



SPECIALIZED COMMITTEES | 2014



ASEAN DEFENCE MINISTERS' MEETING-PLUS  
(ADMM-PLUS)

# **UNIVERSITY OF TORONTO MODEL UNITED NATIONS 2014**

## **Association of South-East Asian Nations (ASEAN)**



**Dear Delegates,**

As Director of the Association of South-East Asian Nations (ASEAN), I have the pleasure of welcoming you all to this committee. Our Assembly, as the representatives of the many South-East Asian nations, is largely responsible for the affairs of the country. The Assembly, through its own powers, aims at founding economic and social groundwork and improving general life quality in peaceful ways. The Association of South-East-Asian Nations, then, is a vital body. Indeed, at this critical moment with the typhoon in the Philippines, Maritime security issues and terrorist threats, you as its illustrious members have the opportunity to forge resolutions.

The issues we will be tackling this year are those of both regional and general concerns which have escalated into matters that merit international attention. The questions with which we will deal revolve around three critical issues: The South China Sea dispute, humanitarian assistance and disaster relief, and counter-terrorism and peacekeeping operations. The South China Sea disputes are a series of contradictory land claims that have been a source of hostility among China and many ASEAN members for the past several decades. Humanitarian assistance and peacekeeping actions are vital question for which it is sought in the ASEAN committee since its inception under the United Nations. It is up to ASEAN to intervene and seek solutions with which to deter belligerent forces from taking violent action. I strongly advise a thorough study of this guide, as you will find it most useful in conducting your research. You will need to be prepared with a working knowledge of your country's foreign policy on each of the three topics. With successful research, I am confident that you will enjoy a weekend of stimulating debate.

Before leaving you to your duties, I will take a brief moment to introduce myself. I am a third-year student from the University of Toronto, majoring in Statistics. Naturally, I am a very social person, and love to meet people from different backgrounds. I am eager to have you share your perspectives and propose practicable solutions to these grave and urgent matters, for I believe that we, as human beings, have an undeniable responsibility to do so.

I look forward to meeting you all at the conference! Good luck!

**Jiseon Audrey Kim**

**Director of the Association of South-East Asian Nations.**

## **Topic 1: Humanitarian assistance disaster relief (HADR)**

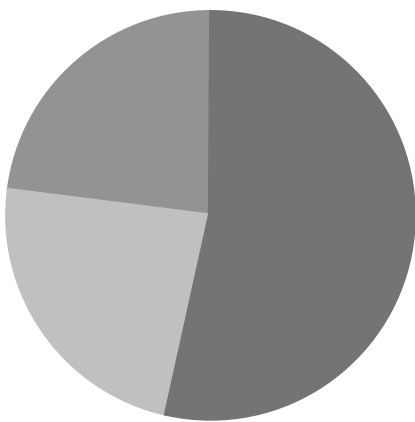
### **Humanitarian assistance and disaster relief**

Humanitarian action, broadly defined, could encompass any actions to save lives and alleviate suffering in the face of disasters. This would include the reaction to disasters in damaged countries, such as Typhoon Haiyan in the Philippines or the 2011 flood in Thailand, as well as efforts in thousands of small disasters which happen across the globe but do not generate international attention. Intercontinental relief agencies have always worked through and with local businesses and are themselves largely composed of staff from disaster-affected countries. Disaster relief is a kind of humanitarian actions restricted to help the countries who are suffered from disaster which includes man-made and natural incidents, such as earthquakes, floods, hurricanes, and climate change.

### **Composition of the humanitarian System (Resources) and Challenges**

During the years, the international humanitarian system's resources have expanded considerably. Also it developed deeper programming methodology and increasingly solidify coordination connections between its actors. In the 2008, the total number of aid workers in the field (including both disaster relief and development workers) was roughly 595,500. On average, the humanitarian field worker population has increased the past 10 years. As with the population of the aid worker, according to the Global Humanitarian Assistance (GHA) report, the total dollar amount of funding used for humanitarian assistances is estimated that international humanitarian resources totaled \$15billion in 2007 and around the \$18 billion in 2008. This statistics factor official government humanitarian assistance contributions and private (non-government) contributions received by aid organizations in global scale."/>

Figure 1 : Estimated number of field staff and distribution



total field staff: 210,800

- INGOs
- UN humanitarian agencies and International Organization for Migration (IOM)
- International Movement of the Red Cross/ Red Crescent

