



**THE LAW
OF THE SEA**



Conference Information

GMUNC will be held in person on **October 19th**. For more information about the conference, please visit the GMUNC website at gmunc.onrender.com. Delegates can find guidelines for position papers on the website. The deadline for the position papers is **October 12th**. Any submission before the due date is eligible for all awards given out by the conference. **October 18th** is the deadline for position papers in order to be considered for all committee awards *except* for research awards. When submitting a position paper, please title the email as “[Delegate Name] Position Paper Submission”. If titled differently, keep in mind that the submission may be disregarded and not considered for any award. If delegates are in need of an extension for position paper deadlines, would like to submit their position papers, or have questions or concerns, please contact: UNCLOSouthchinasea@gmail.com (it is best to CC the following email addresses as well: philyoonseo@gmail.com & vb36773@pausd.us).

Chair Bios



Head Chair: Yoonseo Lee

Yoonseo is a senior at Gunn High School and is excited to serve as Head Chair for GMUNC, a conference she has attended as a delegate herself. This is the third time she will be chairing for GMUNC and the fifth time as a chair. Currently, she is the Secretary General of Gunn Model UN and has participated in the club since sixth grade. She enjoyed hosting Gunn MUN's first ever summer camp last year and volunteering at the middle school outreach programs. Outside of MUN, you can find Yoonseo coaching or playing on her tennis team! She looks forward to meeting all delegates at GMUNC soon.



Co-Chair: Vin Bhat

Vin is currently a sophomore attending Gunn High School and looks forward to serving as Co-Chair at GMUNC for the first time. Previously, he attended GMUNC as a delegate. Vin has been a part of Gunn Model UN since sixth grade and has attended multiple conferences as part of the Gunn MUN delegation including PacMUN and SCVMUN. Outside of MUN, Vin enjoys playing guitar, coding, ranting about homework to friends, and participating in speech and debate as a national extemporaneous speaker. He looks forward to an exciting conference and the opportunity to meet both experienced and novice delegates.

Letter from Chairs

Dear Delegates,

At this conference, you will represent a member state of the United Nations Convention on the Law of the Sea (UNCLOS), exploring the implications of recent developments in the South China Sea. GMUNC welcomes delegates of all skill levels, and a review of standard parliamentary procedures will occur at the committee's beginning. Keep in mind that GMUNC is a novice conference, so do your best to involve delegates of all skill levels. Remember to consider your delegation's stance through plenty of research and consider potential solutions you would like to discuss throughout the conference. Most importantly, we hope you have a fun and engaging experience as well!

We do not expect any of you to have even heard about the UNCLOS, but that is what makes it enjoyable! We want to hear new and unfiltered ideas that are not just regurgitated statements from previous conferences. In addition, we would like to emphasize the multi-sided aspect of this committee. This is a committee ripe for heated debates and unique compromises, and we would love to see that shine through during the conference. Delegates must be prepared to compromise and face challenging discussions surrounding this often contentious subject.

If you have questions regarding how to write your position paper, conference information, or any general questions, please don't hesitate to reach out to us at the following email: UNCLOSouthchinasea@gmail.com. We look forward to seeing you in committee and hope that you gain a deeper understanding of the current conflict in the South China Sea.

Warm regards,

Yoonseo Lee & Vin Bhat

Map of the Conflict



China and Taiwan Malaysia Vietnam Brunei Philippines

Please note: the “Nine-Dash Line” refers to the red demarcation on the map, and the Republic of China (Taiwan) also separately lays claims to the islands of Taiping and Zhongzhou.

Background Info

The South China Sea has been a region of dispute as early as the 1970s, beginning with maritime clashes between China and Vietnam. Ongoing failures in diplomatic negotiations with Southeast Asian nations have exacerbated the conflict over the decades. Sovereignty over this area has remained critical due to its invaluable resources, including an estimated 11 billion barrels of oil and 190 trillion cubic feet of natural gas. Major claimants include Brunei, Indonesia, Malaysia, the Philippines, Taiwan, and Vietnam. Additionally, the dispute is relevant to claimant allies seeking access to these resources through international trade. The Spratly Islands are particularly contested due to their rich resources and advantageous fishing zones, containing unpredictable economic potential for any Southeast Asian nation. However, many islands in the region are low-tide elevations or part of the seabed, making them ineligible for legal claims.

