

SECURITY COUNCIL: SOUTH CHINA SEA

DELEGATE BACKGROUND GUIDE



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A Letter From Your Director...

Dear delegates,

It is with great excitement and pleasure that I welcome you to UTMUN 2017! My name is Mohid Malik, and I am your director for the United Nations Security Council. I am very privileged that I will be able to be your director during this conference, and my vice-director Harry Myles, my two crisis analysts Lawrence Wood and Nathan Fischer, as well as my moderator Angelo Gio Mateo all extend their warmest welcome to you for a very exciting week of robust debate! I am currently a second year student at the University of Toronto specialising in political science with a minor in history. Although this is my first time being involved with UTMUN, I have attended numerous conferences in cities all across Europe during my time as a high school student. My passion for MUN has been a significant part of my life for many years and I look forward to showcasing that passion with helping facilitate your time at the conference. My goal is to ensure that everyone leaves the conference feeling more confident in themselves with regards to public speaking, and I am hoping that everyone will not only grow intellectually, but more importantly, as people.

The topics for this year's debate are centred around China, which is projected to establish itself as a global superpower in the next few decades. These topics are, therefore, of utmost importance and relevance. The first topic that you will be focusing on is the conflict over the Spratly and Paracel Islands in the South China Sea. The second topic of the conference is about the dispute surrounding the Senkaku Islands between China and Japan. The following background guide will provide you with the information you need to start thinking about clauses and about your country's stance on this issue. As the name suggests, this is just a guide, so make sure to conduct your own research on these issues, with careful attention to the policies of the delegation you will be representing.

As this is the United Nations Security Council, you will have the ability to pass binding resolutions. The P5 (United States, United Kingdom, China, Russia and France) will have veto power over all resolutions. In light of the structure of the Security Council, make sure that you realise the importance of collaboration and cooperation to ensure that your country's policies are represented in some way. Make sure you study your country's policies thoroughly and do not act against the aspirations of your country. These are difficult issues, which today's diplomats are struggling to deal with, so with that in mind, be ready to engage in fruitful debate!

I wish you the best of luck in your preparations, and I look forward to meeting all of you!

Best Regards,

Mohid Malik

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Photo: NBC

Topic 1: The War for Fish and Oil

The South China Sea Armed Confrontation and the Conflict over Spratly and the Paracel Islands

REGION OF INTEREST

The Spratly Islands

The Spratly Islands are a cluster of small islands and reefs in the South China Sea, measuring approximately five square kilometers. The region is rich with natural resources, featuring significant fishing grounds and oil deposits. For decades, the chain has mainly been contested by China, Vietnam, the Philippines, and Malaysia, with each state occupying a small portion of land on half of the islands.

The Paracel Islands

Like the Spratly chain, the Paracel Islands are a group of landmasses abundant in natural resources spanning over seven square kilometres. In 1932, the area was annexed by French

Indochina and in 1974 the Chinese began constructing military installations, including an airfield and a harbour. Today, the islands are primarily claimed by Vietnam and China. The waters of the Spratly and Paracel islands are also major shipping routes crucial to the world economy, adding an additional layer of complexity to the conflict.



PRIMARY CLAIMANTS

China

In the South China Sea, China claims the largest portion of territory based on a nine-dash line drawn after World War II. China's primary argument of ownership is based upon historical assertions dating back centuries, however over the past several decades the country has clashed with Vietnam and the Philippines over various islands. Resisting international protocols or arbitration by the United Nations Convention on the Law of the Sea (UNCLOS) and the Association of Southeast Asian Nations (ASEAN) (the regional body), China has typically sought bilateral agreements with other claimants.

The Philippines

The Philippines claims the Paracel and Spratly Islands due to the UNCLOS authorized exclusive economic zone (EEZ) and continental shelf zones. These sea zones extend 200 nautical miles from the baseline of a state's coastline and grants a country the sovereign right to use natural marine resources below the surface water; above the surface the waters are international domain. The Philippines and China have had several skirmishes over resources in the region and in 2013, the Philippines submitted an arbitration case to UNCLOS regarding China's claims. In 2016, The Permanent Court of Arbitration in The Hague ruled against China, deciding its extensive territorial assertions had no legal basis.

