

# **BACKGROUND** **GUIDE**

**MUKAT PUBLIC SCHOOL  
MODEL UNITE NATIONS**

**UNITED NATIONS  
SECURITY COUNCIL**

**AGENDA: DISCUSSION ON  
THE DISPUTE OF THE  
COUNTRIES WRANGLING  
CLAIMS OVER THE SOUTH  
CHINA SEA REGION**

# **LETTER FROM THE** **EXECUTIVE BOARD**

I, Nipun Jain take immense pleasure in serving as the President for the United Nations Security Council to be simulated at the Mukat Public School Model United Nations. It is an absolute honor to be a part of a conference, which is going to change the thinking pattern and the future of young students of Rajpura and neighboring cities. The agenda to be discussed in the committee is set as:

## **DISCUSSION ON THE DISPUTE OF THE COUNTRIES WRANGLING CLAIMS OVER THE SOUTH CHINA SEA TERRITORY.**

A topic, which is intensely deliberated in the United Nations. My only hope is that everyone is well researched and well prepared for the

conference. Considering that this is a very heated topic so substantive intervention from the executive board would be a necessity. **Speeches shall be orated in English only. Use of electronic devices and paper is recommended for the delegates. The use of Internet during a formal session would not be appreciated. Derogatory language could lead to disqualification from the session. Refer to this background guide as a helping guide for your research and not for your speeches. Refer to research websites such as:**

- 1. REUTERS**
- 2. BBC**
- 3. UN REPORTS**
- 4. OFFICIAL GOVERNMENT SITES**

I hope that this conference is helpful and productive for all the Delegates. Hope to see you at the conference. You can ask your doubts and clarifications on this mail id: **nipunjain008@gmail.com**

Regards,  
Nipun Jain  
President – UNSC

# South East And China Sea

The South China Sea is a marginal sea that is part of the Pacific Ocean, encompassing an area from the Karimata and Malacca Straits to the Strait of Taiwan. The area's importance largely results from one-third of the world's shipping sailing through its waters and that it is believed to hold huge oil and gas reserves beneath its seabed.

The minute South China Sea Islands, collectively an archipelago, number in the hundreds. The sea and its mostly uninhabited islands are subject to competing claims of sovereignty by several countries. These claims are also reflected in the variety of names used for the islands and the sea. States and territories with borders on the sea (clockwise from north) include: the People's Republic of China (including Macau and Hong Kong), the Republic of China (Taiwan), the Philippines, Malaysia, Brunei, Indonesia, Singapore, and Vietnam. Major rivers that flow into the South

China Sea include the Pearl, Min, Jiulong, Red, Mekong, Rajang, Pahang, Pampanga, and Pasig Rivers. □

**The East China Sea** is a marginal sea east of China. To the east lie the Japanese islands of Kyushu and the Ryukyu Islands, to the south lies the South China Sea, and to the west by the Asian continent. The sea connects with the Sea of Japan through the Korea Strait and opens to the north into the Yellow Sea. The sovereign states, which border the sea, include South Korea, Japan, the Republic of China (Taiwan) and the People's Republic of China. In the nineteenth century, the sea was known as Mer de Corée (Sea of Korea).

The South China Sea contains over 250 small islands, atolls, cays, shoals, reefs, and sandbars, most of which have no indigenous people, many of which are naturally under water at high tide, and some of which are permanently submerged.

# **TERRITORIAL CLAIMS-** **TYPES OF DISPUTES** **(IMPORTANT)**

The South China Sea disputes involve both island and maritime claims among several sovereign states within the region, namely Brunei, the People's Republic of China, the Republic of China, Malaysia, the Philippines, and Vietnam. Non-claimants want the South China Sea to remain as international waters, with the United States conducting "freedom of navigation" operations. There are disputes concerning both the Spratly and the Paracel islands, as well as maritime, areas near to sea, boundaries in the Gulf of Tonkin and elsewhere. There is a further dispute in the waters near the Indonesian Natuna Islands. The interests of different nations include acquiring fishing areas around the two archipelagos; the potential exploitation of crude oil and natural gas under the waters of various parts of the South China Sea, and the strategic control of important shipping lanes.

