



*Future Generations*  
*CalsMUN 2022*

**Research Report**

**Forum:** Security Council

**Issue:** Naval Expansion and Maritime Security in the South China Sea

**Chairs:** Pieter van Lelyveld & Oliver Remans



## Personal Introduction

### Pieter van Lelyveld

Hello delegates,

My name is Pieter van Lelyveld, I'm 15 years old and I will be the main chair for this year's edition of the Security Council. I live in Haarlem where I attend the Stedelijk Gymnasium Haarlem and help organize HMUN as the DSGA. In my free time I like to breakdance and play sports. I have been doing MUN for as long as I can remember and CalsMUN will be my 10th conference. I hope you guys are looking forward to CalsMUN and I will see you there!



### Oliver Remans



## Introduction

The rising tensions in the South China Sea are a dangerous dispute that shows many different sides and is in desperate need of a binding solution. While many have defined the territorial disputes within the South China Sea as a series of “slow diplomatic multilateral efforts,” the continuing anxiety has impacted the location on many different fronts. Indeed, the multifaceted nature of the struggle makes the issue highly complex. At its core, naval expansions within the South China Sea refers to the problem of sovereignty concerning each of the islands within the sea in addition to who has control over the waters themselves. Nevertheless, its geopolitical implications are much larger than a territorial dispute.

Also to be noted, the geopolitical significance of the South China Sea has risen notably in the past few years. In an age of major scarcity, its untapped natural resources together, its oil reserves, natural gas and massive fishing grounds have won geo-monetary significance on a global level. It is also important to note that China is fortifying numerous atolls within the region, converting them into airstrips and strategic bases for a display of Chinese military presence in the area. A showdown with the American Navy, someplace within the (near) future, lies within the realm of possibilities.

Therefore, the following research report will supply you with the information needed for a successful debate on the issue of Naval Expansion and Maritime Security in the South China Sea.

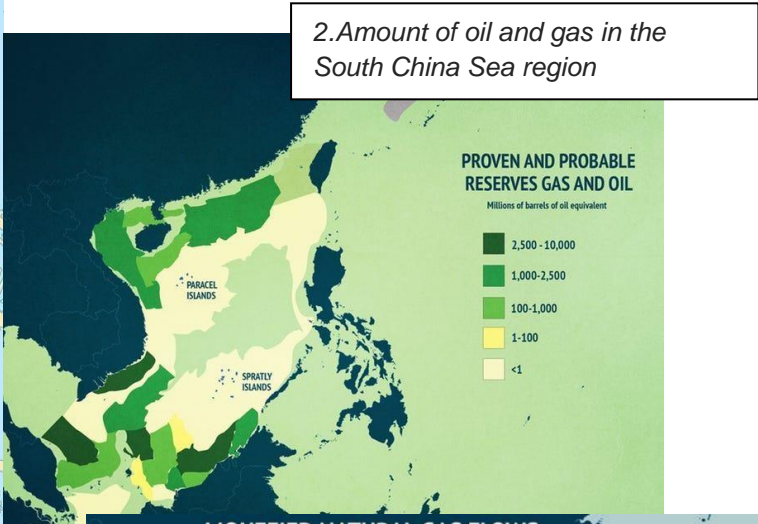


Maps

Since this issue is purely based on a territorial dispute and all through out this research report I refer to specific claims, islands and areas, here are all the maps put together. So when the research report refers to a certain place feel free to look it up right here.