Vietnam

Like the Philippines, Vietnam's claims in the Spratly and Paracel Islands are based on the EEZ and continental shelf zones, although the government has also cited proof of ownership documentation from the 17th century. In 1947, Vietnam fought over the Chinese occupied Paracels and in 1988, the Chinese navy sank three Vietnamese vessels in the area. This marked the first Chinese armed conflict in the Spratleys and relations have remained tense ever since. In 2009, Vietnam partnered with Malaysia in a joint submission to UNCLOS regarding the limits of the continental shelf.

OTHER NOTABLE PLAYERS

Malaysia

In 1991 as an effort to increase tourism, Malaysia developed a resort and airstrip on Swallow Reef. The actions were protested by China, Vietnam, Brunei, and the Philippines, however Malaysia maintained an active presence in the area. Since 2009, the state has occupied five islets in the southern Spratleys and issued a joint submission to UNCLOS with Vietnam the same year. Generally, Malaysia maintains a less conflictual relationship with the other claimants.

Taiwan

Officially the Republic of China, Taiwan's claims in the South China Sea mirror China's nine-dash line. Currently, the country has occupied land in both the Spratlys and Paracels.

Brunei

Based on its EEZ, Brunei claims two small formations in the southern region of the Spratly chain. Louisa Reef and Rifleman Bank are likewise within the territorial declarations of China, Malaysia, Vietnam and the Philippines. However, Brunei does not have a military presence in the sea, has not made any formal claims, and has not experienced any conflict with the other actors in the region.

The United States

Although the United States does not occupy any islands in the Spratly and Paracel chains, the country has significant interests invested in the region. Under the Obama administration the American government sought to shift their foreign policy focus from the Middle East and Europe towards Asia. Regionally, the United States has attempted to bolster relations with ASEAN, Vietnam, and Myanmar, while Singapore and Malaysia have expressed interest in greater security partnerships. Additionally, the U.S. signed a Mutual Defense Treaty with the Philippines in 1951, in which it states "each Party recognizes that an armed attack in the Pacific Area on either of the Parties would be dangerous to its own peace and safety and declares that it would act to meet the common dangers in accordance with its constitutional processes." As a result, the American government must maintain a tentative balancing act, in which it supports its regional allies against growing Chinese ambitions while safeguarding crucial trade routes and economic



