Preparation Paper/Study Guide:

Security Council (SC)

"The Situation in the South Chinese Sea"
Nicolina

Dear delegates of the VIMUN 2019 Conference Security Council,

As your President and chair I am very pleased to welcome you to the 25th anniversary of VIMUN and also 40 years United Nations in Vienna anniversary. Along with my co-chair Robin we will provide you with an awesome and memorable experience.

I am a 20 year old italian-austrian law student in Vienna. Last year's VIMUN made me curious when I was only a delegate of the WTO committee - I wanted to do more. Since the conference I am a member of the VIMUN and VMC Team. The Security Council now provides me with an opportunity to share my diplomatic knowledge and my military interest. The topic we have chosen, "The Situation in the South Chinese Sea" seems so far away. But it is nearer than we are all thinking, because in the end we will have to deal with the impacts. Tensions in the South China Sea have built up in recent years. Military build-ups on the disputed islands are not only a consequence of years full of tension, they are increasing the potential of an armed conflict in the region. We will be discussing the topic, reasons and some possible solutions. While we may not solve these problems we will walk away with a better understanding of why decisions are taken the way they are.

This Study Guide will serve as an introduction into this exciting topic and provide you with further references for study. Please do not hesitate to contact Robin or myself with further questions or concerns. I am very excited to meet you all in person and I am looking forward to this year's VIMUN anniversary.

All the best and see you soon,
Nicolina

Robin

Dear delegates,

As Nicolina already mentioned I’ll be one of your chairs and together we will make sure that VIMUN 2019 will be an experience you will never forget.

I am Robin from Hamburg, Germany and I am currently in Law School. In 2018 I got to represent the Russian Federation in the Security Council, where we talked about the Situation in Syria. I was always fascinated by international politics and always wanted to know why certain things happen, what the goals are and what the thoughts behind a geo-strategic or diplomatic approach are. At VIMUN 2019 we have chosen the topic "The
Situation in the South Chinese Sea“, which doesn’t seem to be a topic that is very urgent, but the more you read and learn about the topic the more you will realize how fascinating it is to analyze all the different geo-political factors and strategic interests of the country you represent, but also of the country your fellow delegates will represent. In the end it will be on you to decide what strategy you will use in your negotiations and how you’re going to make sure your country’s interest are well represented.

I am very looking forward to meet all of you person and to share this experience together. If there is anything you want to know or if you have any questions do not hesitate to contact us.

See you in Vienna,
Robin
The United Nations Security Council has to work hard maintaining international peace and security. It does so by declaring what constitutes a threat to this global stability and has the capacity to call upon United Nations member states to take steps to resolve potential conflicts, either emerging or instigated through acts of aggression, ranging from the enforcement of sanctions to the authorization of force.¹

The Council itself can impose sanctions, both diplomatic and economic, deploy peacekeeping forces, and, if need be, military forces as well. It is the only body within the United Nations system capable of imposing legally binding resolutions which all member states must follow.

COMPOSITION AND VOTING

The Council is comprised of 15 members, five of which are permanent and the other ten are elected by the General Assembly (GA) on a bi-annual basis with five per year. The non-permanent seats are also distributed based on geopolitical regions.

Each state has one vote on the council with the permanent five also holding a veto. The five permanent members, commonly referred to as the P5, are the People’s Republic of China, the French Republic, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland, and the United States of America.²

In order for a procedural matter to pass nine votes in favor are required while for all other matters nine votes, including those of the P5, are required.³

The non-permanent member states serving through the year 2019 are Belgium, Cote d’Ivoire, Dominican Republic, Equatorial Guinea, Germany, Indonesia, Kuwait, Peru, Poland, South Africa.

As such, these will be the states that will be represented by delegates.

Summarizing, as per the United Nations charter, the Functions and Powers of the Security Council are:

- to maintain international peace and security in accordance with the principles and purposes of the United Nations;
- to investigate any dispute or situation which might lead to international friction;
- to recommend methods of adjusting such disputes or the terms of settlement;
- to formulate plans for the establishment of a system to regulate armaments;
- to determine the existence of a threat to the peace or act of aggression and recommend what action should be taken;
- to call on Members to apply economic sanctions and other measures not involving the use of force to prevent or stop aggression;
- to recommend the admission of new Members;
- to take military action against an aggressor;
- to exercise the trusteeship functions of the United Nations in "strategic areas";
- to recommend to the General Assembly the appointment of the Secretary-General and, together with the Assembly, to elect the Judges of the International Court of Justice.

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The South China Sea - one of the major flashpoints of world politics. One of the world’s busiest waterways, is subject to several overlapping territorial disputes involving China, Vietnam, the Philippines, Taiwan, Malaysia and Brunei. The conflict has remained unresolved for decades but has emerged as a flashpoint in China-US relations in Asia.

China claims the entire sea as its territory – using the now much discussed nine-dash line. This claim is countered by rival claims of Vietnam, the Philippines, Malaysia, Taiwan and Indonesia. The United States’ interest is part legal – freedom of navigation – and part geopolitical – preventing Chinese hegemony in East Asia and beyond.5

5 https://www.scmp.com/culture/books/article/2154119/south-china-seas-history-and-role-international-politics-scholarly
What is the conflict about?