1. Normal geographical map of the South China Sea

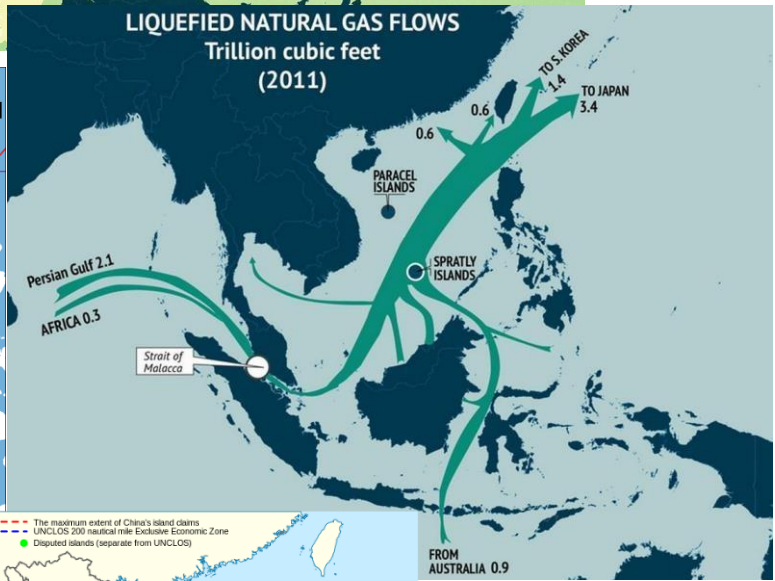


2. Amount of oil and gas in the South China Sea region

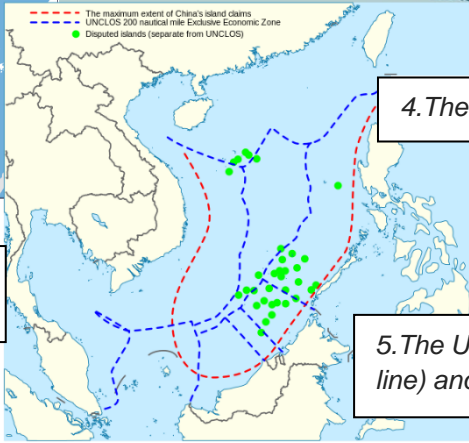


China and Taiwan Malaysia Vietnam Brunei Philippines

3. Territorial claims on the South China Sea.



4. The LNG in the South China Sea



5. The UNCLOS proposed borders (blue line) and the nine-dash line (red line)



## Definition of Key Terms

### Freedom of Navigation (FON)

This is one of the many principles of International Law where any ships sailing under a national flag is allowed to sail through any sea without interference of other parties with certain exceptions described in the law itself. This law is now noted as article 87 (1)a in the UNCLOS.

### United Nations Convention on the Laws of the Sea (UNCLOS)

A legal framework that applies to all marine and maritime activities. In 2016 the treaty counted 168 parties including the European Union.

### Exclusive Economic Zones (EEZ)

This is an area of sea proscribed by the UNCLOS (see UNCLOS meaning above). An EEZ spreads 200 nautical miles from the nations coastline where the party can perform special actions such as exploring resources and using its maritime features.

### Continental Shelf

Some define this as the edge of a continent that lays under the ocean, but the UNCLOS defines it as “the stretch of the seabed adjacent to the shores of a particular country to which it belongs.”

### Naval Expansion

This term refers to any actions taken by a nation to expand its maritime territory. This does not mean direct actions, creating artificial islands with bases, purchasing more defence mechanisms under the idea of expansion or enlarging maritime borders all fall under this term.

### The Association of Southeast Asian Nations (ASEAN)

An organisation by ten Asian nations in order to develop political, cultural and economic collaboration. It also facilitates military, security, sociocultural and educational integration between member states and Asian nations. It was founded on 31 July 1961 in Bangkok and has its headquarters located in Jakarta.

The 10 current member states are Brunei (accession in 1984), Cambodia (accession in 1999), Indonesia (accession in 1967), Laos (accession in 1997), Malaysia (accession in 1967), Myanmar (accession in 1997), Philippines (accession in 1967), Singapore (accession in 1967), Thailand (accession in 1967) and Vietnam (accession in 1995).



The courting with each China (PRC), the U.S and Taiwan (ROC) can be judged on the premise of every and each member, but each the U.S. and the PRC are essential trade partners of ASEAN. In mild escalating conflicts among a few participants of ASEAN and the PRC, greater navy exercises had been accomplished among the U.S. Navy and certain ASEAN participants. Whether or not this can remain the case for the Philippines, which have declared experiencing a “pivot” in the direction of the PRC stays to be seen.

### **Maritime Security**

This term refers to the maritime protection of nation’s resources, marine area or features.

In accordance with the issue, the ASEAN Regional Forum Work Plan for Maritime Security considers 2 branches of the issue: “traditional protection issues, such as “military threats and country sovereignty concerns,” and non-conventional protection threats, ... “beneficial early constructing blocks” to cultivate “mutual consider and consensus withinside the region.”

### **The South China Sea**

The South China Sea is defined as the arm of the western Pacific Ocean that has borders on the Southeast Asian mainland. It is bounded on the northeast by the Taiwan Strait (by which it is connected to the East China Sea), on the east by Taiwan and the Philippines, on the southeast and south by Borneo, the southern limit of the Gulf of Thailand, the east coast of the Malay Peninsula and lastly on the west and north by the Asian mainland.

This sea has been one of the most used sea lanes for long but nevertheless the area is often disputed with its many ongoing conflicts. The South China Sea will be the scenery of this debate.

The most disputed islands in the sea are the Spratlys, but the Paracel Islands, Scarborough Shoal and Pratas reef and Island are also heavily discussed. The region is also referred to as ‘the West Philippine Sea’ by some parties.

