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SECRETARIAT GENERAL...WILLIAM WALSH, BRYAN SOLER
CRISIS DIRECTOR.....DANIEL TREVAL



SECURITY COUNCIL

TOPIC A: TERRITORIAL DISPUTES IN THE SOUTH CHINA SEA
TOPIC B: ECONOMIC AND MILITARISTIC IMPLICATIONS

CHAIR.....THOMAS SCHULTZ
CO-CHAIRJARRET CHAMBERS

Letter From the Dais

Dear Delegates,

Welcome to the Fifth Annual Christian Brother's Academy Model United Nations! My name is Tom Schultz and I am a sophomore here at Christian Brother's Academy. I have participated in all five of the CBA Middle School Model United Nations Conferences as both a delegate during my time in middle school, and now as a chair. I hope this will be a fun and memorable learning experience for all those involved. For many of you, this will be your first (and hopefully not last) conference so please do not hesitate to ask for help if you do not understand something. I have provided my email below.

The Security Council has the primary responsibility of maintaining international peace and security. Because of this, it is the only organ of the United Nations able to deploy peacekeeping forces or impose sanctions. It is composed of 15 members and each has one vote, although the 5 permanent members (United States, Russia, China, France, and the UK) all have the added power to veto resolutions passed by the Security Council. The other 10 members are elected to serve 2 year terms.

Sincerely,

Tom Schultz

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Background Information

Introduction

Territorial and Jurisdictional disputes in the South China Sea continue to be a major risk for world security and stability. Natural Resources such as oil and natural gas, along with major sea lanes, make this area heavily disputed. In 2002, ASEAN (Association of Southeast Asian Countries) members signed the *Declaration on the Conduct of Parties in the South China Sea*. This declaration stated that member states would resolve their disputes without force. Despite this, states continue to remain on the brink of conflict.

The South China Sea: The New Middle East?

Historically, the Middle East has been the center of trade routes throughout the world. It is estimated that 60% of maritime trade passes through Asia, with the South China Sea carrying an estimated $\frac{1}{3}$ of global shipping.¹ The Strait of Malacca connects the SCS with the Pacific and Indian oceans. The economic security of many countries is closely tied with the South China Sea, especially China. Also similarly to the Middle East, the SCS has large deposits of untapped oil and natural gas. It is estimated that there are 11 billion barrels of oil in the SCS. Saudi Arabia has 268 billion barrels of oil and Iraq has 144 billion.² China has recently threatened Vietnam and the Philippines for drilling operations in the SCS.³ Disputes or closures of major shipping lanes would be devastating for the world economy and would add enormous shipping costs.

¹ "How much trade transits the South China Sea?" ChinaPower Project, 2017, <https://chinapower.csis.org/much-trade-transits-south-china-sea/>.

² Pike, John. "South China Sea Oil and Gas." South China Sea Oil and Natural Gas. Accessed September 08, 2017. <https://www.globalsecurity.org/military/world/war/spratly-oil.htm>.

³ Steve Mollman, "The South China Sea's untapped oil and natural gas are back in focus," Quartz, July 25, 2017, , accessed September 08, 2017, <https://qz.com/1037896/south-china-seas-untapped-oil-and-natural-gas-back-in-focus/>.

Nine Dash Line

The Nine Dash Line is considered to be the origin of the South China Sea conflict. In 1947, the People's Republic of China published a map with eleven dashes covering a large majority of the SCS. Two years later, the map was changed to nine dashes because the Gulf of Tonkin was given to Vietnam. In 2009, China cited this map and requested the Secretary General of the United Nations circulate the following message to all UN member states: "China has indisputable sovereignty over the islands in the South China Sea and the adjacent waters, and enjoys sovereign rights and jurisdiction over the relevant waters as well as the seabed and subsoil thereof. The above position is consistently held by the Chinese government, and is widely known by the international community." Two years later, China requested the first sentence of the previous note be recirculated and added "China's sovereignty and related rights and jurisdiction in the South China Sea are supported by abundant historical and legal evidence."⁴

In 1996, China signed the United Nations Convention of the Law of the Sea (UNCLOS) which states nations have an Exclusive Economic Zone (EEZ) that extends 200 miles outward from a nation's shores. China's Nine Dash Line infringes on many other countries EEZ



zones, including the Philippines, Brunei, Malaysia, Vietnam, and Indonesia.