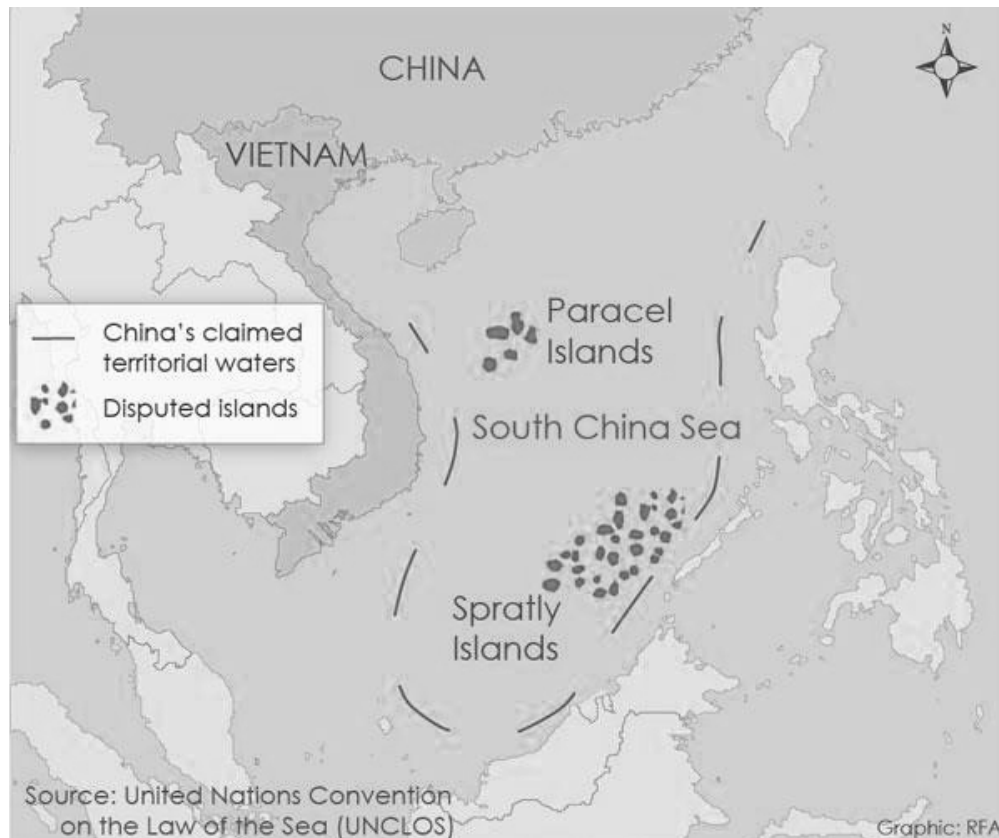
A History of the South China Sea

The disputes of the South China Sea have plagued the region for decades, resulting in tense military confrontations and a tentative peace. China's historical claims date back nearly two thousand years when the empire first began exploring the sea. The Chinese allegedly discovered the many islands of the Spratly and Paracel chains, named the formations, and harvested the fish-filled waters. The South China Sea was then patrolled by the Chinese navy during the Yuan dynasty 600 years ago when Chinese Admiral Zheng launched an armada to rid the area of pirates. The Chinese government has consequently claimed that they were the first to settle, trade, and protect the sea and therefore the state has historical legitimacy to a large portion of the region.

In the 20th century, several islands were occupied in the lead up to World War II. The Imperial Japanese Navy claimed a portion of land in the Spratlys, while the French Indochina troops conquered the Paracels in 1938. After the war and the surrender of Japan to the Allied powers, the Kuomintang government of China established a demarcation claim of the South China Sea based upon an eleven-dash line. The massive area included the Pratas Islands, the Macclesfield Bank, and the Paracel and Spratly Islands; however in 1953 the government retracted its claims in the Gulf of Tonkin, reducing the zone to a nine-dash line.

China further cemented its territorial assertions in 1974, when troops landed in the western Paracels. Flags were planted and military installments were soon constructed, including an airfield

and an artificial harbour on Woody Island (the largest island in the Paracels). After Chinese forces captured a South Vietnamese garrison, the Vietnamese then fled to the Spratleys and began the first permanent occupation of the islands. In 1982, the United Nations established UNCLOS and prescribed regulations based upon EEZ and continental shelf zones. However, vague wording hampered the body's ability to resolve the sovereignty disputes of the South and East China Sea. As a result, when China occupied Fiery Cross Reef in the Spratlys in 1987, Vietnam monitored the state from several other reefs in the area. Tensions subsequently escalated the next year when the Chinese navy sank three Vietnamese ships near Johnson Reef, killing seventy-four sailors and marking the most severe military conflict of the region.



The Philippine navy then engaged with China in 1996 over the Philippine-claimed Mischief Reef in the Spratly archipelago. Later that year, each state agreed to a non binding code of conduct to peacefully resolve disputes. Six years later, for the first time, China pursued a multilateral approach, developing the Declaration on the Conduct of Parties in the South China Sea with ASEAN to de-escalate contentious relations amongst the various claimants. The Vietnamese and Malaysian government then appealed to UNCLOS with a joint submission in 2009, prompting China to protest the act as a challenge to its "indisputable sovereignty". After various skirmishes throughout the Cold War and the 1990s, the agreements of the 2000s suggested the possibility of peace in the region. However, as the economies of China and the other states of Southeast Asia continued to expand, energy demands exponentially rose. The value of oil deposits in the Spratly and Paracel islands climbed ever higher and only aggravated the conflict.

A CLASH OF SOVEREIGNTY AND CHINESE DEVELOPMENT

In 2011, the Philippines made a decisive move in the battle over the South China Sea, renaming the area the West Philippine Sea. That same year, China was accused of severing cables owned by PetroVietnam, a state-owned energy firm. In 2012 another standoff then emerged between the Philippines and China regarding illegal fishing in the Scarborough Shoal of the northern Spratlys. A Philippine warship confronted Chinese fishing vessels, causing China to release surveillance ships and begin a two-month standoff. This culminated in a 2013 Philippine submission of arbitration to UNCLOS, action China refused to recognize. In May of 2013, Japan then emerged with military aid to the Philippines, offering the the Philippine Coast Guard patrol boats to enhance the country's maritime capabilities against the Chinese presence in the sea.



