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Towards a solution for the increasing tensions in the South China Sea?

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Introduction

If left unchecked, the current rising tensions in South China Sea may well develop into a more broader conflict. Already during the past years several incidents took place whereby for instance several fishing boats were rammed and harassed by Chinese ships. Over the years, the incidents have grown both in number and severity. The question is still out whether these incidents can already be labelled as ‘acts of violence’ from an international-legal point of view. Nevertheless, the tensions in this maritime region continue to grow considerably. The geopolitical importance of the South China Sea region has risen substantially the past years. In an age of resource scarcity, its untapped natural resources such as oil, natural gas but also fishing grounds have gained in geo-economic significance. At the same time, China is fortifying several atolls in the region, changing them into airstrips and strategic bases for a future Chinese forward military presence. A showdown with the American Navy somewhere in the (near) future lies within the realm of possibilities. Next to

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resource competition and a Sino-American geostrategic race, this region also holds vital sea-lanes for both security and commerce. Much of the international trade passes through this region via important shipping lines. This explains why a conflict here might have serious ramifications for the rest of the world. To make matters even more complex, the region harbors perhaps the most consequential set of international territorial disputes. Each of the countries in the region claims an Exclusive Economic Zone (EEZ) of 200 nautical miles to be calculated from their respective coasts, whereas China invokes its historical rights and – hence – its claims overlap with those of many other countries in the region. By now militarising and creating forward bases, some analysts fear Beijing is trying to create a new *de facto* situation. It is thus not surprising that the military budgets of many countries in this part of the world have risen substantially. Can an ultimate confrontation be avoided?

This may well be one of the last political windows of opportunity to avoid an all out confrontation in the South China Sea. Therefore, the UN Security Council is gathered in an Emergency Session to deal with the current events and come up with recommendations so as to lower tensions in the region. Under Article 24, Section 1 and article 34 of the Charter of the United Nations, the mandate of the United Nations Security Council (UNSC) includes investigating situations that might lead to international friction and recommending methods of adjusting such disputes or terms of settlement, Article 36 UN Charter. Thus, the UNSC may engage to try to foster a new situation in which a long-term peace and security in the South China Sea could flourish. You will be defending the interests of a UNSC member or observer in order to deal with the situation at hand. In the following pages you will be briefed on some essential basics of the region and conflict. It is up to you to develop your own position paper and strategy to try to contribute to an international resolution for this impending conflict.

The recommendations which you will make in the form of a UN Security Council Resolution text, may well become the crucial building blocks upon which a lasting peace may be realised. If the international community is unable to come together now, the situation will most undoubtedly further aggravate and become much more difficult to resolve. The very fate of the region thus now lies in your hands. A failure of the international community in the UNSC now may in the end lay the path to a major conflict or even war in the future.

The Region

The South China Sea region is a semi-enclosed sea – part of the Pacific Ocean, encompassing an area from the Karimata and Malacca Straits to the Strait of Taiwan of around 3,500,000 square kilometres (1,400,000 sq mi). The sea carries a great strategic importance; one-third of the world's shipping passes through it carrying over \$3 trillion in trade each year, it contains lucrative fisheries that are crucial for the food security of millions in Southeast Asia, and huge oil and gas reserves are believed to lie beneath its seabed (Wikipedia, 2017).

Due to the number of claimants, the complexity of the claims and the wide range of interests involved, the South China Sea has been called the “mother of all territorial disputes” (Baviera, 2004: 505). The region will probably be a centre of future economic growth in East Asia and is sometimes called a “*second Persian Gulf*”. There are obvious possibilities for joint development and cooperative management regimes to exploit the resources, but the many overlapping maritime claims to sovereignty throw up impediments (Beukel, 2010: 9).



Competing maritime claims and the UNCLOS treaty

The history of the South China Sea is full of clashes that could provoke escalation. In 1946, China declared the Spratly islands as part of its Guangdong province. In 1947, the Philippines claimed some of the Spratlys as well as the Scarborough Reef. The first military clash occurred in 1974 in the Paracels between China and Vietnam, resulting in Vietnamese expulsion and the death of soldiers. In response, South Vietnam occupied part of the Spratlys. In 1978, the Philippines claimed the entire area and revised their country's map. The first naval skirmish involving China and Vietnam ensued in 1988 off the Spratly Islands, with Vietnam incurring over 70 casualties and losing control of six "islands" or maritime features. Under such tensions, China passed laws in 1991 to formally assert control over the whole South China Sea. Organized by Indonesia, the six main claimants in the South China Sea agreed to resolve the disputes peacefully and refrain from unilateral actions that could increase tensions. Two years later, China and Vietnam engaged in another skirmish near Vietnam's claimed Sin Cowe East. Under mounting criticism, China pledged not to use force and negotiate the Spratlys. In 1995, China engaged the Philippines in a skirmish near the ill-named Mischief Reef, effectively expanding the conflict beyond a rivalry. Over time, the Philippines has also had minor skirmishes with Vietnamese and Malaysian forces.

The states in the South China Sea thus have overlapping, mutually incompatible claims. This explains the tension and interstate rivalry in the region. The international legal framework against which to assess the maritime claims of the South China Sea states is provided by UNCLOS, the *United Nations Convention on the Law of the Sea*. UNCLOS outlines the provisions relating to the definition of baselines along the coast, the spatial dimensions of claims to maritime jurisdiction, coastal and other state rights and responsibilities within such zones. Finally and importantly, UNCLOS also deals with the delimitation of maritime boundaries where overlapping claims occur (Schofield, 2015: 31). UNCLOS was adopted in 1982 with 130 votes in favour, 4 against and 17 abstentions. The convention defines and limits territorial sea and details the rights and responsibilities of nations who use the oceans as well as establishes guidelines for business and the management of the oceans' resources. UNCLOS entered into force in 1994 and includes at least two significant provisions that

relate to the territorial disputes in question. *First*, the UNCLOS legally introduces Exclusive Economic Zones (EEZs), within which a Member State enjoys sovereign exploitation rights over natural (living and non-living) resources. The perimeter of an EEZ extends from land's low water line out 200 nautical miles. Foreign states may still navigate freely and fly overhead as well as lay underwater cables and submarine pipes. *Second*, the UNCLOS formalized the Continental Shelf as a natural extension of the land territory (which is limited to 12 nautical miles, Article 3 UNCLOS), subject to the Member State's control. For legal application, the Continental Shelf can extend to the edge of the continental margin, the point at which the shelf descends to an abyssal plain on the ocean floor.

Since the South China Sea is a semi-enclosed sea, article 123 of the UNCLOS treaty is also important, since it lays out the groundwork for negotiations: *"States bordering an enclosed or semi-enclosed sea should cooperate with each other in the exercise of their rights and in the performance of their duties under this Convention. To this end they shall endeavour, directly or through an appropriate regional organization: (a) to coordinate the management, conservation, exploration and exploitation of the living resources of the sea; (b) to coordinate the implementation of their rights and duties with respect to the protection and preservation of the marine environment; (c) to coordinate their scientific research policies and undertake where appropriate joint programmes of scientific research in the area; (d) to invite, as appropriate, other interested States or international organizations to cooperate with them in furtherance of the provisions of this article."*

In tandem with the EEZ, UNCLOS limits the jurisdiction of the continental margin control at least 200 and up to 350 nautical miles. Within the Member State's continental shelf but beyond its EEZ, it may exploit only non-living natural resources. Crucially, the UNCLOS attributes to islands their distinct EEZ and Continental shelf jurisdictions. This is the crux of control for the claimants of the strategic islands. Both EEZ and Continental shelf are legal consequences of territorial sovereignty over land. All Member States in the South China Sea have therefore an interest to establish territorial sovereignty over the islands if they want to benefit from the EEZ and Continental shelves attached to those. Claims on territorial sovereignty are mainly based on de facto control and historical precedent. Ambiguity in overlapping EEZ boundaries adds to the complexity of each state's claim. While UNCLOS

contains several provisions to solve overlapping EEZs and continental shelves, these provisions are disputed in terms of their implementation and can be abrogated by individual bilateral treaties.