⁴ United States Department of State (2014). *Maritime Claims in the South China Sea*.

Because of the resources in the South China Sea, which include natural gas and oil, along with the many fishing operations in the SCS. Even nations with no territorial claims are worried by China's growing naval presence, as their aggressive posture threatens the shipping routes which lay in their ever expanding reach.

South China Sea Arbitration

The Philippines and China have disputes over fuel deposits in the Reed Bank and the Spratly islands. In 2013, the Philippines initiated arbitration with Permanent Court of Arbitration in the Hague, an intergovernmental organization that offers tribunal to resolve disputes between member states. China refused to participate in the arbitration and the court ruled in favor of the Philippines' claim to the Reed Bank(which is believed to hold huge oil and gas reserves), which China refused to accept. At the court, the Philippines claimed that the Nine Dash Line violated their UNCLOS regarding Exclusive Economic Zones (EEZ). Recently, the Philippines President Rodrigo Duterte said that the "Philippines does not want to confront China on the South China Sea issue and on the contrary it wishes to have trust in and be friendly to each other."⁵

The Spratly Islands

The Spratly islands, which lie between the Philippines and Vietnam, consist of hundreds of islands and reefs. China, the Philippines, Vietnam, Taiwan, Malaysia, and Brunei all claim in the islands in whole or in part. Brunei and Malaysia both claim a portion of the Spratly islands as they fall within their EEZ. Both The People's Republic of China, as well as Taiwan, claim all the Spratly islands

⁵ News.xinhuanet.com. (2017). *Duterte says satisfied with Philippines-China relations - Xinhua*

based on their history in the region. The Philippines claim the Spratlys on the basis that they lie within their EEZ. Vietnam believes they have ownership of the islands due to the fact they have occupied the Spratly islands since the 17th century⁶, when they were not controlled by any state. Vietnam also disputes China's claim to the islands because the islands are not listed under the Cairo Declaration, a list of territories Japan were required to return to China after World War Two. Is a country's history basis for a territorial claim?



Paracel Islands

After the Sino-French war in 1885, France recognized the Paracel and Spratly islands as Chinese territories. In exchange, China would recognize Vietnam as a French territory. In 1941, Japan made the islands part of the Japanese Empire. In 1949, the Chinese regained partial control of the Paracels. The other part was taken over by French Indochina, and then controlled by Vietnam following their independence from France. The Paracels lie within both the Chinese and Vietnamese Exclusive Economic Zones (EEZ). In 1974, Vietnam and China engaged in land and naval battles over the island. China was the victor of the battle and has fully controlled the Paracels since then.

⁶ Dzurek, D. (1996). *The Spratly Islands Dispute: Who's on First?*.

Scarborough Shoal

The Scarborough Shoal is stretch of reefs and rocks lying within the Philippine Exclusive Economic Zone. Rich with marine life, it is a major fishing location for Filipino, Chinese, and Vietnamese fisherman. China bases its claim to the shoal on the fact that it lies within their self-proclaimed Nine Dash Line and the island's history with China. As well as the People's Republic of China, Taiwan and the Philippians claim the shoal.



