



## SECURITY COUNCIL: Topic 2

# THE SITUATION IN THE SOUTH CHINA SEA

### Background:

The South China Sea, located between Vietnam, Malaysia, the Philippines, and China, is a major commercial gateway, with over 60% of the world's maritime trade (worth 5.3 Trillion USD), passing through it every year. Many countries, such as Japan and South Korea, rely heavily on trade passing through the region with regard to both importing and exporting goods. Additionally, the South China Sea is host to rich fishing grounds and is reported to hold significant reserves of undiscovered oil and gas<sup>1</sup>.

In the year 1947, following the end of the Second World War, the Chinese government under the rule of the Kuomintang party claimed control over a large portion of South China Sea. This declaration claimed the majority of the South China Sea, including the Pratas Islands, the Macclesfield Bank, and the Paracel and Spratly Islands. The Kuomintang government used historical precedent as the justification for this, as it had been previously outlined as under Chinese control in various colonial charters. When the Chinese Communist Party (CCP) came to power in China, it removed the portion encompassing the Gulf of Tonkin, simplifying the border to nine dashes, giving the well-known 'nine-dash line' its name. China continues to forward this claim to this day<sup>2</sup>.

The United Nations Convention on the Law of the Sea (UNCLOS) of 1982 established the Exclusive Economic Zone (EEZ), a 200-nautical-mile region that grants the exclusive rights to the exploitation of marine resources to the closest coastal nation within this distance. It is important to note that the EEZ does not grant military control over the maritime zone, but solely economic control. Still, the interpretation of the UNCLOS is hotly disputed to this day<sup>3</sup>.

Various agreements have been made over the past decades between the China and the Association of South-East Asian Nations (ASEAN), such as the [Declaration on the Conduct of Parties in the South China Sea](#), and the Joint Energy Development Agreement, however the degree to which the protocols agreed to have been followed are up to debate. In 2013, the Philippine government filed for arbitration against China under the UNCLOS. China claims, however, that this cannot be resolved without first settling territorial issues. The Philippines' claims, on the other hand, focus predominantly on issues of the law of the sea. Beijing has mostly refused to participate in the proceedings, though it has published a position paper opposing the tribunal's jurisdiction<sup>4</sup>.

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<sup>1</sup> "Khalid Zaka: A Summary of the South China Sea Conflict," The Georgia Straight, September 11, 2020, <https://www.straight.com/news/khalid-zaka-a-summary-of-south-china-sea-conflict>.

<sup>2</sup> "South China Sea." Lowy Institute, November 5, 2021. <https://www.lowyinstitute.org/issues/south-china-sea>.

<sup>3</sup> "Law of the Sea - Un.org." Accessed November 9, 2021. [https://www.un.org/Depts/los/doalos\\_publications/LOSBulletins/bulletinpdf/LOS-Bulletin104-web.pdf](https://www.un.org/Depts/los/doalos_publications/LOSBulletins/bulletinpdf/LOS-Bulletin104-web.pdf).

<sup>4</sup> "Settlement of Disputes under the 1982 United Nations ..." Accessed November 9, 2021. [https://www.un.org/depts/los/nippon/uniff\\_programme\\_home/fellows\\_pages/fellows\\_papers/nguyen\\_0506\\_vietnam.pdf](https://www.un.org/depts/los/nippon/uniff_programme_home/fellows_pages/fellows_papers/nguyen_0506_vietnam.pdf).



### **Current Situation:**

Tensions, at the moment, are high between the parties involved in the South China Sea. The ASEAN, and particularly the Philippines and Vietnam, have been entering in and out of military skirmishes with Chinese forces in the region, as China continues to take control of more and more islands in the region previously controlled by other countries<sup>5</sup>.

Over the past year, the Chinese army and navy have been partaking in military exercises in the regions of the South China Sea claimed by China. The United States have criticized these actions, particularly objecting to the firing of disarmed ballistic missiles in the region, claiming that they “further destabilize the situation in the South China Sea”<sup>6</sup>.