### **De Facto Sovereignty**

This term refers to the complete outing of sovereignty over an area that has not been officially recognized by Internarial Law as the parties land.



## General Overview

With the assist of globalisation and ever-gift speeding growth, China (PCR) has been capable of attaining out, contesting its countrywide growth and expanding a way past its personal coast. Many nations, along with China and Vietnam, hold construction sited on reefs and small islands and reclaim the seabed to ‘assemble’ each civilian and navy installations at the islands. This has best escalated the tensions among claimant states. Other incidents, including the Mischief Reef Incident, the Scarborough Shoal incident and the conflict at the Johnson Reef showed the capacity implications for global peace if the difficulty isn’t solved, but very few instances have been able to pass thru the UN and even fewer have made a serious impact on a global political scale. The matter of settling the South China Sea dispute will depend upon the capacity of the delegates to favour global negotiations thru the platforms supplied in the ways of the United Nations and its Charter and therefore stopping the current struggle via a way of any means necessary.

## Background Information

To fully understand this issue, you need to have a certain amount of background information on the South China Sea and its disputes.

China itself claims that they have been active in the area since 3rd century, however research shows that they have only been active in the region since the 5th century. The first real claim on the region was published much later in 1876. However, Vietnam had been performing acts of de facto sovereignty in the area since 1816.

In the 1800s there was a certain power switch in the South China Sea. The English Kingdom founded Hong Kong and Malaysia and the French Kingdom were the new rulers of Vietnam. Now 2 major western powers have entered the region. The first legitimate declare for the Spratly Islands was raised through Britain in 1877 after some British traders sought to make use of the islands` mineral resources. Later, in 1909, China claimed sovereignty over the Paracels bringing up archaeological proof and cultural ties to the claim, however, there has been no flow to occupy the region.



After being defeated in the Second World War Japan withdrew its troops from the South China Sea area. France under the name of Vietnam quickly laid claims on the Paracel islands. China also claimed areas in the Paracel and Spratly islands which led to a long series of negotiations between Chinese powers and France powers.

### **China's Nine-Dash Line territorial claims on the South China Sea**

In 1947, China posted the nine-dash line which established China's territorial claims over a maximum of the South China Sea. After the Chinese Revolution within the 1940s, the People's Republic of China (PRC) inherited China's nine-dash line, even as the Republic of China, which changed into Taiwan (ROC) later, made an equal declare—that means that each Chinese government declared sovereignty over the same area. After the closure of French Indo-China in 1955, Vietnam changed into North and South Vietnam. According to the Geneva Accords, South Vietnam inherited all of France's local claims and therefore it kept the area's before claimed. The Communist Government of North Vietnam, however, identified China's "historical" claims over the South China Sea no matter what the Geneva Accords stated. Nonetheless, in 1956, South Vietnam introduced the annexation of the whole Paracel archipelago beginning multiple operations there. At the same time, both China and Taiwan deployed troops within the Paracels.

In the same year a Philippine national called Tomas Cloma made claims to establish a new country within the Spratly Islands under the name of "the Freedomland". As a result, the ROC, the PRC and South-Vietnam Vietnam reiterated their claims over the islands and sent troops to suppress the uprising. The authorities of the Philippines, which had until then never made any declare over the islands till then, declared the secession unlawful and "Freedomland" was put to a stop.



*The flag of the Freedomland*

The nine-dash line has been used by China to expose the most volume of its declare without indicating how the dashes might be joined if it changed into a non-stop line and the way that might have an effect on the volume of the region claimed through China. The Philippines, Vietnam, Malaysia, Indonesia and Brunei have all officially protested over the usage of the





sort of line and the area claiming that comes with it. Immediately after China submitted a map to the United Nations together with the nine-dash line's territorial declare within the South China Sea on 7 May 2009, the Philippines lodged a diplomatic protest towards China for claiming the entirety of the South China Sea illegally. Vietnam and Malaysia filed their joint protest an afternoon after China submitted its map to the UN. Indonesia additionally registered its protest, although it did not no longer have a declare at the South China Sea.

### **The risen significance of the South China Sea**

To fully understand this conflict, you must first understand why all these nations want to have claims over the area. The importance of the South China Sea relies on three major factors: security and defence, sea lanes and resources.

The geopolitical significance of the South China Sea has risen notably in the past few years. In an age of major scarcity, its untapped herbal resources together with its oil reserves, herbal fueloline and massive fishing grounds have won geo-monetary significance on a global level. The South China Sea is one of the world's five leading fishing zones. With a fishery employee count of 3 million, it contributes heavily to the global fish trade and provides a major source of vital protein to millions of people living in the nations that depend on it.

