

**Ollscoil na hÉireann, Gallimh**  
**National University of Ireland, Galway**

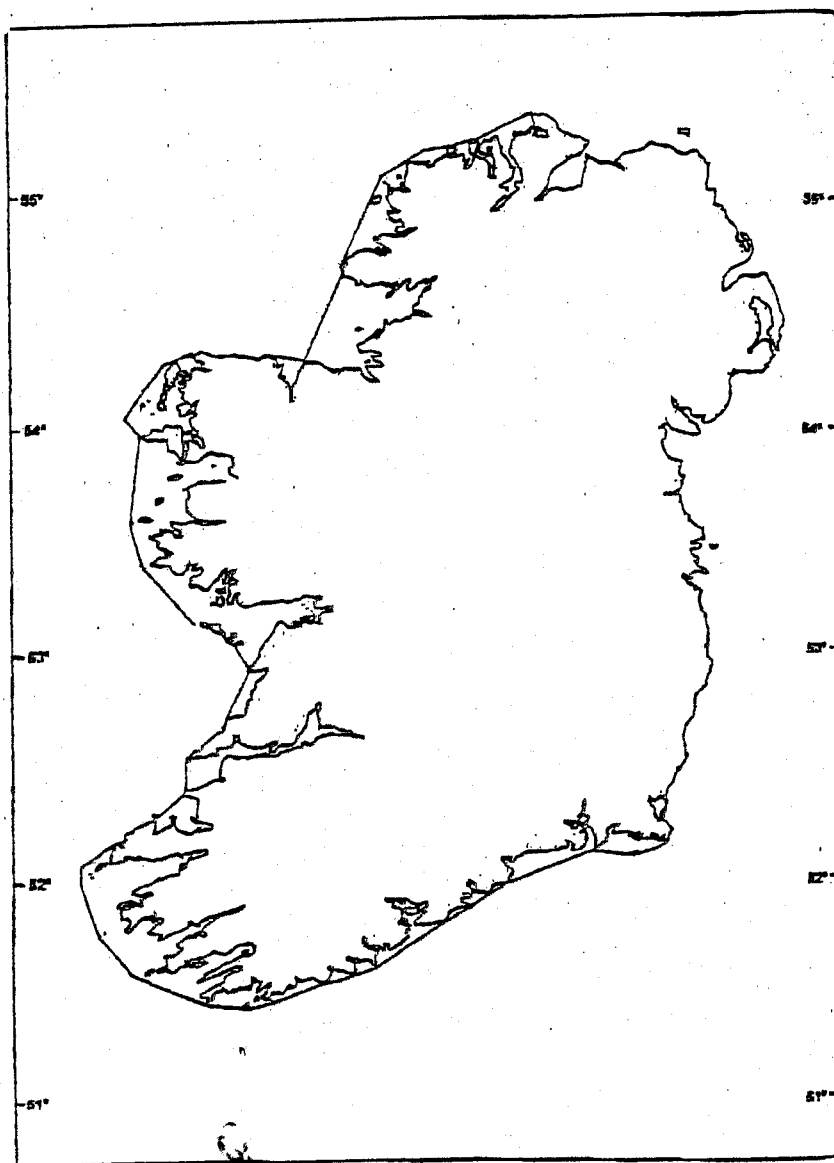
**Semester II Examinations, 2002/2003**

<b>Exam Code(s)</b>	2BL1, 2BL2, 2BS1, 2CW1, 3BL1, 3BL2, 3CW1, 4BL2, 1EM1, 1OA1.
<b>Exams(s)</b>	2 <sup>nd</sup> 3 <sup>rd</sup> & 4 <sup>th</sup> LL.B. 2 <sup>nd</sup> & 3 <sup>rd</sup> Bachelor of Civil Law 2 <sup>nd</sup> B.Sc. Degree (Undenominated) Erasmus & Occasional
<b>Module Codes(s)</b>	LW397
<b>Module(s)</b>	Martime Law
<b>Paper No.</b>	1
<b>Repeat Paper</b> <b>Special Paper</b>	
<b>External Examiner(s)</b>	Professor D. Harris
<b>Internal Examiner(s)</b>	Dr. C.R. Symmons
<b>Instructions</b>	Answer <b>THREE</b> questions
<b>Duration</b>	<b>TWO</b> Hours. Erasmus students 2½ Hours
<b>No. of AnswerBooks</b>	
<b>Requirements:</b>	
<b>Handout</b>	
<b>MCQ</b>	
<b>Statistical Tables</b>	
<b>Graph Paper</b>	
<b>Log Graph Paper</b>	
<b>Other Material</b>	Students may consult the Law of the Sea Convention 1982 (LOSC) – copy available from invigilator. Note that reference to miles in questions relates to ‘nautical miles’.
<b>Department(s)</b>	LAW