With regard to mainland coasts of the states surrounding the South China Sea, several states take the view that their coasts are sufficiently deeply indented and cut into or fringed with islands in their immediate vicinity to justify the definition of systems of straight baselines as provided for under Article 7 of the UNCLOS treaty. Claims for such straight baselines have been made by Cambodia, China (and Taiwan), Thailand and Vietnam. Two of the South China Sea littoral states, Indonesia and the Philippines, are archipelagic states and have defined archipelagic baselines in accordance with Article 47 of UNCLOS (Schofeld, 2015: 32). Except for Cambodia, all Member States in the South China Sea have signed and ratified the UNCLOS. China claims nearly all of the South China Sea. Referred to on maps as the “cow’s tongue,” China’s asserted territorial reach encompasses all of the Spratly Islands as well as the Paracel Islands. All these elements have resulted in a set of conflicting claims in the region, as the map below clearly demonstrates:



Source: https://en.wikipedia.org/wiki/South_China_Sea#/media/File:South_China_Sea_claims_map.jpg

In 2002, the ASEAN countries together with China signed a *“Declaration on the Conduct of Parties in the South China Sea”*. In it, China and ASEAN promised “co-operation” and “self-restraint”, they recognised *“the need to promote a peaceful, friendly and harmonious environment”* and said they would abide by the UN Convention on the Law of the Sea (UNCLOS), and work towards a code of conduct. Nine years later, the two sides agreed to a vague set of guidelines to implement the declaration. In July 2016, China agreed to expedite talks about a code of conduct. Some believe that decision was driven by the election of Rodrigo Duterte to the presidency of the Philippines. Duterte’s predecessor, Benigno Aquino, had filed a case against China with an international tribunal in The Hague, accusing it of violating UNCLOS. The tribunal mostly ruled in favor of the Philippines. But Duterte, more favorably disposed towards China than Aquino, offered to “set aside” the ruling.²

On 6 August 2017, ASEAN and China agreed on a new framework. They agreed on a three-step process to start the negotiations of an actual code - the announcement of the adoption of the framework, convening a new meeting to discuss the modalities for the negotiations of the Code and announcement of the start of a “Code of Conduct” (COC) negotiation by the leaders of ASEAN and China in the upcoming summit in November 2017. But China said the third step will depend on the stability in the South China Sea, *“if there is no major disruption from outside parties.”* The joint communiqué of the 50th ASEAN ministerial released in Manila *“took note of the concerns by some ministers on the land reclamations and activities in the area which have eroded trust and confidence, increased tensions and may undermine peace, security and stability in the region.”* The communique also emphasized the *“importance of non-militarization and self-restraint in the conduct of all activities by claimants and all other states, including those mentioned in the DOC that could further complicate the situation and escalate tensions in the South China Sea.”*³

In the “Declaration on the Code of Conduct” (DOC), there are several interesting principles. The first objective is *“To establish a rules based framework containing a set of norms to guide the conduct of parties and promote maritime cooperation in the South China Sea”*. The second objective is *“To promote mutual trust, cooperation and confidence, prevent incidents,*

² Source: <https://www.economist.com/blogs/economist-explains/2017/05/economist-explains-25>

³ Source: <http://news.abs-cbn.com/focus/08/10/17/the-road-to-an-asean-china-code-of-conduct-in-the-south-china-sea>

manage incidents should they occur, and create a favorable environment for the peaceful settlement of the disputes.” The third objective is *“To ensure maritime security and safety and freedom of navigation and overflight”*. The parties to the DOC also *“reaffirmed their respect for and commitment to the freedom of navigation in and overflight above the South China Sea”*. According to Ian Storey, “ensure” sounds slightly stronger than “respect for and commitment to”, and underscores the concern of some ASEAN states that the dispute risks undermining freedom of navigation, especially if China declared an Air Defence Identification Zone (ADIZ) (see *infra*) over the South China Sea as it did over parts of the East China Sea in November 2013. China’s position is that the dispute does not threaten freedom of navigation.

The “Principles” section is divided into four parts. The first principle is that the COC is *“Not an instrument to settle territorial disputes or maritime delimitation issues.”* The second principle is a *commitment to the “purposes and principles”* of the United Nations Charter, the 1982 United Nations Convention on the Law of the Sea (UNCLOS), the Treaty of Amity and Cooperation, the Five Principles of Peaceful Coexistence and *“other universally recognized principles of international law”*. The third principle is a *“Commitment to full and effective implementation of the DOC”*. The fourth principle is *“Respect for each other’s independence, sovereignty and territorial integrity in accordance with international law, and the principle of non-interference in the internal affairs of other states.”*

According to Ian Storey, there are several elements currently missing in the new Code of Conduct (COC) in the making.⁴ *First*, the framework does not mention the geographical scope of the COC, including whether it will apply to both the disputed Paracels and Spratly Islands or only to certain areas. During the negotiations, Vietnam had argued that the names of the two archipelagos be included, but as consensus could not be reached they were omitted. So long as the COC applies to the entire South China Sea, this may not present a problem. *Second*, while the text mentions “mechanisms for monitoring of implementation”, it is silent about enforcement measures and arbitration mechanisms should one party accuse another of violating the code. Generally speaking, ASEAN eschews enforcement clauses in its agreements. Nevertheless, the absence of

⁴ Read further: https://www.iseas.edu.sg/images/pdf/ISEAS_Perspective_2017_62.pdf

enforcement measures and arbitration mechanisms will weaken the effectiveness of the final Code of Conduct.

The **first question** before the UN Security Council is thus *whether the UNSC can come to (the beginning of) a solution for this clearly incompatible territorial claims in the South China Sea while taking into account the historical and current interests of all nations involved*. Are there certain international-legal, political and/or technical principles upon which a solution could be crafted? Can the political momentum that has been developing between ASEAN and China since August 2017 be used to move towards a new *Code of Conduct* for the region?

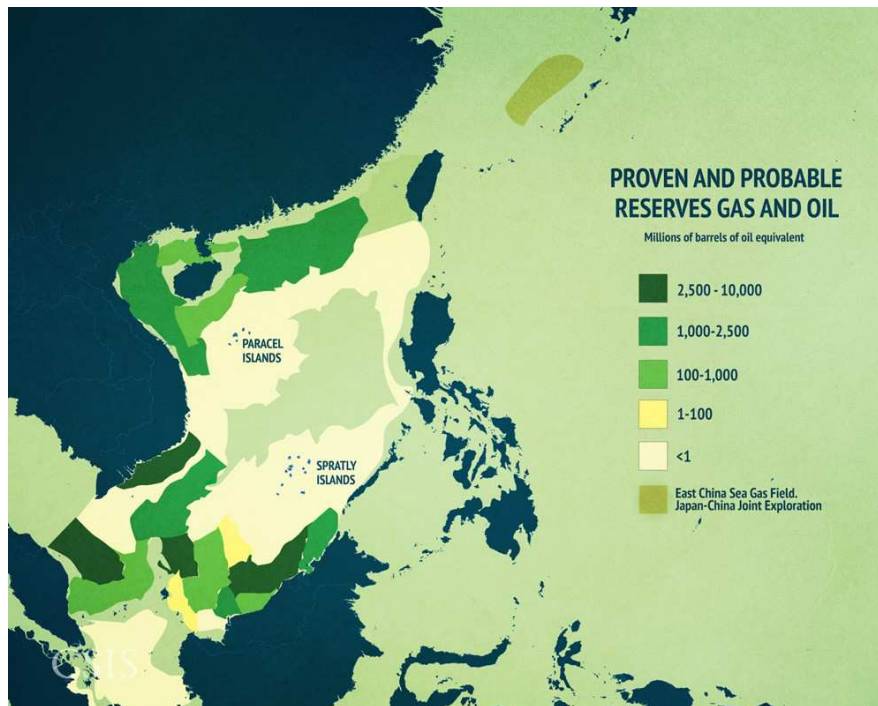
Importance in terms of natural resources: fisheries, oil & natural gas

The South China Sea accounts for approximately 10 per cent of the annual global fisheries catch, making it very important to the fishing industries of the surrounding countries. The region as a whole is also rich in both oil and natural gas, which has led to speculation that the disputed territories could hold potentially significant energy resources (International Crisis Group, 2012).

