



UNITED NATIONS SECURITY COUNCIL

STUDY  
GUIDE

## SEGMENTS:

- LETTER FROM THE EXECUTIVE BOARD
- MANDATE OF THE COMMITTEE
- ABOUT THE AGENDA
- INTRODUCTION AND HISTORICAL CONTEXT
- CRISIS TIMELINE
- ECONOMICAL, MILITARY AND GEOGRAPHIC SIGNIFICANCE
- LEGAL FRAMEWORKS
- MAJOR STAKEHOLDERS
- CURRENT ESCALATION
- CHALLENGES, RISKS, AND IMPLICATIONS
- DIPLOMATIC SOLUTIONS AND POLICY
- RECOMMENDATION
- CONCLUSION
- SUGGESTED MODERATED CAUCUS TOPICS:
- QUESTIONS A RESOLUTION MUST ANSWER:
- GUIDELINES

## LETTER FROM THE EXECUTIVE BOARD

DEAR ESTEEMED DELEGATES,

WELCOME TO THE UNITED NATIONS SECURITY COUNCIL AT SMUN, POWAI 2026. WE ARE DELIGHTED TO HAVE YOU JOIN US IN DEBATE FOR ONE OF THE MOST CRUCIAL AGENDAS TODAY.

AS A DELEGATE, YOU PLAY A PIVOTAL ROLE IN THE SUCCESS OF OUR CONFERENCE. YOUR INSIGHTS, CONTRIBUTIONS, AND WILLINGNESS TO COLLABORATE WILL UNDOUBTEDLY ENRICH THE DEBATES AND SIMULATIONS DURING THE CONFERENCE. WE HAVE NO DOUBT THAT YOUR PRESENCE WILL ELEVATE THE QUALITY OF DISCOURSE AND CONTRIBUTE TO THE OVERALL EDUCATIONAL EXPERIENCE FOR ALL PARTICIPANTS.

THIS STUDY GUIDE SERVES AS AN INTRODUCTION TO THE AGENDA, ALONG WITH SOME BACKGROUND INFORMATION ON THE CONFLICTS. HOWEVER, IT IS NOT INTENDED OR RECOMMENDED TO BE USED TO REPLACE INDIVIDUAL RESEARCH. WE ENCOURAGE YOU TO EXPLORE YOUR MEMBER STATE'S POLICIES IN DEPTH AND USE THE ANNOTATED FURTHER RESEARCH LINKS AND BIBLIOGRAPHY TO EXPAND YOUR KNOWLEDGE ON THIS TOPIC.

WE APPRECIATE YOUR PARTICIPATION IN THIS MODEL UN CONFERENCE, RECOGNIZING THE MAGNITUDE OF THE UNDERTAKING. MOST OF ALL, WE HOPE YOU ENJOY THIS EXPERIENCE! WE EXTEND OUR AVAILABILITY TO PROVIDE ANY NECESSARY SUPPORT OR GUIDANCE THROUGHOUT THE CONFERENCE. OUR AIM IS TO FOSTER AN ENVIRONMENT OF BOTH INTENSE COMPETITION AND SPIRITED DEBATE, ENSURING THAT EACH DELEGATE CAN SHOWCASE THEIR ABILITIES TO THE FULLEST EXTENT. IF YOU HAVE ANY QUESTIONS ABOUT THE AGENDA OR PROCEDURE, PLEASE DO NOT HESITATE TO CONTACT US.

WARM REGARDS,

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## MANDATE OF THE COMMITTEE

THE UNITED NATIONS SECURITY COUNCIL IS ONE OF THE SIX MAIN ORGANS OF THE UNITED NATIONS. UNDER THE UNITED NATIONS CHARTER, THE SECURITY COUNCIL HAS PRIMARY RESPONSIBILITY FOR THE MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY. THE SECURITY COUNCIL TAKES THE LEAD IN DETERMINING THE EXISTENCE OF A THREAT TO THE PEACE OR ACT OF AGGRESSION.

IT CALLS UPON THE PARTIES IN A DISPUTE TO SETTLE IT BY PEACEFUL MEANS AND RECOMMENDS METHODS OF ADJUSTMENT OR TERMS OF SETTLEMENT. IN SOME CASES, THE SECURITY COUNCIL CAN RESORT TO IMPOSING SANCTIONS OR EVEN AUTHORISE THE USE OF FORCE TO MAINTAIN OR RESTORE INTERNATIONAL PEACE AND SECURITY. ALL MEMBERS OF THE UNITED NATIONS AGREE TO ACCEPT AND CARRY OUT THE DECISIONS OF THE SECURITY COUNCIL.

WHILE OTHER ORGANS OF THE UNITED NATIONS MAKE RECOMMENDATIONS TO MEMBER STATES, ONLY THE SECURITY COUNCIL HAS THE POWER TO MAKE DECISIONS THAT MEMBER STATES ARE THEN OBLIGATED TO IMPLEMENT UNDER THE CHARTER. IN ADDITION TO SEVERAL STANDING AND AD HOC COMMITTEES, THE WORK OF THE COUNCIL IS FACILITATED BY

THE MILITARY STAFF COMMITTEE, SANCTIONS COMMITTEES FOR EACH OF THE STATES UNDER SANCTIONS, PEACEKEEPING FORCES COMMITTEES, AND AN INTERNATIONAL TRIBUNALS COMMITTEE.

THERE ARE FIVE PERMANENT MEMBERS OF THE UNITED NATIONS SECURITY COUNCIL: THE UNITED STATES OF AMERICA, RUSSIA, THE PEOPLE'S REPUBLIC OF CHINA, THE FRENCH FIFTH REPUBLIC AND THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND. EACH OF THESE COUNTRIES HOLDS VETO POWERS. THE VETO POWER, ORIGINATING IN ARTICLE 27 OF THE UNITED NATIONS CHARTER, IS THE POWER TO VETO ANY SUBSTANTIVE RESOLUTION. THAT IS, ANY OF THE FIVE COUNTRIES HAS THE LEGAL POWER TO UNILATERALLY STOP AN OFFICIAL ACTION IN COMMITTEE. NOTABLY, THE UNITED NATIONS HAS PASSED A TOTAL OF 2685 RESOLUTIONS.

