

# UNGA-DISEC STUDY GUIDE



## AGENDA

Deliberation on the territorial disputes in the South China Sea with special emphasis on the recent military activities and involvement of private contractors.



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# INTRODUCTION TO LITERARY CIRCLE

Literary Circle is the club in NIT Durgapur, which gives the college an extra dimension of creative expression in the midst of technical unilateralism and gives the students of the college an opportunity to transcend the ordinary and mundane. This club conducts Verve, The Literary cum Youth Festival of the college and the biggest of its kind in eastern India. The Literary Circle has successfully pulled off 15 editions of Verve till now. Flagship events in the fest have become the matter of college folklore. The club also prints its annual literary magazine Déjà Vu every year, with over 4000 copies distributed inside the college as well as all over many other metropolitan cities. The club is known to be highly selective in its admission of new members, with only about 10 students inducted out of the entire batch of 900 each year. Great believers of the phrase 'quality over quantity', the members selected every year are the best of the best in the field of expression and creativity. Come, step into the Circle!

## ABOUT NITMUN

NITMUN is a forum convened by the members of the Literary Circle for discussion and analysis of global issues. It seeks to bring out motivated delegates from all over the country for brainstorming and discussing over significant international issues. Organised by the Literary Circle, NITMUN promises a challenging yet a very entertaining time to all delegates. It requires the entire workforce of the club to come up with a topic or a committee that really instigates each and every delegate to ponder. And then, the best executive boards from all over the country are brought together to make sure that every delegate grows and becomes better at the end of the conference. Our greatest goal is to make sure that each delegate learns how to tackle world issues better at the end of the conference as the world is in dire need of young leaders now. Currently in its 9th edition, NITMUN has been extremely successful in providing the perfect experience to each delegate. Over the years, we have entertained more than 1000 delegates in total. Delegates arrive from all corners of India for an experience they will never forget.

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# INTRODUCTION TO THE COMMITTEE

The Disarmament and International Security Committee (1st Committee of the UN General Assembly) deals with disarmament, global challenges and threats to peace that affect the international community and seeks out solutions to the challenges in the international security regime.

Though the Security Council (UNSC) is the only UN body capable of imposing force upon Member States (economically, militarily, or otherwise), the First Committee makes valuable recommendations to the Security Council on all aspects of matters that place global peace at risk. Because the First Committee's legislative process incorporates the voice of every Member State to the UN, its resolutions are always respected and considered by the Security Council. These resolutions are also salient due to their normative nature.

The South China Sea has become an epicenter of great power contention. While being one of the busiest waterways in the globe, the South China Sea holds a significant role in accessing East Asia from the Indian Ocean through the Straits of Malacca. It has become important economically, politically, and militarily, especially for China which relies on the South China Sea as a major passage for goods and oil to fuel economic development. This strategically located sea has led to significant problems throughout Southeast Asia, as a majority of the waters are hotly contested with several key territorial disputes and significant Chinese claims to the region. The region has escalated to war several times over territorial claims in the past fifty years, alongside several other smaller skirmishes, and the current situation appears to be continually on the verge of collapsing into conflict. International organizations have attempted to address the territorial disputes of the region, following national and regional conversations. The most prominent role in place for international arbitration lies within the 1982 United Nations Convention on the Law of the Seas (UNCLOS), of which much of the region has signed on to and brought disputes before the international community for recognition and in one case, arbitration. Still, the issue persists and has become a thorn in the side for China, who claims much of the sea as its own territory, and the United States, who possesses allies within the region and has advocated for freedom of navigation.

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# DEFINITION OF KEY TERMS

## South China Sea

A small ocean covering around 3.7 million square kilometers in the Pacific Ocean. Its surrounding nations are : China, Vietnam, the Philippines, Malaysia, Indonesia, Brunei, and other countries. One-third of global shipping, or a total of US \$3.37 trillion of international trade, passes through the sea. It also involves vital food security fisheries in Southeast Asia, as well as significant reserves of oil and gas.

## United Nations Convention on the Law of the Sea

The United Nations Convention on the Law of the Sea(UNCLOS) is an international agreement that defines the universally accepted rights and responsibilities of a nation towards the use of oceans and their environment, use for business and the management and exploitation of marine resources. The third iteration of the conference which took place between 1973 and 1982 and most importantly defined various areas in relation to a nation, such as Internal waters, territorial waters, the contiguous zone, the exclusive economic zone, the continental shelf, and archipelagic waters.

### Innocent Passage:

A policy codified in the United Nations Law of the Sea (UNCLOS) enabling boats to move across territorial waters and exclusive economic zones as long as they do not breach the area's peace and security. This includes ships for both trade and military purposes.