The South China Sea is **one of the world's five leading fishing zones**. The fishery employs more than 3 million people, contributes heavily to the global fish trade and provides a major source of vital protein to millions of people living in the nations that depend on it. US Air Force Captain Adam Greer, says that the stakes in the South China Sea can be summed up by a “3 P’s rule”—*politics, petroleum, and protein*. In an article in *The Diplomat*, Greer argues that the protein derived from fish may be the most important factor driving competition in the South China Sea.⁵ Chinese dredging aimed at gathering sand and gravel to build artificial islands (which previously were just ‘maritime features’) has caused serious damage. This in turn is also likely to hurt regional fish stocks.⁶

⁵ Source: <https://thediplomat.com/2016/07/the-south-china-sea-is-really-a-fishery-dispute/>

⁶ Source: <http://nationalinterest.org/blog/the-buzz/the-real-south-china-sea-crisis-everyone-missing-19922>



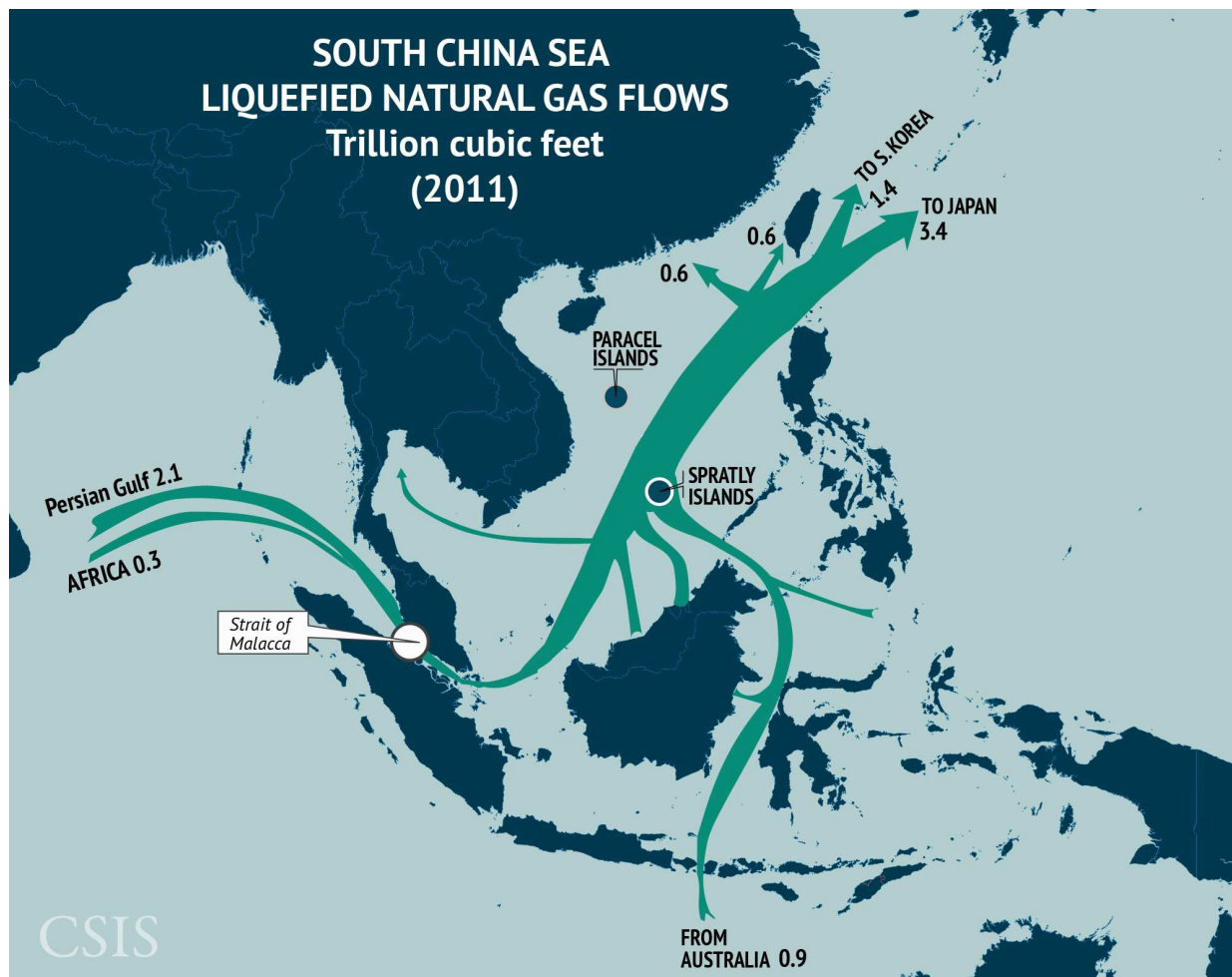
Source: <https://amti.csis.org/atlas/>

The (potential) **oil discoveries** in the region are vast. Oil reserves estimates range wildly from as high as 213 billion barrels (bbl) to as low as 28 billion bbl. Oil only comprises approximately 30-40% of the total hydrocarbon estimates of the South China Sea.⁷

The rest of the resources picture in the South China Sea is a natural gas one. According to the U.S. Energy Information Administration, China has estimated that the South China Sea holds around two quadrillion cubic feet of natural gas reserves. Much of the speculation over hydrocarbon amounts revolves around two archipelagos called the Spratly and the Paracel Islands. Due to conflicting claims over these archipelagos, surveys and exploration remain inadequate for accurate estimates. Currently, China estimates that the Spratly Islands alone contain 900 trillion cubic feet (Tcf) of natural gas. If accurate, the islands would be equivalent to China's current reserves, which currently rank 11th in volume and nearly three times that of the United States of America. Japan was one of the first countries that developed and applied the technology of Liquefied Natural Gas (LNG). As a result, natural gas shipments through the region constitute two-thirds of the world's overall natural gas trade. More and more countries in the region are transitioning to natural gas since it entails

⁷ Source: <https://www.forbes.com/sites/timdaiss/2016/05/22/why-the-south-china-sea-has-more-oil-than-you-think/#22a77780dd8f>

less CO2 emissions. An estimated 6 trillion cubic feet or more than half of the global LNG trade in 2011, passes through the South China Sea (Schofield, 2015: 29).



Source: <https://amti.csis.org/atlas/>

Reed Bank

According to Steve Mollman, Reed Bank (also called the Reed Tablemount) is one of the major prizes in the South China Sea. Located near the Philippines coast, it is believed to hold large reserves of oil and natural gas. The nation's main source of natural gas, the Malampaya field, will run out in less than a decade.⁸

⁸ Source: <https://qz.com/1098137/africas-richest-man-has-a-built-in-advantage-with-nigerias-government/>



Reed Bank clearly falls within the exclusive economic zone of the Philippines. As set forth by the UN Convention on the Law of the Sea, an EEZ extends 200 nautical miles (370 km or 230 miles) from the shore. (Reed Bank is 85 nautical miles off the coast.) While the zone can be treated as the high seas in most regards, all the resources within it belong to the coastal nation. The Philippines should be free to partner with any energy company it desires to extract those resources, and then use them as it sees fit.

According to the nine-dash line however, Reed Bank belongs to China. When the Philippines has tried to explore there, China has stopped it. In 2011, Chinese patrol vessels nearly rammed a survey ship operating with permission from the Philippines. And in 2014, Manila criticized China for conducting regular “sovereignty patrols” in the area.

On 12 July 2017, a Philippine energy official said drilling at Reed Bank could resume before year’s end, with Manila getting ready to offer new blocks to investors via bidding in December. In May 2017, Philippine president Rodrigo Duterte said his Chinese counterpart

Xi Jinping had warned him there would be war if Manila tried to enforce last year's tribunal ruling and drill for oil in disputed areas. On 25 July 2017, Duterte said that the Philippines and China will enter into joint oil exploration with China in those same parts, without saying when. That would conflict with Philippine law, however, as joint development within the country's EEZ is prohibited by the constitution. It remains to be seen how that conundrum plays out.