## ABOUT THE AGENDA

AGENDA: DELIBERATIONS ON RISING STRATEGIC TENSIONS IN THE SOUTH CHINA SEA AND THE SUBSEQUENT INFLUENCE ON MULTIPOLARITY IN THE INTERNATIONAL SYSTEM

THE AGENDA: RISING TENSIONS IN THE SOUTH CHINA SEA, FOCUSES ON ONGOING DIPLOMATIC, LEGAL, AND STRATEGIC DELIBERATIONS OVER SOVEREIGNTY, MARITIME RIGHTS, AND REGIONAL SECURITY. THESE DISCUSSIONS OCCUR THROUGH BILATERAL NEGOTIATIONS SUCH AS CHINA–VIETNAM AND CHINA–PHILIPPINES TALKS, REGIONAL PLATFORMS LIKE ASSOCIATION OF SOUTHEAST ASIAN NATIONS (ASEAN), AND INTERNATIONAL LEGAL FRAMEWORKS SUCH AS THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA (UNCLOS). HOWEVER, THESE DELIBERATIONS ARE HEAVILY INFLUENCED BY HISTORICAL CLAIMS, PAST CONFLICTS, MILITARISATION, AND SHIFTING GEOPOLITICAL POWER DYNAMICS. AS A RESULT, THE SOUTH CHINA SEA HAS BECOME A MAJOR ARENA OF STRATEGIC COMPETITION WHERE REGIONAL DISPUTES INTERSECT WITH BROADER GLOBAL RIVALRIES.

## SIGNIFICANCE OF MULTIPOLARITY

MULTIPOLARITY REFERS TO AN INTERNATIONAL SYSTEM WHERE POWER IS DISTRIBUTED AMONG SEVERAL MAJOR STATES RATHER THAN DOMINATED BY A SINGLE SUPERPOWER. UNLIKE THE BIPOLAR COLD WAR SYSTEM OR THE UNIPOLAR POST-COLD WAR ORDER LED BY THE UNITED STATES, THE MODERN INTERNATIONAL SYSTEM IS INCREASINGLY MULTIPOLAR AND COMPETITIVE. THE GROWING ASSERTIVENESS OF CHINA IN THE SOUTH CHINA SEA, THE STRENGTHENING OF THE QUAD, ASEAN'S BALANCING ROLE, AND THE INCREASING INVOLVEMENT OF POWERS SUCH AS INDIA, JAPAN, AUSTRALIA, AND THE UNITED STATES ALL REFLECT THESE MULTIPOLAR DYNAMICS. IN THIS ENVIRONMENT, POWER IS MORE DIFFUSED, ALLIANCES ARE MORE FLUID, AND STRATEGIC UNCERTAINTY IS HIGHER. THIS MAKES MULTIPOLARITY HIGHLY SIGNIFICANT TO THE AGENDA BECAUSE THE SOUTH CHINA SEA DISPUTE IS NO LONGER ONLY A REGIONAL MARITIME CONFLICT, BUT ALSO PART OF A LARGER GLOBAL POWER STRUGGLE SHAPING THE EMERGING INTERNATIONAL ORDER.

## INTRODUCTION AND HISTORICAL CONTEXT:

THE SOUTH CHINA SEA IS A STRATEGICALLY IMPORTANT MARITIME REGION CONNECTING THE PACIFIC AND INDIAN OCEANS AND SERVES AS A MAJOR GLOBAL TRADE AND ENERGY ROUTE.

A LARGE PORTION OF INTERNATIONAL SHIPPING PASSES THROUGH THIS AREA, MAKING IT ESSENTIAL FOR ECONOMIC STABILITY. TENSIONS IN THE REGION HAVE INCREASED DUE TO OVERLAPPING TERRITORIAL CLAIMS, COMPETITION OVER FISHERIES AND ENERGY RESOURCES, GROWING MILITARISATION, AND RISING RIVALRY BETWEEN MAJOR POWERS. MANY OF THESE DISPUTES ORIGINATED DURING THE COLONIAL PERIOD, WHEN EUROPEAN POWERS SUCH AS FRANCE AND BRITAIN DREW UNCLEAR MARITIME BOUNDARIES IN SOUTHEAST ASIA. AFTER INDEPENDENCE, COUNTRIES LIKE VIETNAM, MALAYSIA, AND PHILIPPINES INHERITED OVERLAPPING CLAIMS, CONTRIBUTING TO MODERN MARITIME DISPUTES. HISTORICALLY, THE SOUTH CHINA SEA WAS WIDELY USED FOR TRADE AND FISHING WITHOUT FIXED BOUNDARIES. THE SITUATION BECAME MORE COMPLICATED AFTER WORLD WAR II, WHEN JAPAN'S OCCUPATION OF THE REGION DISRUPTED TERRITORIAL CONTROL. FOLLOWING INDEPENDENCE, SEVERAL STATES BEGAN ASSERTING COMPETING CLAIMS OVER ISLANDS AND MARITIME ZONES. A MAJOR TURNING POINT CAME WHEN THE PEOPLE'S REPUBLIC OF CHINA INTRODUCED THE NINE-DASH LINE, BASED ON EARLIER ELEVEN-DASH LINE CLAIMS, ASSERTING CONTROL OVER MOST OF THE SOUTH CHINA SEA. THESE CLAIMS OVERLAP WITH THE EXCLUSIVE ECONOMIC ZONES (EEZs) OF SEVERAL SOUTHEAST ASIAN COUNTRIES AND CONFLICT WITH THE PRINCIPLES OF THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA (UNCLOS). THE NINE-DASH LINE HAS NO BASIS IN UNCLOS, WHICH RECOGNISES ONLY EEZs EXTENDING 200 NAUTICAL MILES FROM COASTLINES — A DIRECT CONTRADICTION OF CHINA'S CLAIM TO NEARLY 80% OF THE SEA.

AS THE GLOBAL ORDER SHIFTED FROM COLD WAR BIPOLARITY TO MODERN MULTIPOLARITY, THE STRATEGIC IMPORTANCE OF THE SOUTH CHINA SEA INCREASED SIGNIFICANTLY. CHINA EXPANDED ITS MILITARY PRESENCE THROUGH ARTIFICIAL ISLANDS, PORTS, AIRSTRIPS, AND SURVEILLANCE SYSTEMS, WHILE THE UNITED STATES STRENGTHENED ITS REGIONAL PRESENCE THROUGH FREEDOM OF NAVIGATION OPERATIONS AND SECURITY PARTNERSHIPS. THIS OFTEN CONFLICTED WITH THE OBJECTIVES OF ASSOCIATION OF SOUTHEAST ASIAN NATIONS (ASEAN), WHICH PROMOTES REGIONAL STABILITY AND PEACEFUL COOPERATION.