There have been two factors that constitute the maritime boundary disputes in the SCS: (i) the progressive development and codification of the law

of the sea which prompted states in the region to unilaterally claim their maritime areas; (ii) the geographical circumstances in the region does not allow coastal States to establish maritime jurisdiction to the maximum possible extent as recognized by the law of the sea without overlapping with others. Therefore, the following areas in the SCS were identified by Ramses Amer as overlapping maritime areas among countries in the region that need to be delimited between and among

States concerned:

- In the north western part of the SCS, the Philippines and Taiwan have overlapping claims to the exclusive economic zone and the continental shelf areas to the north of the Philippines and to the South of Taiwan.

- In the Gulf of Tonkin, Vietnam and the People's Republic of China have overlapping claims to the exclusive economic zone and continental shelf.

Brunei and Malaysia have overlapping claims to the exclusive economic zone and continental shelf areas off the coast of Brunei and Sarawak.

- **The nine-dash line** area claimed by the Republic of China, later People's Republic of China which covers most of the South China sea and overlaps Exclusive

Economic Zone claims of Brunei, Indonesia, Malaysia, the Philippines, Taiwan, and Vietnam. Singapore has reiterated that it is not a claimant state in the South China Sea dispute and therefore allows Singapore to play a neutral role in being a constructive conduit for dialogue among the claimant states.

## **POTENTIAL OF SOUTH CHINA SEA**

One of the reasons as to why the South China Sea is a zone of contention is because of the rich resource base that it contains. The area may be rich in oil and natural gas deposits; however, the estimates are highly varied. In the years following the announcement by the ministry, the claims regarding the South China Sea islands intensified. However, other sources claim that the proven reserve of oil in the South China Sea may only be 7.5 billion barrels, or about 1.1 billion tons. According to the US Energy Information Administration (EIA)'s profile of the South China Sea region, a US Geological Survey estimate puts the region's discovered and undiscovered oil reserves at 11 billion barrels, as opposed to a Chinese figure of 125 billion barrels. The South China Sea is dubbed by China as the "second Persian Sea. The Philippines began exploring the areas west of Palawan for oil in 1970. Exploration in the



area began in Reed Bank/Table mount. In 1976, gas was discovered following the drilling of a well. However, China's complaints halted the exploration.

On 27 March 1984, the first Philippine oil company discovered an oil field off Palawan, which is an island province bordering the South China Sea and the Sulu Sea. These oil fields supply 15% of annual oil consumption in the Philippines.

The nine-dotted line was originally an "eleven-dotted-line," first indicated by the then Kuomintang government of the Republic of China in 1947, for its claims to the South China Sea. After, the Communist Party of China took over mainland China and formed the People's Republic of China in 1949. The line was adopted and revised to nine as endorsed by Zhou Enlai. The legacy of the nine-dotted line is viewed by some Chinese government officials, and by the Chinese military, as providing historical support for their claims to the South China Sea.

In the 1970s, however, the Philippines, Malaysia and other countries began referring to the Spratly Islands as included in their own territory.

## **POLICY OPTIONS**

Thousands of vessels, from fishing boats to coastal patrols and naval ships, ply the East and South China Sea waters. Increased use of the contested waters by China and its neighbors heighten the risk

that miscalculations by sea captains or political leaders could trigger an armed conflict, which the United States could be drawn into through its military commitments to allies Japan and the Philippines. Policy experts believe that a crisis management system for the region is crucial. The possible preventive measures that could be taken are:

### **Resource Sharing**

Claimants in both the South China Sea and East China Sea could cooperate on the development of resources (PDF), including fisheries, petroleum, and gas. A resource-sharing agreement could include bilateral patrolling mechanisms, which would deter potential sources of conflict like illegal fishing and skirmishes arising from oil and gas exploration. More collaboration in the mold of joint fishery deals like those between China and Vietnam and Japan and Taiwan could mitigate risk by sharing economic benefits.

