

UNIVERSITI TEKNOLOGI MARA
FACULTY OF ADMINISTRATIVE SCIENCE AND POLICY
STUDY



PUBLIC AWARENESS TOWARDS
MALAYSIAN AIRSPACE SOVEREIGNTY AND SECURITY

AKMA SHAFIZAH BINTI MAT SHOHOR

2012350451

HAFIZA BINTI JAMALUDIN

2012590663

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ABSTRACT

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 and patriotism. This study focuses on the relationship between awareness factors with demographic characteristics and level of public awareness towards the airspace sovereignty and security in Malaysia. 150 sets of questionnaires were distributed to the flyers at three selected Malaysia International Airport. The findings shows that most of the respondents have no clear knowledge and awareness on sovereignty of national airspace. They also did not expose to the Airspace Defence Identification Zone (ADIZ). Thus, most of the respondents did not aware about sovereignty and security of national airspace. Due to the incident of MH370 most of the respondents agree that their interest to know about airspace increase. Therefore, one of the significant recommendation to make public aware with the airspace sovereignty and security is exposure by media especially alternatives medias.

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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)

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 herein before 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