The escalating tensions among claimant nations have undermined international maritime laws, reduced opportunities for peaceful negotiations, and led to increased military presence in the South China Sea. China has been one of the most assertive claimants, frequently clashing with the United States, which supports the UN Convention on the Law of the Sea (UNCLOS). According to UNCLOS, freedom of navigation through Exclusive Economic Zones (EEZs) does not require notification of military activities to other claimants. China has increasingly reclaimed land by creating artificial islands and expanding existing ones, particularly in the Paracel and Spratly Islands, while establishing a military presence in the region. The United States has countered China's actions by ensuring freedom of navigation and securing sea lines of communication (SLOC), crucial for trade and naval operations during peacetime. However, in times of conflict, the strategic importance of the region could pose significant risks to

international shipping and trade. The conflict has also affected other nations, with Japan selling military supplies to the Philippines and Vietnam to help deter Chinese aggression.

Historical Context

The history of territorial claims in this area dates back multiple centuries, with various dynasties and governments asserting control over the region. China's historical claims are rooted in the frequently mentioned "Nine-Dash Line," which first appeared on Chinese maps in the late 1940s, delineating a vast area of the South China Sea as Chinese territory. This claim, however, is contested by multiple other countries in the region, each with its own historical and legal justifications. For example, Vietnam claims sovereignty over the Paracel and Spratly Islands based on historical usage and colonial-era agreements, while the Philippines bases its claims on geographical proximity and historical usage, particularly over the Scarborough Shoal and parts of the Spratly Islands.

The UNCLOS, established in 1982, provides a much-needed legal framework for maritime rights and responsibilities. The UNCLOS introduced concepts such as EEZs, which allow coastal states to claim rights to maritime resources within 200 nautical miles of their shores. However, the overlapping EEZs in the South China Sea have intensified the disputes, as multiple nations have claims over the same waters. For instance, some nations claim rights to smaller sandbars, asserting they are strategic territorial lands, and proceed to claim the following 200 nautical miles, not just from their main shores, but from the sandbar itself. China and the Philippines are often proponents of these strategies, with the Philippines even grounding a military ship to have "civilization" on the Scarborough Shoal.

Throughout the 20th and 21st centuries, several skirmishes and incidents have occurred in the region, reflecting the increasing tensions between claimant states. The South China Sea disputes have also attracted the attention of external powers, particularly the United States, which advocates for their freedom of navigation and overflight of the area, countering China's expansive claims. Recently, multiple close encounters between nations have occurred, primarily involving hostile Chinese navy ships. China has even threatened to float nuclear reactors in disputed waters, leading to concerns from global powers, viewing the move as possibly damaging the environment and a risky placement for nuclear power.

Past U.N Action

International tensions initially arose when China claimed control over the Paracel Islands after defeating Vietnam in the brief Battle of the Paracel Islands in 1974. Vietnam, however, claimed that the occupation was illegal, leading both countries to appeal to the UNCLOS. The 1982 agreement reached at the UN granted countries EEZZ control over waters extending 200 nautical miles from their coastlines. This agreement was ratified by both China and Vietnam in the 1990s. Despite this, tensions persisted, which led to the 2014 appeal from both nations due to China's establishment of an oil rig in the region. The conflict remained without tangible agreement, leading to increased military presence by claimant nations to this day.