The United Nations Conference on Trade and Development (UNCTAD) estimated that roughly 80 percent of global trade by volume and 70 percent by value is transported by sea. Of that very volume, 60 percent of maritime trade passes through Asia's waters, with the South China Sea carrying an estimated one-third of worldwide shipping. Therefore, the South China Sea has become one of the world's most important seas.

### **Recent naval expansions**

All through the beyond years numerous incidents have happened whereby for example several fishing boats had been rammed and pressured through Chinese ships. Over the years, the incidents have grown in quantity and severity. Since the information about these incidents is limited and the sovereignty of the sea is not properly established it is the question if these cases can be labelled as 'acts of violence' from an international point. Nevertheless, here are some of those recent incidents and naval expansions.



After the ASEAN and China agreed to a code of conduct in the Declaration on the Conduct of Parties in the South China Sea there was a long time of no conflicts. But then in 2009 Malaysia and Vietnam submitted a request to the UN Commission on the Limits of the Continental Shelf for the expansion of their maritime territory beyond the regular 200 nautical miles. China heavily protested against this submission seeing it as a violation of their maritime security.

Later, the US shows interest in the region again. China faces grievance for attacking Vietnamese oil exploration ships within the South China Sea. These hostilities lead the US to claim they will try to maintain the sovereign integrity of the region, and US President Barack Obama pushes negotiations at the Trans-Pacific Partnership (TPP) to make certain loose change is maintained, with the exception of China from talks.

In 2012, the Philippines sends a warship to deter the upward push in Chinese vessels visible within the Scarborough Shoal. China reacts with its personal army presence, and both fleets stay in a standoff for 2 months. This is referred to as the Scarborough Shoal incident.

In 2013, the Philippines file for UN settlement within the dispute under UNCLOS, which China refuses to take part in. Later on, Vietnam adopted a law claiming the Spratlys and Paracels, which China responds to by making the city of Sansha, a town in the Hainan province in the PRC with a population of only 1,400 inhabitants, the administrator of the region.

After a sequence of collisions, with each party blaming the other, and global sentiment criticizing China, the rig is eliminated in July. Vietnam starts buying US weaponry in order to defend its maritime area from the growing Chinese threat, and Chinese involvement in the area starts to get global interest.

In 2015, the United States Department of Defence releases a file detailing China's reclamation venture within the Spratlys, which provides up to "almost 3 thousand acres" of reclaimed land. In blatant dismissal for Chinese wishes, the United



*One of China's many artificial islands in the Spratlys in order to militarise the area. 28 May 2018, US government*



States Navy sends patrols close to the islands to spotlight their continued “freedom of navigation,” and asks them to stop their militarization of the region. Instead, China’s army encampment on Woody Island starts to grow, and surface-to-air missiles are hooked up at the island. Government officials in Beijing claim that it is self-defence and that they’re not breaking the UNCLOS in any way. However, Vietnam and the United States see it as the militarisation of the South China Sea and disrespects to the UN charter.

The trouble will become extra global whilst, in 2016, the Permanent Court of Arbitration dominated that China’s claims to the South China Sea had been unlawful below UNCLOS, and that its islands, being reclaimed, couldn't offer a foundation for an improved EEZ. China maintains to disregard the court’s ruling, and the Philippines emboldened through the decision, strives for the diplomatic decision below President Rodrigo Duterte. He bans fishing from the Scarborough Shoal, setting it below environmental protection, in hopes of restricting the conflict there. One of China's many artificial islands in the Spratlys in order to militarise the area. 28 may 2018, US government.

However, China did now no longer reply to the gesture by curtailing its hostilities. Instead, they capture a US UAV in December 2016, claiming it became infringing on their sovereignty, later returning it whilst the United States places global sanctions on Beijing. Later that year, China says the United States’ freedom of navigation operations is “a hazard to its sovereignty,” and tensions maintain to grow. As China’s aggression intensifies, nations start making threats. Rodrigo Duterte, the president of the Philippines, claims he will send troops at any signal of Chinese aggression withinside the Philippine-occupied part of the Spratlys. Vietnam prevent drilling inside its EEZs whilst China threatened war. The US, caught in exchange war signals with China, is much less worried, however makes its stance towards Chinese domination very clear.

With tensions in this important area rising every day, and two of the world’s most powerful parties at hand, without any signs of them setting aside their differences, a US and Chines maritime showdown is a possibility in the near future.