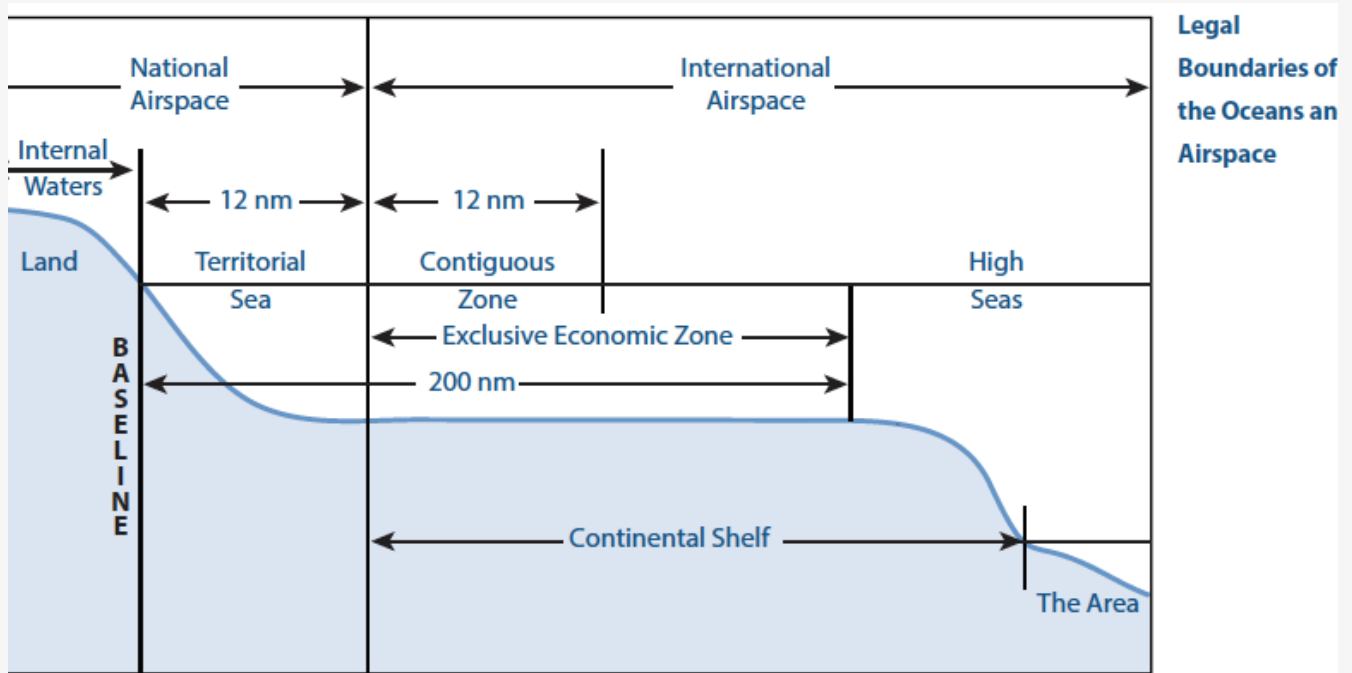
### Exclusive Economic Zone:

An area of 200 miles from the shore of territorial waters. This refers to a country's claims to maritime discovery and the use of natural resources. A nation in the EEZ has sovereign rights, authority over the development and use of artificial islands and associated structures, and marine environment security.

### Territorial Waters:

The territorial sea extends to a limit of 12 nautical miles from the baseline of a coastal State. Within this zone, the coastal State exercises full sovereignty

over the air space above the sea and over the seabed and subsoil. A coastal State may legislate on matters concerning the safety of navigation, the preservation of the environment, and the prevention, reduction, and control of pollution without any obligation to make these rules compliant with international standards. Resource use within the territorial sea is strictly reserved to the coastal State.



## Nine Dash Line

It is a dashed line drawn on a map in the 1940s showing the territorial claims of China in the South China Sea. To bring China authority over the Paracel and Spratly Islands and many more, the nine-dash line was created.

## Spratly Islands

A disputed collection of South China Sea islands and more than 100 reefs. This lies off the Filipino, Malaysian, and southern coasts of Vietnam. Approximately 45 beaches, cays, reefs and shoals are controlled by security systems and armies from Malaysia, Taiwan, China, the Philippines, and Vietnam. These Islands are strategically located where many merchant ships pass through their waters, and custody of these islands would affect the safe passage of goods. These Islands are also rich in Natural Gas and oil, and strategically located for the military security of Vietnam, China, Taiwan, the Philippines, Malaysia, and Brunei.



## Paracel Islands

A collection of about 130 islands, beaches, coasts, and other maritime features throughout the South China Sea, governed by the People's Republic of China, as well as claimed by Taiwan and Vietnam. It is surrounded by rich fishing grounds and untapped reserves of oil and gas.