Vietnam

Again according to Steve Mollman, Vietnam recently stopped a gas drilling operation located about 400 km (250 miles) off its southeast coast after receiving threats from China. While Vietnam had leased the area to one company, China had leased it to another. China threatened to attack Vietnamese bases in the Spratly islands unless the drilling stopped. It was not the first tension between the two countries over energy resources in the sea. In 2012, Vietnam protested the *China National Offshore Oil Corporation* inviting foreign companies to bid for oil exploration blocks falling well within Vietnam's EEZ. And in 2014 China moved a massive mobile oil rig into another bit of contested water, sparking deadly anti-Chinese riots in Vietnam. China eventually removed the rig.⁹

The North Natuna Sea

On 14 July 2017, Indonesia announced a new name—the North Natuna Sea—for the northern reaches of its exclusive economic zone in the South China Sea. Again, the nine-dash line overlapping with an EEZ was a big reason why. Within the overlapping area is the East Natuna Gas Field, one of the larger such fields in the world. Indonesia is not the first nation to counter China's nine-dash line with a name change. In 2012 the Philippines renamed the part of the South China Sea off its western side the West Philippine Sea. In response to

⁹ Source: <https://qz.com/1098137/africas-richest-man-has-a-built-in-advantage-with-nigerias-government/>

Indonesia's name change, Chinese foreign ministry spokesman Geng Shuang said that "South China Sea" has widespread international recognition. He added, *"Certain countries' so-called renaming is totally meaningless. We hope the relevant country can meet China halfway and properly maintain the present good situation in the South China Sea region, which has not come easily."* Indonesia has also apprehended or chased off Chinese fishing vessels in the area in recent years, as another way of asserting its sovereignty.¹⁰

The **second question** before the UN Security Council is thus *whether a solution can be found for an equitable division of the natural resources in the region, more in particular regarding oil, natural gas and fisheries*. If progress is made on the first question, what are then the implications for this one? If no progress is possible yet on the first question, are quotas an option? Or can one develop a framework for a sustainable exploration and exploitation of the natural resources in the South China Sea? Moreover, what about the environmental dimension? Should an exploitation moratorium be invoked until a certain date in the future? Should the matter be delegated to a special multilateral committee under the auspices of the UN? If so, what should be the central principles and guiding lines under which such a process would take place?

Importance in terms of sea lanes

The South China Sea hosts perhaps the most significant global sea-lanes in the world. More than half the world's annual merchant fleet tonnage and a third of all maritime traffic passes through the South China Sea each year (U.S. Energy Information Administration, 2008). Most of the raw materials shipments pass near the Spratly Islands, making their contestation problematic to commerce. Not only Japan and other regional powers, but also the United States as the global superpower, are closely watching China's assertiveness in the South

¹⁰ Source: <https://qz.com/1098137/africas-richest-man-has-a-built-in-advantage-with-nigerias-government/>

China Sea; whilst they maintain strict neutrality on the sovereignty substance of the disputes, any threat to free shipping by littoral countries, terrorists, or pirates will be met with a strong reaction, not only from America, but also from Japan (Beukel, 2010: 9).

The oil that passes through the Strait of Malacca alone is more than six times that which passes through the Suez Canal. In fact, nearly 80% of China's crude oil imports arrive through the South China Sea. Moreover, natural gas shipments through the South China Sea constitute two-thirds of the world's overall natural gas trade. As the principle recipient of this natural gas, Japan depended upon this supply for 11% of its total energy supplies. Importantly, most of the raw materials shipments pass near the Spratly Islands, making their contestation problematic to commerce.

Major disruption of any of these commercial lanes would have sweeping local and global effects. Locally, citizens and businesses of affected Member States could face dramatic increase in energy prices, driving up costs for practically all sectors of their economy. Globally, the dramatic access shortfall could lead to a painful supply line restructuring for major consumers in East/Southeast Asia. Such restructuring coupled with the concomitant rise in transaction costs attached to energy commerce would drive world prices skyward. The main point is that territorial control over key areas in the South China Sea command tremendous leverage in state interaction or coercion. The international community thus shares concern over how these commercial lanes are managed.

In terms of the importance of sea-lanes, also here an energy dimension pops up. According to Schofield, it has been estimated that around one-third of oil carried by sea globally (15 million barrels a year) transits the Straits of Malacca, the southern gateway to the South China Sea (Schofield, 2015: 28).

The **third question** before the UN Security Council is thus whether and how the sea-lanes leading up to and going through the South China Sea are going to be secured. What about the principle of the free navigation of the seas? Does it apply to this region? If so, how should that international legal principle be imposed in this case? Does China have the right to further build up its maritime presence in the region, and to what degree? (see also *infra*)

China's geo-economic, geostrategic and geopolitical growth as a driving force

China is coming of age once again. Its economic growth has made it possible to further develop its military maritime presence in the region. The South China Sea dispute has evolved considerably over the last years. Once it was a regional dispute over maritime claims left over from the past that did not affect the relations between governments (Buszynski, 2015). In an age of scarce resources that has changed. One unique claim is China's Nine-Dash Line (also known as the *"Cow's Tongue"*), which depicts Beijing's claims in the South China Sea. The map originally contained 11 dashes. It was issued by the Nationalist Chinese government in 1947. The Communist government adopted it when it took power in 1949, and later dropped two dashes to allow China and Vietnam to settle their claims in the Gulf of Tonkin. The Nine-Dash Line encompasses much of the South China Sea, but Beijing has not clarified whether it is making territorial claims on the land features inside this line or whether it is asserting maritime rights as well. In 2014, Beijing released a new map that featured an additional 10th dash to the east of Taiwan. Because it predates UNCLOS by several decades, the Nine-Dash Line is unrelated to an EEZ claim.



Source: <https://www.update.ph/2016/07/chinas-nine-dash-line-has-no-legal-basis-tribunal/7428>

The status of the Nine-Dash Line has been challenged as part of the arbitration case initiated by the Philippines in 2013. The Notification and Statement of Claims of the Philippines states that *“China’s maritime claims in the South China Sea based on its so-called ‘Nine-Dash Line’ are contrary to UNCLOS and invalid.”* (Schofield, 2015: 35). The Tribunal at the Permanent Court of Arbitration today ruled that China has no legal basis to claim rights to resources in its so called ‘nine-dash line’. The Tribunal was constituted on 21 June 2013 pursuant to the procedure set out in Annex VII of the Convention to decide the dispute presented by the Philippines.¹¹ A statement released by the Permanent Court of Arbitration mentioned: *“The Tribunal concluded that, to the extent China had historic rights to resources in the waters of the South China Sea, such rights were extinguished to the extent they were incompatible with the exclusive economic zones provided for in the Convention.”* According to the Permanent Court of Arbitration, there was no evidence that China exercised exclusive control over the waters it is claiming. The Tribunal noted: *“Although Chinese navigators and fishermen, as well as those of other States, had historically made use of the islands in the South China Sea, there was no evidence that China had historically exercised exclusive control over the waters or their resources.”* It concluded there was no legal basis for China to claim historic rights to resources within the sea areas falling within the ‘nine-dash line’.

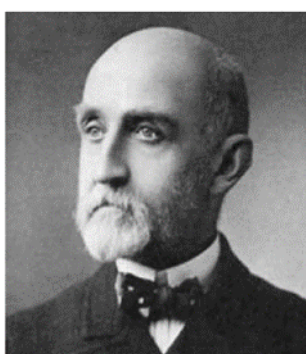
In response, Beijing said it will not accept a ruling against it in a key international legal case over the strategic reefs and atolls it claims in the South China Sea.¹² The Chinese president, Xi Jinping, said China’s “territorial sovereignty and marine rights” in the seas would not be affected by the ruling, which declared large areas of the sea to be neutral international waters or the exclusive economic zones of other countries. He insisted China was still “committed to resolving disputes” with its neighbours. Chinese state media reacted angrily to the verdict. Xinhua, the country’s official news agency, hit out at what it described as an “ill-founded” ruling that was “naturally null and void”. The Communist party mouthpiece newspaper the People’s Daily said in an editorial that the tribunal had ignored “basic truths” and “trampled” on international laws and norms: *“The Chinese government and the Chinese people firmly oppose [the ruling] and will neither acknowledge it nor accept it”*.¹³

¹¹ Source: <https://www.update.ph/2016/07/chinas-nine-dash-line-has-no-legal-basis-tribunal/7428>

¹² Read also in more detail: http://www.fmprc.gov.cn/nanhai/eng/snhwtlcwj_1/t1379492.htm

¹³ Source: <https://www.theguardian.com/world/2016/jul/12/philippines-wins-south-china-sea-case-against-china>

The **geo-economical, geostrategic and geopolitical significance** of the region of the South China Sea cannot be underestimated. As stated earlier, three principal axes play a key role; security and defence, sea-lanes and resources (natural gas, oil and fisheries). The South China Sea, located further from Japan than the East China Sea, comprises what could be called “the Chinese version of the American Caribbean”. The finishing of the Panama canal with American expertise diverted a lot of international trade, and made of the Gulf of Mexico into an American lake under U.S. control. Similarly, the economic maritime importance of the South China Sea region cannot be underestimated. Its strategic location and scarce resources make it into a prime Chinese geopolitical area of interest. The People’s Republic of China has looked back to America’s history to realise how important investments in sea power are if one has the ambition to become a global power.



