



UNIVERSITI KUALA LUMPUR
MALAYSIAN INSTITUTE OF MARINE ENGINEERING TECHNOLOGY

FINAL EXAMINATION
JANUARY 2017 SEMESTER

COURSE CODE : LGB11402
COURSE NAME : INTERNATIONAL LAW OF THE SEA
PROGRAMME NAME : BACHELOR OF MARITIME OPERATIONS (HONS)
(FOR MPU: PROGRAMME LEVEL)
DATE : 05/07/2017 WED
TIME : 2.00 PM - 04.00 PM
DURATION : 2 HOURS

INSTRUCTIONS TO CANDIDATES

1. Please read **CAREFULLY** the instructions given in the question paper.
 2. This question paper has information printed on both sides.
 3. This question paper consists of **TWO (2)** sections; Section A and Section B. Answer **ALL** questions in Section A and **THREE (3)** questions from Section B.
 4. Please write your answers on the answer booklet provided.
 5. Write your answers only in **BLACK** or **BLUE** ink.
 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 Malaysia claims the various Maritime Zones under the 1982 United Nations Convention On the Law of the Sea (UNCLOS).
(10 marks)
- (b) Discuss the application of transit passage and innocent passage regimes in the straits used for international navigation.
(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) An Unmanned Aerial Vehicle (UAV) was detected flying at 150 NM from the Malaysian Baseline.
- (c) MV Saratoga registered in Panama purposely anchored 1 NM from the Malaysian Baseline. The Ship's Captain and three (3) crew members were Malaysians.
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- (d) A Thailand 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, submerging and surfacing.
- (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 carrying a hot pursuit on a suspected foreign fishing boat cross into another country Territorial Sea.
- (j) Four boats with Malaysian license ferry Indonesian illegal immigrants 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 Malaysia's obligations in implementing fishing activities 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 performs in foreign waters.

(20 marks)

Question 6

Discuss the rights of a coastal state to conduct hot pursuit.

(20 marks)

END OF EXAMINATION PAPER