IN RESPONSE, SEVERAL DIPLOMATIC AND STRATEGIC FRAMEWORKS EMERGED. ASEAN CONTINUES NEGOTIATIONS FOR A CODE OF CONDUCT, WHILE GROUPINGS SUCH AS THE QUAD AND AUKUS REFLECT GROWING EFFORTS TO BALANCE CHINA'S INFLUENCE IN THE INDO-PACIFIC. AS A RESULT, THE SOUTH CHINA SEA DISPUTE HAS EVOLVED FROM A REGIONAL TERRITORIAL ISSUE INTO A MAJOR GEOPOLITICAL CONFLICT INVOLVING INTERNATIONAL LAW, REGIONAL SECURITY, AND GLOBAL POWER COMPETITION.

UNSC

## CRISIS TIMELINE:

1947: CHINA PUBLISHES THE ELEVEN-DASH LINE — FIRST ASSERTION OF EXPANSIVE SCS CLAIMS

1974: CHINA SEIZES PARACEL ISLANDS FROM VIETNAM BY FORCE

1982: UNCLOS ADOPTED — BECOMES THE PRIMARY LEGAL FRAMEWORK FOR ALL SCS CLAIMS

1995: MISCHIEF REEF INCIDENT — CHINA OCCUPIES REEF INSIDE PHILIPPINES EEZ

2002: DOC SIGNED BETWEEN ASEAN AND CHINA — NON-BINDING, NO ENFORCEMENT

2009: CHINA FORMALLY SUBMITS NINE-DASH LINE MAP TO THE UN

2012: SCARBOROUGH SHOAL STANDOFF — CHINA EFFECTIVELY SEIZES SHOAL FROM PHILIPPINES

2013: PHILIPPINES FILES ARBITRATION CASE AGAINST CHINA UNDER UNCLOS

2014: CHINA BEGINS LARGE-SCALE ARTIFICIAL ISLAND CONSTRUCTION IN SPRATLYS

2016: PCA RULES NINE-DASH LINE ILLEGAL — CHINA REJECTS RULING ENTIRELY

2020: US FORMALLY AND LEGALLY REJECTS NINE-DASH LINE CLAIMS

2023-24: REPEATED WATER CANNON ATTACKS ON PHILIPPINE RESUPPLY MISSIONS AT SECOND THOMAS SHOAL

2025: CHINA MILITARISES ADDITIONAL REEF IN SCS

## ECONOMIC, MILITARY & GEOGRAPHIC SIGNIFICANCE:

### ECONOMIC SIGNIFICANCE:

THE SOUTH CHINA SEA IS ONE OF THE WORLD'S MOST IMPORTANT MARITIME REGIONS BECAUSE IT SERVES AS A CENTRAL HUB FOR GLOBAL TRADE AND SUPPLY CHAINS, WITH OVER 3 TRILLION DOLLARS OF TRADE PASSING THROUGH IT ANNUALLY, ACCOUNTING FOR ABOUT ONE-THIRD OF GLOBAL MARITIME COMMERCE AND LINKING ASIA WITH EUROPE AND OTHER REGIONS. IT IS ALSO A CRITICAL ROUTE FOR ENERGY SECURITY, AS LARGE VOLUMES OF OIL AND LIQUEFIED NATURAL GAS FROM THE MIDDLE EAST FLOW THROUGH THESE WATERS TO MAJOR ECONOMIES SUCH AS CHINA, JAPAN, AND SOUTH KOREA, WITH CHINA RELYING ON IMPORTS FOR AROUND 70 PERCENT OF ITS ENERGY CONSUMPTION AND MANY ASEAN STATES DEPENDING ON OFFSHORE ENERGY IN THIS REGION.

THE AREA CONTAINS SIGNIFICANT PROVEN AND POTENTIAL OIL AND NATURAL GAS RESERVES, INTENSIFYING COMPETITION FOR EXPLORATION, INCLUDING MOVES THAT EXTEND BEYOND THE 200-NAUTICAL-MILE EXCLUSIVE ECONOMIC ZONES DEFINED UNDER UNCLOS, AS CHINA SEEKS TO REINFORCE ITS ECONOMIC DOMINANCE, SECURE TRADE ROUTES, AND REDUCE THE RISK OF A BLOCKADE, ESPECIALLY GIVEN ITS MAJOR ROLE IN EXPORTING SEMICONDUCTORS AND MICROCHIPS. A KEY CONCEPT FOR UNDERSTANDING CHINESE SCS STRATEGY IS THE MALACCA DILEMMA — CHINA'S ACUTE STRATEGIC VULNERABILITY TO A NAVAL BLOCKADE AT THE STRAIT OF MALACCA, THROUGH WHICH APPROXIMATELY 70% OF ITS ENERGY IMPORTS PASS. IN THE EVENT OF CONFLICT OR US-LED PRESSURE, CHINA'S ENTIRE ENERGY SUPPLY CHAIN COULD THEORETICALLY BE SEVERED AT THIS SINGLE CHOKEPOINT BEFORE GOODS EVEN REACH THE SCS. CONTROL OVER THE SCS AND ITS ISLAND CHAINS IS THEREFORE NOT MERELY TERRITORIAL AMBITION FOR BEIJING — IT IS A PERCEIVED EXISTENTIAL NECESSITY FOR ENERGY SECURITY AND ECONOMIC SURVIVAL. DELEGATES REPRESENTING CHINA SHOULD INVOKE THE MALACCA DILEMMA WHEN JUSTIFYING ISLAND MILITARISATION AS DEFENSIVE INFRASTRUCTURE RATHER THAN AGGRESSIVE EXPANSION, AS IT REPRESENTS CHINA'S MOST STRATEGICALLY COHERENT ARGUMENT FOR ITS SCS POSTURE.

## MILITARY SIGNIFICANCE:

THE SOUTH CHINA SEA IS A CENTRAL MILITARY ARENA BECAUSE CONTROL OVER IT ALLOWS STATES TO DOMINATE MAJOR SEA LANES AND PROJECT POWER ACROSS THE INDO-PACIFIC, MAKING IT VITAL FOR NAVAL DEPLOYMENTS, SUBMARINE OPERATIONS, MISSILE POSITIONING, AND SURVEILLANCE.