Despite the continued disagreements in the area, China escalated its development, reclaiming approximately three thousand acres in the Spratleys according to a 2015 U.S. Department of Defense report. The state subsequently began construction of artificial islands and infrastructure, including potential runways, loading piers, and helipads. Such development has the ability to enhance China's military presence with the potential deployment of aircraft missiles and missile defense systems to the islands, extending the state's operational range by a thousand kilometres east and south. These actions prompted a U.S. Navy patrol to travel within twelve nautical miles of the coast of an artificial island in 2015 in an attempt to reinforce the right of "freedom of navigation". The Chinese responded by labeling the action as a "serious provocation, politically and militarily." Evidence then emerged from the United States and Taiwan in 2016 of Chinese missiles moving to Woody Island in the Paracels as an assertion of China's right to protect sovereign territory. However, the legality of these sovereign claims were further contested in July of this year when the Permanent Court of Arbitration in The Hague released its ruling regarding the 2013 Philippine arbitration request. The body favoured the Philippines, claiming China's nine-dash line held no legal authority to legitimately claim resources in the South China Sea. The court went further, declaring the Chinese government had violated its responsibilities as a member of UNCLOS, as its island construction posed a risk to the marine ecosystem. The Chinese foreign ministry stated it "neither accepts nor recognizes" the body's decision.



Chinese construction in Subi Reef in the Spratly Islands.

The above image shows how the reef looked in the Summer of 2012. The bottom image is from September of 2015.

Given the contentious history and present-day interests invested in the South China Sea, the potential for conflict remains a persistent threat. With the military build up of China, Vietnam, Malaysia, and the Philippines over the past several years and the determination of smaller states to reinforce their rights, disputes could quickly escalate in a number of issue areas from fishing and drilling to American naval expeditions. Miscalculations coupled with the presence of significant military powers could cause a small event to explode into a disastrous conflict.

A REGION OF RICH RESOURCES

Beyond historical claims, the disputes of the South China Sea are also grounded in its economically-significant resources and trade routes. David Rosenberg (a professor of political science at Middlebury College) claimed: "Behind it all, it's essentially the industrial revolution of Asia." Approximately 500 million people live within 100 miles of the South China Sea coastline, causing the waters to be a hub of fishing and international trade. As well, based on a World Bank estimate, the area supposedly contains seven billion barrels of oil and 900 trillion cubic feet of natural gas. Drilling has already begun as the energy capabilities offer a huge advantage to the growing economies of Southeast Asia and China.



Spats have emerged between Chinese and Vietnamese energy firms, however the majority of confrontations are regarding the fishing industry. Falling fish stocks have caused vessels to venture further into disputed waters, resulting in skirmishes between the ship's home country and the other claimants of the territory. To add another layer of complexity to the conflict, the South China Sea is home to approximately 50 percent of global oil tanker traffic, exceeding both the Suez and Panama Canal. Conflict in the sea could interrupt the \$5 trillion of annual trade, causing states and organizations like the U.S. and the UN Security Council to carefully monitor the situation and maintain the peaceful flow of world trade.

Topic 2: Japanese and Chinese Hostilities

The Dispute over the Senkaku Islands

Japan is one of the most advanced economies in the world and is the only non-Western nation that is part of the G-7.¹ The Japanese no longer have the same military strength as they once exhibited during World War II, but Japan still carries a great sense of authority given their high levels of development and involvement in the international arena. Japan, as a developed economy, is no longer economically growing at the same pace as a lot of the other countries in Asia. Following the insidious reputation that Japan had garnered with their excessive expansionist maneuvers during the Second World War, Japan has now become a country barely known for their military involvement in global affairs.

China has perennially been involved in land disputes over the 20th and 21st century. A lot of these disputes have arisen from within China's own borders, such as the dispute with Tibet, as well as China's Uyghur population in the West who, for some time, have been growing hostile towards the Chinese government as a result of low economic development within the region. As China looks to exert its power around the world as a rising superpower, from a tactical point of view having control over these islands seems necessary in order to showcase Chinese dominance. China is one of the world's fastest growing economies, with a real GDP growth rate of around 7%. China is the largest economy in the world (in terms of purchasing power) and is also home to the world's largest population. China has been heavily investing in expanding their military capabilities over the past few decades. This is made evident by the fact that the Chinese spend close to \$215 billion annually on their military. Many have regarded China as being on its way to establishing itself a global superpower within the next few decades, and given Chinese ambitions and the material wherewithal they possess, this claim can be validated.