Conflicts in the Region and Growing Militarization

Due to the many territorial disputes, there have been several incidents in the South China Sea in recent years. The Haiyang Shiyou 981 standoff in 2014 involved Vietnamese and Chinese ships ramming and spraying water at each other. The conflict was the result of China moving an oil rig to the south of Paracel islands. Another recent incident is the Scarborough Shoal standoff, where the Philippine navy caught Chinese fisherman illegally fishing. When the Philippine navy attempted to arrest the fishermen, they were blocked by a Chinese maritime surveillance ship. After a tense standoff, hackers from China defaced several Filipino government websites. In April 2001, a

Chinese fighter plane collided with a US Navy reconnaissance plane. It resulted in the crash of the Chinese plane, and two dozen US crew members were arrested and held for 11 days.⁷



According to imagery released by the Washington Based Center for Strategic and International studies, China is rapidly constructing artificial islands in the SCS. On top of these islands, there are ports and runways for planes. The construction allows China to deploy dozens of fighter jets throughout the SCS. A spokesperson for China argues their “deepening military reforms and the military buildup are aimed at maintaining sovereignty, security and territorial integrity, and guaranteeing China's peaceful development.”⁸

The US and China: Freedom of Navigation

The United States Freedom of Navigation program challenges territorial claims in the world’s oceans in an effort to insist all nations must follow the international law of the sea. Codified in the United Nations Convention on the Law of the Sea (UNCLOS), ships flying the flag of any sovereign ship shall not suffer interference from other states.

⁷ Zappone, C. (2017). *Videos, details on South China Sea incidents - biggest to date*. [online] The Sydney Morning Herald. Available at: <http://www.smh.com.au/world/south-china-sea-disputes-the-biggest-incidents-20150604-ghh9jp.html>

⁸ Cohen, Z. (2017). *Photos reveal growth of China military bases*. [online] CNN. Available at: <http://www.cnn.com/2016/05/13/politics/china-military-south-china-sea-report/index.html>

The United States use Freedom of Navigation for intelligence and surveillance. The United States Department of State wrote in 2016: “The United States will not, however, acquiesce in unilateral acts of other states designed to restrict the rights and freedoms of the international community in navigation and overflight and other related high seas uses. The FON Program since 1979 has highlighted the navigation provisions of the LOS Convention to further the recognition of the vital national need to protect maritime rights throughout the world.... stressing the need for and obligation of all States to adhere to the customary international law rules and practices reflected in the LOS Convention.”⁹ The position of the United States is met with controversy due to them not actually ratifying, only signing, UNCLOS. In 2014, the *China Youth Daily* called the American program an infringement of China's "rights" to "reclaim" the South China Sea.¹⁰ In 2015, US Naval ships began patrolling near artificial Chinese islands near the Spratly archipelago. Many believe China has attempted to restrict Freedom of Navigation in the South China Sea.

Country Portfolios

Philippines

- The Philippines need to consider which is more important: maintaining control over all of their territory, or pleasing an emerging regional power to possibly foster better relations? How will this affect their recently rocky (Duterte!) relationship with the lone remaining superpower and past colonizer?

China

- China considers the entirety of the South China Sea as part of its *historical* territory. They continue militarizing the region in the name of “national defense.” However, China should be very hesitant regarding further escalation, as the sea is vital for international trade and therefore their export-based economy.

⁹ Maritime Security and Navigation .” U.S. Department of State, U.S. Department of State, www.state.gov/e/oes/ocns/opa/maritimesecurity/. Accessed 10 Sept. 2017.

¹⁰ Library, W. (2017). *Freedom of navigation* | *World eBook Library*

United States

- The United State's role in the South China Sea is growing. They continue to assert their right to Freedom of Navigation. Recently, the United States Secretary of State stated "We're going to have to send China a clear signal that first, the island-building stops, and second, your access to those islands also not going to be allowed." The United States has numerous military bases scattered throughout Japan, South Korea, and Oceania in the region. Of non-asian countries, the United States has the second largest value of trade passing through the SCS.

Vietnam

- Vietnam claims the Spratly and Paracel archipelagos. They continue to express their support for a peaceful and diplomatic resolution. Since 2015, Vietnamese and Chinese relations have greatly improved and Vietnam continues to be a close ally to the Philippines.