## ASEAN

The Association of Southeast Asian Nations (ASEAN) was formed in 1967 in Bangkok with a base of operations in Jakarta. Among the important factors in the development of ASEAN was the Vietnam War and the perceived threat of communism, which moulded the regional organisation and encouraged closer cooperation. Its founding nations are Indonesia, Malaysia, the Daniel Ronen, David Němeček Philippines, Singapore and Thailand. Laos, Cambodia, Vietnam and Brunei joined in the coming decades.

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# GENERAL OVERVIEW

## What is this conflict about?

The Philippines, Vietnam, China, Brunei, Taiwan and Malaysia hold different, sometimes overlapping, territorial claims over land features in the sea, based on various historical and geographical accounts. The territorial dispute over the land features in turn has given rise to sharply different views among the countries about their maritime rights.

China claims more than 80 per cent of the waterway via its “nine-dash line”, which stretches as far as 2,000km from the mainland, reaching waters close to Indonesia and Malaysia.

Vietnam claims sovereignty over the Paracel Islands and the Spratly Islands, while the Philippines asserts ownership of the Spratly archipelago and the Scarborough Shoal. Brunei and Malaysia have claimed sovereignty over southern parts of the sea and some of Spratly Islands. Over the years, the claimants have seized control of a raft of sea features, including rocks, islands and low-tide elevations.

Indonesia is not a claimant state but maintains an exclusive economic zone in the Natuna Islands on the edge of the South China Sea, and has challenged China’s efforts to fish in the region. Jakarta protested the presence of a Chinese coast guard vessel escorting Chinese fishing boats in the area, and deployed fighter jets and warships to patrol the islands.

## Why is the South China Sea so important?

The South China Sea is a key commercial thoroughfare connecting Asia with Europe and Africa, and its seabed is rich with natural resources. About 80 percent of China’s oil imports arrive via the Strait of Malacca and the South China Sea.

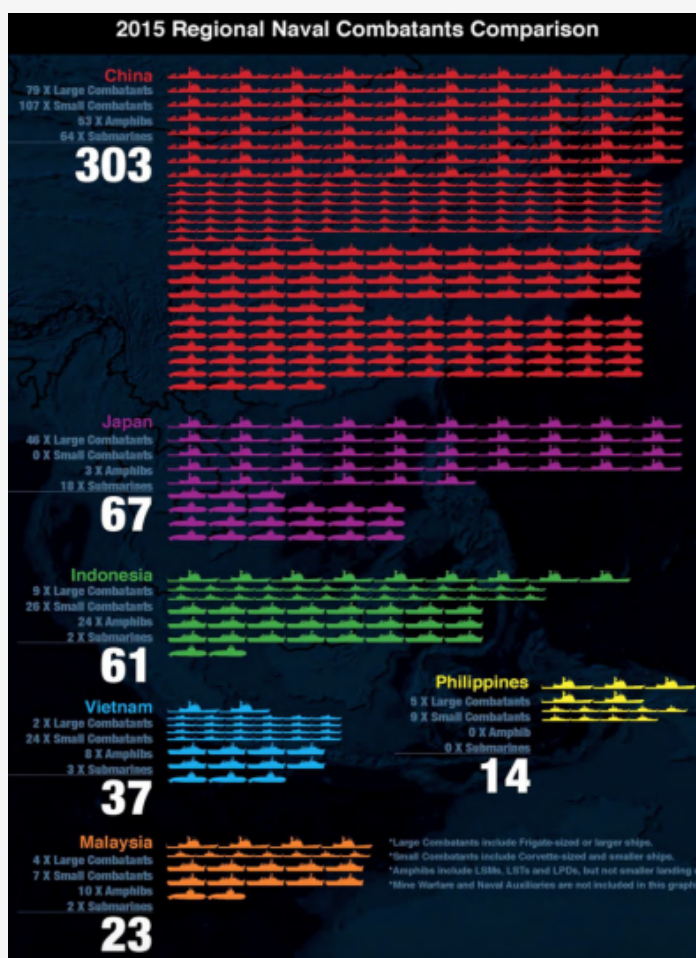
The sea is also believed to contain major reserves of natural resources, such as natural gas and oil. The US Energy Information Administration estimates the area contains at least 11 billion barrels of oil and 190 trillion cubic feet of natural gas. Other estimates are as high as 22 billion barrels of oil and 290 trillion cubic feet of gas.

The South China Sea also accounts for 10 percent of the world’s fishery stocks, making it a key source of food for hundreds of millions of people. To conserve stocks, Beijing in 1999 introduced an annual summer ban on fishing in the waters it claims, a “unilateral decision” disputed by Vietnam and the Philippines.

There have been multiple disputes and complaints over fishing boats from one claimant nation encroaching on waters in which another country claims sovereignty. Recent cases involve Vietnam and China, while Indonesia’s former fisheries minister made headlines for blowing up and sinking illegal fishing boats that had been seized by the authorities.

## Military Activities in the region

In recent years, development has only exacerbated the pre-existing tensions over the conflicting territorial claims. Between 1970 and 1990, military action employed by China to assert ownership over the Spratly and Paracel Islands caused over 130 Vietnamese casualties.