CHINA HAS MILITARISED MANY ISLANDS AND REEFS, ESPECIALLY IN THE SPRATLY ISLANDS, BY BUILDING ARTIFICIAL ISLANDS WITH RUNWAYS, RADAR AND COMMUNICATIONS SYSTEMS, HANGARS FOR COMBAT AIRCRAFT, MISSILE BATTERIES, AND NAVAL FACILITIES, FORMING PART OF ITS ANTI-ACCESS/AREA DENIAL (A2/AD) STRATEGY TO CONTROL SURROUNDING WATERS AND RESTRICT RIVAL NAVIES LIKE THE UNITED STATES. IN RESPONSE, THE USA CONDUCTS REGULAR FREEDOM OF NAVIGATION OPERATIONS (FONOPS), DEPLOYS CARRIER STRIKE GROUPS, AND HOLDS JOINT EXERCISES WITH ALLIES TO CHALLENGE CHINA'S MARITIME CLAIMS AND KEEP SEA LANES OPEN, WHILE PARTNERS SUCH AS JAPAN AND AUSTRALIA SUPPORT A "FREE AND OPEN INDO-PACIFIC". REGIONAL GROUPINGS LIKE THE QUAD AND ASEAN TRY TO PREVENT EXCESSIVE MILITARISATION AND ESCALATION BY BALANCING BETWEEN CHINA AND THE USA AND ENCOURAGING DIALOGUE.

RISING TENSIONS ARE EVIDENT IN INCIDENTS LIKE THE SCARBOROUGH SHOAL STANDOFF BETWEEN CHINA AND THE PHILIPPINES, THE HAGUE TRIBUNAL RULING THAT REJECTED MANY OF CHINA'S CLAIMS, AND FREQUENT US-CHINA NAVAL ENCOUNTERS, CREATING A DETERRENCE-HEAVY ENVIRONMENT WITH SERIOUS RISKS OF NAVAL CLASHES, ACCIDENTAL ESCALATION, AN ARMS RACE, AND GREY-ZONE TACTICS SUCH AS AGGRESSIVE COAST GUARD OR MILITIA ACTIONS. KEY FLASHPOINTS INCLUDE POSSIBLE TAIWAN SPILLOVER AND REPEATED CHINA-PHILIPPINES CONFRONTATIONS, MAKING THE REGION FRAGILE ENOUGH THAT MISCALCULATION COULD TRIGGER WAR, WHILE PROPOSED MEASURES LIKE HOTLINES, JOINT PATROLS, AND CRISIS-MANAGEMENT MECHANISMS REMAIN LIMITED IN EFFECTIVENESS.

## GEOGRAPHIC SIGNIFICANCE:

THE SOUTH CHINA SEA IS ONE OF THE WORLD'S MOST IMPORTANT MARITIME SPACES BECAUSE IT SITS AT THE CENTRE OF MAJOR SHIPPING ROUTES LINKING THE PACIFIC AND INDIAN OCEANS, MAKING IT ONE OF THE BUSIEST SEA CORRIDORS GLOBALLY. A LARGE SHARE OF WORLD TRADE PASSES THROUGH THESE WATERS, AND THE NEARBY STRAIT OF MALACCA ACTS AS A KEY CHOKEPOINT WHERE ANY DISRUPTION COULD AFFECT INTERNATIONAL SHIPPING, GLOBAL SUPPLY CHAINS, AND ECONOMIC STABILITY.

THIS CENTRAL POSITION ALSO MAKES THE REGION VULNERABLE TO BLOCKADES OR PRESSURE DURING ECONOMIC, DIPLOMATIC, OR MILITARY CRISES, TURNING CONTROL OF THESE ROUTES INTO A MAJOR STRATEGIC ADVANTAGE. THE REGION'S GEOGRAPHY IS HIGHLY COMPLEX, WITH SCATTERED ISLANDS, SHOALS, AND CORAL REEFS SUCH AS THE SPRATLY ISLANDS, PARACEL ISLANDS, AND SCARBOROUGH SHOAL. UNDER THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA (UNCLOS), EVEN SMALL LAND FEATURES CAN HELP GENERATE MARITIME ZONES, SO STATES COMPETE TO CONTROL THEM TO EXPAND THEIR MARITIME RIGHTS.

THIS HAS DRIVEN OCCUPATIONS AND THE CONSTRUCTION OF ARTIFICIAL ISLANDS, MANY OF WHICH ARE BEING MILITARISED WITH AIRSTRIPS, PORTS, AND RADAR AND MISSILE SYSTEMS, GIVING COUNTRIES STRATEGIC DEPTH AND OPTIONS FOR DEFENCE, SURVEILLANCE, AND POWER PROJECTION.

GREY-ZONE TACTICS AND HYBRID MARITIME COERCION GREY-ZONE WARFARE REFERS TO COERCIVE ACTIONS THAT FALL BELOW THE THRESHOLD OF OPEN ARMED CONFLICT, DELIBERATELY EXPLOITING LEGAL AND MILITARY AMBIGUITY. IN THE SCS, CHINA EMPLOYS SEVERAL GREY-ZONE METHODS:

- MARITIME MILITIA (PAFMM): CIVILIAN FISHING VESSELS OPERATED BY OR COORDINATING WITH THE PLA NAVY, USED TO OCCUPY REEFS AND HARASS RIVAL VESSELS WHILE MAINTAINING PLAUSIBLE DENIABILITY
- COAST GUARD COERCION: USE OF WATER CANNONS, LASER TARGETING, AND SHIP RAMMING — NOTABLY AGAINST PHILIPPINE RESUPPLY MISSIONS TO BRP SIERRA MADRE AT SECOND THOMAS SHOAL
- THE CABBAGE STRATEGY: SURROUNDING A DISPUTED FEATURE WITH SUCCESSIVE LAYERS OF FISHING BOATS, COAST GUARD, AND NAVAL VESSELS TO ESTABLISH DE FACTO CONTROL

## LEGAL FRAMEWORKS:

### 1. UNCLOS

THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA (UNCLOS) IS A COMPREHENSIVE INTERNATIONAL TREATY THAT PROVIDES A UNIVERSAL LEGAL FRAMEWORK FOR GOVERNING THE WORLD'S OCEANS, OFTEN REFERRED TO AS THE "CONSTITUTION OF THE OCEANS." IT WAS ADOPTED IN 1982 AFTER YEARS OF NEGOTIATIONS IN THE THIRD UN CONFERENCE ON THE LAW OF THE SEA, IN RESPONSE TO GROWING DISPUTES OVER MARITIME BOUNDARIES, NAVIGATION RIGHTS, AND ACCESS TO MARINE RESOURCES. ITS MAIN GOAL IS TO REGULATE ALL OCEAN SPACE, INCLUDING MARITIME ZONES, THE USE OF MARINE RESOURCES, ENVIRONMENTAL PROTECTION, AND THE PEACEFUL USE OF THE SEAS.

