

**PROTECTING TURTLES: A CRY FOR A BETTER AND UNIFORM LAW
IN MALAYSIA**

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"The students or authors confirm that the work submitted is their own and that appropriate credit has been given where reference has been made to the work of others"

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ABSTRACT

Turtles are currently on the brink of extinction. The heart of this research is a hope for a better future for turtle's species. According to the International Union for Conservation of Nature (IUCN) Red List of Threatened Species, 24 turtle species worldwide are currently critically endangered¹. Furthermore, all four marine turtles in Malaysia are in near of extinction as they are classified as either endangered or critically endangered species . This strengthens the need for a research which focuses entirely on the current situations regarding the marine turtles in Malaysia. There are many causes that contribute towards the extinction of turtles in Malaysia. However, the main causes known are the non-uniformity of the laws regarding turtles in Malaysia, and the lack of enforcement with the current law regarding turtles within states across Malaysia. Hence, the main purpose for the research to be done is to investigate the current defects of the laws regarding turtles in Malaysia and to suggest some recommendations that could aid in protecting and preserving the turtles in Malaysia. It is hope that by providing the relevant information on the current situations regarding turtles in Malaysia and suggestions in dealing with the defects of the current laws regarding turtles in Malaysia, this research could open up possibilities for a better future of marine turtles in Malaysia.

¹ Gillespie, A. (2006). The slow swim from extinction: Saving turtles in the South Pacific. *The IntemationalJournal of Marine and Coastal Law*. 21(1):57-82. doi:10.1163/157180806776639484

" Malaysian Sea Turtle Species, (n.d). Retrieved from <http://www.malaysia-wildlife-and-nature.com/sea-turtle-species.html> on April 1, 2014

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