“Since then, China has engaged in increasingly tense maritime standoffs with other claimant nations as a result of its development, and has increased its general military presence in the region exponentially. According to the United States Department of Defense (USDoD): At all of its reclamation sites, China either has transitioned from land reclamation operations to infrastructure development, or has staged construction support for infrastructure development. As infrastructure development is still in its early stages, it remains unclear what China ultimately



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will build on these expanded outposts. However, China has stated publicly that the outposts will have a military component to them, and will also be used for maritime search and rescue, disaster prevention and mitigation, marine scientific research, meteorological observation, ecological environment conservation, navigation safety, and fishery production.”

The PRC has increased aircraft carrier and vessel capabilities, and with recent updates to general military base infrastructure, its claimed territories continually inch closer to being equipped for a full on maritime conflict, and increase the PRC’s argumentation of de facto claimancy.

Despite international arbitration and increasing tensions between China and the rest of claimant nations, contested development continues. In early 2016, China announced plans for the construction of nuclear reactors on disputed territory within the Spratly Islands to “speed up the commercial development” of the region.

Considering the highly temperamental nature of the seas, floating reactors pose huge engineering and safety challenges, not to mention the innate danger in increasing already tense militaristic relations with Vietnam and the Philippines. Specific developmental notions aside, though - the mindset of each claimant being as dogged and unrelenting as they increasingly are is frightening for the rest of the nations involved.

However, the PRC is not alone in its militaristic development. Mischief Reef, an area within the Spratly Islands currently co-claimed by Vietnam, was reported to have been the target of Vietnamese mobile rocket launchers in



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August of 2016. Vietnam's weaponization of part of the Spratly Islands proves to be the most aggressive step of any of the claimants thus far. Even considering these dangers, though, conflict in the region isn't solely the responsibility of the remaining claimants; the majority of developed G-20 nations dually play a role in the politics of the region and influences how the power dynamics of the conflicting claims will play out.

For instance, the United States has increased its military presence in the region nearly exponentially as well (despite its complete lack of any claim to the contested waters) to match that of the PRC's, using its naval bases with Philippines and other regional allies. In a USDoD report titled "The Asia-Pacific Maritime Security Strategy," the planned efforts of the U.S. military include "enhancing [...] force posture and persistent presence in the region, to maintain a higher pace of training, transits, and operations." Specifically, the U.S., since October 2015, has launched three freedom of navigation operations (FONOPS) within the region – in waters near the Spratly Islands, the Paracels, and the Fiery Cross Reef, all three of which were condemned by Chinese authorities.

Likewise, Australia has vested interests in these differentially claimed territories as well, in terms of wishing to preserve freedom of navigation as well as trade within the region. According to the Lowy Institute, "[the nation] has been conducting its own airborne surveillance operations in the South China Sea and Indian Ocean, called Operation Gateway, since 1980." Though active in surveillance and preparatory measures in the region, Australia does not participate in the same level of defense activity within the South China Sea as does the United States, despite being the nation's largest ally in the region.

With increased military action and effort in the region on the behalf of removed parties like the United States and Australia for reasons beyond the direct dispute at hand, and rather the ramifications geopolitically of its progression, the international community is even further at risk of a larger conflict resulting from the alliances that would be implicated if tensions were to reach a boiling point.

Such a boiling point or its possible etiology may seem nebulous, but to contextualize the ramifications that have been elaborated upon thus far, here are several recent historical examples.

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In 2012, the Philippines and the PRC butted heads due to a standoff at the Scarborough Shoal from conflicting perceptions of fishing jurisdictions. A Chinese ship attempted to prevent arrests on behalf of Philippine police forces, which led to a ten week long standoff that ultimately left China victorious and in de facto control of the surrounding shoal.

In 2014, an oil rig owned by the China National Offshore Oil Corporation in waters dually claimed by the Vietnamese was heavily protested, to the tune of 109 ships dispatched to face the contentious placement. Deep sea drilling rig HD-981 was placed on the edge of the continental shelf, meaning that its legal standing in international terms is complicated. According to the Center for Strategic and International Studies: “To unilaterally drill on it is a violation of UNCLOS’s admonition that states in a dispute, ‘in a spirit of understanding and cooperation, shall make every effort to enter into provisional arrangements,’ and shall not ‘jeopardize or hamper the reaching of a final agreement.’ It is also clearly contrary to the 2002 Declaration on the Conduct of Parties in the South China Sea that China signed with the members of the Association of Southeast Asian Nations (ASEAN), including Vietnam. In that agreement, all parties pledged to ‘exercise self-restraint in the conduct of activities that would complicate or escalate disputes and affect peace and stability.’”

An example of the impossibility and ultimate consequences of unilateral development of resources in the line region, the tale of HD-981 exposes sides of our international legal framework that require rethinking.