UNCLOS SETS RULES FOR MARITIME BOUNDARIES, CLAIMS TO OUTER CONTINENTAL SHELVES, SOVEREIGN RIGHTS OVER RESOURCES, AND RESPONSIBILITIES FOR PROTECTING THE MARINE ENVIRONMENT. THE CONVENTION DIVIDES THE SEAS INTO SEVERAL LEGAL ZONES: INTERNAL WATERS, TERRITORIAL SEA (UP TO 12 NAUTICAL MILES), CONTIGUOUS ZONE (UP TO 24 NAUTICAL MILES), EXCLUSIVE ECONOMIC ZONE OR EEZ (UP TO 200 NAUTICAL MILES), AND THE HIGH SEAS, EACH WITH DIFFERENT LEVELS OF STATE RIGHTS AND FREEDOMS. IT ALSO DISTINGUISHES BETWEEN COASTAL, PORT, AND FLAG STATES, AND INCLUDES PROVISIONS ON NAVIGATION AND OVERFLIGHT RIGHTS, MARINE SCIENTIFIC RESEARCH, AND THE DEVELOPMENT AND TRANSFER OF MARINE TECHNOLOGY.

UNCLOS DECLARES SEABED AREAS BEYOND NATIONAL JURISDICTION (THE “AREA”) AS THE “COMMON HERITAGE OF MANKIND,” TO BE MANAGED FOR THE BENEFIT OF ALL THROUGH THE INTERNATIONAL SEABED AUTHORITY.

A CRUCIAL ASPECT FOR DISPUTES LIKE THE SOUTH CHINA SEA IS ITS CLASSIFICATION OF MARITIME FEATURES SUCH AS ISLANDS, ROCKS, AND LOW-TIDE ELEVATIONS, BECAUSE THIS DECIDES WHETHER A STATE CAN CLAIM AN EEZ FROM THEM. OVER 160 COUNTRIES, INCLUDING CHINA, THE PHILIPPINES, VIETNAM, AND INDIA, ARE PARTIES TO UNCLOS, WHILE THE UNITED STATES ACCEPTS MANY OF ITS RULES WITHOUT RATIFYING IT. ALTHOUGH UNCLOS UNDERPINS MOST MARITIME BOUNDARY AGREEMENTS, IT HAS WEAK ENFORCEMENT, SO STATES CAN SOMETIMES IGNORE RULINGS WHEN THEY CLASH WITH NATIONAL INTERESTS, LEADING TO ONGOING TENSIONS AND SELECTIVE COMPLIANCE IN REGIONS SUCH AS THE SOUTH CHINA SEA.

THIS ENFORCEMENT GAP IS DIRECTLY RELEVANT TO MULTIPOLARITY: IN A UNIPOLAR SYSTEM, A HEGEMON CAN COMPEL COMPLIANCE; IN A MULTIPOLAR ONE, NO SINGLE ACTOR HAS THAT AUTHORITY, MAKING LEGAL FRAMEWORKS LIKE UNCLOS INCREASINGLY DEPENDENT ON VOLUNTARY STATE COMPLIANCE.

## 2. FONOPS

FREEDOM OF NAVIGATION IS A CORE PRINCIPLE OF INTERNATIONAL LAW THAT ALLOWS ALL STATES TO USE THE SEAS FOR TRADE, COMMUNICATION, AND THE MOVEMENT OF ARMED FORCES, AND IT IS CENTRAL TO IDEAS LIKE A “FREE AND OPEN INDO-PACIFIC” BECAUSE IT SUPPORTS GLOBAL SECURITY, ECONOMIC INTERDEPENDENCE, AND THE FREE FLOW OF GOODS, PEOPLE, AND IDEAS. THIS PRINCIPLE IS ROOTED IN THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA (UNCLOS), WHICH PROVIDES THE MAIN LEGAL FRAMEWORK PROTECTING NAVIGATION, OVERFLIGHT, AND OTHER LAWFUL USES OF THE OCEANS, WHILE DISTINGUISHING BETWEEN FULL SOVEREIGNTY IN THE 12-NAUTICAL-MILE TERRITORIAL SEA AND LIMITED RESOURCE RIGHTS IN THE 200-NAUTICAL-MILE EXCLUSIVE ECONOMIC ZONE (EEZ).

DIFFERENCES IN HOW STATES INTERPRET UNCLOS HAVE CREATED DISPUTES, SUCH AS INDIA’S DOMESTIC RULE THAT MILITARY ACTIVITIES IN ITS EEZ REQUIRE PRIOR NOTIFICATION, WHICH THE UNITED STATES ARGUES IS INCONSISTENT WITH UNCLOS BECAUSE THE EEZ IS NOT SOVEREIGN TERRITORY. TO CHALLENGE WHAT IT VIEWS AS “EXCESSIVE MARITIME CLAIMS,” THE US CONDUCTS FREEDOM OF NAVIGATION OPERATIONS (FONOPS), INCLUDING MISSIONS BY THE US SEVENTH FLEET, UNDER A LONG-RUNNING FREEDOM OF NAVIGATION PROGRAM DESIGNED TO ASSERT NAVIGATION AND OVERFLIGHT RIGHTS WORLDWIDE, EVEN THOUGH THE US HAS NOT FORMALLY RATIFIED UNCLOS WHILE STILL FOLLOWING MANY OF ITS PRINCIPLES. FONOPS ARE PRESENTED AS PRINCIPLE-BASED AND PEACEFUL EXERCISES OF UNLAWFUL RESTRICTIONS, WHETHER THEY COME FROM RIVALLED PARTNERS OR ALLIES. IN THE SOUTH CHINA SEA, THESE OPERATIONS CHALLENGE PRACTICES SUCH AS EXTENDING CONTROL BEYOND 12 NAUTICAL MILES, RESTRICTING INNOCENT PASSAGE, OR INVOKING VAGUE “HISTORIC RIGHTS” LIKE CHINA’S NINE-DASH LINE, WHICH HAVE BEEN FOUND INCONSISTENT WITH INTERNATIONAL LAW IN RULINGS SUCH AS THE SOUTH CHINA SEA ARBITRATION.

