



claimed by Taiwan (Republic of China) and Vietnam, as well as the more southern Spratly Islands that are partly controlled and occupied by the People's Republic of China, Taiwan (Republic of China), Vietnam, the Philippines, Malaysia and are furthermore claimed by Brunei. The majority of these islands are really small and some are even naturally under water when there is a high tide. This leads to the fact that most of these islands are not inhabited by civilians but are either important strategic military points or not inhabitable at all.

So why are some uninhabited small islands so important that countries would potentially go to war over them?

The natural resources are a key factor in this conflict. Various countries and organizations have tried to estimate the amount of natural resources available in the South China Sea. Most of them came to different results. 1.2 km³ of oil have already been discovered in the South China Sea and another 4.5 km³ are estimated to be found. The natural gas reserves are even greater with an estimated 7,500 km³ (266 trillion cubic feet). In 2013 the U.S. Energy Information Administration published a report which estimated the oil reserves to 11 billion barrels and 190 trillion cubic feet of natural gas, which is significantly less than what was estimated before and can be compared to European supplies.

While experts are still debating about the amount of oil and gas and their value in the SCS, one profitable natural resource is available for sure, namely fish. Fishing, a traditional business in the region, is gaining importance since the fish stocks around the world decrease and there is still comparably a lot of fish in the SCS. Currently about one-tenth of the world's global fisheries catch is being caught in the South China Sea. Fishermen have been the reason of armed conflicts before when they crossed into another nation's territory and have been arrested or even killed. For example in 2000, Chinese Fishermen have been killed by Philippine troops because they repeatedly crossed into a Philippine area of strategic military importance.

According to the White House, about 5.3 trillion USD in total trade pass through the South China Sea annually. Since about a fifth is the US' trade, the U.S.A. are thoroughly interested in the conflict, although they are not a nation claiming territory. Not only the United States are worried about their economic influence in the region: The European Union and Japan also promote freedom of navigation and not a single country controlling the area in hegemony, because they are afraid of losing economic profits.

Definition of Important Key Terms

Exclusive Economic Zone

“An Exclusive Economic Zone (EEZ) is a concept adopted at the Third United Nations Conference on the Law of the Sea (1982), whereby a coastal state assumes jurisdiction over the exploration and exploitation of marine resources in its adjacent section of the continental shelf, taken to be a band extending 200 miles from the shore.”

UNCLOS

“The 1982 United Nations Convention on the Law of the Sea (UNCLOS) is the most comprehensive attempt at creating a unified regime for governance of the rights of nations with respect to the world's oceans. The treaty addresses a number of topics including navigational rights, economic rights, pollution of the seas, conservation of marine life, scientific exploration, piracy, and more.”

Association of South East Asian Nations (ASEAN)

“An organization of countries in southeast Asia set up to promote cultural, economic and political development in the region. ASEAN was officially formed in 1967 with the signing of the Bangkok Declaration.”

Arbitral Tribunal

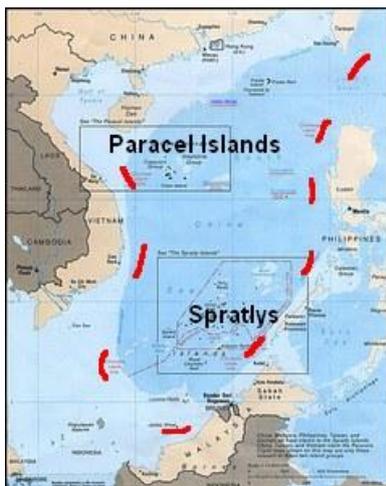
“An arbitral tribunal is a tribunal constituted for resolving a dispute by way of arbitration. It can consist of either a sole arbitrator or two or more arbitrators. “

Code of Conduct

The Declaration on the Conduct of parties in the South China Sea was established and signed between China and ASEAN members in 2002 to promote dialogue among the effected nations in the South China Sea. You can find a link to the entire declaration in the useful question, links and sources for delegates section.

The nine-dashed line

“The nine dashed line refers to the demarcation line used initially by the government of the Republic of China (ROC / Taiwan), and subsequently also by the government of the People's Republic of China (PRC), for their claims of the major part of the South China Sea (SCS). The contested area in the SCS includes the Paracel Islands, the Spratly Islands, and various other areas including the Pratas Islands, the Macclesfield Bank and the Scarborough Shoal.”



Confidence Building Measures

“Confidence Building Measures (CBMs) are broadly defined as measures that address, prevent, or resolve uncertainties among states. Designed to prevent wanted and especially unwanted escalations of hostilities and build mutual trust, CBMs can be formal or informal, unilateral, bilateral, or multilateral, military or political, and can be state-to-state or non-



governmental. They are particularly pertinent in addressing and working towards the resolution of long-term political stalemates. First conceived of in the context of European conflict management in the 1970s, the concept of CBMs includes military, cultural, and social exchange, and has been applied to conflicts throughout the world, particularly in Asia.”