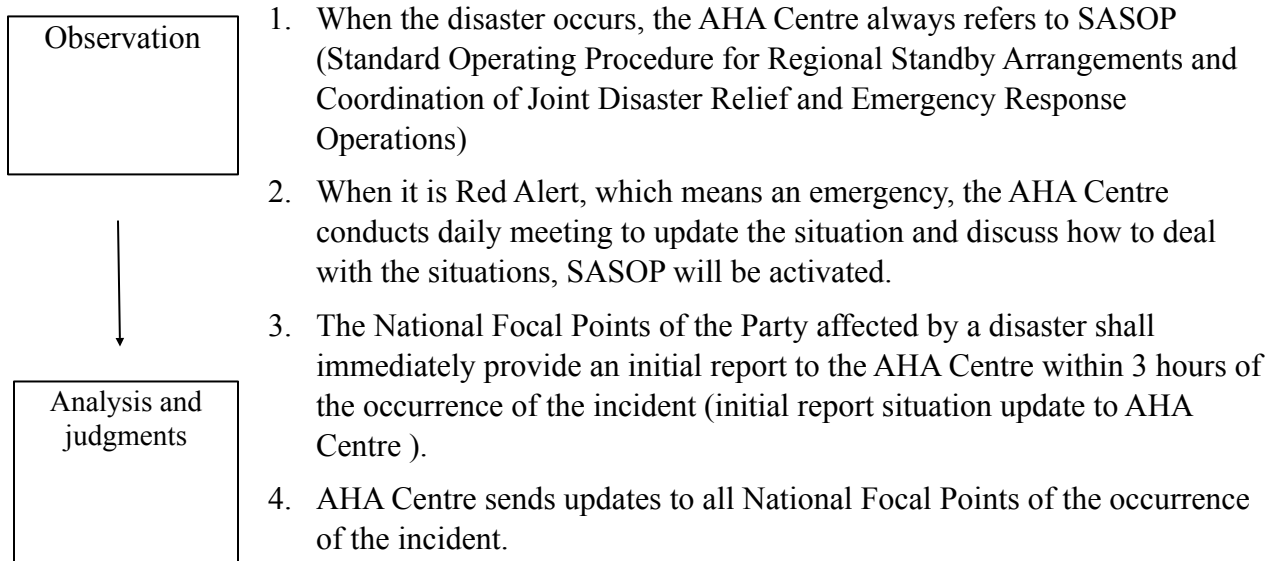
Although it has huge globalized system, there are still many challenges. For example, inadequate funding, insecurity, poor quality of programs, lack of aid workers on the ground and limited access to certain areas due to restrictions on programming presence or logistical infrastructure problems. Of all its challenges, worldwide humanitarian action seems to suffer from the lack of the effective leadership most.