Additionally, satellite imagery suggests that China has been increasing efforts to reclaim land in the South China Sea, physically expanding existing islands and creating new ones altogether in the sea<sup>7</sup>. China has constructed ports, military installations, and airstrips—particularly in the Parcel and Spratly Islands, where it has twenty and seven outposts, respectively.

To maintain its hold over the region, the United States has challenged China’s recent moves by conducting Freedom of Navigation Operations (FONOPs) and increasing its support of its Southeast Asian partners. Japan has also leased military equipment and vessels to Vietnam and the Philippines in order to deter Chinese aggression and improve their military security<sup>8</sup>.

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<sup>5</sup> “Khalid Zaka: A Summary of the South China Sea Conflict.” The Georgia Straight, September 11, 2020. <https://www.straight.com/news/khalid-zaka-a-summary-of-south-china-sea-conflict>.

<sup>6</sup> “Territorial Disputes in the South China Sea | Global Conflict Tracker.” Council on Foreign Relations. Council on Foreign Relations. Accessed November 9, 2021. <https://www.cfr.org/global-conflict-tracker/conflict/territorial-disputes-south-china-sea>.

<sup>7</sup> “South China Sea.” South China Morning Post. Accessed November 9, 2021. <https://www.scmp.com/topics/south-china-sea>.

<sup>8</sup> “Territorial Disputes in the South China Sea | Global Conflict Tracker.” Council on Foreign Relations. Council on Foreign Relations. Accessed November 9, 2021. <https://www.cfr.org/global-conflict-tracker/conflict/territorial-disputes-south-china-sea>.



### **Important bloc positions:**

#### **The People's Republic of China:**

China has, evidently, a vested interest in the South China Sea. It claims much of the region's maritime resources and territory, as well as many of the islands within the region. Over the past decades, it has put much of its resources towards expanding their influence in the region, and has built numerous military bases on islands in the region. The Chinese government backs their claim of the nine-dash line, and does not support much of the stipulations outlined by the UNCLOS.

#### **The United States of America:**

The United States, since the Second World War, has had a very strong influence over the South China Sea, controlling military bases in nearby Okinawa, as well as in other regions. The United States does not back China's claim of the nine-dash line, but instead maintains and defends the agreements made by the UN regarding maritime law, particularly the UNCLOS and the EEZ. The United States has affirmed its neutrality in the conflict in 2010, however it has been clear in its resistance to Chinese advances in the region.

#### **ASEAN:**

The ASEAN countries, who currently profit greatly from their territory in the South China Sea, and its islands, defend their territorial claims to their entirety. They actively oppose the Nine-Dash-Line and China's claim to the region, and back the agreements made between ASEAN countries regarding their territorial claims, as well as the UNCLOS. However, they rely on China for trade and are worried about insulting or angering their bigger neighbor.

### **Possible solutions:**

- Resource-sharing programs could be organized to resolve the conflict over the fishing, gas, and oil resources in the region.
- Apartisan international arbitrators could be brought in to keep the peace in the region.
- Territorial agreements could be drafted between China and the ASEAN nations.
- Agree that the UNCLOS must be respected, or find some kind of compromise between it and the nine-dash line.

### **Further reading:**

- [A summary of the South China Sea conflict](#)
- [Territorial Disputes in the South China Sea](#)
- [SOUTH CHINA SEA - Lowy Institute](#)
- [South China Sea: Background Note](#)
- [Philippines v. China](#)



**Bibliography:**

- “Khalid Zaka: A Summary of the South China Sea Conflict.” The Georgia Straight, September 11, 2020. <https://www.straight.com/news/khalid-zaka-a-summary-of-south-china-sea-conflict>.
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- “Settlement of Disputes under the 1982 United Nations ...” Accessed November 9, 2021. [https://www.un.org/depts/los/nippon/unff\\_programme\\_home/fellows\\_pages/fellows\\_papers/nguyen\\_0506\\_vietnam.pdf](https://www.un.org/depts/los/nippon/unff_programme_home/fellows_pages/fellows_papers/nguyen_0506_vietnam.pdf).
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- “South China Sea.” South China Morning Post. Accessed November 9, 2021. <https://www.scmp.com/topics/south-china-sea>.