Marginal Sea

“Marginal seas, which separate coastal zones from open oceans, often exist as large indentations into continental landmasses. Humans utilize near shore environments, including coastal waters and marginal seas, for food and fuel resources, as well as for various purposes related to scientific, industrial, and recreational activities. The greatest human impact on marginal seas is related to the fisheries industry.”

Continental Shelf

“The Continental Shelf is the area of the seabed and subsoil which extends beyond the territorial sea to a distance of 200M from the territorial sea baseline and beyond that distance to the outer edge of the continental margin [...]. The continental shelf is largely coextensive with the exclusive economic zone within 200M from the territorial sea baselines”

Countries and Organisations involved in the issue

People’s Republic of China

“We are strongly committed to safeguarding the country’s sovereignty and security, and defending our territorial integrity.”

- Chinese President Xi Jinping

With its first official claim, the nine-dashed line; China demanded about 80 % of the South China Sea. The People’s Republic ratifies this by stating that for over 2.000 years, the islands have been a part of China. As a consequence the country considers the claims made by the Philippines and Vietnam as illegal, since China claimed the territory first. The claim and the ratification have received criticism by the international community because it violates international law of the sea. China has ratified the UNCLOS, but according to the country, the convention does not apply to this dispute since China views the other claims as illegal and favours the Code of Conduct. China furthermore believes that the conflict should be solved among the affected nations and does not want interference from other parties like the United States. There have been military conflicts between China, Vietnam and the Philippines in the past and China’s military presence in the region is dominant and growing.

Vietnam

After the Vietnam War in 1975, the country made its claim for the Spratly and the Paracel Archipelago based on their EEZ (Exclusive Economic Zone) and the continental shelf zones. Vietnam has participated in numerous military confrontations with China, for example in 1988. This naval battle is known as the Johnson South Reef Skirmish, in which China deployed troops to a few unoccupied islands in the Spratly archipelago. Vietnamese troops tried to defend the islands and dozens of Vietnamese were killed. Vietnam is a member of ASEAN, have ratified the UNCLOS and have made an agreement with China to achieve the Code of Conduct. From May through June 2014, when China stationed a drilling rig in

Vietnam's EEZ, Vietnam has been supported by the United States and Japan. In Vietnam's new constitution of 2013, the Paracel and the Spratly Islands were declared to be its territories and the country has increased its military presence in the region and also let civilians inhabit her claimed islands.

The Philippines

"To be realistic about it, how does one push around a superpower?"

- Philippine President Benigno Aquino

The Philippines claimed the Spratly Islands based on their EEZ and the continental shelf zones. The Philippines are a member of ASEAN, have ratified the UNCLOS and see China's nine-dashed line as a violation of the treaty and therefore launched an arbitral tribunal in January 2013 under the UNCLOS, which is still pending. The Philippines have had military clashes with China in the past, for example in 1994 when China occupied the Spratly's Mieschief Reef. The United States have been allied to the Philippines in the past and could be drawn into the conflict because of its mutual defence treaty of 1951.

Malaysia

Malaysia claims some islands in the southern Spratlys, which they have partly occupied. Malaysia is a member of ASEAN and has ratified UNCLOS. In a joint Vietnamese-Malaysian submission to the Commission of the Limits of Continental Shelves, the nations asked to extend their continental shelves, which China and the Philippines dissented. Malaysia has not been involved in armed conflicts in the South China Sea and in general maintains a less aggressive relationship with China than other countries involved.

Brunei Darussalam

Brunei claims the Louisa Reef and the Rifleman Bank, which are located in the southern Spratlys within its EEZ. They are a member state of ASEAN and have signed UNCLOS and the Code of Conduct. They have not participated in any military confrontations about the SCS in the past and have rather tried to find peaceful solutions.

Japan

In 1951, Japan gave up all of their claims in the Treaty of San Francisco but did not leave a successor for the respective areas. Japan has a difficult relation to China at the moment because of territorial disputes in the East China Sea. Japan is a close ally to the United States because they have a bilateral defence Treaty of Mutual Cooperation and Security between the United States and Japan.

European Union

Although no EU country claimed parts of the SCS, they have their own interest in the conflict because of the trade routes. In their 2012 Guidelines on the EU's Foreign and Security Policy in East Asia, they stressed the importance of freedom of navigation in the sea and a peaceful solution that agrees with UNCLOS. The EU has offered advice to the countries involved based on their experience. The former Secretaries-General of ASEAN Surin Pitsuwan stated that "The European model is our inspiration, not our model."



United States of America

“This is the future we seek in the Asia-Pacific—security, prosperity and dignity for all (...) let there be no doubt: in the Asia-Pacific in the twenty-first century, the United States of America is all in.”