## Major Parties Involved

### Organisations

#### Permanent Court of Arbitration (PCA)

The Permanent Court of Arbitration was established by a treaty (The Hague Peace Conference, Article 20 to Article 29) in 1899 and has been a non-UN intergovernmental organisation providing parties with an arbitral tribunal. It is located in The Hague, the Netherlands.

The PCA plays a major part in this issue after their ruling on 12 July 2016 in the case of The South China Sea Arbitration (the Republic of Philippines vs. the People's Republic of China). The Philippines filed this



*The PCA's shared headquarters with the ICJ in the Hague. 2019, Tatiana Fedulova*

suit in 2013 against the PRC concerning sovereignty over Scarborough Shoal and the legal status of the nine-dash line, the PCA ruled that the Philippines held sovereign rights over Scarborough Shoal and due to insufficient evidence invalidated China's nine-dash claim. The PCR ignored the Court's judgment completely.

#### United Nations

The United Nations has shown its support for the UNCLOS and requests all its member states to obey their regulations. The UN is often used as a mediator for the PCA and their verdicts.

### Countries

#### The United States of America

Since one-third of the world's trade goes through the South China Sea the United States of America insists on keeping these trade routes open and save from militarisation. They have been trying to ensure this by having Freedom of Navigation Naval Operations: The US Freedom of Navigation program works to assert its navigation freedoms on a worldwide basis in accordance with the abovementioned 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 using diplomatic and military methods and multilateral consultations with other governments.



However, China does not always agree with the US's statements on the independent trade routes going through the sea and therefore these two parties often clash.

### **The People's Republic of China (PRC)**

China has had a strong influence in the South China Sea for a long time and since implementing their nine-dash line policy, they claim to own 90% of the South China Sea arguing that it has big historical and cultural ties in the region. To this day the PRC continues to strengthen its presence in the region by militarizing many of the islands and performing many naval expansions.



*China (PRC) showing off its strong fleet in the South China Sea. 2019, Chinese government*

Recent reports provide evidence that China is turning these artificial islands into military bases to strengthen their military. China's unwillingness to adhere to international standards, laws and decisions regarding the South China Sea and its continuous confrontations with the rest of the neighbouring countries have been proven to be the most challenging issues when trying to resolve the conflict.

### **Taiwan (ROP)**

Taiwan is an independent state in the East China Sea. Since Taiwan has been in major controversy of the PRC, Taiwan has only got 13 official UN diplomatic relations, not including Vatican City. When the state was created it also adapted territorial claims very similar to the PRC's nine-dash line in the South China Sea, but Taiwan also claims the Spratlys, the Paracels, Macclesfield Bank and Pratas Island.

The Ministry of Foreign Affairs Republic of China stated "Taiwan will continue to uphold the freedom of navigation and overflight in the South China Sea while based on the values of peace, humanitarianism, ecological conservation, and sustainable development. The ROC is willing, through negotiations conducted on the basis of equality, to work with all States concerned to advance peace and stability, as well as protect and develop resources, in the South China Sea."

### **Vietnam**

Looking at the picture earlier on, Vietnam claims the Paracels and portion of Spratlys (these claims are more globally recognised than the PRC's and ROC's claims). Vietnam has had China (PRC) showing of its strong fleet in the South China Sea. 2019, Chinese government



multiple incidents with China concerning territory claims but hasn't taken any direct actions. Vietnam referred to the ASEAN in solving this kind of diplomatic disputes.

### **Malaysia**

Malaysia currently has claims on a southern portion of the Spratlys, which is indeed in a 200 nautical miles range of its EEZ's and therefore in accordance with the UNCLOS. In contrast to other major parties, Malaysia has not taken a very hard stand on the issue. It has more bilateral relations with the PRC to begin with and therefore Malaysia maintains a much more friendly stance against the PRC. Old Malaysian Minister of Foreign Affairs has urged for more ASEAN cooperation in the area and with that a binding set of regulations. The new Minister of Foreign Affairs, Saifudun Abdullah, hasn't made a policy statement yet.

### **Brunei**

Negera Brunei Darussalam or Brunei has been the most silent player in the South China Sea dispute. Brunei claims the 200 Nautical miles from its EEZ very silently and has almost no military presence in the area. The area they are claiming does however overlap with China's claims and Malaysian claims. Brunei, with its inhabitant count of half a million, is often silenced by major parties like the US and PRC. Nevertheless, their economy heavily relies on Chinese import and therefore they keep a very friendly stand against the PRC.

