**SKYMUN 2014 Chair Research Report**

**Committee:** Security Council

**Issue:** The Situation in South China Sea

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1. Description of Issue

 The Spratly Islands in the South China Sea were first discovered by the Chinese around 200 BCE and then were occupied by numerous entities over time. However, the history of dispute over the occupation in the South China Sea originates back to 1974 when the first clash between nations occurred in the region.

 The Law on Territorial Waters and Their Contiguous Areas passed by China in 1991 has been revised throughout the past and is still enforced in the South China Sea. The controversial aspect of this enforcement is that the law requires foreign countries, whom used to freely operate in the area, to first seek for Beijing’s permission in order to perform any sort of activities in the region. The Chinese government expressed that the sea belongs to the Hainan province in the southern part of China and therefore the government holds the control over the area. However, the islands in the South China Sea, which have also become disputed, have been claimed by seven different countries(China, Vietnam, Malaysia, Indonesia, Philippines, Brunei, and Taiwan) and the controversy in regards of the possession of the islands has recently intensified.

 The primary reason that the surrounding countries are so eager to take the region into control is the oil- and gas-rich characteristic of the South China Sea. The possession of these natural resources will greatly boost the possessing nation’s economy, thus significantly reinforce the nation’s influence in the world. Besides from the resources, several ASEAN countries have expressed their discomfort in China’s regulations in the water and felt no necessity for them to ask another country for the permission to operate; a sense of violation of national sovereignty arose. More controversy has been raised when the USA, South Korea, and Japan’s military aircrafts have flown through the region without any sanctions from China.

 The USA has been asked by some ASEAN countries to support in mediating the escalating tension between China and the others and expressed its commitment to ensure the safety of its allies in East Asia. The USA also recognizes the notableness of the South China Sea for it serves as the gateway that connects the western hemisphere with the growing economic powers of Southeast Asia. It also showed its concern that if China takes total control of the region, the world economy will be greatly influenced by China and that there will be risks of leading into a monopoly.

 Despite the numerous attempts in the past to come to an agreement among the involved countries, there has not yet been an effective solution. Other countries such as the UK and the USA suggests that the countries should formulate a set of rules that every nation can agree upon, but constant disagreements and conflicts have thwarted the resolution. For the economic and social impact the control in the disputed area can bring will be at a notable magnitude, this issue of the situation in South China Sea is to be dealt at hand.

2. Definition of Key Terms

*Dispute* - to fight in order to take control of something (Merriam Webster)

*Ulterior motives* - going beyond what is openly said or shown and especially what is proper (Merriam Webster)

*Provocative* - causing discussion, thought, argument, etc. (Merriam Webster)

*Exclusive Economic Zones(EEZ)* - A concept adopted by the Third United Nations Convention on the Law of Sea in 1982 whereby a coastal State assumes jurisdiction over the exploration and exploitation of marine resources in its adjacent section of the continental shelf, taken to be a band extending 200 miles from the shore (OECD)

*Association of Southeast Asian Countries(ASEAN)* - Established in 1967 with the signing of the ASEAN Declaration, the ASEAN was formed with the purposes including: accelerating economic growth, promoting regional peace, and promoting active collaboration in various fields. The Founding Fathers include Malaysia, Indonesia, Philippines, Singapore, and Thailand.

3. Timeline of Key Events:

*200 BCE:* China discovered the Spratly Islands and occupied them

*1885 CE:* China officially claimed the Spratly Islands

*1939 CE:* Spratly Islands invaded and occupied by Japan during the Second World War

*1951 CE:* Japan renounced the Spratly Islands

*January 1974 CE:* Clash erupted between South Vietnamese(backed by the USA) and Chinese forces

*1976 CE:* Unification of the Vietnams

*1991 CE:* China passed the Law on Territorial Waters and Their Contiguous Areas

*1995 CE:* Conflicts between China and the Philippines regarding territorial issues

*May 2000 CE:* Agreement between China and the Philippines to formulate a regional Code of Conduct in the South China Sea

*December 2000 CE:* Agreements signed between China and Vietnam to resolve the disputes in the Gulf of Tonkin

*November 2002 CE:* China and ASEAN adopted the Declaration on the Conduct of Parties on the South China Sea; stage set for possible commercial cooperation and long-term stability