- U.S. President Barack Obama

The United States has declared the conflict of the SCS as a “national interest in freedom of navigation, open access to Asia’s maritime commons and respect for international law in the South China Sea.” (Hillary Clinton, then US Secretary of State, 2010 ARF meeting Hanoi) The United States has defence treaties with Japan and the Philippines and might support them if they get in a military conflict with China. They have called for a peaceful settlement of the conflict under international law, but have not ratified the UNCLOS yet themselves. Furthermore, the country has stated that they will accept: “no unilateral attempt to change the status quo”. The United States has been involved in joint military exercises with the Philippines and has also stated that more ships will be deployed to the area. (Before 50/50 Atlantic/Pacific, now 40/60 in percent)

ASEAN (Association of Southeast Asian Nations)

The Association of Southeast Asian Nations tries to solve the conflict peacefully and holds an objective view on the problem. Except for China and Taiwan, all claiming nations are a part of the association and in 2002 they agreed on a Code of Conduct of Parties in the South China Sea. Moreover, a set of guidelines were established in 2011 to help achieve the goals of the Code of Conduct.

Timeline of Events

- 1946** China announced the Spratly Islands as a part of its Guangdong province.
- 1951** Japan agreed to the Treaty of San Francisco and renounced their claims to the Spratly Islands while not leaving a successor.
- 1969** UN Economic Commission for Asia and the Far East publishes a report about “substantial energy deposits”, which arouses new interest in the region
- 1974** During the battle of the Paracel Islands, China took control over all of the Paracel Islands. Vietnam had about 50 casualties while China confirmed 18 deaths.
- 1982** United Nations Convention on the Laws Of the Sea is signed.
- 1988** During the naval Johnson South Reef Skirmish, about 70 Vietnamese sailors are killed by the Chinese near the Spratly Islands.
- 1991** China specifies its claim to the Paracel and Spratly Islands by passing the “Law on the Territorial Sea and the Contiguous Zone of the Republic of China”
- 1995** China occupies and captures Philippine military installations in the Spratly Islands inside of the Philippines’ EEZ



- 2000** Philippine troops kill and arrest Chinese fishermen because they crossed into Philippines' waters.
- 2002** China and ASEAN sign the Declaration on the Conduct of Parties in the South China Sea.
- 2011** The Philippines and the Vietnamese reinforce their maritime cooperation because of the discovery of oil in a region claimed by China
- 2011** The U.S. senate passes a resolution in which it condemns China's use of force in the conflict.
- 2012** U.S. communicates that the country will deploy more ships to the Pacific
- 2012** The creation of Sansha City, located in the Paracel Islands, is declared by China.
- 2013** The Philippines launched an UN tribunal under UNCLOS against China.
- 2014** China stationed a drilling rig in Vietnam's EEZ which lead to serious tensions.

Relevant Treaties and UN Resolutions

- San Francisco Peace Treaty of 1951
- United Nations Convention on the Law of the Seas, 10 December 1982 (UNCLOS)
- Oceans and the law of the sea, 27 February 2014 (A/RES/68/70)
- Declaration on the Conduct of Parties in the South China Sea 4.12. 2002

Possible Solutions

Since China is ASEAN's largest trading partner, some countries are afraid of openly opposing China and favouring the United States because of economic relations. In order to get a peaceful solution to the conflict, there have to be multilateral talks between different parties instead of bilateral talks, where China's influence on its smaller neighbouring countries is the greatest. The other claiming nations could first negotiate and allocate the claims between themselves to then have a united and more powerful stand in the negotiations with China. There should be confidence and trust building measures, to which you can find more information in the Definition of Important Key Terms section. Furthermore, additional disarmament pacts and more military communication between states are options to stabilize the region. In conjunction with the confidence and trust building measures, these pacts could lead to more dialogue between states and hopefully prevent future military show-offs between the involved nations. Another solution for the South China Sea Conflict could be the resource sharing between different nations, so that cooperation and joint development is encouraged. This was for example used by Indonesia and Australia in the Timor Gap Treaty of 1989.



Useful questions, links and sources for delegates

- Why is my country interested in the conflict? (Claim, trade...)
- Has my country ratified UNCLOS?
- How is my country's relation to China, ASEAN members and the US?
- Has my country been involved in issues about maritime claims? How have they been solved?
- Detailed time line: <http://www.cnas.org/flashpoints/timeline>
- UNCLOS:
http://www.un.org/depts/los/convention_agreements/texts/unclos/unclos_e.pdf
- Code of Conduct:
<http://www.asean.org/asean/external-relations/china/item/declaration-on-the-conduct-of-parties-in-the-south-china-sea>
- World Fact Book: <https://www.cia.gov/library/publications/the-world-factbook/>
- USA:
<http://www.whitehouse.gov/the-press-office/2011/11/13/press-briefing-nsa-strategic-communications-ben-rhodes-and-admiral-rober>
- EU-countries:
http://eeas.europa.eu/asia/docs/guidelines_eu_foreign_sec_pol_east_asia_en.pdf

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