Because of the inherently tangled global economic web that the conflict is entrenched in, both financial and general political ideologies increase the risk for external interests becoming stakeholders in any further escalations in the current disputes. This begs the question of how the international community can come to handle the increasingly tense and complex region of great environmental, commercial, and political importance before these currently regional territorial disputes become global conflicts.

## **Island Building in the region**

China has also made major strides in recent years in building minor, uninhabitable features in the South China Sea into artificial islands which have military infrastructure capabilities. Among the arguments used by the People’s Republic of China, there are claims of the Spratly Islands being used by

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Chinese fishermen as early as 200 BC. This is one of the reasons the PRC claims that it has a right to build artificial islands on the Paracel and Spratly island chains.

In April 21, 2017, Chinese structures and airstrip on the man-made Subi Reef at the Spratly group of islands in the South China Sea are seen from a Philippine Air Force C-130.



These images are just 2-3 years apart and show the increased interest in the region of South China sea.

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# INVOLVEMENT OF PRIVATE CONTRACTORS

The United States government has imposed sanctions on dozens of Chinese companies for helping Beijing advance its territorial claims in the South China Sea - the first punitive action of its kind over the disputed waters. The U.S. Commerce Department in August added 24 Chinese companies to the so-called entity list for what Washington says is their role in helping Beijing militarize artificial islands in the South China Sea.

Such military ties could prove a barrier to global expansion for Chinese private-sector companies at a time of rising tensions between Beijing and Washington.

Eighteen of these 24 companies have ties to the Chinese military, according to a review of public data and credit information. Of them, eight belong to one of three wholly state-owned conglomerates: China Electronics Technology Group, China Electronics and China State Shipbuilding Corp.

These groups are among China's top 10 military contractors, according to the State Administration of Science, Technology and Industry for National Defense, or SASTIND. They are believed to have provided electronic equipment, software and ship-related expertise to China to build outposts in the South China Sea.

On Aug. 28 2020, the U.S. Department of Defense also added 11 names to its list of "Communist Chinese military companies." Its additions included China National Nuclear Corp. and a unit of China Aerospace Science and Technology, both of which are also among the top 10 military contractors. The latter company is involved in missile development.

These leading contractors have faced increasing pressure from the U.S., and together cover a wide range of military-related specialties from nuclear weapons development to communications. For example, China Electronics Technology Group produces communications devices, and China Electronics makes network equipment.

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China has been accelerating its military-civil fusion policy, enlisting civilian high-tech companies to help with technological development.

Also, that's not all. China is pressing for the termination of a Vietnamese offshore development with Rosneft Vietnam, a joint Russia-Vietnam venture, whose primary shareholder is the Russian government. Rosneft is concerned that its recent drilling in an area of the South China Sea that is claimed by China could upset Beijing. The block is “within the area outlined by China’s nine-dash line,” according to energy consultancy and research firm Wood Mackenzie.

When asked about the report of the drilling, China’s foreign ministry spokesman said that no country, organisation, company or individual can, without the permission of the Chinese government, carry out oil and gas exploration or exploitation activities in waters under Chinese jurisdiction.

“We urge relevant parties to earnestly respect China’s sovereign and jurisdictional rights and not do anything that could impact bilateral relations or this region’s peace and stability,” the spokesman told a regular news briefing.

Later, Vietnam halted an oil drilling project in the nearby “Red Emperor” block following pressure from China. That block is licensed to Spanish energy firm Repsol, which has asked Vietnam to pay compensation over the issue.

Fearing repercussions and pressure from China, Rosneft Vietnam had wanted to begin drilling with as little attention as possible. Its parent company said that its drilling in the block was within Vietnam’s territorial waters, and in accordance with Vietnamese legislation. The drilling is significant for Vietnam, which has been struggling to maintain its crude oil and gas output amid already declining production from its key fields and the continuing pressure from China in the disputed waters.

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# KEY PLAYERS

## The People's Republic of China

China claims “Indisputable sovereignty” over the islands in the South China Sea, notably the Spratlys and the Paracels. Furthermore, it claims jurisdiction over all relevant waters, including: the nine-dash line area, the Vietnamese coast, the Sea area north of Borneo, the South China Sea islands, the Sea area north of the Natuna Islands, the Sea area west of Palawan and Luzon and finally the Luzon Strait. According to the 2002 ASEAN-China Declaration on the Conduct of Parties in the South China Sea, parties undertake to exercise self-restraint in any activities that could cause conflict and/or escalate the disputes in the area. Even if such measures have already been negotiated, this didn't stop China, along with Malaysia, the Philippines and Vietnam have undertaken activities such as construction on the features they occupy and control the Spratly Islands. Finally, China, even though it is a signatory of UNCLOS, prefers bilateral negotiations with countries that lay claims on the disputed territory.