### **Philippines**

The Philippines is in a hard place regarding this issue. It claims a large part of the South China Sea, such as portions of the Spratlys and the Scarborough Shoal. The Philippines have submitted cases to UNCLOS for consideration and worked with China to bring a case of arbitration before the International Court of Justice (ICJ). Despite a courtroom victory, the Philippines are in a defenceless position because of the failure of China to abide by the ruling of the International Court of Justice with no true resolution to the territorial dispute over the contested islands.

The Philippines reacts a lot more aggressive to these disputed threats than other parties, president Duterte was for example threatening to ship his troops into the region if China keeps violating what they recall to be their sovereignty. The Philippines also has been in search of a US guide withinside the dispute.



## Timeline of Key Events

<b>Date</b>	<b>Description of Event</b>
<i>5<sup>th</sup> century</i>	The first real evidence of Chinese presence in the South China Sea
<i>1816</i>	The king of Vietnam, Gia Long of Annam, exercises de facto sovereignty over the Paracels
<i>1841</i>	Hong Kong becomes part of the British Empire, Britain enters the South China Sea
<i>1876</i>	China makes its first official claim on the Paracels
<i>1887</i>	France gains control over Vietnam
<i>1898</i>	The Philippines was ceded from Spain to the US following the Spanish-American war
<i>1945</i>	After being defeated in WO2, Japan leaves the South China Sea
<i>1 December 1947</i>	The nine-dash line was published by China (then called the eleven-dash line)
<i>1949</i>	The ROC published its claim over the nine-dash line
<i>26th April – 20th July 1954</i>	The Geneva Conference led to the Geneva accords where Vietnam is split into the Democratic Republic of Vietnam (North Vietnam) and the State of Vietnam (South Vietnam)
<i>1956</i>	South Vietnam annexes the Paracels
<i>1969</i>	An UN mission finds reserves of oil in the South China Sea
<i>10<sup>th</sup> December 1982</i>	The UNCLOS was signed by 157 parties in Montego Bay, Jamaica
<i>14<sup>th</sup> March 1988</i>	Chinese and Vietnamese ships clash in the Spratlys
<i>1992</i>	The PRC passes The Law on the Territorial Sea and the Contiguous Zone, making the claimed land rightfully theirs
<i>1998</i>	The US and China sign The Military Maritime Consultative Agreement, underlaying the importance of mutual understanding of the UNCLOS
<i>April 2012</i>	The Philippines and China have a 2-month stand-off in Scarborough Shoal, also referred to as the Scarborough Shoal incident
<i>22<sup>nd</sup> January 2013</i>	The Philippines files its case against the PRC in the PCA



## CalsMUN 2022

14 <sup>th</sup> November 2015	Indonesia announces that they are planning to take the PRC to court over the Natuna Islands
12 <sup>th</sup> July 2016	The PCA rules in favour of the Philippines
22 <sup>nd</sup> December 2020	The PRC “expelled” the US John S McCain after it “trespassed” to close to the Spratly Islands

## Previous Attempts to Resolve the Issue

### United Nations attempts

It is important to note that these resolutions do not have any direct measures or means to stop the South China Sea dispute, since no cases have been directly discussed because the debate would break internal affair policies and the UN does not really have the power to resolve these issues. Nevertheless, I would urge you to take a look at these past resolutions. UNGA Resolution 74/19 is the most recent UN affirmation of UNCLOS, approved in 2019. A/RES/66/231 on Oceans and the law of the sea (1).

UNGA Resolution 74/18 is the most recent affirmation of UN efforts within the sub-organization Oceans and the law of the sea: sustainable fisheries initiative. This affirmation includes language calling upon states to report over-fishing and other illegal activity from fishermen and to ensure proper reporting is pursued to prevent continued overfishing. A/RES/68/70 on Oceans and the law of the sea (2).

### ASEAN attempts

ASEAN has stood firm in supporting the claims of its member states involved in the dispute, i.e., Vietnam, the Philippines, Malaysia and Brunei. However, its stance remains unclear as far as disputes between its members are concerned. ASEAN has been pushing for dialogue between China and its member states so to prevent any potential conflicts.

### United States of America’s attempts

Over the last decade, the US Navy has been patrolling the South China Sea in order to uphold freedom of navigation in the region. This has mainly caused tensions with the Chinese Navy claiming that the USA’s



3 US Navy ships and 1 Royal Australian ship (L) go through the South China Sea to express their FON. 18 April 2020, US Government





involvement only causes further instability and infringes China's exclusive sovereign rights to the South China Sea. Although ships are still free to sail in the South China Sea, it has been unclear to what extent the USA's involvement is to blame.

