

GX 1700

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

**Semester II Examinations, 2003/2004**

<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 __ Special Paper __</b>	
<b>External Examiner(s)</b>	Professor D. Harris
<b>Internal Examiner(s)</b>	Dr. C.R. Symmons
<b><u>Instructions</u></b>	Answer <b>THREE</b> questions
<b>Duration</b>	<b>TWO</b> Hours.
<b>No. of AnswerBooks</b>	
<b><u>Requirements:</u></b>	
<b>Handout</b>	3
<b>MCQ</b>	
<b>Statistical Tables</b>	
<b>Graph Paper</b>	
<b>Log Graph Paper</b>	
<b>Other Material</b>	Students may consult the <b>Law of the Sea Convention 1982 (LOSC)</b> – copy available from Invigilator. Note that any reference to “miles” in questions relates to nautical miles.
<b>Department(s)</b>	LAW

1. Explain the importance for the development of the law of the sea of the ICJ decision in the *Anglo-Norwegian Fisheries* case (1951); and whether it has led to clear rules in subsequent treaty law as regards the establishment of 'straight baseline' systems along properly-qualifying coastlines.
  
2. Advise the Irish Government on the following situations in relation to law of the sea issues (including possible use of force):-
  - (a) A Blackland-registered vessel, which has picked up "asylum seekers" from a drifting vessel on the high seas, has entered the perimeter of the Irish territorial sea;
  - (b) An unidentified submerged nuclear-powered submarine has been detected cruising 22 miles off the Irish coast and appears to be heading for the Irish territorial sea;
  - (c) A national of Whiteland has reportedly been seriously assaulted by a fellow national on board a Redland-registered cargo ship whilst proceeding from international waters into Dublin Port;
  - (d) It is reported that "bounty-hunters" on board a Blueland-registered vessel are "exploring" a Spanish galleon on the seabed 21 miles from the Irish coast.
  
3. Explain why it might be beneficial to Ireland to convert its present 200-mile "exclusive fishery zone" into an "exclusive economic zone" of the same distance.
  
4. Explain what problems Ireland has, or will have, in establishing a valid claim under the LOSC to its presently-designated continental shelf in the Atlantic region.
  
5. Advise Whiteland on the following issues relative to claiming Maritime zones:-
  - (a) It possesses a natural formation 11 miles from its coastline which only surfaces very occasionally at LAT (lowest astronomical tide);
  - (b) It also possesses a tiny sandbank 30 miles out to sea (which at present is usually above high tide, but is in imminent danger of sinking through erosion) on which it has recently built a wooden platform on stilts to house a small garrison of soldiers.
  
6. Explain how far 'non-flag' jurisdiction applies to vessels suspected of drug trafficking on the high seas or elsewhere at sea; and how recent Irish legislation may have rationalised Irish enforcement in respect of such offences off the Irish coast.

END