In international tables, most agreements over the South China Sea regard the conservation of the invaluable biodiversity in the region as well as international cooperation in times of conflict. The ASEAN Declaration on the South China Sea, signed in 1992, aimed to foster cooperation in the South China Sea on issues such as maritime navigation safety, pollution prevention, and coordination of search and rescue operations. It also sought to combat piracy and

illegal drug trafficking, referencing the Treaty of Amity and Cooperation in Southeast Asia as the basis for establishing a code of international conduct over the South China Sea. Additionally in 2023, the UNCLOS signed the High Seas Treaty, establishing a coordinated approach to creating marine protected areas on the high seas. This treaty is critical for conserving biodiversity and achieving the global target of conserving or protecting 30 percent of the ocean by 2030.

The UN has interfered only indirectly in promoting peace of claimant nations. During the 8th ASEAN Summit in 2002, the Declaration on the Conduct of the Parties in the South China Sea was issued. This was the first declaration to include all littoral countries of the South China Sea. It reaffirmed the determination of ASEAN member states and China to develop friendship and cooperation, promoting a 21st-century partnership of good neighborliness and mutual trust. Inevitably, South China Sea nations have remained in conflict, failing to settle negotiations diplomatically.

Locally, efforts to settle disputes over fishing zones made progress in the early 2000s, yet failed to be upheld after decades since the agreement. The Regional Guidelines for Responsible Fisheries in Southeast Asia, finalized in April 2003, were developed as an outgrowth of the Code of Conduct for Responsible Fisheries by the Food and Agricultural Organization of the United Nations (FAO). The Guidelines are non-binding and were signed by Brunei, Cambodia, Indonesia, the Philippines, Thailand, Malaysia, Myanmar, and Vietnam. Alongside the Guidelines, the FAO also facilitated the creation of the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas. Although this agreement was binding, the nations bordering the South China Sea are not Member States. This conflict has led to disputes nowadays over fishing territories and the establishment of military bases to deter this activity by other claimant nations.

Current Situation

The South China Sea remains one of the world's most contentious maritime regions. The disputes have extremely significant geopolitical, economic, and environmental implications. The primary claimants to the South China Sea — China, Vietnam, the Philippines, Malaysia, Brunei, and Taiwan — continue to assert their sovereignty and territorial integrity through various means, including diplomatic negotiations, legal proceedings, and, more often than not, military presence.

In recent years, China has been particularly assertive, engaging in large-scale land reclamation projects and the construction of artificial islands equipped with military installations. These activities have heightened tensions between China and the international community, drawing criticism and outrage, especially from the United States and its allies, who view them as destabilizing acts that threaten freedom of navigation and regional sovereignty.

In July 2016, the Permanent Court of Arbitration in The Hague ruled in favor, on most accounts, of the Philippines in a case challenging China's claims. The court concluded that China's historical claims based on the purported "Nine-Dash Line" had no legal basis under the UNCLOS. While China is a founding member of the tribunal, it has dismissed and rejected this ruling, continuing its activities in the disputed territory.

The United States regularly conducts Freedom of Navigation Operations (FONOPs) to challenge what it views as excessive maritime claims by China, and to assert the principle of free passage in international waters. FONOPs commonly involve sailing military vessels near contested islands, leading to close encounters with Chinese forces. These particular encounters are especially dangerous, and could be avoided if a resolution on the South China Sea conflict is reached.

ASEAN (Association of Southeast Asian Nations) member states have often sought to address the disputes through dialogue and negotiation, advocating for a binding Code of Conduct in the South China Sea that all member states would have to agree to. However, progress to pass such a measure has been relatively slow, and the lack of a unified stance amongst ASEAN nations complicates efforts to present a collective front.

The current situation in the South China Sea is a complex mixing pot of national interests, legal principles, and international diplomacy. As the claimant states and external powers continue to navigate these challenges, the role of the UNCLOS in providing a legal framework for resolving disputes remains central. The international community watches the situation closely, recognizing that a resolution to this issue has far-reaching implications for regional stability and global maritime security.