*May 2003 CE:* Vietnam issued a "sovereignty" declaration on the Chinese ban on fishing in the South China Sea

*July 2011 CE:* Preliminary guidelines to resolve the issue set by China, Brunei, Malaysia, Vietnam and the Philippines

*October 2011 CE:* China and Vietnam agreed to seek for a peaceful resolution in regards of the dispute through direct communication between the two countries

*November 2011 CE:* The USA and ASEAN countries aligned to effectively pressure China on their claims to hold "indisputable sovereignty" over the South China Seas

*April 2012 CE:* Standoff between Chinese and Philippine vessels; start of escalating tensions

*December 2013 CE:* China claimed the others had ulterior motives in their complaints towards its regulation in the disputed region; USA expressed its determination to protect its allies in East Asia

4. Positions of External Entities

*People’s Republic of China(PRC):*

 China is currently disturbed by other countries’ complaints in regards of its regulation in South China Sea. It believes that the nation possess the control over the body of water and that any maritime activities of other countries should not happen in the region without its permission. It seeks for peaceful means of solutions to this ongoing dispute, but feels the others have ulterior motives behind their complaints on its execution of codes in the sea.

*Vietnam:*

 Vietnam is greatly offended by the actions of the Chinese government, specifically in terms of the new rules that require foreign vessels to seek for Beijing’s permission to operate in the South China Sea. Vietnam also notices that the physical clash between the Vietnamese and Chinese forces in 1974 is not noted anywhere in modern history textbooks and demands the contents to be revised accordingly.Vietnam seeks for a solution to the issue in the South China Sea in a peaceful manner.

*Philippines:*

 The Philippines is also offended by the actions of the Chinese government and the pressure it has been imposing on foreign countries. It believes the power to control operation in the South China Sea does not stand with the Chinese government and an agreement among all countries that claimed the disputed territory should be made.

*United States of America(USA):*

 The USA is currently deeply concerned about the safety of its allies in East Asia. While it finds its necessity to maintain a positive relationship with China as economic partners, the USA notes the importance of avoiding any further tensions or aggressive action in the dispute region. The USA also notes the economic importance of the South China Sea and seeks to fully support the relative countries in reaching a consensus regarding the occupation of the region.

*Japan:*

 Japan, considering the fact that it is also involved in the matter of disputed territory in the East China Sea with China, expresses its willingness to fully support the resolution of this issue. As a nation which previously claimed the currently disputed region, Japan believes that it is also involved in this issue and believes the situation should be resolved in accordance with the international law.

5. Suggested Solutions

*1) Holding multilateral conferences among directly related countries in order to formulate/revise a code of laws that the disputed territory will be conducted by.*

 There have been numerous attempts in the past among relative countries to communicate in order to reach a peaceful solution to this issue of disputed territory in the South China Sea. However, the agreements were only made bilaterally among certain countries, which greatly enfeebled the effects of the conventions for not all related bodies have participated in the process of reaching agreements. It is important for all members of relative bodies to participate in the multilateral conferences in order to reach a consensus in formulating a new set of codes in regards of various of matters such as fishing and boundaries.

*2) International cooperation to promote/execute common exploitation in the disputed territory.*

 One of the key reasons to this dispute in the South China Sea is due to the rich resources in the area. Several countries, including China, Vietnam, and the Philippines, have claimed their rights to fish and conduct other exploitative activities in the region, but have come across disagreements among themselves. China, specifically, executed a set of codes that banned other countries from fishing in the South China Sea, significantly escalating the level of tension among the countries. It is crucial to solve the problem with exploitation in the disputed territory for it is a reason that lay in the very basis of the dispute as a whole.

*3) Revising the contents of modern history textbooks according to actual historical facts in the South China Sea.*

 The concern regarding the contents of educational textbooks has been raised previously by a number of ASEAN member states. The states claim that currently there is not a single textbook that thoroughly or even briefly mention the physical conflicts that have happened in the South China Sea. Member states have demanded the contents of the texts to be revised accordingly, but have encountered obstacles in the process of performing the task. Revising the contents of the historical text will not entirely, but partially alleviate the tensions and the feeling of discomfort among the involved countries.

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