The Philippines, Vietnam, China, Brunei, Taiwan and Malaysia hold many different, sometimes overlapping, territorial claims over the sea, based on various accounts of history and geography. China claims more than 80 per cent, while Vietnam claims sovereignty over the Paracel Islands and the Spratly Islands.

The Philippines want ownership of the Spratly archipelago and the Scarborough Shoal, while Brunei and Malaysia have claimed sovereignty over southern parts of the sea and some of Spratly Islands.6

Over the years, the claimants have seized control of a raft of sea features, including rocks, islands and low-tide elevations. China’s “nine-dash line” is a geographical marker used to assert its claim. It stretches as far as 2,000km from the Chinese mainland, reaching waters close to Indonesia and Malaysia.

Why is it important?

The South China Sea is a key commercial thoroughfare connecting Asia with Europe and Africa, and it is rich with natural resources. One third of global shipping, or a total of US$3.37 trillion of international trade, passes through the famous South China Sea.

About 80 per cent of China’s oil imports arrive via the Strait of Malacca, in Indonesia, and then sail across the South China Sea to finally reach China.7

What role does the US play in the dispute?

The US is allied with several of the countries bordering the South China Sea, such as the Philippines, Singapore and Vietnam and has wide-ranging security commitments in East Asia.

Furthermore, the South China Sea is an important trade route in the global supply chain, used by American companies who produce goods in the region. Although the US does not officially align with any of the claimants, it has conducted Freedom of Navigation operations, designed to challenge what Washington considers excessive claims and grant the free passage of commercial ships in its waters.

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7 ibid
During the summer of 2018, British and French forces conducted similar operations in the disputed waters.

The sea is believed to contain major reserves of natural resources, such as natural gas and oil.

The US Energy Information Administration estimates the area contains at least 11 billion barrels of oil and 190 trillion cubic feet of natural gas. Other estimates are as high as 22 billion barrels of oil and 290 trillion cubic feet of gas. The South China Sea also accounts for 10 per cent of the world’s fisheries, making it a key source of food for hundreds of millions of people.\(^8\)

**How has the situation evolved?**

China has repeatedly criticised the United States for acting “provocatively”, while it has started to defend its claims in a more assertive way in recent years.

In 2014 it escalated, the deployment of a Chinese drilling rig in waters near the Paracel Islands led to several confrontations between Vietnamese and Chinese ships and provoked protests in Vietnam. That same year, Beijing began land reclamation operations in some of the features it controls in the Spratly archipelago, increasing surface area with man-made structures and in turn building military installations on them.

Analysts note China’s success in changing the facts on the ground gradually, without triggering a major confrontation with other claimants or the US. China has also established a new city on one of the islands – Sansha on Woody Island – in turn leading to an increased Chinese tourism.

In July 2016, a ruling by an international tribunal in The Hague determined China had no “historic rights” over the sea and ruled that some of the rocky outcrops claimed by several countries could not legally be used as the basis for territorial claims. Beijing rejected the ruling and described it has having “no binding force”.

**Is there any resolution in sight?**

Southeast Asian nations have traditionally rejected looking for a bilateral solution with China, the region’s main economic and military power. Despite

\(^8\) ibid
this, one year after the landmark ruling against China’s territorial claims, Philippine President Rodrigo Duterte agreed to solve the dispute with China through bilateral talks.

Similarly, Vietnam, the most outspoken critic of China, has softened its stance. In April 2018, the government said it would be willing to hold talks with China to resolve disputes in the area “in accordance with international law”. Asean has been working with China on an official code of conduct to avoid clashes in the disputed waters. A binding agreement has been discussed for years to little avail but in August 2018 it was revealed all the parties had agreed on a single draft negotiating text.

Chinese military bases in the South China Sea. SCMP Graphic
Actual situation

The South Chinese Sea, is one of the geopolitical hotspots in the 21st century. A complex situation of a large number of parties involved, who have different kind of relations which each other and the different interest often collide with each other

Since World War II the United States have continued to enlarge their naval presence in the region. The 7th Fleet of the US Navy currently holds between 50-60 ships, but only 18 are currently operating in the region including an aircraft carrier USS. Also the Chinese Navy has moved more and more ships to the Chinese See in the last years, which increases the danger of a military confrontation between to global powers. Repeatedly in the post months there have been tensions between the USA and China, for example in October 2018 when US and Chinese Naval Forces almost rammed or when a chinese submarine appeared in the middle of the US Fleet. But also the other actors have been clearly opposing for example the building of artificial islands, which China does to to substantiate their claim.

In the meantime every country has its own economic and strategic interests, which are often different. Large occurrences of oil, gas and ores as well as the high amount of fishing potential is another factor, that adds into the conflict. But also strategically important sea and trade routes lead through the area in question. A large number of resources, which are existentially for the economy of almost every actor in the conflict.