Mahan (1840-1914)

In Naval War Colleges in China, the sea power theories of the American naval historian Alfred Thayer Mahan are taught once again (Crikemans 2007). Mahan believed that the historical comparative study of France and Great Britain proved that those nations who systematically invest in sea power will become better in power projection, and in the defense of their economic and political interests in the world.

The future belongs to sea powers. The position of Mahan is summarized by one of his quotes: *“Whoever Commands the Ocean, Commands the Trade of the World, Whoever Commands the Trade of the World, Commands the Riches of the World, and Whoever is Master of That, Commands the World itself.”*. In the Sea Power Theory of Mahan, “state strength” can exist thanks to and through “sea power”. The level of “sea power” of a country is determined by six factors: geographical location vis-à-vis the sea; natural aspects (e.g. coastline); territorial width & length coastline; population (the numbers of people that are ‘called by the sea’); national character (commercial?) and, finally, governmental character.

Mahan inspired a sea power competition between the US, Great Britain, Germany and Japan from the end of the nineteenth century leading up to the First World War. His theories are now quite popular in China, and have reignited a similar race for power in the region. Japan under the nationalist Prime Minister Shinzo Abe is again gearing up to the challenge. But

other countries such as the Philippines have no real navy to speak of and hence are at the mercy of Chinese claims in the region. The BBC video in the bibliography of this case text offers some revealing images in this regard; it is clear China is trying to deny the Philippines access to the atolls in the South China Sea they are officially claiming.

As Mahan stated in 1890, the United States needed to secure its near seas. According to Mitchell, China now applies Mahan's policy advice to the South China Sea. The Paracels and Spratly Islands offer platforms from which the Chinese Navy/Coast Guard can by sheer presence exert control or varying degrees of coercion throughout the South China Sea. These island platforms also serve as a forward defence that limits the exposure for the southeast Chinese coast and its extensive naval facilities, including submarine pens on Hainan Island, to projections of American sea power (Mitchell, 2016: 18).



Ever since China was humiliated by the European powers at the beginning of the 19th century and the dawn of the Opium Wars, its goal has been to restore its former naval position in the region. From a geostrategic point of view, the country is confronted by a de facto situation of 'encirclement'. Western naval powers in the past, and especially the American Navy

today is active in the region to 'contain' the further military expansion of the region. This has backfired to a certain degree. Part of the self defence doctrine of Beijing is to re-establish two rings of defense, as map above suggests. The gradual expansion of the Chinese Navy is part of that effort. Meanwhile from a geo-economical and geostrategic point of view, Beijing has developed the so-called "string of pearls" strategy. The term was first used as a geopolitical concept in an internal US Department of Defense report; *"Energy Futures in Asia."* The term has never been used by official Chinese government sources, but it is often used in the media.



Source: Adapted from Juli MacDonald, Amy Donahue, and Bethany Danyluk, *Energy Futures in Asia*, Booz Allen Hamilton report sponsored by the Director of Net Assessment, November 2004, 17.

The emergence of the *String of Pearls* is indicative of China's growing geopolitical influence through concerted efforts to increase access to ports and airfields, expand and modernize military forces, and foster stronger diplomatic relationships with trading partners (Wikipedia, 2017). The Chinese government insists that China's naval strategy is peaceful in nature and is only for the protection of regional trade interests. Chinese President Xi Jinping is nonetheless making preparations to be able to project force into the Indian and Pacific oceans, which surround the country's growing economic interests in Africa, the Middle East and Southeast Asia. The country is also developing its first overseas base -- Chinese officials call it a "support facility" -- in the East African country of Djibouti, where the French and U.S. also have military installations. Such opportunities are expected to grow as China helps develop ports around the world under Xi's *21st Century Maritime Silk Road* trade-and-infrastructure program.¹⁴ Some countries on this maritime route in the making will probably become key geopolitical allies of Beijing in the future. This will, over time, further enhance the geopolitical, geo-economic and geostrategic stature of the People's Republic of China. But control over the South China Sea will remain key to this long term strategy. If Beijing does not have control over this maritime region, the rest of its maritime strategy may well fizzle. The map below offers a good overview of the Chinese overseas maritime strategy.

¹⁴ Source: <https://www.bloomberg.com/news/articles/2017-05-31/china-s-growing-naval-might-challenges-u-s-supremacy-in-asia>

Expanding Reach

China's overseas investments are cultivating a network of potential naval ports



Furthermore, crucial in the “entrance” in the south east of the South China Sea is the Strait of Malacca. Through this narrow maritime passage, 80% of all the crude oil passes from the Middle East destined for East Asian ports transits. According to Mitchell, China's ability to contest existent American control over Malacca serves three objectives:

- *First*, it secures China's sea lines of communication and trade at crucial points within the Eurasian maritime periphery that links the Indian Ocean basin including the Persian Gulf to the Pacific. China imports 85% of its crude oil through the Strait of Malacca (U.S. Defense Dept. 2015);
- *Second*, it adds insecurity to rival Japan, which also imports nearly all its oil through the Strait of Malacca;
- *Finally*, it reasserts China's role in a re-configuration of eastern Asia power relations (Mitchell, 2016: 18).

At the same time, China is rapidly fortifying several atolls west to the Philippines, and turning them into military bases. The following recent pictures show China is forcing its way in, creating a new de facto situation.



Source: Centre for Strategic and International Studies (CSIS, Washington D.C.)

China has selected Fiery Cross reef within the Spratly group and constructed there a 10,000-foot runway, along with an artificial harbor (Grady, 2015). Located over 370 km (200 nautical miles) relative to the Philippine coast, its position allows for the Strait of Malacca to become within range of Chinese fighters and bombers, with the latter being capable of launching anti-ship cruise missiles from comfortable stand-off distances. According to Mitchell, the positioning of tanker aircraft on Fiery Cross would magnify this ability. With the addition of radar and other intelligence and communications hardware at Fiery Cross, the Chinese will be positioned to unilaterally assert an “Air Defense Identification Zone” (ADIZ)¹⁵ as occurred in the East China Sea in 2013, even though such an ADIZ overlapped a pre-existing Japanese ADIZ covering the Senkaku Islands (China also claims these island) (Chen & Bonnie, 2015).

¹⁵ An Air Defense Identification Zone (ADIZ) is airspace over land or water in which the identification, location, and control of civil aircraft is performed in the interest of national security. They may extend beyond a country's territory to give the country more time to respond to possibly hostile aircraft. The concept of an ADIZ is not defined in any international treaty and is not regulated by any international body (Wikipedia, 2017).