## Malaysia

Malaysia lays claim to a number of islands in the southern part of the Spratly archipelago, which is included in its 200 mile EEZ as defined by UNCLOS. It currently actively occupies 5 bodies, some of which have been reconstructed using land reclamation and equipped with an airstrip and a dive resort (Swallow Reef) reportedly to promote tourism. Relative to other claimant nations, Malaysia maintains much friendlier relations with the PRC, as it has strong bilateral relations to begin with. This does not mean, however, that it doesn't guard its own claimed area of the South China Sea, as we can see that even though Malaysia and China maintain their relationship, there has been a gradual increase from the start of the decade to take a harder stance on what Malaysia claims are violations of its EEZ.

## The Philippines

Military spending of the Philippines has increased dramatically in the past years, showing a more aggressive stance towards what it calls “incursions” into its claimed territory, which includes the entirety of the Spratly archipelago, which is known in the Philippines as “ the Kalayaan island group”. It also, among others, lays claim to the Paracels and the Scarborough Shoal, leading

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to numerous standoffs with the PRC in the past. One of the more recent conflicts is the so-called “Scarborough Shoal standoff.” As an important shipping route for oil from the Middle East and a site with an abundance of marine resources, it has been the flashpoint of aggression between the PRC and the Philippines. Some sources suggest that the Duterte administration intends to make an economic and military pivot towards China, while taking a more critical stance of the United States.

## **Vietnam**

Vietnam claims maritime jurisdiction over the Spratly Islands and the Paracels included in its 200 mile EEZ. Its position regarding its claims to the South China islands was first published in 1974, which were supported by several factors. Vietnam has been especially vocal about its claims in the South China Sea. This rapid expansion could be potentially traced to the economic reforms taking place in the 1980s, which shifted the economic strong points of China towards coastal regions, which ramped up the value of hydrocarbons in the eyes of China (PRC) (Most notably today’s Pearl River delta area.) Vietnam has directly supported the 2009 submission of Malaysia to the UNCLOS tribunal, clarifying its claims on the South China Sea.

## **Brunei**

Brunei hasn’t made official claims or confronted claims made by other nations, yet it lays claim to the Louisa Reef and Rifleman Bank. It doesn’t currently have a military presence in the South China Sea, even though its EEZ overlaps with that of Malaysia and China (PRC and ROC). Brunei maintains a relatively stable relationship with China (PRC) due to its relative dependence on Brunei’s vast reserve of hydrocarbons. The Abode of Peace accurately reflects Brunei’s position of non-aggression and peaceful discussion, along with stable relationships with the PRC.

## **The United States of America**

The United States of America do not currently have a claim in the South China Sea, yet its involvement in the dispute has grown over the past few years, due to several reasons. With the Philippines and Japan being “Major non-NATO allies” of the United States and a mutual support treaty with both of the nations. The obligation of the U.S. to provide military support in case of an attack in the South China Sea region is a strong deterrent to prevent



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large-scale conflict. The U.S. Freedom of Navigation programme works to assert its navigation freedoms on a worldwide basis in accordance with the aforementioned UNCLOS. It further challenges claims on maritime areas and airspace by other countries not supported by the Law of the Sea. This is achieved by utilising diplomatic and military methods and multilateral consultations with other governments. The chief strategist at the White House has previously taken a strong stance on the involvement of the U.S. in the South China Sea.

## **Indonesia**

Indonesia represents a smaller claim to the South China Sea of specific portions of the region rather than the whole of the Sea. It has collectively aligned against China, along with other states such as Brunei and Malaysia often working through international organizations like ASEAN and submitting claims to UNCLOS for acknowledgement. However, it has begun to develop its own military capabilities to counter Chinese aggression which has in turn assisted in the development of an arms race regionally.

## **France and United Kingdom**

They will be concerned primarily with international norms and principles, in this case freedom of navigation and the responsibility to resolve conflict. They have been increasingly critical Chinese assertiveness. France has sent its naval vessels on show-of-the-flag missions to demonstrate its commitment to freedom of navigation in the region. NATO obligations do not require Britain or France to support the United States in the South China Sea, but have moved closer to the US position in the region. They will propose mediation when feasible.

## **Russia**

Russia has only a small direct interest in the region, mostly relating to freedom of navigation and the global oil markets. The price of Russian oil exports is heavily influenced by events in the South China Sea, through which most of the oil to Asia passes. Russia tends to cooperate with China in the Security Council, where it strives to strengthen national sovereignty. It also might welcome an opportunity to weaken the United States.