Australia

- The main priority of Australia is maintaining their maritime security interests. Australian diplomacy should be centered around urging China to freeze it's militarization of it's artificial islands. They have declined US offers to join Freedom of Navigation patrols in the SCS.

Brunei

- As a small, yet wealthy nation, Brunei must be cautious when it comes to issues regarding the South China Sea. They give ASEAN their highest priority in foreign relations, and are especially friendly with the Philippines, Indonesia, and Malaysia. An Islamic country, Brunei has close ties with the Arab world.

Egypt

- Egypt maintains their position that South China Sea issues through friendly dialogue and negotiation. In 2016, Egypt made a statement affirming their support for working with China on the agenda of the Security Council, particularly on the Palestine issue.

France

- France announced its intention for a "regular and visible presence"¹¹ in the South China Sea and to coordinate Freedom of Navigation in the South China Sea with other European Union members. Like most EU members, they have important trade interests in the South China Sea.

Indonesia

- Though not a claimant to disputed territory in the South China Sea, China's Nine Dash Line does overlap the Indonesian Exclusive Economic Zone. The current Indonesian President has called for cooperation, even though Indonesia has made plans to deploy extra naval warships, fighter jets, and missiles in the SCS area.

¹¹ Chen, Yo-Jung. "South China Sea: The French Are Coming." *The Diplomat*, The Diplomat, 14 July 2016, thediplomat.com/2016/07/south-china-sea-the-french-are-coming/.

Malaysia

- Malaysia has several interests in the South China Sea, such as claims to land in the Spratly islands. Malaysia derives most of their gas from the SCS, and is Southeast Asia's second largest oil and natural gas producer. Malaysia should not take a hard stance against China due to their economic reliance on Chinese trade and investment.

Italy

- Italy was one of the EU nations who voiced support for the ruling of the Court of Arbitration in the Hague to be binding. The country's President expressed Italian support for continued Freedom of Navigation.

Russia

- Russia has little at stake in the South China Sea, economically and politically. In regards to the SCS, Russia has said they don't take sides in sovereignty issues, supports a diplomatic solution, adherence to International Law such as UNCLOS, and opposition to external interference in the matter. At a G20 Summit in 2016, Russian President Vladimir Putin stated support for Chinese defiance of Arbitration (most likely because he fears a similar case will be brought up against Russia soon due to waters surrounding Crimea).

Sweden

- Sweden publicly supported the Arbitration proceeding as binding. European countries rely on the South China Sea for trade. They should seek a peaceful and diplomatic resolution.

United Kingdom

- The United Kingdom supports Freedom of Navigation patrols and Freedom of Overflight in the South China Sea. In 2017, the UK promised to send a naval deployment to challenge China's claims.

Venezuela

- China is a close ally to Venezuela, and China is their second largest trade partner. Venezuela is the biggest Chinese investment destination in Latin America.

Questions to Consider

1. What is at stake for the numerous countries involved in the the territorial disputes?
2. Is armed conflict imminent? What can be done to prevent it?
3. Should action be taken to remove weapons from these man-made islands?
4. What is the significance of the South China Sea to each country involved, should countries outside of Asia be concerned?
5. What would the economic effects be if maritime trade were to be halted or limited?
6. What is at stake for your country here?

Useful Resources / Further Reading

Please take the time to further your understanding of the topics by reading the following sources, and most importantly **doing your own independent research.**

<https://www.crisisgroup.org/asia/south-east-asia/south-china-sea/stirring-south-china-sea-i>

https://www.cfr.org/interactives/chinas-maritime-disputes?cid=otr-marketing_use-china_sea_InfoGuide#!/chinas-maritime-disputes?cid=otr-marketing_use-china_sea_InfoGuide

<https://www.cfr.org/interactives/global-conflict-tracker#!/conflict/territorial-disputes-in-the-south-china-sea>

https://www.swp-berlin.org/fileadmin/contents/products/projekt_papiere/BCAS2013_Su_Hao.p

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