### **Possible Solutions**

As stated many times before, this issue is of immense complexity. Not only because of the many stakeholders but also their many different claims, policies and positions on the matter. These parties are also of habit to change these occasionally which makes the issue even more complex. The two major parties involved having a veto in the Security Council can be extremely helpful or make this issue even harder. In order to solve such a major issue, delegates must obey to their countries' policies whilst refraining from being biased at all time, make collaboration between nations their prior moral and above all respect the UN and its structures.

This issue has a thousand different sides and therefore a thousand different solutions, but here are some possible solutions:

#### **1. Reform the United Nations Security Council to have a veto override process**

Perhaps one of the most radical solutions out there is the complete reformat of the United Nations and its bodies. This would finally allow smaller states to have a voice in this issue and not constantly be silenced by the bigger parties. However, there are easier ways to solve this issue.

#### **2. Create a UN maritime task force used as peacekeepers**

This would be installed with the main purpose to prevent conflict from spiralling out of control. This would have been financed, organized, provided with bases and forces seconded from Member States, some of whom might not be enthusiastic about volunteering. To be effective, it would require cooperation from all Member States bordering the South China Sea.

#### **3. Strengthening and broadening the UNCLOS**

The UNCLOS currently acts as some type of code. However, its effectiveness is restrained at the moment, as China believes its countries' wide guidelines are extra applicable, and different claimants (all besides Brunei) declare historic rights to territorial water out of doors their conventional jurisdiction. Extending the breadth of UNCLOS via a way of asking even more nations to ratify it is going to possibly create a common ground for them and result in them relinquishing a part of their claims, encouraging the debate to develop. Their role might



also come to be extra popular. The USA, for example, has been criticized for supporting the UNCLOS without ratifying it. International attractiveness to the law could possibly put stress on the beforementioned nations to apply it in resolving disputes.

#### **4. Solving the territorial dispute once and for all**

The beating heart of this issue are the many claims by the surrounding countries on the marine area and them overlapping each other on multiple occasions. These bordering lines would be solved once and for all by, for example, all sticking to UNCLOS 200 nautical miles from the EEZ law and refraining from making unstructured arguments based on “culture and past presence”. However, every South China Sea nation must set aside its past disputes and differences, be willing to take a seat at the table of SCS nations and be able to draw some proper borders.

#### **5. Do nothing**

This may sound unprecedented, but many researchers have this as their main solution. Since the UN is ‘trapped’ in its own structure, it has to act on an issue already arbitered in the UNCLOS and has major restrictions in how far their resolution can go, they cannot properly act on the issue and therefore have no other option. They would let the nations figure their borders out by themselves and they would not interfere with the South China Sea anymore. However, this is no solution for a prestigious and powerful organisation like the United Nations and certainly not suitable for a Model United Nations.