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## India

As nearly 55% of its trade with Asia Pacific transits through the SCS, India is slowly becoming more dominant and becoming more involved in the issue. India is keen to keep the sea lanes accessible for safe energy supplies to states such as Japan and Korea. India's Oil and Natural Gas Corp (ONGC) and PetroVietnam established a three-year oil and gas exploration and production partnership deal in October 2011. This cooperation was severely opposed by China

## Japan

Japan officially surrendered its empire in 1951 through the San Francisco Treaty (re-established peaceful relations between Japan and the Allied Powers after World War II), thus annulling all claims to the South China Sea Islands by Japan. Japan has a strong bilateral defense treaty (treaty or military alliance in which the nations promise to support each other's military and to defend each other) with the United States, so in this conflict Japan is likely to support the US allies.

## European Union

The EU values the SCS for its economic role, as the sea is a major area that they can invest in although none of the EU countries actually have any territorial claims in the region. The EU released its guidelines on the EU's Foreign and Security Policy in East Asia in 2012, encouraging freedom of navigation in the SCS. Moreover, the EU prefers a peaceful solution that is in line with UNCLOS, contradicting China's desires. In addition to this, the EU offered its help to parties involved in the conflict by sharing its skills in settling laws on maritime borders and sustainable management of resources and security measures in the major disputed areas of the SCS.

## Association of Southeast Asian Nations (ASEAN)

The aim of the ASEAN is to improve cooperation between the nations of Southeast Asia. It is made up of ten nations including the Philippines, Malaysia, Brunei, Indonesia, and Vietnam. ASEAN states adopted a Declaration of Conduct(DOC) on the South China Sea in 2002, including China. Its aims are promoting stability and peaceful solutions for the dispute.

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## The Republic of Korea

The Republic of Korea generally seeks to avoid disturbances in its foreign relations strategy, and has accordingly tried to stay quiet in matters relating to the South China Sea, where it possesses no territorial claims. The Republic of Korea has the added challenge of balancing its close partnership with the United States with the rise of China and its territorial claims. In recent years, the US has urged Korea to step up as a broker in the South China Sea

## Australia

Though Australia holds no competing claims in the South China Sea, it is an important regional player. As part of its international strategy, Australia aims to balance its relationships with both the US and China. This is certainly a challenge for Australia, especially as tensions mount in the surrounding waters. Most recently, Australia raised concerns about the “pace and scale” of China’s activities in the territories in question, drawing frustration from China, which urged that Australia not take sides in the dispute.

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# TIMELINE

**1947** - The Republic of China publishes the first map including the “nine-dash line” looping around almost the entirety of the South China Sea and claiming waters adjacent to Malaysia, the Philippines and Vietnam, for the government of Chiang Kai-shek.

**February 2012** - Hong Lei, China’s foreign minister, states that “no country including China has claimed sovereignty over the entire South China Sea”, apparently moderating the nine-dash line claim.

**March 2012** - China detains 21 Vietnamese fishermen in the Paracel Islands, alleging they had been fishing in Chinese waters illegally.

**April 2012** - The Philippine navy discovers Chinese fishing vessels in a lagoon off Scarborough Shoal, finding large amounts of what it describes as illegally harvested coral and other sea life. The US and Philippines hold a joint military exercise during the ensuing stand-off.

**June 2012** - Vietnam passes a new maritime law claiming sovereignty over the Spratly and Paracel Islands; China raises the administrative status of the disputed islands to the prefecture level.

**December 2012** - China submits claims to the East China Sea to the UN following the purchase of the Senkaku/Diaoyu Islands by Japan’s government.

**January 2013** - The Philippines formally initiates arbitration of China’s maritime claims in the South China Sea under the UN convention on the law of the sea with the International Tribunal for the Law of the Sea at The Hague. China refuses to participate in the arbitration.

**April 2013** - Vietnam state media report that a cruise ship of Chinese tourists has embarked on a journey to the Paracel Islands.

**November 2013** - China announces an air defence identification zone in the East China Sea surrounding the Senkaku/Diaoyu Islands, claiming the right to monitor and intercept aircraft it finds within the zone. The US flies two jets through the airspace shortly afterwards.

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**December 2013** - The USS Cowpens is forced to use emergency evasive manoeuvres to avoid a collision with a People's Liberation Army ship while observing China's aircraft carrier, the Liaoning, on its first voyage in the South China Sea.

**January 2014** - China's southern province of Hainan introduces rules requiring non-Chinese fishing crews to acquire permits before entering much of the South China Sea to fish.

**April 2014** - Satellite photos show Chinese vessels dredging sand to build the submerged Mischief Reef into an island. US president Barack Obama visits Manila to sign the 10-year US-Philippines Enhanced Defence Co-operation Agreement, which provides for US troop and ship rotations in the Philippines.

**May 2014** - China moves an oil rig owned by the China National Petroleum Corporation near the Paracel Islands, prompting anti-Chinese protests to erupt in Vietnam that damage businesses with ties to China. Chinese ships fend off Vietnamese ships sent to the area, and ultimately remove the rig from the area in July.

