

**Centre for Aerospace & Defence Laws (CADL)
DIRECTORATE OF DISTANCE EDUCATION
NALSAR UNIVERSITY OF LAW, HYDERABAD**

M.A. (Maritime Laws)

Advanced Diploma in Maritime Laws

PG Diploma in Advanced Maritime Laws

Academic Year: 2022-2023

First Semester - End Semester Examination (January, 2023)

Paper II - 1.1.2. International Maritime Laws

Duration of the Examination: 2 ½ hours

Total Marks : 70 marks

INSTRUCTIONS TO CANDIDATES

- a) Read the instructions carefully and adhere to the same.
 - b) Please mention your DDE ID No., date of the exam, name of the programme & subject on the Answer Sheet and the Additional Answer Sheets, if any.
 - c) The questions to be interpreted as given and no clarification can be sought from the Invigilator.
 - d) Clearly indicate the question numbers while answering them. Answers without question numbers / wrong question numbers will not be evaluated.
 - e) Write the answers clearly and neatly. Answers in illegible handwriting will not be taken into consideration.
 - f) Candidates are prohibited to carry phones or any other electronic devices, books, material etc. in the Examination Hall.
 - g) Copying is strictly prohibited and is considered as a serious academic misconduct and the University will take action as it deems fit.
-

Section – A

Answer FIVE questions out of SEVEN questions and each question carries 10 marks. (5 x 10 marks = 50 marks)

1. Explain the Difference between Hard Law sources and Soft Law Sources; Primary Sources and Secondary Sources; and Formal Sources and Material Sources. Critically examine the various Sources of International Law in the Development of Modern International Law, with the help of Relevant Case Law.

2. Define International Maritime Law. *'The trends of law-making in the law of the sea reflect wider changes in the international legal system itself ...'* Highlight the differences between codification and progressive development of international law. Critically examine the role played by the league of Nations and the United Nations in the development of modern international maritime laws.
3. *'The importance of international co-operation in shipping has been recognized for centuries'*- Why was the International Maritime Organization (IMO) founded? Explain the role and the functions performed by the International Maritime Organization.
4. *'Treaties have been classified on the basis of many principles'*- Define treaty. *'The importance of international treaties in shipping has been recognized for centuries, and has long been manifested in maritime traditions'*- Critically examine the significance of any three of the maritime treaties in the development of international maritime treaty.
5. *'The Convention establishes a regime of liability for damage suffered by passengers carried on a seagoing vessel'*.- Briefly discuss the Death of or personal injury to a passenger' and the 'opt out clause' of the 2002 protocol of the Athens Convention relating to The Carriage of Passengers and their Luggage By Sea (PAL). Which Convention is known as the London Convention and how has it addressed the issue of dumping?
6. *'The nature of the relationship between a state and a vessel over which it has jurisdiction has been widely discussed since the ship is just a movable asset'*- How would you describe the concept of ship's nationality in the light of this statement? Explain the concept of Flag State Liability under United Nations Convention on the Law of the Sea (UNCLOS).
7. Explain the ***'rebus sic stantibus doctrine'*** with the help of examples and case studies. In the absence of a Force Majeure Clause, parties may rely on the doctrine of frustration in respect of the Corona Virus outbreak- How has the doctrine of frustration come into play during the Covid-19 pandemic?

Section – B

Answer FOUR questions out of SIX questions and each question carries 05 marks. (4 x 5 marks = 20 marks)

- A. Maritime Labour Convention 2006
- B. Compliance and Enforcement of International Labour Law
- C. The Nicaragua Case (Nicaragua vs. USA)
- D. Role of Port, Coastal and Flag States in the IMO Law-Making Process
- E. International Convention on Oil Pollution Preparedness, Response and Co-Operation (OPRC)
- F. Human Rights Violations at Sea and Covid-19