysian Territorial sea the ship's casino started to operate.
- (g) An unknown submarine was detected while on passage in the Straits of Malacca surfacing and submerging.
- (h) MV Suria a general cargo ship registered in Surabaya stop in the Malaysian EEZ and conduct bunkering with another ship.
- (i) A Malaysian Maritime Enforcement Agency's assault boat 'visiting' a cargo ship believed to carry illegal imigrant at the high sea.
- (j) Four boats with Malaysian license ferry Indonesian illegal imigrants to a waiting cargo ship registered in Indonesia at the high sea. Is the cargo ship guilty or not?

(20 marks)

SECTION B (Total: 60 marks)

INSTRUCTION: Answer 3 (THREE) questions only. Please use the answer booklet provided.

Question 3

Compare between the Archipelagic waters and the Exclusive Economic Zone with regards to their locations, rights of coastal states and user states in those zones.

(20 marks)

Question 4

Discuss the duties and rights of the coastal state with regards to the conservation and utilization of the fisheries in the Exclusive Economic Zone.

(20 marks)

Question 5

A Malaysian flagged ship, MV Mimet Jaya is sailing from Lumut to Kuching and will pass through the Malacca Strait; Singapore Strait; the EEZ, Territorial Sea and Archipelagic Water of Indonesia; as well as Malaysian Territorial Sea. Analyse the types of navigation and passages that she can perform in foreign waters.

(20 marks)

Question 6

Discuss the various conditions where the right of hot pursuit may be exercised.

(20 marks)