The relationship between Japan and China has been one of great fluctuation over the past two centuries. This fluctuation has, in part, been due to both countries looking to assert their dominance within the Asian continent, and around the world. Although the focus of this background guide and subsequent debate will be on the policies of China and Japan, it's important to realise that the Senkaku Islands Dispute is a broad term that encompasses a dispute over a group of many islands. Part of this dispute includes the involvement of Taiwan and the Tiaoyutai Islands. Taiwan's involvement in this dispute is not as precedent as China's or Japan's, but Taiwan offers an important historical perspective to this issue and it helps underline some of the reasoning behind the Chinese involvement in this dispute.

The historical connection to the Senkaku Islands, (as it is referred to by Japan) and/or the Diaoyu Islands, (as referred to in Mainland China) is vast, and it is due, in part, to this history that this dispute has ensued. The Chinese have claimed that the historical links to these uninhabited islands date back to around the 15th century. China also asserts that these islands have been a part of their history from the 16th century onwards. This claim by Chinese authorities does not (from Japan's point of view,) render an austere claim to these islands. The Senkaku Islands had become part of Japanese territory in 1895, when the Japanese had claimed of surveying the islands for a decade in the beginning of the 19th century and discovered that they were uninhabited. After the downfall of Japan during World War II, Japan had renounced their claims to various islands in the Asia-Pacific region. These islands came under the protection of the United States, but were returned to Japan in 1971 following the Okinawa reversion deal. The dispute mainly arises from Japan's renouncement

¹ Group of 7, a group of countries that are considered to be of very high economic advancement and importance in the global economy

of these islands, which included renouncing Taiwan, which the Chinese government claim to be part of China. During the Sino-Japanese in 1895 Taiwan was ceded to Japan, and as a result of this, the Chinese accused the Japanese of stealing the islands from them. Following the collapse of Japan during the Second World War, the 1951 Treaty of San Francisco saw the return of Taiwan to China, and with this return, the Chinese have expressed that the Senkaku Islands should have been returned as well. As is evident from the information above, the Chinese and Japanese have been dealing with these islands for centuries, but this dispute has been relatively quiet. The conflict surrounding these Islands came to the international arena in 2012 when the Japanese government reached a deal to buy the three islands from a private Japanese owner. These negotiations began to anger China, and public protests had broken out shortly afterwards, which underscores that this dispute is not only limited to the government, but also to the people. The situation has escalated since and with the involvement of the military since 2013, tensions have become high between these two regional powers and the possibility of war does not seem far-fetched.