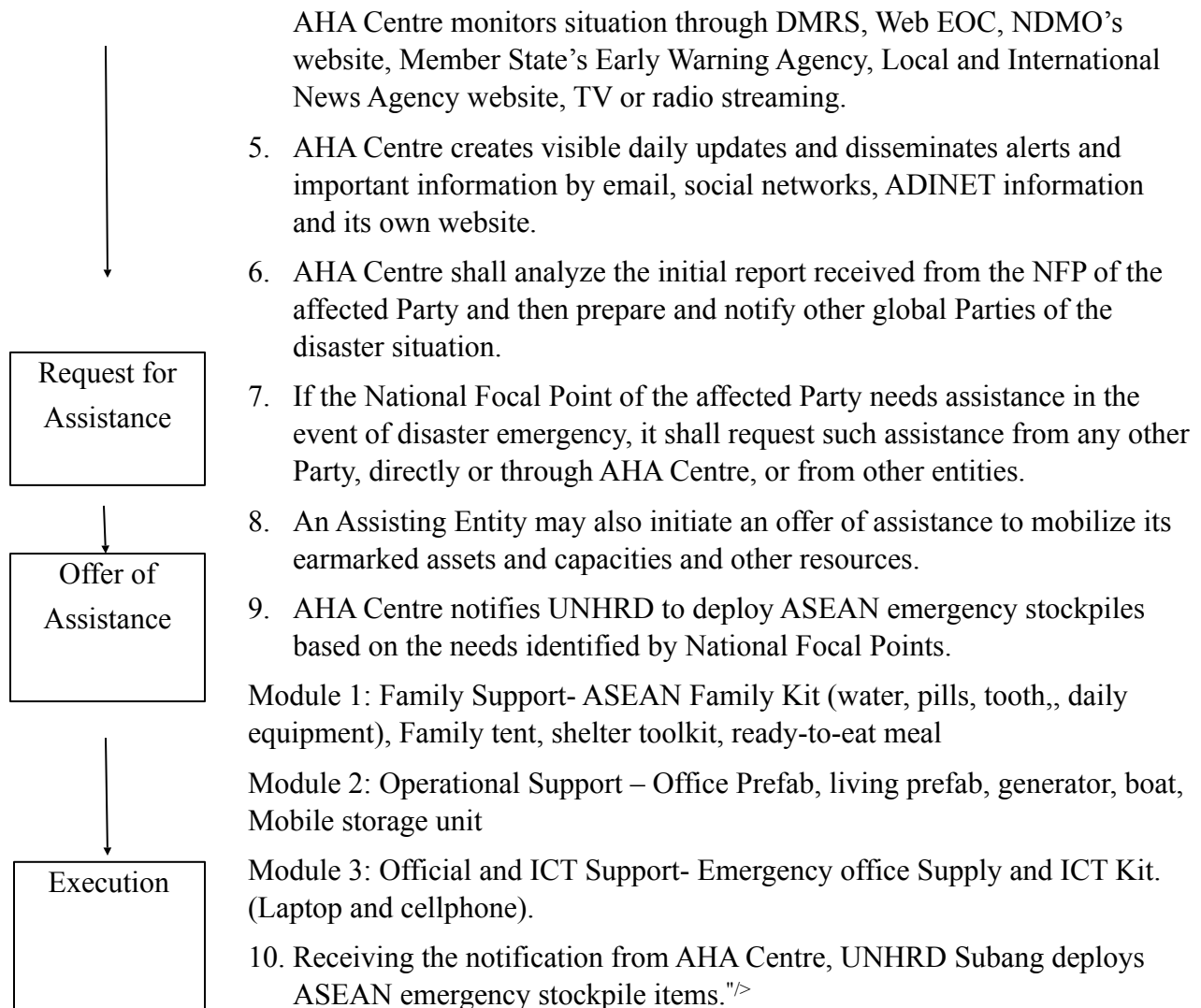
### **Disaster in Philippines**

November 8<sup>th</sup>, Super-typhoon Haiyan (known as Yolanda in the Philippines), the strongest storm on the planet this year, pounded in to central Philippines. It is reported to have surpassed intense scale and made catastrophe in the Philippines. With 379km/s wind speed velocity, Haiyan devastated all the buildings and bombarded the middle region with hail. The official death toll has reportedly risen above 5,000 and it is still increasing constantly because many people are missing. More than four million people lost their homes. To make matters worse, there are too many corpses on the road to clean, making diverse contagious diseases and patients rampant. Other countries and organizations from all over the world keep providing assistances; delivering water, food and medicine have been top priorities. Although the international community carries on its efforts, many relief efforts face permanent challenges such as deficit of infrastructure and people in Philippines are seriously suffering.

### **Disaster Emergency Logistics System for ASEAN**

Under ASEAN, there is AHA Centre (The ASEAN Coordinating Centre for Humanitarian Assistance on disaster management) which facilitates cooperation and relationship among ASEAN Member State and with the United Nations and International organizations to establish a regional emergency response logistic system and assist damaged countries. The progress of logistic system is as in the following.





### Other ASEAN countries reactions to Philippine disaster

Indonesia has pledged \$2 million in aid for the victims. Malaysia, meanwhile, has pledged to send four batches of aid which contain food, water and tarpaulins. They also arranged medical disaster rescue personnel, equipment and supplies to establish a self-sustained field hospital and emergency operations in Tacloban City. The government of Singapore has donated \$200,000 to support relief actions, while sending tents, ground sheets, medical supplies, and blankets. The Thai government has used media to appeal on national television asking Thais to donate; contributions have amounted to \$2.7 million so far. Even Vietnam while facing its own typhoon, pledged of contributing \$100,000 to assist the Philippines. ASEAN are still awaiting assistance confirmation from Burma, Cambodia, and Laos.

### Questions for Consideration

1. How should ASEAN respond to the typhoon in the Philippines and elsewhere?
2. See the 'Disaster Emergency Logistics System for ASEAN'. What are the positives and the negatives of the process? How can we make the system better?

### 3. Think about other specific humanitarian assistances and disaster relief.

## Topic 2: Counter-terrorism- Peacekeeping operations

### Terrorist threats in the South-East Asian countries.

The attacks from terrorists in South-East Asian countries have been increasing. This is especially due to the diversity of ethnic and religion groups. The Bali bombing in Indonesia is a typical example. It occurred in the tourist district of Kuta on the Indonesian island of Bali. The attack killed 202 people including many foreigners and a further 240 people were injured. Those responsible turned out to be the members of Jemmah Islamiyah, a violent Islamist group. They are so-called Al-Qaeda in South East Asian countries and aim at establishing a

fundamentalist Islamic regime in Asian countries. Starting from 2002, Jemmah Islamiyah had been committing suicide bombing for four years. In Indonesia, Islam is the majority religion, with 88 % of their total population identifying as Muslim. Although terrorist activities appear to have stopped occurring in the region, Indonesia still suffers from conflict and a separation movement among the diverse ethnic and religion groups.



Furthermore, on September, 2013, an astonishing suicide bomb terror attack occurred in the southern region of Thailand. The masterminds were Islamic militants who sought independence of South Thailand. The terrorist attacks sustained for more than ten years and numerous of innocent lives were taken from the action.

### Recent overview of engagement in peacekeeping and peace operations of ASEAN"/>

Several ASEAN member countries vigorously contribute to peacekeeping duties at the international and regional levels through the contribution of military and police personnel. The Philippines, Indonesia and Malaysia actively contribute. At the end of December 2010, of 115 countries contributing uniformed military and police personnel to UN peacekeeping operations, Indonesia represented the 16th largest contributor, with 1,795 personnel. Malaysia was ranked 21st, with 1,163 and the Philippines ranked 27th, with 926 military and police personnel compared with other countries.