### **Building a Multilateral Framework**

The development of a multilateral, binding code of conduct between China and ASEAN countries is often cited as a way of easing territorial disputes in the South China Sea. The parties have already agreed upon multilateral risk reduction and confidence-building measures in the 2002 Declaration on the Conduct of Parties in the South China Sea, but none have adhered to its provisions or implemented its trust-building proposals. While China has historically preferred to handle all disputes bilaterally, ongoing consultations between Beijing and ASEAN still hold some promise for reinvigorating a multilateral

framework toward greater cooperation and conflict resolution. However, given differences among ASEAN members vis-à-vis China and China's preference to settle matters bilaterally, it is uncertain whether progress can be made.

## **International Arbitration**

Bringing territorial disputes to an international legal body presents another means of conflict mitigation. The International Court of Justice and the International Tribunal for the Law of the Sea are two forums where claimants can file submissions for settlement. In July 2013, a UN tribunal was convened in The Hague to discuss an arbitration filed by the Philippine government contesting the legality of China's territorial claims in the South China Sea. The court ruled in October 2015 that it has jurisdiction to hear some of the claims filed against China, and a ruling is pending. An outside organization or mediator could also be called upon to resolve the disagreement, although the prospect for success in these cases is slim given China's likely opposition.

## **Diplomatic**

Escalatory actions would likely trigger ramped up diplomacy. The United States could initially serve in a mediation role in the event of crisis erupting in either sea. In the South China Sea, mediation could also come from ASEAN or a trusted, neutral actor within the region like Singapore. Parties could also call for an emergency session of the UN Security Council to negotiate a cease-fire, although China's permanent seat on the Council

could limit the effectiveness of this option. In the East China Sea, bilateral management of the dispute is the likely first option, with Beijing and Tokyo sitting down to negotiate a common guideline for handling the conflict and preventing its escalation. Chinese and Japanese officials made a breakthrough to ease tension in November 2014, issuing a joint four-point outline to improve Beijing-Tokyo relations.

## **Military**

If confrontation were to involve Japan in the East China Sea or the Philippines in the South China Sea, the United States would be obligated to consider military action under defense treaties. Experts note that Washington's defense commitments to Tokyo are stronger than those to Manila. Under its treaty obligations, the United States would have to defend Japan in the case of an armed attack; the U.S.-Philippine treaty holds both nations accountable for mutual support in the event of an "armed attack in the Pacific Area on either of the Parties." Military action would represent a last resort, and would depend on the scale and circumstances of the escalation. In the event of armed conflict breaking out between China and Japan, the United States could also use crisis communication mechanisms outlined in the U.S.-China Military Maritime Consultative Agreement (PDF) to encourage a stand-down of forces and facilitate communication between

Tokyo and Beijing. Verbal declarations that communicate the seriousness of the dispute and convey support for an ally, as well as offers of military assistance, can also serve as essential “coercive de-escalation” measures during a crisis.

In the South China Sea, Washington has protested against Beijing’s extensive land reclamation efforts, warning that island development and a military buildup could lead to regional conflict. The U.S. military deployed surveillance aircraft over the Chinese-built artificial islands in 2015 and sent warships to sail within 12 nautical miles of disputed features in the Paracel and Spratly island chains to emphasize the importance of freedom of navigation in the contested waters. These operations, intended to challenge China’s maritime claims, are expected to expand in scope and have received support from U.S. regional allies.

### **Relevant Links:**

1. [http://www.businessinsider.com/tensions-in-the-south-china-sea-explained-in-18-maps-2015- 1?IR=T](http://www.businessinsider.com/tensions-in-the-south-china-sea-explained-in-18-maps-2015-1?IR=T)

2. <http://www.lowyinstitute.org/issues/south-china-sea>

3. <http://gadebate.un.org/70/china#>

4.

<http://www.thehyderabadconference.com/wp-content/uploads/2016/04/BG-UNGA.pdf> 5.

[https://en.wikipedia.org/wiki/Fisheries\\_case](https://en.wikipedia.org/wiki/Fisheries_case)

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[https://en.wikipedia.org/wiki/Nicaragua\\_v.\\_United\\_States](https://en.wikipedia.org/wiki/Nicaragua_v._United_States)

For and queries or any sort of guidelines, kindly contact me through this mail id –

[nipunjain008@gmail.com](mailto:nipunjain008@gmail.com)

I hope this guide helps you and I hope to see you all at the conference

Regards,

Nipun Jain

(President)