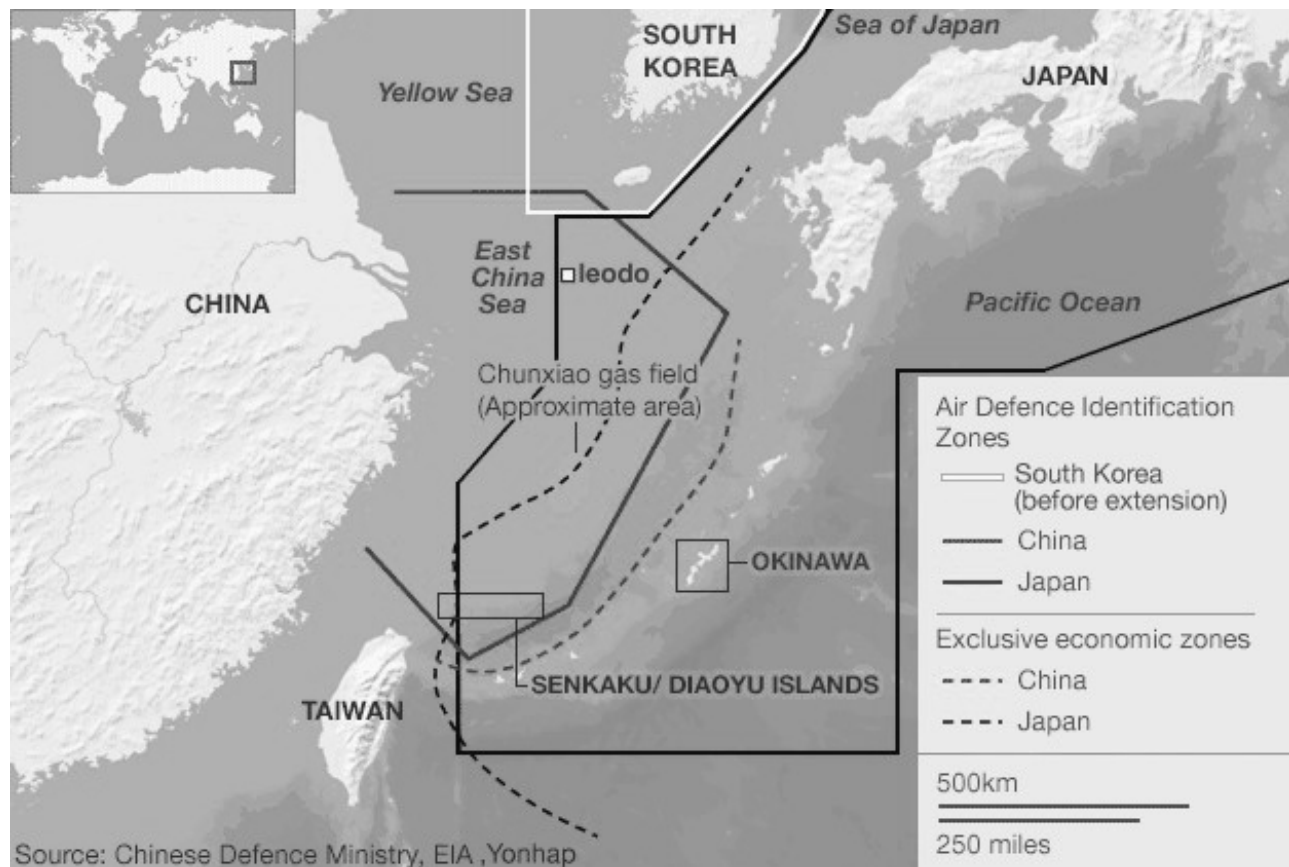
WHY THE SENKAKU ISLANDS? GEOGRAPHY & RESOURCES

The historical importance of the Senkaku Islands has already been established in the previous section. This section will focus more on the resources and the strategic reasoning behind the dispute over claiming these islands. With that being noted, however, the historical reasoning provides significant context to this issue, as it shows that this dispute (although relatively new in the international arena,) has been going on since the end of the 19th century. Both countries share historical ties to the islands, but the islands are officially under the control and administration of the Japanese.

The Senkaku Islands are located around three powerful Asian economies (South Korea, China and Japan). In total, the Senkaku Islands make-up 8 uninhabited islands and rocks in the East China Sea. The islands lie east of China and south-west of Japan and are administered (and claimed) by the Japanese government. The islands themselves are very small, with a total area of 7 sq. km. However, these islands provide a strategic advantage due to their geographical location. Firstly, the Senkaku Islands are close to important shipping lanes, which would provide a great advantage for both China and Japan as these two economies are dependent significantly on their exports. Secondly, these islands lie close to important fishing grounds as well as potential oil and gas reserves. Moreover, these islands are also thought of possessing an ample amount of other valuable minerals. The Japanese have insisted that the interests in the islands from China have arisen only recently due to the

very prospect that the region is oil-rich. As previously noted, China as a rising global power recognises the advantages of having this part of Asia within its control as a means to exert its dominance in the Asia-Pacific region.

The map outlining the geographical location of islands below also shows the “Air Defence Identification Zones.” It can clearly be seen that the Chinese and Japanese Air Defences are overlapping one another in and around the islands. As it was noted above, the Chinese were the first to establish the air defence zones in 2013, and it is through the establishment of said zones that the tensions between the two countries have arisen.



Another important aspect of the map is the demarcation of the Exclusive Economic Zones (EEZ) and the fact that the Chinese and Japanese zones overlap one another. Neither country wants this to be the case as this makes it ambiguous in regards to which country has legal rights over the waters. This is especially the case for Japan, who currently administer the islands and want to restrict the amount of Chinese ships that are present within the waters. The United Nations Convention on the Law of the Sea (UNCLOS) has underlined this problem in regards to the contiguous zones. Under the UNCLOS, states have limited the enforcement rights in the contiguous zones for a variety of reasons. As a result of this Convention, Japan has no legal basis to thoroughly protest the presence of Chinese ships as these waters are bordering both countries, and are, therefore, in the contiguous zone. Japan would therefore look to settle this dispute in their favour in order to ensure that these waters no longer are part of the contiguous zone and that the EEZ's are redrawn to show no overlapping between Japan and China.