Proposed Solutions

As a member of the UNCLOS, it will be your responsibility to resolve the conflict in the South China Sea. Delegates must prioritize the most pressing issues at hand regarding the South China Sea. Please consider the following:

Foremost, we value (and reward) delegates who are able to accurately represent their delegate stance. Oftentimes, delegates tend to stray away from their diplomatic reputation in an attempt to create great, yet unrealistic resolutions. Please come prepared with full awareness of your delegate position to ensure that there is a realistic debate! The dispute of South China Sea is a result of conflicting interests, so neither do we expect a resolution to be reached instantly, nor with ease. To be sure, incorporate your own stances within proposing ideas and feel free to

explore areas where your nation does not have a set stance on. Still, make sure you are not resetting your delegate's historical position on this issue.

To outline some of the most pressing issues on the topic, we will be listing a few main areas to target. Of course, delegates will have the freedom to explore specific topics when needed.

First, we would like delegates to initiate conversation on dividing the natural resources between direct claimants. Address the significance of growing sizes of islands and the creation of new ones. Additionally, introduce methods to divide up the territory of legally unclaimed lands. The committee does not need to set definite boundaries in territory, but defining the range of access claimant nations can have is necessary. It is important that delegates craft their arguments to gain access to strategic regions with a historical basis. The arguments should not center around which delegation could benefit the most from certain regions.

Second, delegates must address how nations both directly and indirectly involved in the conflict will have access to trade and freedom of navigation. The South China Sea is a strategic region that facilitates international trade, critical to maintaining and growing the international economy. With the continuous conflict in the region between claimant nations and military bases actively being set in artificial islands, international trade comes at risk. Delegates must devise a creative resolution that addresses how external nations seeking passage in the South China Sea can be guaranteed security.

Third, delegates must analyze the importance and necessity of military presence in the South China Sea. Is it necessary to keep military presence as a measure of safety against hostile nations, or can military presence be reduced to calm the already-high tensions in the South China

Sea? This also plays into the access to freedom of navigation — delegates must ask themselves whether they need to reduce military presence and sacrifice freedom of navigation, or vice versa.

Finally, we would like to highlight the importance of delegations to create a long-term plan to resolve any and all disputes that arise in the South China Sea. As the saying goes, Rome was not built in a day, and the South China Sea tensions will definitely not diffuse overnight. It is paramount that delegates emphasize not only strategies to combat the above-mentioned topics, but also highlight compromises that they must make that benefit reducing tensions as a whole. But remember, keep in mind your country's stance before making compromises as some aren't feasible for certain nations.

Questions to Consider

1. How can the committee address overlapping territorial claims in the South China Sea to ensure equitable access and sovereignty rights for all involved nations?
2. What measures can be implemented to ensure freedom of navigation in the South China Sea, balancing the interests of coastal states with those of the international community?
3. What frameworks and mechanisms can be established to prevent conflicts and resolve disputes peacefully among the countries with vested interests in the South China Sea?
4. How can the committee strengthen the enforcement of international maritime laws, particularly the UNCLOS, to ensure compliance and cooperation from involved states?
5. What strategies can be developed to manage the extraction of natural resources, such as oil and seafood, in a way that benefits all parties and reduces the potential for conflict?

List of Delegates: *Direct Claimant*, *Regional Stakeholders*, *Global Powers/Interested Parties*

Afghanistan	Australia	Bahrain	Bangladesh	Belgium	Brazil
Brunei	Cambodia	Canada	Chile	China (PRC)	Colombia
Denmark	Ecuador	Egypt	Finland	France	Germany
Greece	India	Indonesia	Iran	Iraq	Israel
Italy	Japan	Kenya	Kuwait	Laos	Malaysia
Maldives	Mexico	Myanmar	Netherlands	New Zealand	Nigeria
North Korea (DPRK)	Norway	Oman	Pakistan	Papua New Guinea	Peru
Philippines	Poland	Qatar	Russia	Saudi Arabia	Singapore
South Africa	South Korea (ROK)	Spain	Sri Lanka	Sweden	Thailand
United Arab Emirates	United Kingdom	United States	Vietnam	Yemen	Zimbabwe

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