ASEAN countries focus on educating and spreading peace as well. There already are peacekeeping centers in Indonesia, Malaysia, Thailand, and the Philippines. Malaysia founded a

peacekeeping training centre in 2006 and more recently, a peacekeeping center in Cambodia has also been announced. Indonesia's centre founded in 2010 even has the notable object of preparing peacekeeping personnel for deployment in UN operations.

It is clear that ASEAN member states are receptive to UN peacekeeping operations for the sake of international peace and security. They have also undertaken counter-terrorism activities. ACCT, The ASEAN Convention on Counter-Terrorism, has been ratified by all 10 ASEAN Member States in Jan, 2013. The ACCT achieves ASEAN's counter-terrorism efforts, serving as framework for regional cooperation to suppress terrorist and deepen counter-terrorism cooperation. Put differently, the ACCT enhances the region's strategic role against terrorism.

Table 1: Major ASEAN Declarations and Conventions against Terrorism after 9/11

Title	Year
ASEAN Declaration on Joint Action to Counter Terrorism	5th Nov, 2001
Joint Communication of the Special ASEAN Ministerial Meeting on Terrorism	21th May, 2002
Declaration on Terrorism by the 8 <sup>th</sup> ASEAN Summit	3 <sup>rd</sup> Nov, 2002
Ball Regional Ministerial Meeting on Counter Terrorism	5 <sup>th</sup> Feb, 2004
ASEAN Convention on Counter Terrorism	13 <sup>th</sup> Jan, 2007
ASEAN Cooperation Against Terrorism	24 <sup>th</sup> May, 2011

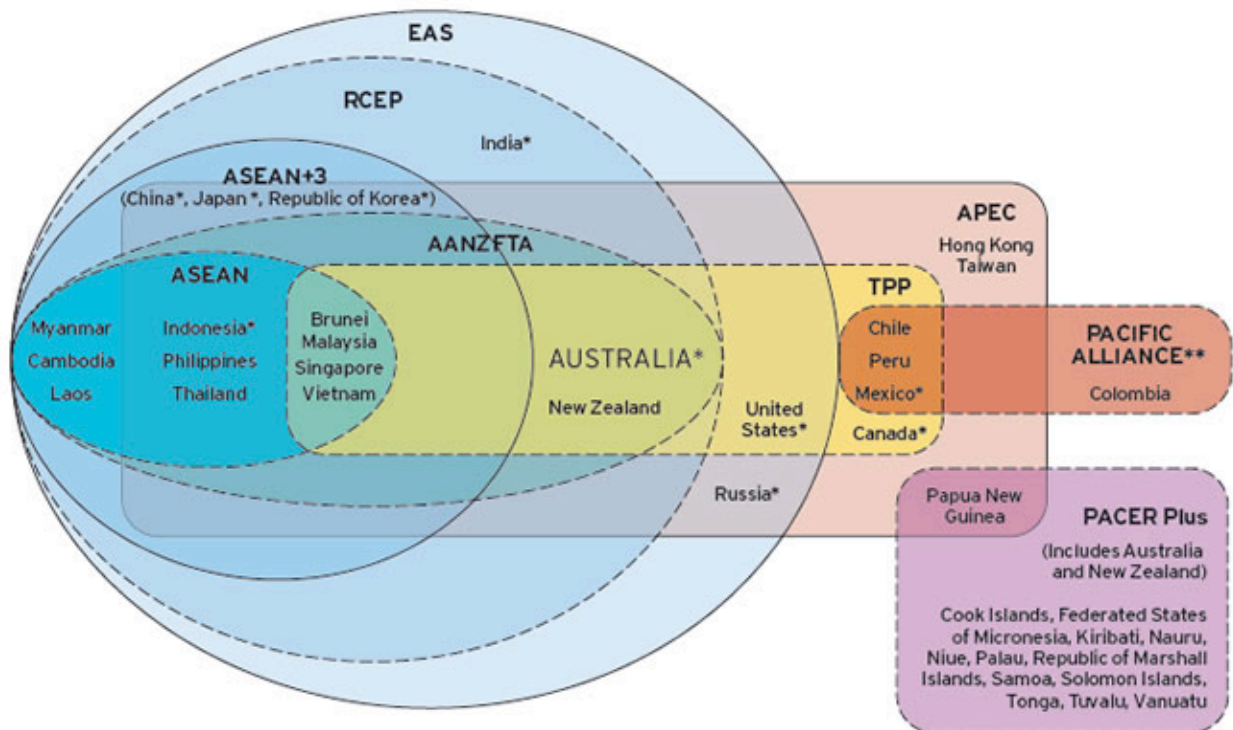
Source: ASEAN Secretariat

### **ASEAN and peace keeping force?**

Today there are many arguments among ASEAN countries to make their own peace keeping force so that they can prevent all the conflicts among the ASEAN countries. In March 2004, Indonesia proposed that an ASEAN Peacekeeping Force be established by 2012 as part of a future ASEAN Security Community. However, it received a lukewarm response from other ASEAN countries at the time for several reasons. The main reason is that the establishment of a collective peacekeeping capability would run against to the principle of non-interference among the Member States. Thus, an ASEAN peacekeeping force should be made through long-term discussion and agreements based on trust and confidence among member states. However, the fact that the African Union, which gives inspirations to ASEAN as a successful regional bloc, has already formed the African Standby Force (ASF) is stimulating further discussion among ASEAN member states. In addition, given the experience that several ASEAN states helped



each other in peacekeeping operations in the region (e.g. in Cambodia and East Timor), the prospects of accomplishing a regional peace keeping force seems optimistic in the medium term.