According to Chen and Bonnie, China has a range of militarization options for its new South China Sea facilities, ranging from deploying intelligence, surveillance, and reconnaissance (ISR) assets, to missile batteries, to augmenting power projection capabilities, each with its own particular costs, benefits, and escalatory severity (Chen & Bonnie, 2015). Deploying ISR assets to reclaimed land formations would significantly enhance Chinese situational awareness in the contested region. A long-range surveillance radar could detect ships and aircraft up to 320 km away from Chinese-occupied features in the South China Sea: *“Chinese Y-8X maritime patrol aircraft launching from a 3,000 meter runway on Fiery Cross Reef would be able to locate and track ships and aircraft operating up to 1,600 km away, putting most of Vietnam, Malaysia, and the Philippines within range of Chinese surveillance aircraft. While neither of these steps would overtly threaten other military forces, intelligence gathered by these systems could easily be used for targeting purposes.”*

Are we witnessing a genuine Chinese militarization of the region? Beijing denies this, but one could conclude otherwise. Chen and Bonnie weigh in its geostrategic consequences for the region. In their analysis, the nature and type of Chinese militarization visibly illustrates China’s relative military superiority over other South China Sea claimants. Rival claimant states possess neither the advanced standoff strike capability nor the robust ISR assets required to challenge a hypothetical Chinese missile buildup on its new islands: *“The Vietnamese Navy’s most capable anti-ship cruise missile has a maximum range of 300km – still within the 280-400km range of a land-based Chinese YJ-62. Air-launched air-to-surface missiles such as the U.S.-supplied AGM-84 Harpoon would be similarly outranged by Chinese anti-aircraft systems, forcing non-stealthy aircraft to fire their missiles well inside the kill radius of Chinese S-300 series SAMs.”* Building islands from coral reefs and paving runways may have been the most expensive part of the project – deploying surveillance radars and aircraft or anti-air and anti-ship missiles may not incur nearly as much financial expenditure. In contrast, any military effort to neutralize Chinese defenses may incur significantly higher financial and human costs (Chen & Bonnie, 2015).

At the same time, we are witnessing an increasing Chinese self-awareness and investments into maritime capabilities. The Chinese Navy is rapidly growing in terms of capacities. It is building frigates, submarines and now also their own aircraft carrier battle groups.



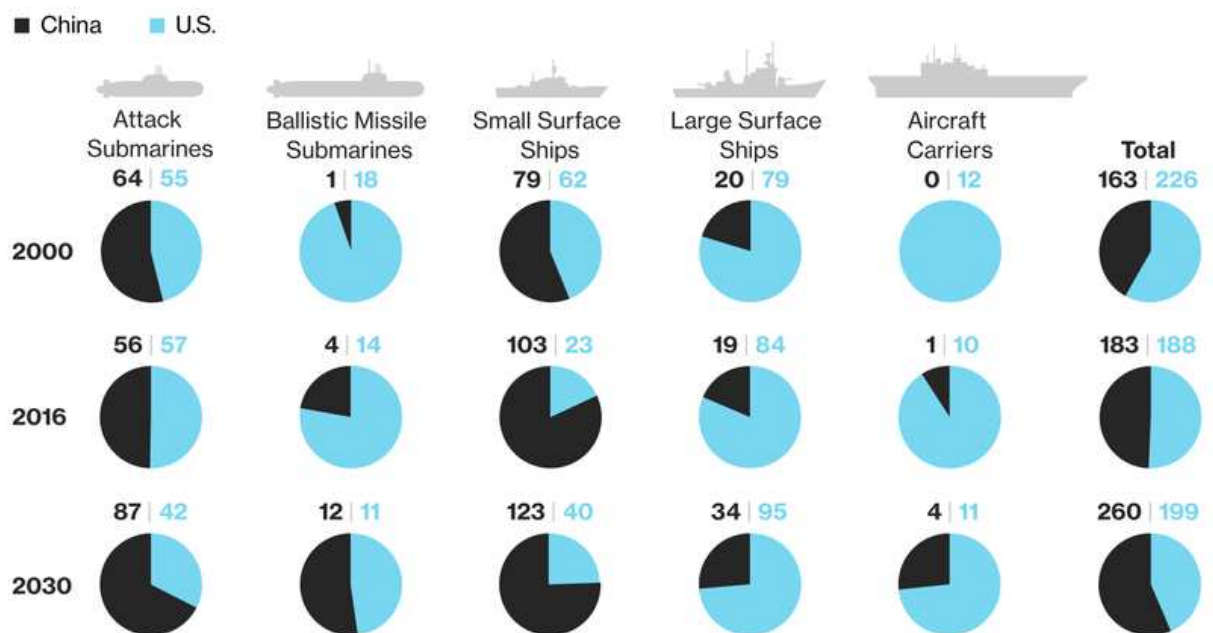
The People's Liberation Army has already caught up with the U.S. – Asia's preeminent sea power since World War II. China had 183 cruisers, destroyers, small surface ships and submarines last year, compared with 188 for the U.S (CNAS analysis of data supplied by the International Institute for Strategic Studies).¹⁶ By 2030, the existence of a global Chinese navy will be an important, influential and fundamental fact of international politics, analysts say. More recent analyses show that China is potentially surpassing the U.S. as a maritime actor. By 2030, China will have surpassed the U.S. in attack submarines, ballistic missile submarines and small surface ships.¹⁷

¹⁶ Source: <https://www.bloomberg.com/news/articles/2017-05-31/china-s-growing-naval-might-challenges-u-s-supremacy-in-asia>

¹⁷ Ibid.

Growing Fleet

China's navy is catching up with the U.S. in five classes of warships



Note: Attack submarines include nuclear-and diesel-powered vessels; small surface ships include frigates, Littoral Combat Ships and mine ships; large surface ships include cruisers and destroyers.

Source: Center for a New American Security, International Institute for Strategic Studies