## Bibliography

- The South China Sea dispute and how to solve it in 1 minute. UN-explained, Youtube  
<https://www.youtube.com/watch?v=dQw4w9WgXcQ>
- China's Maritime Disputes. <https://www.cfr.org/chinasea>.
- "Geneva Accords." Encyclopedia Britannica, [www.britannica.com/event/GenevaAccords](http://www.britannica.com/event/GenevaAccords)
- "China's Maritime Disputes." Council on Foreign Relations, [www.cfr.org/interactives/chinas-maritime-disputes?cid=otr-marketing\\_usechina\\_sea\\_InfoGuide#!/chinas-maritime-disputes?cid=otr-marketing\\_usechina\\_sea\\_InfoGuide](http://www.cfr.org/interactives/chinas-maritime-disputes?cid=otr-marketing_usechina_sea_InfoGuide#!/chinas-maritime-disputes?cid=otr-marketing_usechina_sea_InfoGuide).
- "China Says It 'expelled' U.S. Navy Vessel from South China Sea." NBC News, 2 May 2020, [www.nbcnews.com/news/world/china-says-it-expelled-u-s-navy-vesselsouth-china-n1196261](http://www.nbcnews.com/news/world/china-says-it-expelled-u-s-navy-vesselsouth-china-n1196261).
- "PCA Press Release: The South China Sea Arbitration (The Republic of the Philippines V. The People's Republic of China)." PCA-CPA, [www.pca-cpa.org/en/news/pcapress-release-the-south-china-sea-arbitration-the-republic-of-the-philippines-v-the-peoples-republic-of-china/](http://www.pca-cpa.org/en/news/pcapress-release-the-south-china-sea-arbitration-the-republic-of-the-philippines-v-the-peoples-republic-of-china/)
- Wong, Catherine. "Vietnam Accuses China of 'seriously Violating' Sovereignty." South China Morning Post, 20 Apr. 2020, [www.scmp.com/news/china/diplomacy/article/3080756/vietnam-accuses-beijingseriously-violating-sovereignty-south](http://www.scmp.com/news/china/diplomacy/article/3080756/vietnam-accuses-beijingseriously-violating-sovereignty-south).
- "Pirates' Strategies and Countermeasures in the South China Sea." Www.Theepochtimes.Com, 18 June 2018, [https://www.theepochtimes.com/piratesstrategies-and-countermeasures-in-the-south-china-sea\\_2562419.html](https://www.theepochtimes.com/piratesstrategies-and-countermeasures-in-the-south-china-sea_2562419.html).
- Grady, J. (2015). Panel: China Establishing a Grey Zone of Coercion in South China Sea. U.S. Naval Institute News, <https://news.usni.org/2015/11/17/panel-china-establishing-a-greyzone-of-coercion-in-south-china-sea>
- Greer, A. (2016) 'The South China Sea Is Really a Fishery Dispute', in: The Diplomat, <https://thediplomat.com/2016/07/the-south-china-sea-is-really-a-fishery-dispute/>
- Hermez, M. (2016) 'De woelige wateren van de Zuid-Chinese Zee', Wereldbeeld, Jg. 4, Nr.179, 4 p.
- Holmes, J. R. (2012) South China Sea: The "Heartsea", <http://thediplomat.com/the-naval-diplomat/2012/08/21/south-china-sea-the-heartsea/>
- Schofield, C., (2015) 'Adrift on complex waters. Geographical, geopolitical and legal dimensions to the South China Sea disputes', in: Buszynski, L., Roberts, C. (2015) The South China Sea Dispute. Political, legal and regional perspectives. London and New York: Routledge: pp. 24-45.
- Singh, T. (2012) South China Sea. Emerging Security Architecture. IPCS Special Report 132, August 2012, Southeast Asia Research Programme (SEARP), Institute of Peace and Conflict Studies, 12 p.
- Snyder, S., Glosserman, B. & Cossa, R. (2001) Confidence Building Measures in the South China Sea. Pacific Forum CSIS. Honolulu, Hawaii. [https://csis-prod.s3.amazonaws.com/s3fspublic/legacy\\_files/files/publication/issuesinsightsv01n02.pdf](https://csis-prod.s3.amazonaws.com/s3fspublic/legacy_files/files/publication/issuesinsightsv01n02.pdf)



- Southerland, D. (2017) 'The Real South China Sea Crisis Everyone Is Missing', The National Interest, <http://nationalinterest.org/blog/the-buzz/the-real-south-china-sea-crisis-everyonemissing-19922>
- BRANIGAN, Tania. Vietnam and China trade accusations over sinking of Vietnamese fishing boat. In: The Guardian [online]. Beijing: The Guardian, 2014 [cit. 2017-02-07]. Available at: <https://www.theguardian.com/world/2014/may/27/vietnam-chinaaccusations-sinking-fishing-boat>
- South China Sea Expert Working Group. 2017. A Blueprint for Fisheries Management and Environmental Cooperation in the South China Sea. Washington, D.C.: Center for Strategic and International Security: Asia Maritime Transparency Initiative. <https://amti.csis.org/coc-blueprint-fisheriesenvironment/>
- Thayer, Carl. 2018. "Consensus by Deletion: Reviewing the 32nd ASEAN Leaders' Summit and the South China Sea." The Diplomat, April 30. <https://thediplomat.com/2018/05/consensus-by-deletionreviewing-the-32nd-asean-leaders-summit-and-the-south-china-sea/>
- U.S. Energy Information Administration. 2013. South China Sea. U.S. Energy Information Administration. [https://www.eia.gov/international/content/analysis/regions\\_of\\_interest/South\\_China\\_Sea/south\\_china\\_sea.pdf](https://www.eia.gov/international/content/analysis/regions_of_interest/South_China_Sea/south_china_sea.pdf)
- United Nations General Assembly. 2019. "Resolution adopted by the General Assembly on 10 December 2019- 74/19." New York City: United Nations, December 10. <https://undocs.org/en/A/RES/74/19>
2019. "Resolution Adopted by the General Assembly on December 10 2019- 74/18." New York: United Nations, December 10. <https://undocs.org/en/A/RES/74/18>
- Zhen, Liu. "What's China's 'nine-dash Line' and Why Has It Created So Much Tension in the South China Sea?" South China Morning Post, 12 July 2016, [www.scmp.com/news/china/diplomacy-defence/article/1988596/whats-chinas-ninedash-line-and-why-has-it-created-s](http://www.scmp.com/news/china/diplomacy-defence/article/1988596/whats-chinas-ninedash-line-and-why-has-it-created-s)