Source: google

### Questions for Consideration

1. What issues might spark terrorist threats? How can these be solved or mitigated?
2. Think about the concrete ways for ASEAN member states can help each other to counter terrorism and why this cooperation is required even though some countries have not experienced terrorist attacks themselves.
3. Is ASEAN peace keeping force necessary now?

### Topic3: Maritime security: South China Sea territorial dispute

#### South China Sea

The South China Sea is one of the globe's most controversial and complex areas where six countries- Brunei, China, Malaysia, the Philippines, Taiwan and Vietnam- dispute their sovereignty. These countries have made overlapping claims to the waters and tiny land features of the sea. The South China Sea issue is particularly sensitive as the disputant coastal states believe the area contains substantial seabed resources such as hydrocarbons as well as the known



presence of fisheries resources. In addition, the South China Sea also represents a strategic water way of global significance, functioning as the key maritime link between the Indian and Pacific Oceans; More than half of ocean transportation and around 60% of crude oil passes through the South China Sea.

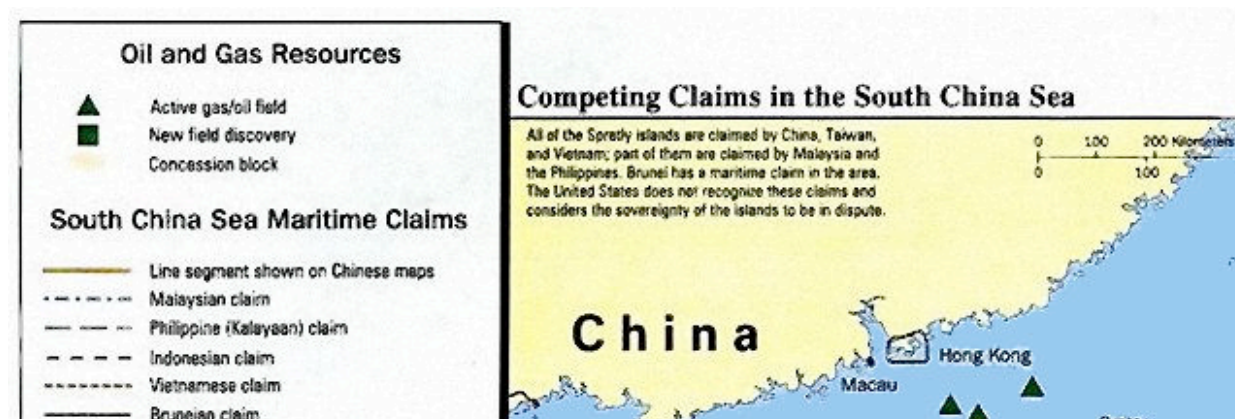
The three main territories of the South China Sea have become a storm center of controversy, the Spratly Islands (known as Quần đảo Trường Sa in Vietnamese and Nansha in Chinese), the Paracel Islands (known as Hoàng Sa in Vietnamese and Xisha in Chinese), Scarborough Shoal (known as Huangyendao in Chinese). The gross area of the dispute region is approximately 3.5millionkm<sup>2</sup> and is estimated to retain 30 billion gallon of crude oil and 7500km<sup>3</sup> of natural gas.

The controversy has flared hot and cold for the last several decades and with disputes primarily being between China and one or more of the other claimants. The sovereignty of the Spratly Islands has been the subject of disputes among China, Vietnam, the Philippines, Malaysia and Brunei. The Paracel Islands are disputed mainly by China and Vietnam and the Scarborough Shoal is between Malaysia and China.

Picture: 1: Disputed Areas



Source: UNCLOS and CIA



Picture 2 : The resources found under the disputed area

Source: <http://www.globalsecurity.org/jhtml/jframe.html#http://www.globalsecurity.org/military/world/war/images/south-china-sea-cia.jpg>

### **The Spratly Islands dispute**

The Spratly Islands located off the coast of the Philippines and Malaysia, have been the center of political disputes since the 1900s. Spread out over 450,000 square kilometers of uninhabitable sea, the islands themselves are only 4 square kilometers of land. - The main reason that these sections have been claimed by 6 different countries is due to the islands' valuable marine ecosystem, gas and oil deposits, as well as their values as an position. - In particular, the neighboring East Asian countries taking the lead in economic development around the South China Sea are struggling to secure energy resources.