SUPPORTERS ARGUE THAT FONOPS HELP UPHOLD A RULES-BASED MARITIME ORDER AND KEEP SEA LANES OPEN, BUT THEY ALSO CARRY RISKS OF MILITARY INCIDENTS AND ARE OFTEN SEEN AS PROVOCATIVE BY CHINA, ADDING TO TENSIONS EVEN AS THEY REMAIN A KEY TOOL FOR COUNTERING COERCIVE MARITIME BEHAVIOR AND PREVENTING THE GRADUAL EROSION OF FREEDOM OF NAVIGATION. RUSSIA HAS CONSISTENTLY SIDED WITH CHINA IN FRAMING FONOPS AS PROVOCATIVE VIOLATIONS OF COASTAL STATE RIGHTS RATHER THAN LEGITIMATE EXERCISES OF FREEDOM OF NAVIGATION, REFLECTING A BROADER SINO-RUSSIAN CONVERGENCE AGAINST WHAT BOTH STATES DESCRIBE AS US-LED UNILATERALISM.

### 3. ARBITRATION

THE PHILIPPINES V. CHINA ARBITRATION UNDER UNCLOS IS ONE OF THE MOST IMPORTANT LEGAL DEVELOPMENTS IN THE SOUTH CHINA SEA DISPUTE. IN JANUARY 2013, THE PHILIPPINES BROUGHT A CASE UNDER ANNEX VII OF UNCLOS AGAINST CHINA, ASKING A TRIBUNAL TO CLARIFY THE LEGALITY OF CHINA'S "NINE-DASH LINE," THE STATUS OF CERTAIN MARITIME FEATURES, AND THE LAWFULNESS OF CHINA'S ACTIVITIES IN AREAS THE PHILIPPINES CONSIDERED WITHIN ITS EXCLUSIVE ECONOMIC ZONE. THE CASE GREW OUT OF YEARS OF GROWING TENSION, INCLUDING INCIDENTS AT MISCHIEF REEF, REED BANK, AND ESPECIALLY THE 2012 SCARBOROUGH SHOAL STANDOFF, AFTER EARLIER EFFORTS LIKE THE 2002 DECLARATION ON THE CONDUCT OF PARTIES AND THE 2005 JOINT MARINE SEISMIC UNDERTAKING HAD TEMPORARILY EASED BUT NOT RESOLVED THE DISPUTES.

ALTHOUGH CHINA REFUSED TO PARTICIPATE AND ISSUED A POSITION PAPER REJECTING THE TRIBUNAL'S JURISDICTION, A FIVE-MEMBER TRIBUNAL WAS STILL FORMED AND ADMINISTERED BY THE PERMANENT COURT OF ARBITRATION IN THE HAGUE, BECAUSE UNCLOS ALLOWS PROCEEDINGS TO CONTINUE EVEN IF ONE PARTY DOES NOT APPEAR. THE PHILIPPINES ARGUED THAT CHINA'S NINE-DASH LINE WENT BEYOND WHAT UNCLOS PERMITS, THAT MANY FEATURES CHINA CLAIMED WERE ONLY ROCKS OR LOW-TIDE ELEVATIONS THAT COULD NOT GENERATE LARGE MARITIME ZONES, AND THAT CHINA'S CONSTRUCTION, LAND RECLAMATION, AND INTERFERENCE WITH FISHING AND RESOURCE EXPLORATION INSIDE THE PHILIPPINES' EEZ VIOLATED ITS RIGHTS UNDER THE CONVENTION. CHINA COUNTERED THAT THE CASE WAS REALLY ABOUT TERRITORIAL SOVEREIGNTY AND MARITIME BOUNDARY DELIMITATION, WHICH IT HAD EXCLUDED FROM COMPULSORY ARBITRATION UNDER ARTICLE 298 OF UNCLOS, AND INSISTED THE TRIBUNAL HAD NO AUTHORITY.

WHILE THE HEARINGS WENT AHEAD, CHINA CONTINUED BUILDING AND MILITARISING ARTIFICIAL ISLANDS ON FEATURES SUCH AS MISCHIEF REEF, SUBI REEF, AND FIERY CROSS REEF, WHILE THE PHILIPPINES DEEPENED ITS DEFENCE TIES WITH THE UNITED STATES. THE PHILIPPINES ULTIMATELY SOUGHT A CLEAR RULING THAT MARITIME ENTITLEMENTS MUST BE BASED ON UNCLOS PROVISIONS RATHER THAN VAGUE HISTORIC RIGHTS, AND THAT CHINA SHOULD CEASE UNLAWFUL ACTIVITIES AND RESPECT ITS EEZ.

THE CASE BECAME A MAJOR TEST OF THE RULES-BASED INTERNATIONAL ORDER: IT SHOWED THAT UNCLOS OFFERS LEGAL TOOLS FOR SMALLER STATES TO CHALLENGE LARGER POWERS, BUT ALSO EXPOSED THE WEAKNESS OF ENFORCEMENT WHEN A POWERFUL STATE REFUSES TO COMPLY WITH RULINGS IT DISLIKES. WITHIN THE UNSC SPECIFICALLY, THIS WEAKNESS IS COMPOUNDED BY CHINA'S VETO POWER. ANY RESOLUTION ATTEMPTING TO REAFFIRM OR ENFORCE THE ARBITRAL RULING WOULD BE IMMEDIATELY BLOCKED BY CHINA UNDER ARTICLE 27 OF THE UN CHARTER. THIS CREATES A STRUCTURAL DEADLOCK THAT DELEGATES MUST NAVIGATE — RESOLUTIONS WILL NEED TO BE FRAMED AROUND BROADER PEACE AND SECURITY CONCERNS UNDER CHAPTER VI RATHER THAN DIRECTLY INVOKING THE RULING.

#### 4. CODE OF CONDUCT

THE CODE OF CONDUCT (COC) IN THE SOUTH CHINA SEA IS BEING DEVELOPED TO MANAGE RISING TENSIONS, PREVENT CONFLICT, AND SET CLEARER RULES FOR STATE BEHAVIOUR. IT IS NEGOTIATED BETWEEN ASEAN AND CHINA, BUT ITS ROOTS GO BACK TO EARLIER REGIONAL EFFORTS, WHEN STATES LIKE MALAYSIA, THE PHILIPPINES, VIETNAM, AND BRUNEI, ALONG WITH CHINA AND TAIWAN, HARDENED THEIR TERRITORIAL CLAIMS AND RAISED FEARS OF ESCALATION. IN THE 1990S, INDONESIA HOSTED WORKSHOPS ON MANAGING POTENTIAL CONFLICT, WHILE CHINA'S GROWING ASSERTIVENESS WAS SEEN IN INCIDENTS SUCH AS THE 1988 SPRATLY CLASH, THE 1992 LAW ON THE TERRITORIAL SEA, AND THE 1995 MISCHIEF REEF INCIDENT.

