



UNIVERSITI KUALA LUMPUR
MALAYSIAN INSTITUTE OF MARINE ENGINEERING TECHNOLOGY

FINAL EXAMINATION
SEPTEMBER 2016 SEMESTER

COURSE CODE : LGB 11402
COURSE NAME : INTERNATIONAL LAW OF THE SEA
PROGRAMME NAME : BACHELOR OF MARITIME OPERATION
DATE : 13 JANUARY 2016
TIME : 09.00 AM – 11.00 AM
DURATION : 2 HOURS

INSTRUCTIONS TO CANDIDATES

1. Please **CAREFULLY** read the instructions given in the question paper.
2. This question paper has information printed on both sides of the paper.
3. This question paper consists of **TWO (2)** sections; Section A and Section B.
4. Answer **ALL** questions in Section A. For Section B, answer **THREE (3)** questions **ONLY**.
5. Answer all questions in English language **ONLY**.

THERE ARE 5 PAGES OF QUESTIONS, INCLUDING THIS PAGE.

SECTION A (Total: 40 marks)

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

QUESTION 1

- a) The breadth of maritime zones is measured from baseline. Briefly explain the type of baselines and draw a diagram to illustrate how the points are identified and marked as baselines.

(12 marks)

- b) Draw a diagram of the various maritime zones under the United Nations Convention on the Law of the Sea 1982 (hereinafter referred as "the UNCLOS 1982"). Label the diagram with the name of the maritime zones and the breadth of the areas.

(8 marks)

QUESTION 2

- a) Territorial sea is an area not exceeding 12 nautical miles from the baseline. Discuss about the rights of coastal States and user States on the territorial sea.

(10 marks)

- b) Foreign vessel enjoys right of innocent passage on territorial Sea of other States. List **FIVE (5)** situations of non-innocent passage.

(10 marks)

SECTION B (Total: 60 marks)

INSTRUCTION: Answer any THREE (3) out of FOUR (4) questions.

Please use the answer booklet provided.

QUESTION 3

Presuming that all countries claimed their waters until the maximum limit permissible by the UNCLOS 1982, examine the following incidents and determine whether the acts are "legal" or "illegal". Explain the reasons for your answers based on the UNCLOS 1982.

- i) Malaysian Maritime Enforcement Agency patrol boat detained MT Chelsea, a ship registered in Singapore, 10.7 nautical miles southwest of Pulau Kendi, Penang while transferring 45.54 metric tonnes fuel to MV Lok Yu, a ship registered in Malaysia.
(4 marks)

- ii) MV Rosalinda registered in Mexico purposely anchored 3 nautical miles from Malaysian baseline. The captain of the ship and the 2 crew members are Malaysians.
(4 marks)

- iii) The Malaysian Maritime Enforcement Agency detained a boat suspecting for drug trafficking encroaching Kota Kinabalu. The boat was detained 10 nautical miles from the Malaysian baseline.
(4 marks)

- iv) The Singaporean aircraft flies over Malaysian water 8.5 nautical miles from Malaysian baseline continuously and expeditiously.
(4 marks)

- v) Indonesian aircraft flies over water 100 nautical miles from Malaysian baseline.
(4 marks)

QUESTION 4

Every maritime zones have different breadth measured from the baseline and give different rights to coastal States and user States. Differentiate territorial sea and Exclusive Economic Zone (EEZ).

(20 marks)

QUESTION 5

Discuss in detail the following statements. Support your answers with any relevant provision of the UNCLOS 1982 and illustrations.

a)

Immunity on Others' Territorial Sea

(10 marks)

b)

Criminal jurisdiction on foreign ship passing through State's territorial sea

(10 marks)

QUESTION 6

- a) The word piracy is defined differently in different aspects including business, insurance and international law. Based on the UNCLOS 1982, define the term and explain elements of piracy under public international law.

(10 marks)

- b) Imagine you are a Deputy Public Prosecutor in Malaysia. You are assigned to handle a charge on pirates which are caught in Malaysian territorial sea. Discuss on the practice of Malaysia in charging a case involving pirates.

(10 marks)

END OF EXAMINATION PAPER