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STUDY



PUBLIC AWARENESS TOWARDS  
MALAYSIAN AIRSPACE SOVEREIGNTY AND SECURITY

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# CHAPTER 1

## INTRODUCTION

### 1.1 Background of the Study

The issues of airspace sovereignty and security lies at the very heart of international aviation and national security forces. However, public also need to know the subjects in order to make them aware with the national sovereignty.

Sovereignty, in political theory, the ultimate overseer, or authority, in the decision-making process of the state and in the maintenance of order. The concept of sovereignty—one of the most controversial ideas in political science and international law—is closely related to the difficult concepts of state and government and of independence and democracy. Derived from the Latin term *superanus* through the French term *souveraineté*, sovereignty was originally meant to be the equivalent of supreme power. ([www.britannica.com](http://www.britannica.com))

According to LCDR. Emory C. Smith, USN (1949), sovereignty refers to the same distinction between a right of sovereignty over a particular area and a right to exercise a protective jurisdiction as has been applied hereinbefore with respect to waters within and without the national domain. The general rule of international law as stated by Professor Hackworth, *Digest of International Law*, volume IV, page 358, reads as follows: Multilateral conventions and bilateral conventions and agreements are now based upon the assumption that the State has exclusive sovereignty in the airspace over its territory and territorial waters.

According to S. Morrison (1963), security refers to conservation of the resources of the continental shelf and its waters, and protection from pollution, many states have extended limited aspects of their sovereignty seaward. Since 1950, this trend has included unilateral assertions by an increasing number of states of a limited right to control the airspace

## CHAPTER 2

### LITERATURE REVIEW

#### 2.1 Definition

There are several definitions of airspace, sovereignty and security determined by several author in term of standard understandable.

##### 2.1.1 Sovereignty

According to Civil Air Navigation Services Organization (CANSO) State Sovereignty is a fundamental principle of international law. However, the term is very often use in political sense, with differing interpretation depending on context and intention. The notion of sovereignty is dynamic, evolving with the development of the global institutional environment. In aviation sovereignty refers to the ownership of airspace. In other words, to the exclusive competence of a State to exercise it's legislative, administrative and judicial power within its national airspace.

Sovereignty has been defined as the "supreme, absolute, and uncontrollable power by which any independent state is governed. Such governmental powers are, under the United States Constitution, distributed between the Federal and State Governments. That document is usually construed as retaining sovereign power of self-government in the States, or in the people, except for specified grants of power, expressly or impliedly, delegated to the Federal Government. There was thus established a dual form of sovereignty with the States considered to be sovereign or quasi-sovereign in character, retaining those powers not surrendered to the Federal Government by the Constitution, and the Federal Government sovereign in those rights which it holds under the Constitution.

If the airspace is Federal domain, the Federal Government has exclusive legislative powers therein, but if the airspace is part of a State's domain, then the sovereignty

### **3.5 Measurement**

The assessment of the respondents' knowledge and awareness level towards airspace sovereignty and security and relationship between awareness factors with demographic characteristics.

### **3.6 Data collection**

The data will be collected through personal interviews and questionnaires. There are two types of which will be used in order to obtain the information in this study.

Firstly is by using primary data that are directly obtained from 150 respondents. The primary data collection is from the questionnaires which will be distribute to 50 flyers at Kuala Lumpur International Airport, 50 flyers at Kuala Lumpur International Airport 2 and 50 flyers at Kuching International Airport. The questionnaires consist of close question and it's been design in Likert scale and it also has open ended question. There are two sections in the questionnaires.

Section A consists of 5 questions that determine the respondents personal information comprise of gender, age, nationality, occupation and categories of flyers.

Section B consists of 21 questions that determine the level of knowledge of publics towards airspace sovereignty and security in Malaysia.

There are 5 scale used to indicate the objective of the study: 1. Strongly Disagree, 2. Disagree, 3. Neutral, 4. Agree and 5. Strongly Agree.

Secondly, the information will be gathering from the secondary data. The secondary data used in order to gather information about the definition and brief explanation of airspace