The Sea Line of Communication (SLOC), the most significant transportation system worldwide, passes through this region. - If these maritime security issues lead to an armed clash, this would be a disaster for the world economy. Fortunately, there has been no large-scale navy clash as of yet. However, there have been small incidents where two countries have fought and used military power to assert their ownership over specific islands. For instance, the 1988 altercation at the Johnson Reef between the Chinese Navy and Vietnamese Navy resulted in the deaths of 64 Vietnamese soldiers and sparked protest in Hanoi as well as in Vietnamese communities in the United States.

**Malaysia-** Malaysia has been involved in the dispute since 1979. Currently it has control over three of the islands but claims that the whole chain of islands is part of its continental shelf. According to the Law of the Sea Convention, geographical proximity gives the right to the islands. **Brunei** also claims ownership under this law stating that the southern part of the Spratly chain is actually part of its continental shelf.

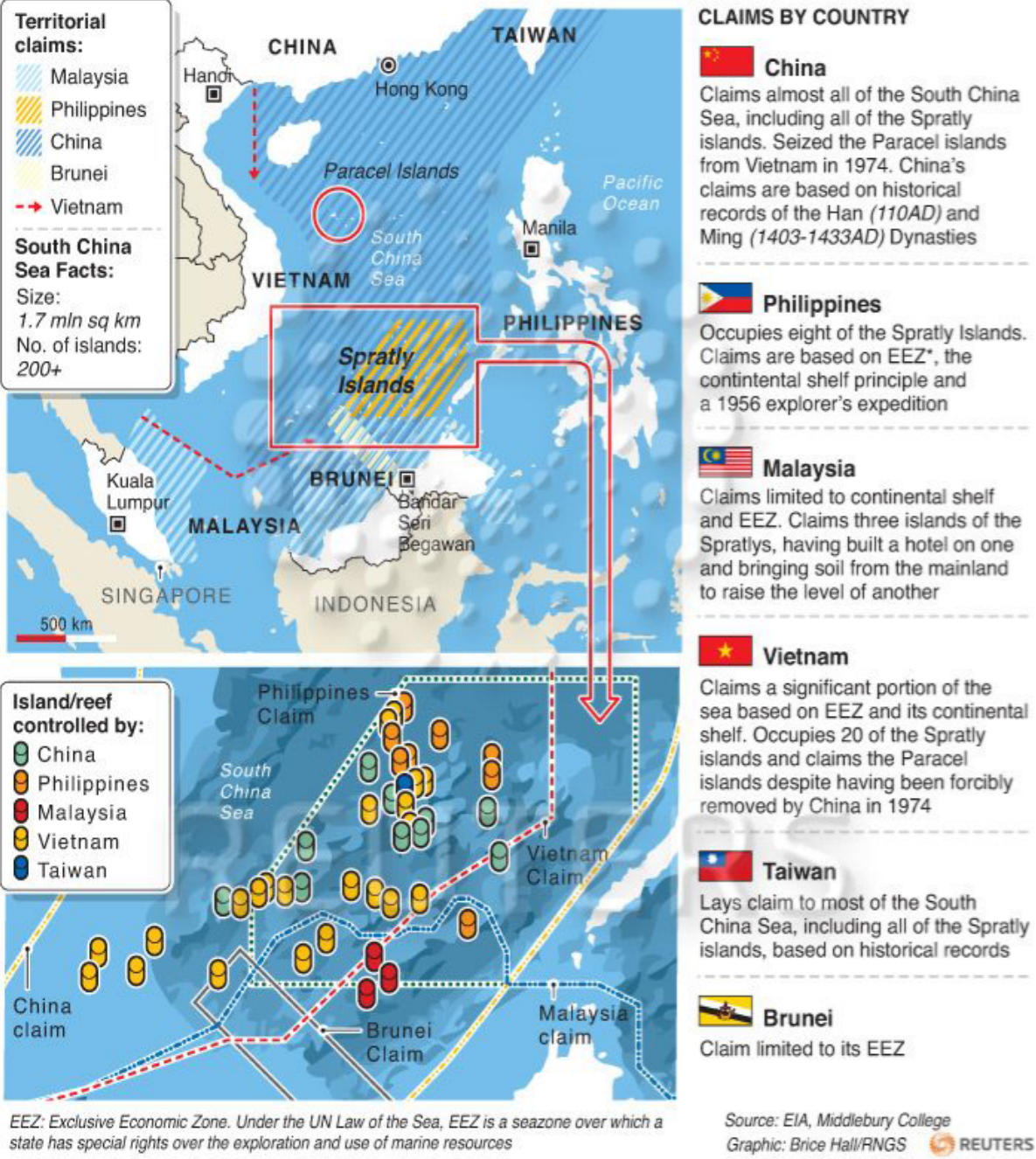
**Taiwan-** Taiwan has maintained a garrison on the biggest of the islands since 1956. Taiwan and the People's Republic of China claims their property based on historical reasons saying that the islands were discovered by Chinese navigators, used by fishermen for centuries and under the administration of China since the 15<sup>th</sup> century. However, as Taiwan claims to be the true China, it contends that the islands should belong to it, not to the PRC (People's Republic of China). It is now concerned that China and Vietnam, or simply the PRC alone, will gain complete control over the South China Sea and its resources.