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THESE DEVELOPMENTS PUSHED ASEAN TO EMPHASISE PEACEFUL DISPUTE RESOLUTION AND UNCLOS. THIS LED TO THE 2002 DECLARATION ON THE CONDUCT OF PARTIES (DOC), A NON-BINDING POLITICAL AGREEMENT BETWEEN ASEAN AND CHINA COMMITTING PARTIES TO PEACEFUL DISPUTE RESOLUTION, SELF-RESTRAINT, AND CONFIDENCE-BUILDING MEASURES SUCH AS MILITARY DIALOGUE AND INFORMATION EXCHANGE. HOWEVER, THE DOC HAD NO ENFORCEMENT MECHANISM AND FAILED TO PREVENT SUBSEQUENT MILITARISATION AND ISLAND CONSTRUCTION, MAKING THE PUSH FOR A STRONGER, LEGALLY BINDING COC ALL THE MORE URGENT

PROGRESS HAS BEEN SLOW BECAUSE OF INTERNAL DIVISIONS WITHIN ASEAN, THE PRINCIPLE OF NON-INTERFERENCE, AND MEMBERS' DIFFERING ECONOMIC AND STRATEGIC TIES WITH CHINA, AS SEEN IN THE 2012 FAILURE TO ISSUE A JOINT ASEAN STATEMENT ON THE SOUTH CHINA SEA. MAJOR DISAGREEMENTS INCLUDE WHETHER THE COC SHOULD BE LEGALLY BINDING (ASEAN GENERALLY WANTS A STRONGER, BINDING FRAMEWORK, WHILE CHINA PREFERS A FLEXIBLE, NON-BINDING ONE), HOW TO DEFINE ITS GEOGRAPHIC SCOPE, LIMITS ON MILITARY INFRASTRUCTURE, THE ROLE OF EXTERNAL POWERS, AND GUARANTEES FOR FREEDOM OF NAVIGATION AND OVERFLIGHT UNDER UNCLOS. ALTHOUGH THERE ARE PUBLIC TIMELINES, SUCH AS A GOAL OF COMPLETING THE COC BY 2026, ITS EFFECTIVENESS REMAINS UNCERTAIN AND WILL DEPEND ON ASEAN UNITY AND WHETHER THE FINAL TEXT BECOMES A GENUINELY ENFORCEABLE MECHANISM RATHER THAN JUST A DIPLOMATIC STATEMENT.

## 5. EXCLUSIVE ECONOMIC ZONE

THE EXCLUSIVE ECONOMIC ZONE (EEZ) IS A MARITIME ZONE DEFINED BY THE 1982 UNITED NATIONS CONVENTION ON THE LAW OF THE SEA, EXTENDING UP TO 200 NAUTICAL MILES FROM A COASTAL STATE'S BASELINE. WITHIN THIS AREA, THE COASTAL STATE DOES NOT ENJOY FULL SOVEREIGNTY LIKE IT DOES ON LAND OR IN ITS 12-NAUTICAL-MILE TERRITORIAL SEA, BUT IT DOES HAVE EXCLUSIVE SOVEREIGN RIGHTS TO EXPLORE, EXPLOIT, CONSERVE, AND MANAGE NATURAL RESOURCES IN THE WATER, SEABED, AND SUBSOIL, INCLUDING FISHERIES, OIL, GAS, AND SEABED MINERALS, AND CAN ADOPT MEASURES TO PREVENT AND CONTROL POLLUTION.

THAT DEPEND ON OFFSHORE ENERGY AND FISHING INDUSTRIES, AND IT IS OFTEN TREATED AS THE CORE MARITIME SPACE FOR THEIR “BLUE ECONOMY.” A KEY DISTINCTION IS THAT IN THE TERRITORIAL SEA A STATE HAS FULL SOVEREIGNTY, WHEREAS IN THE EEZ IT HAS LIMITED “SOVEREIGN RIGHTS” FOCUSED ON RESOURCES AND CERTAIN ENVIRONMENTAL JURISDICTION. THE WATER COLUMN OF THE EEZ REMAINS PART OF INTERNATIONAL WATERS FOR NAVIGATION PURPOSES, SO OTHER STATES RETAIN FREEDOMS OF NAVIGATION, OVERFLIGHT, AND OTHER INTERNATIONALLY LAWFUL USES OF THE SEA, AND THE EEZ DOES NOT NORMALLY RESTRICT GLOBAL SHIPPING ROUTES.

THIS BALANCE IS A SOURCE OF TENSION: SOME STATES, SUCH AS INDIA, ARGUE THAT FOREIGN MILITARY EXERCISES IN THEIR EEZ REQUIRE PRIOR CONSENT, INTERPRETING THEIR RIGHTS MORE BROADLY, WHILE OTHERS, PARTICULARLY THE UNITED STATES, INSIST THAT MILITARY ACTIVITIES AND EXERCISES ARE PART OF THE FREEDOMS OF NAVIGATION AND OVERFLIGHT AND DO NOT NEED PERMISSION. THESE DIFFERING INTERPRETATIONS SHOW A KEY LIMITATION OF UNCLOS: THE LEGAL DEFINITIONS ARE CLEAR, BUT STATES OFTEN APPLY THEM DIFFERENTLY IN PRACTICE. OVERALL, THE EEZ IS CENTRAL TO MODERN MARITIME LAW BECAUSE IT ATTEMPTS TO BALANCE COASTAL STATES’ ECONOMIC INTERESTS WITH THE PRINCIPLE OF OPEN SEAS, WHILE OVERLAPPING OR CONFLICTING EEZ CLAIMS HAVE BECOME A MAJOR DRIVER OF MARITIME DISPUTES.

## MAJOR STAKEHOLDERS:

### CHINA:

CHINA’S POSITION IN THE SOUTH CHINA SEA IS BUILT ON “HISTORICAL RIGHTS” LINKED TO THE U-SHAPED OR “NINE-DASH LINE” FIRST PUBLISHED IN 1948, UNDER WHICH IT CLAIMS NEARLY 80% OF THE SEA AS AN INTEGRAL PART OF ITS TERRITORY AND A CORE NATIONAL SECURITY INTEREST. BEIJING FRAMES CONTROL OVER THE SOUTH CHINA SEA AS A NATIONAL TASK TIED TO ENERGY AND BIOLOGICAL RESOURCES, TRADE AND ENERGY SECURITY, AND THE TRANSIT OF CIVILIAN AND MILITARY VESSELS BETWEEN THE PACIFIC AND INDIAN OCEANS. OFFICIALLY, CHINA STRESSES PEACEFUL NEGOTIATION, GOOD NEIGHBOURLY RELATIONS, AND COOPERATION WITH REGIONAL STATES, BUT IN PRACTICE IT HAS PURSUED DE FACTO CONTROL THROUGH LAND RECLAMATION, BUILDING ARTIFICIAL ISLANDS, EXPANDING MILITARY FACILITIES, AND INCREASING PATROLS.

