

# **CHALLENGES IN PROSECUTING HIGH SEA PIRACY UNDER MALAYSIAN LAW**

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Submitted in Partial Fulfilment of the Requirement  
for the Bachelor in Legal Studies (Hons)

**Universiti Teknologi MARA  
Faculty of Law**

December 2011

The students/authors confirm the work submitted is their own and the appropriate  
credit given where reference has made to the work of others.

## **ABSTRACT**

From literature review as well as the background of this concept paper, it is apparent that the question on the challenges in prosecuting high seas piracy in Malaysia can be effectively addressed by carefully examining the strength and the weakness of the Malaysian Law. This needs to be done in order to identify the gaps that need to be filled on the absence of specific legislation to prosecute high seas piracy under Malaysian law. Besides that, there are a lot of other challenges faced by Malaysian government to prosecute high seas piracy in Malaysia.

Hence, these challenges can be overcome if Malaysia to enact a new law or amend existing law to include proviso on high seas piracy, in order to do that, the Parliament has to pass an Act, adapted provisions under United Nation Convention Law of the Sea (UNCLOS 1982) especially on piracy. The cooperation with adjacent states is also needed in order to maintain the safety of the territorial waters as well as the high seas.

## **ACKNOWLEDGEMENT**

First and foremost, we would like to offer our greatest gratitude to our lovely lecturer PM Dr Rohani Mohd Shah for her encouragement, supervision, and support from the preliminary to the concluding level of our project paper in order for us to develop an understanding of the subject and for her knowledge and guidance in helping us to complete this project paper. We would also like to thank all our families and friends for their endless love and encouragement in the making of this project paper.

Lastly, we offer our regards and blessings to all of those who supported us in any respect during the completion of the project paper.

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