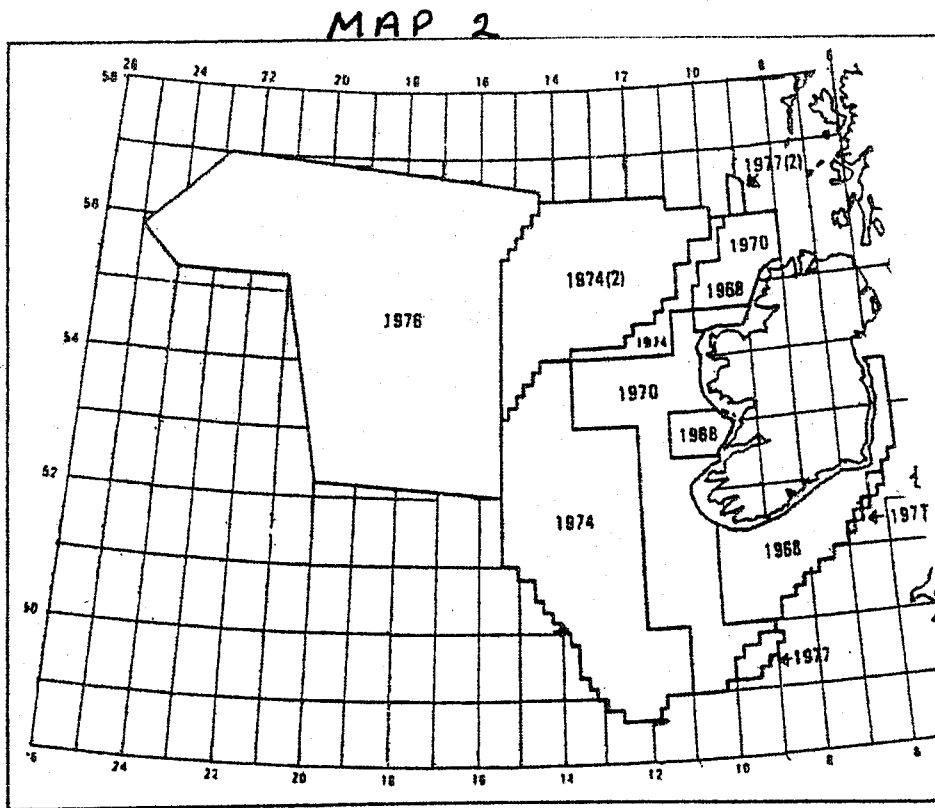
1. Critically assess the present types of baselines which exist around the Irish coast and state whether any changes should be made to them in the light of the LOSC 1982 *and* developing international practice. (The map accompanying the Maritime Jurisdiction Act, 1959 (Straight Baselines) Order is attached at the end of the paper (see map 1)).
  
2. Advise the Irish Naval Service on the legal situation in the following circumstances, and what steps, if any may be taken on the spot to ensure compliance with the law of the sea:-
  - (a) a tourist vessel registered in the UK and flying the British flag is observed lying at anchor in Dingle Bay (ie, within the straight-baselined area) for the purpose of facilitating passengers photographing "Bungee", a local tame dolphin;
  - (b) an unidentified submerged submarine is observed speedily traversing the Irish territorial sea on the East coast;
  - (c) foreign underwater divers, working from a Whiteland-registered boat, are seen lifting artefacts (without official Irish permission) from a sunken Spanish Armada vessel at a distance 23 miles from the Irish west coast baselines.
  
3. Explain on what particular bases under the law of the sea the *outer limits* of the Irish continental shelf *may* have been designated outside the 200 mile limit (see map 2 at the end of the paper); and why there may be problems as to submitting such claims in the North Atlantic to the UN Commission on the Limits of the Continental Shelf.
  
4.
  - (a) Analyse the types of jurisdiction which Ireland would gain by converting its present 200 ~~mile~~ fishery zone into a full EEZ;
  - (b) explain why the existing Irish legal regime has been seen as inadequate to tackle the problem of harassment of Irish fishery vessels by foreign vessels outside 12-miles; and, outside the 200 mile limits, of controlling foreign fishing of 'straddling stocks' alongside such Irish limits. Are any Irish legislative changes imminent in either of these two situations?
  
5. Explain the problems of definition of "islands" and "rocks" in Article 121 of the LOSC and why this has been of particular interest to Ireland in the past.
  
6. A vessel without a flag is spotted by the Irish patrol ship *LE Ariadne* proceeding at slow speed in international waters (250 miles from the west Irish coast) and is requested to stop for boarding on "suspicion of drug smuggling". Instead the vessel ignores the request and proceeds at speed into the EEZ of Whiteland where it is finally brought to a stop by the *LE Ariadne* ramming it in the bows. When boarded and searched by the crew of the *LE Ariadne*, the vessel is found to be full of illegal drugs and to be registered in Redland, a party (like Ireland and Whiteland) to UN the Vienna Convention on Trafficking of Drugs. Advise the captain of the *LE Ariadne* on the legal situation.

END

MAP 1



Ireland: Straight baselines



**Figure 8a:** Irish designated areas up to 1977 (courtesy Geographical Survey of Ireland)