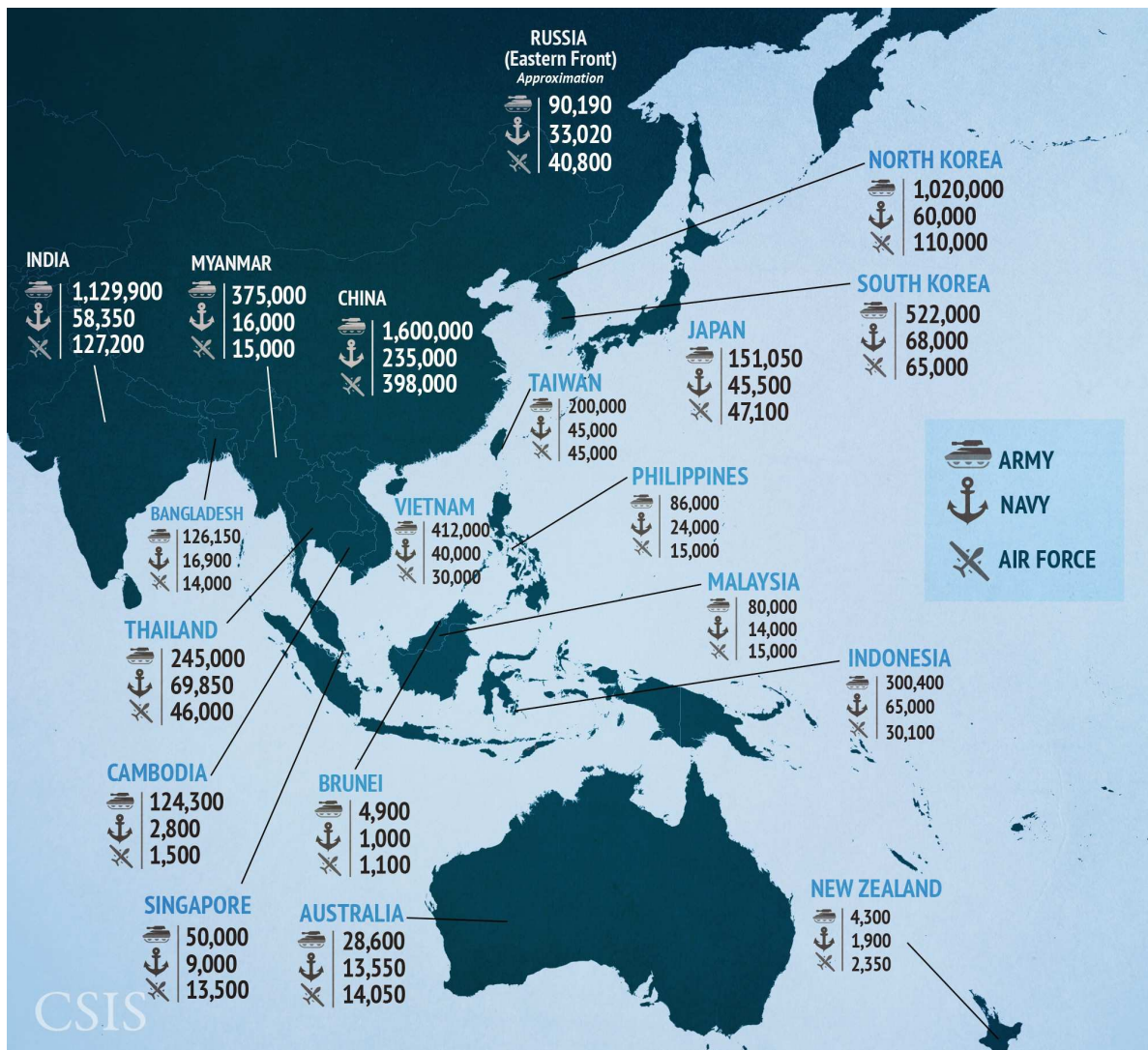
Bloomberg

As a result of these developments, the American president Donald Trump has called for increasing the U.S. fleet by more than 25 percent, but his first budget proposal included funds for only two small Littoral Combat Ships. The Trump administration's early statements indicated it would be hard on China. However, Trump often finds that he needs China in order to solve the region's problems (e.g. in the North Korean crisis). That is why it seems Washington is now partly turning back on its original intent to address the Chinese challenge in the region, although this might again change in the future.

Military competition

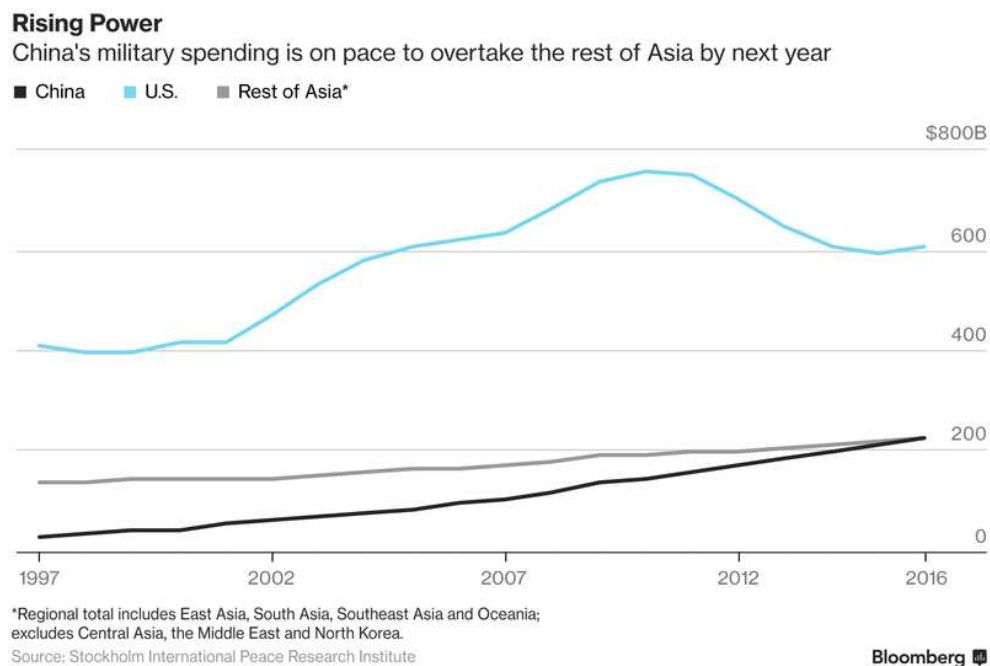
As a result of the above developments, the countries in the region are also investing more in defense. There is a genuine military competition in the making. Asian militaries vary significantly in terms of spending as a percentage of GDP. According to this metric, Russia and Myanmar are the biggest spenders in the region, spending between four and five percent of GDP on defense. China, Vietnam, and South Korea are next, spending between three and four percent. Japan, the Philippines, Australia and Malaysia spend just one to two

percent of GDP on their militaries, while most of South East Asia spends less than one percent (Source: CSIS).



Source: <https://amti.csis.org/atlas/>

Currently, Chinese military spending is surpassing that of the rest of Asia.¹⁸



The countries in the region are responding too. In 2017, India, Singapore, Taiwan and Thailand have announced plans to build or acquire submarines. India aims to add 60 warships over the next decade to amassing a 200-vessel fleet. The proliferation of submarines prompted Singapore's naval chief, Rear Admiral Lai Chung Han, to call for a *code of conduct* earlier this month to reduce the risk of accidents.¹⁹

Seen from a wider geostrategic perspective, one might ask the very question whether this means that a new American containment policy in concert with the ASEAN countries is inevitable. Or, is another route possible so as to avoid a future, potentially disastrous conflict in the region?

The **fourth question** before the UN Security Council is thus how to avoid a further militarization and regional military scramble in the region. What measures can be taken so as to slow down or reverse the current trends in terms of militarization and rising military budgets?

¹⁸ Source: <https://www.bloomberg.com/news/articles/2017-05-31/china-s-growing-naval-might-challenges-u-s-supremacy-in-asia>

¹⁹ Source: <https://www.bloomberg.com/news/articles/2017-05-31/china-s-growing-naval-might-challenges-u-s-supremacy-in-asia>

Towards confidence building measures?

The question remains how to deal with the current issues in the South China Sea. Perhaps certain confidence building measures (CBM's) could be taken by the international community to lower the level of tensions in the region?

In the past, several scholars and think-tanks have proposed certain CBM's. For instance, Snyder, Glosserman and Cossa already in 2001 stated that CBMs could be very important. They stated, among others, that **in order to enhance dialogue and mutual understanding**, all claimants should halt further military construction or force build-ups in disputed territories. Region-wide mechanisms or institutions should also share information and manage accidental conflicts or incidents at sea in the area of the South China Sea should be developed and encouraged. Technical and expert working group processes should go forward where possible, such as specific joint cooperation projects or technical research on marine scientific research, environment, resources, safety of navigation, and legal matters, among any and all participants who desire to cooperate with each other on these matters. Also, academic workshops should be held to clarify the application of UNCLOS to the major issues in the South China Sea dispute.²⁰

In order to enhance environmental protection in the South China Sea, Snyder, Glosserman and Cossa propose that an international panel of scholars should monitor and provide an annual assessment on the status of the environment in the South China Sea. In addition, projects should be launched to promote data exchange and database compilation on biodiversity issues. Additionally, environmental mechanisms or measures should be adopted to preserve biodiversity and protect marine habitats in disputed areas of the South China Sea. States that are ready to cooperate on environmental issues need not wait until there is a consensus to unilaterally implement environmentally safe practices. Furthermore, one could consider the establishment of a marine park should in order to preserve biodiversity through joint development while setting aside the issues of sovereignty over the claims. Claimants should consider declaring the South China Sea a "Pacific heritage marine park"

²⁰ Source:

https://csis-prod.s3.amazonaws.com/s3fs-public/legacy_files/files/publication/issuesinsightsv01n02.pdf

and an indispensable global resource. Rapid response mechanisms should be established to respond to oil spills or other environmental threats that may endanger the biodiversity of the South China Sea.²¹

In order to enhance transparency in the South China Sea, regular military-to-military cooperation should be established in the areas of search and rescue and prior notification of military movements and/or exercises in the area of the South China Sea. Informal dialogue should be promoted among military representatives. Uniform international safety standards for vessels and aircraft transiting the region should be established. Joint cooperation and joint patrols should be promoted to respond to illegal fishing and anti-piracy efforts and to enhance safety and freedom of navigation. Joint access should be promoted to commercially available satellite and other remote sensing data showing what is happening on disputed features. This information might be provided by a regional monitoring center or by regular sharing of information.²²

Over the years, other analysts have come up with similar and different types of confidence building measures. Many believe this route is a promising one which could alter and diminish the tensions in the region.

The **fifth and final question** before the UN Security Council is thus whether it would be possible to come up with certain ‘confidence building measures’ that would foster a better understanding and relationship among the parties involved in the South China Sea.

* * * * *

²¹ Ibid.

²² Ibid.

The Role of the Security Council in this Case, and Your Role

In light of all these developments, **it is decided that the UN Security Council (UNSC) will again convene to assess the current situation, and possibly to vote a resolution on this topic.** It is important for all delegations to distinguish the different security dimensions embedded within this case.