Actions & Implications: China, Japan & The United States

China's presence in this region has led to them being called out for perennially violating the boundaries of the islands. This has mainly been done through China sending military and fishing ships into the Senkaku waters. The Japanese government has been protesting and condemning said actions by the Chinese, but nothing has resulted. Apart from escalating tensions between Japan and China through China incessantly moving military personnel into these waters, cases of detainment of Japanese captains and boat collisions between the Chinese and Japanese have also occurred. None of these cases, however, have resulted in China slowing down with their efforts. As noted above, China does not recognise the Japanese claim to these islands and therefore believes that it is within their legal right to send military ships around their territory. The established air defence zone has also contributed to inciting tension.



One of the many reasons for the United States in expressing interest in this dispute arises due to the increased competition between China and the United States. As noted in the previous section, this region provides a strategic location in the Asia-Pacific and the United States, being the only superpower in the world, may feel at unease with China exerting its military presence in a part of Asia that the United States has influenced since the end of the Second World War. Throughout this debate the role of the United States has been of considerable significance. Depending on the results of this dispute, the American influence in this region of the world could change drastically. If Japan is successful in coercing China to abandon their efforts in securing these islands, then the American Asia-Pacific influence would be reaffirmed. However, if China is successful in this dispute then the long era of U.S. dominance in this region would effectively be over. The United States is clearly not going to be entirely neutral in this dispute, and this is not necessarily due to any moral arguments made by the United States government, but because of the political expediency of having control over these islands. The United States has been involved with the possession of these islands since the Treaty of San Francisco in 1951, and thus the historical implication of these

islands is also significant to the United States. China never agreed with the points made in the agreements between Japan and the United States, as the 1971 Okinawa Reversion Agreement included the Senkaku Islands as part of the territory returned to Japan. China has consistently spoken against this agreement as an attack on Chinese sovereignty over their rightful claim to these islands. The United States has also confirmed that the islands fall under the Security Alliance of 1960,² which stipulates that the United States would defend Japan in case of an enemy attack.

As a result of Chinese aggression, Japan has taken robust measures to ensure that the Senkaku Islands do not come under the control of the Chinese. To being, Japan has approved its largest ever defence budget of \$41.4 billion. Alongside the purchase of military weapons, Japan has also set in place infrastructural changes. For example, a military radar station has been constructed on Yonaguni Island, which is only 150km away from the Senkaku Islands. Japan has not yet brought up the prospect of economic sanctions, but their continual focus on military expansion underlines the threat they believe they are facing. Japanese concerns over Chinese aggression is founded on a variety of reasons. Other than losing an area that is of great importance to Japan's economy, as it is rich in fish, minerals and oil, if China is successful in securing these islands, then security concerns would subsequently arise for the Japanese. Chinese control over this area would establish its prowess and hegemony over the East China Sea. Although it is speculative to assume what China would do if they do garner control over the islands, Japan worries that China would be given a position that could enable them to block trade routes and, therefore, mitigate the Japanese economy.



2 Treaty of Mutual Cooperation and Security between the United States and Japan

List of Characters:

The Current United Nations Security Council

1. United States of America
2. United Kingdom
3. China
4. Russia
5. France
6. Kazakhstan
7. Japan
8. Bolivia
9. Uruguay
10. Ukraine
11. Sweden
12. Italy
13. Ethiopia
14. Senegal
15. Egypt

Research Questions

- What are the state interests of the various claimants in the South China Sea?
- Is there a role for regional bodies in resolving the disputes of the South China Seas?
- What are the economic and military implications of conflict in the Spratly and Paracel Island chains?
- How could other countries beyond the direct claimants be pulled into the disputes of the South China Sea?
- Are the historical ties to the islands of great significance? Or are they just a means to cover-up each country's desire for the rich resources the islands possess?
- How significant a role has the United States played over the Senkaku Islands dispute?
- What would a "successful" settlement over the Senkaku Islands dispute entail?
- What are the global implications of China being successful over the Senkaku Islands dispute? Likewise, what are the implications if Japan is successful?

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