**Vietnam-** Vietnamese troops have seized the greatest number of the Spratly islands, 29. Vietnam claims ownership of this part of the territory based on historical reasons and geographical proximity. It says that its 19<sup>th</sup> century ancestor owned these islands under the empire of Annam.

Vietnam also argues that since the French, Vietnam's colonial rulers, annexed the Spratlys in 1933, the islands are part of their inheritance from colonial liberation. Vietnam is China's main opponent in the Spratly Islands dispute. However, they have a relatively weak navy force so the escalating tension has fueled anti-Chinese sentiment across Vietnam, with hundreds taking to the streets in rare protests in Hanoi and Ho Chi Minh City.

**China-** China, the other main disputant, claims the island based on the same history as Taiwan's. Although China's historical claim to the islands is weak; its strong military presence has kept it a key player in the Spratly Islands dispute. Its naval vessels sailed into the Spratlys in January 1988 and Chinese marines started building defenses on one of the largest islands. China is putting an economic and military squeeze on the other countries.

## SOUTH CHINA SEA TERRITORIAL DISPUTES



Picture 2: the possession of six countries in the Spratly and the Paracel

Source: EIA Middlebury College.

## **The Law of the Sea relating to the South China Sea Conflict <sup>i</sup>**

Article 3, Part II of the UNCLOS (the United Nations Convention on the Law of the Sea) III sets the limits of the territorial sea that the State parties have their limit to 12 nautical miles, measured from the normal baselines. Furthermore, the UNCLOS also suggest other concepts of the sea territory especially in forms of exclusive economic zone, contiguous zone, and the continental shelf.

### **A. The contiguous zone**

“Except where otherwise provided in this Convention, the normal baseline for measuring the breadth of the territorial sea is the low-water line along the coast as marked on large-scale charts officially recognized by the coastal State.”

The contiguous zone was created to extend the protection of the States’ security and to maintain the freedom of the high sea. The state is able to punish any actions which are against the law of the State. However, the contiguous zone is not considered to be a territorial sea. Thus this area is not under the sovereignty of the State. Vessels or aircrafts from other countries are able to enjoy the right of navigation acting in any lawful actions in the contiguous zone.

### **B. The Exclusive Economic Zone (EEZ)**

The coastal State has exclusive rights to explore and administer of living and non-living resources, up to 200 nautical miles from the baseline. Within the EEZ the coastal country has the right to use maritime natural resources while other nations are only able to navigate or fly above the sea. The EEZ regime is considered important to the territorial disputes. This is because it is about the economic right to take advantage of resources by using otherwise worthless islands to extend a country’s EEZ.