The Emergency Session of the UNSC (VVN MUN) on the topic *‘Towards a solution for the increasing tensions in the South China Sea?’* will be held in Brussels from 30 November till 3 December 2017. **The following negotiation questions are on the agenda;**

1. Can the UNSC come to (the beginning of) a solution for the clearly incompatible territorial claims in the South China Sea while taking into account the historical and current interests of all nations involved. Are there certain international-legal, political and/or technical principles upon which a solution could be crafted? Can the political momentum that has been developing between ASEAN and China since August 2017 be used to move towards a new Code of Conduct for the region?
2. Can a solution can be found for an equitable division of the natural resources in the region, more in particular regarding oil, natural gas and fisheries? If progress is made on the first question, what are then the implications for this one? If no progress is possible yet on the first question, are quotas an option? Or can one develop a framework for a sustainable exploration and exploitation of the natural resources in the South China Sea? Moreover, what about the environmental dimension? Should an exploitation moratorium be invoked until a certain date in the future? Should the matter be delegated to a special multilateral committee under the auspices of the UN? If so, what should be the central principles and guiding lines under which such a process would take place?

3. Can the sea-lanes leading up to and going through the South China Sea be secured? And if so, how? What about the principle of the free navigation of the seas? Does it apply to this region? If so, how should that international legal principle be imposed in this case? Does China have the right to further build up its maritime presence in the region, and to what degree?
4. How can a further militarization and regional military scramble in the region be avoided? What measures can be taken so as to slow down or reverse the current trends in terms of militarization and rising military budgets?
5. Would it be possible to come up with certain 'confidence building measures' that would foster a better understanding and relationship among the parties involved in the South China Sea?



Beware that the abovementioned negotiation questions are interconnected. The United Nations Security Council will convene in an **Emergency Meeting in Brussels** in an attempt to develop a common answer from the international community to this volatile crisis. A Plenary Session will give

each of the member-countries of the UN Security Council an opportunity to influence the course of current international politics. Some other countries will also be invited by the 15 to have a say, although they will themselves not be deciding parties. You will act as the Ambassador of one of the 15, or of an invited delegation. Be aware, however, that negotiations constitute a *dynamic process*; it will be up to you to defend the interests of your country/delegation! You and only you will also be answerable for your actions to your own Government upon returning to your capital.

Thus, much is at stake... It will therefore prove crucial that you reflect in advance about the strategy you will follow during the deliberations. For this purpose, you will be asked to write a *position paper* in preparation of the Emergency Meeting. The position papers will be officially distributed in advance. The strategy papers however should be considered top secret material which can only circulate *within* and *not between* delegations.

It is very probable that the UNSC will move from a formal setting to an informal setting during its deliberations. This is called '*caucusing*', a setting which can be suggested by one or more of the delegations. There are two forms of '*caucusing*'; moderated and unmoderated. Both are informal ways of negotiating. The difference can be stated quite simply; (1) a '*moderated caucus*' is led by the presidency around the negotiating table, (2) an '*unmoderated caucus*' can be seen as an interaction between delegations away from the negotiating table (the presidency thus has no role to play in an '*unmoderated caucus*').

When you return to a formal setting, be aware that a resolution is adopted if 9 out of 15 votes are in favour and if there is no veto. Any amendments will be voted upon before the resolution has become final. In procedural matters, a veto cannot be used. The presidency calls the meeting to order and as it proposed this emergency session of the Council, he/she will speak up first. After this opening address the permanent members will take the floor, followed-up by the non-permanent members.

The final goal of the negotiations should be the drafting of a UNSC resolution. If this would ultimately prove politically and/or technically unattainable, the negotiating parties can draw up statements, on their own or as a group. If a resolution is attainable, the negotiating parties can also issue explanatory statements.

Last but not least, if certain countries were to agree upon separate '*secret*' deals during the Emergency Session in Brussels, the parties involved will be asked to disclose the content of their arrangements during the evaluation *after* the negotiations, so that a full *group-evaluation* of the political process can be made, all the cards on the table. A final piece of advice; be aware that the negotiations can also be affected by '*new developments on the ground*'. You must therefore '*be prepared for anything*'.

SOME VERY IMPORTANT REMARKS

Delegates may not and will not receive any ‘instructions’ from their university responsables or other individuals. You are on your own during these negotiations. If this happens, they may even ignore such ‘instructions’.

However, the **university responsables may still give certain brief advice in limited circumstances or organise a ‘feed back session’.** The joint committee of university instructors may also, either by a joint statement or through the acting president of the UNSC, give **general recommendations on procedural matters or problematic formulations** in terms of the content of proposed clauses or formulations.

Please be aware, **this simulation is not a competition between universities,** rather to the contrary. You are competing with yourself, trying to bring the best out of you in an open diplomatic spirit. The simulation is a learning experience in which you will learn each day and grow. Enjoy this process, and try to take as much out of it as possible, not only academically but also in terms of friendship and empathy.

This simulation tries to be as close to reality as possible. Use that ‘reality check’ always when proposing or amending clauses in statements, working papers or draft resolution texts.

The organising committee wishes you a fruitful negotiation, and a lot of fun while doing so.

* * * * *

Beware of the Dynamics in the Decision-making Arena!

The Emergency Session of the UNSC (VVN MUN) on the topic '*Towards a solution for the increasing tensions in the South China Sea?*' will convene in the city of Brussels.

The UN Security Council consists of five permanent members (the so-called “P-5”, with veto powers); **the People’s Republic of China, the Republic of France, the Russian Federation, the United Kingdom and the United States of America.**

Furthermore, the UNSC consists of an additional ten non-permanent members; currently **Bolivia, Egypt, Ethiopia, Italy, Japan, Kazakhstan, Senegal, Sweden, Ukraine and Uruguay.**

In addition, a number of delegations will also be invited to the work of the Security Council during the negotiations, a representative of the following countries: **Brunei, Cambodia, Indonesia, Malaysia, the Philippines, Singapore, Vietnam, Greenpeace and the World Wildlife Fund.**

Be aware that these invited delegations can be a source of advice and/or exert informal pressures on the negotiations. However, they do *not* have any voting powers in the UNSC...

At the end of the day, it will thus be upon the 15 to (try to) decide upon an international course of action to safeguard peace and stability. The presidency of the Security Council will be observed by a number of professors, together with 2 vice-presidents (assistants).

The distribution of the delegations among the different Flemish universities is as follows:

| | | | |
|--|---|---|--|
|  <p>Universiteit Antwerpen</p> |  <p>Vrije Universiteit Brussel</p> |  <p>UNIVERSITEIT GENT</p> |  <p>KATHOLIEKE UNIVERSITEIT LEUVEN</p> |
| People's Republic of China | United Kingdom | Russian Federation | France |
| | | United States of America | |
| Ethiopia | Japan | Egypt | Bolivia |
| Kazakhstan | The Ukraine | Uruguay | Italy |
| Sweden | | | Senegal |
| | | | |
| The Philippines | Cambodia | Brunei | Indonesia |
| World Wildlife Fund | Malaysia | Singapore | Greenpeace |
| | Vietnam | | |

Good luck!

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Relevant videos to study the topic further

- VOX: the South China Sea
<https://www.youtube.com/watch?v=luTPMHC7zHY>
- SOUTH CHINA SEA: Troubled Waters
<https://www.youtube.com/watch?v=W-CDMSOGaRY>
- BBC: South China Sea
<https://www.youtube.com/watch?v=2snYKA8o25E>
- Stratfor: South China Sea
<https://www.youtube.com/watch?v=yaFnL4d7GC8>
- Inside Story (Al Jazeera) - Territorial tussles in the South China Sea
https://www.youtube.com/watch?v=tAkz_nuVf8o
- 10 Minutes: South China Sea Tensions
<https://www.youtube.com/watch?v=FHGGEkUV2IY>
- South China Sea: The world's next big war? – UpFront (Al Jazeera)
<https://www.youtube.com/watch?v=IJxo2XVej-Q>
- Is The South China Sea On The Brink Of War? (Journeyman Pictures)
<https://www.youtube.com/watch?v=DT0t4V3pjp4>