**August 2014** - A Chinese fighter jet intercepts a US Navy surveillance aircraft.

**September 2014** - The US and Philippines conduct a joint military exercise near Scarborough Shoal.

**October 2014** - People's Liberation Army Navy admiral Wu Shengli is reported by Taiwan intelligence to have visited five of the Spratly Islands occupied by China to observe reclamation work there.

**November 2015** - China's foreign ministry asserts that the Philippines has breached a 2002 code of conduct agreed upon by it and Asean nations. Arguments commence against China's claims to the South China Sea in China's absence at the Permanent Court of Arbitration in The Hague.

**February 2016** - Satellite imagery shows China expanding Tree Island and North Island in the Paracels.

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**May 2016** - Pentagon reports an “unsafe” interception by Chinese jets of a US surveillance aircraft over the South China Sea. President Obama visits Vietnam and lifts a 50-year arms embargo.

**June 2016** - A brief show of unity from Asean countries collapses as a statement expressing “serious concerns” over developments in the South China Sea is abruptly retracted. The Indonesian navy says it has fired warning shots at Chinese fishing boats operating in the Natuna Sea, part of Indonesia’s exclusive economic zone.

**July 2016** - A ruling on the Philippines case by the International Tribunal in The Hague determined China had no “historic rights” over the sea and ruled that some of the rocky outcrops claimed by several countries could not legally be used as the basis for territorial claims. Beijing rejected the ruling and described it as having “no binding force”. It also ratcheted up its media campaign to discredit the validity of the ruling. Newly inaugurated Philippine president Rodrigo Duterte said his country might be willing to enter new talks with Beijing after the ruling.

**2017** - The US president signed an executive order to withdraw from the Trans-Pacific Partnership (TPP). The US administration expressed its will to take part in a military confrontation with China in the South China Sea.

**20 October 2018** - The ASEAN defence ministers ink the world's first multilateral air guidelines aimed at ensuring safe passage for military aircraft and for ships over the high seas. The countries hope to persuade others including the US and China to subscribe to the new non-binding air code.

**22-27 October 2018** - The navies of China and ASEAN countries hold their first ever maritime exercise off the coast of China’s Guangdong Province in an effort to widen cooperation amid negotiations over a SCS code of conduct. This is also the first time ASEAN held such an exercise with any other country.

**18 November 2018** - At the APEC summit held in Port Moresby, as a result of deep divisions between the United States and China over trade and other issues, regional leaders fail to agree on a final communique for the first time in the summit's history. US Vice-President Mike Pence says that differences between Beijing and Washington go “beyond that to freedom of navigation in the seas”.

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**20 November 2018** - President Xi Jinping pays first state visit by a Chinese head of state to the Philippines in 13 years, two years after his Philippine counterpart Rodrigo Duterte visits Beijing and promises to set aside the 2016 international tribunal ruling that ruled against China's expansive claim over the SCS. Beijing and Manila agree to maintain "freedom of navigation in and over-flight above the SCS... by peaceful means... in accordance with universally recognised principles of international law, including the Charter of the United Nations and the 1982 UNCLOS".

**23 April 2019** - A Philippine Navy vessel participates in an international fleet review in China marking the 70th anniversary of the founding of the PLA Navy. In January, three Chinese navy ships visited the Philippines. Port calls resumed between the two countries in July 2017, seven years after it stopped in 2010 amid worsening disputes over South China Sea islands.

**December 2020**- PRC announced that guided missile destroyer John S McCain had been "expelled" after it "trespassed" into Chinese territorial waters close to the Spratly Islands.

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# CONCLUSION AND QUESTIONS TO ADDRESS

The South China Sea is the site of long-simmering territorial disputes and increasingly frequent military drills by the involved parties. Instead of several sessions and resolutions, it still remains a heated issue among the political diaspora. The goal of this committee would be to find ways to solve the dispute, deliberate on whether or not a plausible solution would work, why have all previous trials failed, and is there any end to this dispute and if yes, how?

Here are some questions that may help the delegates get a better understanding of some prime areas of concern:

- How have Beijing's policies regarding its territorial claims in the East and South China Seas shaped regional efforts to settle the disputes?
- How do alliances impact the possible actions available to each actor? What are the merits of these alliances?
- What is the place of the United States or other stakeholders from outside of the region in this dispute? Why do their positions matter?
- How has this shaped U.S. policy and security commitments to its allies?
- What is the best policy option for each player, and for the region as a whole?
- What might be an effective framework for assessing territorial claim legitimacy? How might this framework be implemented?
- Is armed conflict between China and its neighbors imminent?
- Which of the preventive measures outlined in the Info Guide have the potential to be the most effective, and why?
- What are Japan's strategic interests in the East and South China Seas? How have these interests shaped Japan's approach to its own territorial claims?

Please remember that these questions are the part of a roadmap and are not all inclusive. We're anticipating to see the delegates showcase their diplomatic skills and find concrete solutions to the issue at hand.

Please find attached at the end, links that shall help you delve deeper into this topic.



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