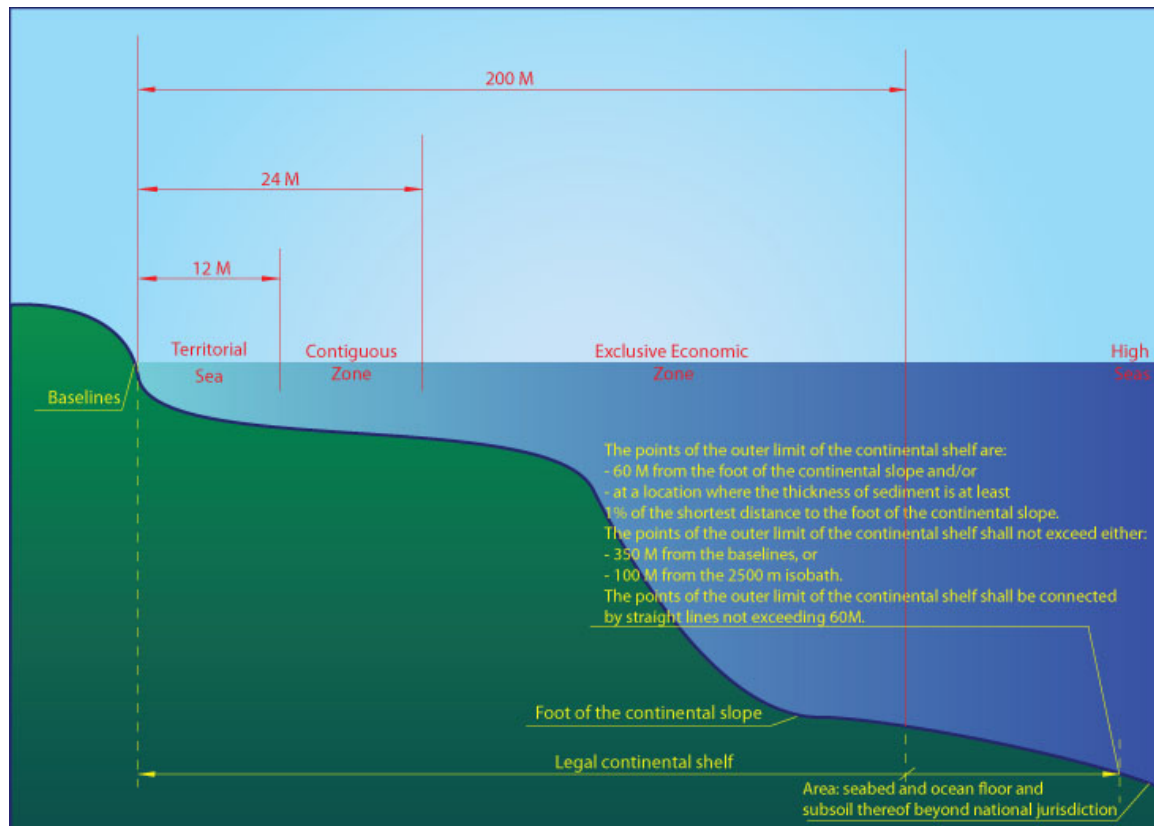
### **C. The continental shelf.**

“ The continental shelf of a coastal State comprises the seabed and subsoil of the submarine areas that extend beyond its territorial sea throughout the natural prolongation of its land territory to the outer edge of the continental margin, or to a distance of 200 nautical miles from the baselines from which the breadth of the territorial sea is measured where the outer edge of the continental margin does not extend up to that distance.”

The Continental Shelf regulation is in the UNCLOS III in Article 76 <sup>i</sup> of the Convention. This covers that the coastal State is specific and limited only for the right to explore natural resources.

Picture 4: Image of Contiguous Zone, EZZ and Continental shelf





SOURCE: <http://www.un.org/>

### Questions for Consideration

1. What will be the future impact of these territory disputes?
2. What is ASEAN's role in negotiating these conflicts? Do we have to intervene as a name of ASEAN committee?
3. How can we make resolutions peacefully?

Resources:

- <http://www.marsecreview.com/2013/06/a-new-maritime-security-policy/>
- <http://journals.hil.unb.ca/index.php/jcs/article/view/293/467>



"> The state of the humanitarian system assessing performance and progress a pilot study, ALNAP.

"> <http://www.ahacentre.org/>

"> DEFINING ASEAN'S ROLE IN PEACE OPERATIONS: HELPING TO BRING PEACEBUILDING  
'UPSTREAM'? , Mely Caballero-Anthony and Holly Haywood., [www.civmilcoe.gov.au](http://www.civmilcoe.gov.au)

i "Understanding the South China Sea conflict : flaws in claimants' arguments and solutions according to  
the Common Heritage of Mankind doctrine" Yoodee, Narissara, 2013

"> UNCLOS III, Art 76

“1. The continental shelf of a coastal State comprises the seabed and subsoil of the submarine areas that extend beyond its territorial sea throughout the natural prolongation of its land territory to the outer edge of the continental margin, or to a distance of 200 nautical miles from the baselines from which the breadth of the territorial sea is measured where the outer edge of the continental margin does not extend up to that distance.

2. The continental shelf of a coastal State shall not extend beyond the limits provided for in paragraphs 4 to 6.

3. The continental margin comprises the submerged prolongation of the land mass of the coastal State, and consists of the seabed and subsoil of the shelf, the slope and the rise. It does not include the deep ocean floor with its oceanic ridges or the subsoil thereof.

4. (a) For the purposes of this Convention, the coastal State shall establish the outer edge of the continental margin wherever the margin extends beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured, by either:

(i) a line delineated in accordance with paragraph 7 by reference to the outermost fixed points at each of which the thickness of sedimentary rocks is at least 1 per cent of the shortest distance from such point to the foot of the continental slope; or

(ii) a line delineated in accordance with paragraph 7 by reference to fixed points not more than 60 nautical miles from the foot of the continental slope.  
as the point of maximum change in the gradient at its base.

5. The fixed points comprising the line of the outer limits of the continental shelf on the seabed, drawn in accordance with paragraph 4 (a)(i) and (ii), either shall not exceed 350 nautical miles from the baselines from which the breadth of the territorial sea is measured or shall not exceed 100 nautical miles from the 2,500 metre isobath, which is a line connecting the depth of 2,500 metres.

6. Notwithstanding the provisions of paragraph 5, on submarine ridges, the outer limit of the continental shelf shall not exceed 350 nautical miles from the baselines from which the breadth of the territorial sea is measured. This paragraph does not apply to submarine elevations that are

"/> <sup>68</sup> UNCLOS III, Art77

- “1. The coastal State exercises over the continental shelf sovereign rights for the purpose of exploring it and exploiting its natural resources.
2. The rights referred to in paragraph 1 are exclusive in the sense that if the coastal State does not explore the continental shelf or exploit its natural resources, no one may undertake these activities without the express consent of the coastal State.
3. The rights of the coastal State over the continental shelf do not depend on occupation, effective or notional, or on any express proclamation.
4. The natural resources referred to in this Part consist of the mineral and other non-living resources of the seabed and subsoil together with living organisms belonging to sedentary species, that is to say, organisms which, at the harvestable stage, either are immobile on or under the seabed or are unable to move except in constant physical contact with the seabed or the subsoil.”