IT PREFERS BILATERAL NEGOTIATIONS, OPPOSES “INTERNATIONALISATION” OF THE DISPUTE, AND SEEKS TO LIMIT THE ROLE OF OUTSIDE POWERS SUCH AS THE UNITED STATES, JAPAN, AUSTRALIA, AND INDIA, WHILE KEEPING DISCUSSIONS MAINLY WITHIN FRAMEWORKS LIKE ASEAN. LEGALLY, CHINA ADOPTS A BROAD READING OF UNCLOS, RESTRICTING WHAT IT CALLS “PEACEFUL PASSAGE” OF FOREIGN WARSHIPS, NOT RECOGNISING FULL FREEDOM OF NAVIGATION AND OVERFLIGHT FOR MILITARY VESSELS AND AIRCRAFT IN ITS CLAIMED EEZ, AND TREATING MUCH OF THE SOUTH CHINA SEA AS IF IT WERE UNDER AN INTERNAL WATERS-TYPE REGIME. IT REJECTED THE 2016 ARBITRAL TRIBUNAL RULING IN FAVOUR OF THE PHILIPPINES, REFUSED TO RECOGNISE THE COURT’S JURISDICTION, AND CONTINUES TO INSIST THAT DISPUTES BE HANDLED ONLY THROUGH BILATERAL TALKS.

CHINESE DEFENCE DOCUMENTS EMPHASISE SOVEREIGNTY AND TERRITORIAL INTEGRITY AT SEA, JUSTIFY INFRASTRUCTURE CONSTRUCTION AND PATROLLING AS LAWFUL, AND INSTRUCT THE MILITARY TO RESPOND FIRMLY TO PERCEIVED VIOLATIONS OF ITS MARITIME AND AIR BORDERS. STRATEGICALLY, CHINA COMBINES CLOSER ECONOMIC AND DIPLOMATIC ENGAGEMENT WITH ASEAN AND PARTICIPATION IN CODE OF CONDUCT TALKS WITH UNILATERAL RESOURCE EXPLOITATION AND ISLAND DEVELOPMENT TO SHAPE A “STABLE AND MUTUALLY BENEFICIAL” REGIONAL ORDER ON ITS OWN TERMS. IN CHINESE POLICY DEBATES AND ACADEMIC COMMENTARY, TENSIONS ARE OFTEN BLAMED ON THE UNITED STATES AND ON REGIONAL STATES LIKE VIETNAM AND THE PHILIPPINES, WHICH ARE SEEN AS “INVITING” US INVOLVEMENT TO CONTAIN CHINA’S RISE. MANY CHINESE ANALYSTS ARGUE THAT WASHINGTON’S “PIVOT” OR “RETURN TO ASIA” IS AIMED AT SOFT CONTAINMENT AND THAT “FREEDOM OF NAVIGATION” IS USED AS A PRETEXT TO JUSTIFY US MILITARY PRESENCE AND PRESSURE CHINA, RATHER THAN TO PROTECT COMMERCIAL SHIPPING, WHICH CHINA SAYS HAS NOT BEEN THREATENED.

INTERNALLY, CHINESE VIEWS RANGE FROM HARD-LINE VOICES CALLING FOR STRONGER MILITARY ACTION TO MODERATE VOICES ADVOCATING ASSERTIVENESS WITHOUT DIRECT CONFRONTATION.

## USA

THE UNITED STATES VIEWS THE SOUTH CHINA SEA WITHIN A WIDER “CHANGING GLOBAL ORDER,” WHERE CHINA AND OTHER REGIONAL POWERS ARE GAINING INFLUENCE AND THE INDO-PACIFIC IS CENTRAL TO US ECONOMIC AND SECURITY INTERESTS. UNDER DONALD TRUMP, US FOREIGN POLICY BECAME MORE SELECTIVE AND TRANSACTIONAL, WITH A FOCUS ON NATIONAL INTEREST—PROTECTING NATIONAL SECURITY, MAINTAINING ECONOMIC PROSPERITY, AND PRESERVING GLOBAL INFLUENCE—RATHER THAN BROAD, OPEN-ENDED GLOBAL COMMITMENTS. IN THIS CONTEXT, THE SOUTH CHINA SEA IS PART OF A LARGER STRATEGIC CALCULUS LINKED TO MULTIPOLARITY, REGIONAL SECURITY, AND MANAGING CHINA’S RISE, NOT JUST A NARROW MARITIME DISPUTE.

## TAIWAN

TAIWAN'S STANCE IN THE SOUTH CHINA SEA IS SHAPED BY ITS BROADER SECURITY CONCERNS ABOUT RISING CHINESE MILITARY AND POLITICAL PRESSURE IN SURROUNDING WATERS. TAIWANESE DEFENCE AUTHORITIES WARN THAT CHINA'S ACTIONS ARE NO LONGER ISOLATED BUT PART OF A COORDINATED CAMPAIGN, COMBINING AIR AND NAVAL ACTIVITIES WITH COGNITIVE WARFARE AND UNITED FRONT TACTICS AIMED AT INFLUENCING TAIWANESE SOCIETY AND WEAKENING ITS SOVEREIGNTY. CHINESE "LAW ENFORCEMENT PATROLS" AND MILITARY DRILLS AROUND TAIWAN'S OUTLYING ISLANDS AND NEAR THE MEDIAN LINE ARE SEEN IN TAIPEI AS EFFORTS TO NORMALISE BEIJING'S JURISDICTIONAL CLAIMS AND TO PORTRAY THE TAIWAN STRAIT, AND BY EXTENSION NEARBY MARITIME AREAS, AS CHINESE INTERNAL WATERS RATHER THAN INTERNATIONAL OR SHARED SPACE. THIS ENVIRONMENT REINFORCES A DEFENSIVE, VIGILANCE-ORIENTED MARITIME POSTURE FOR TAIWAN, INCLUDING IN THE SOUTH CHINA SEA, WHERE IT FOCUSES ON RESISTING ANY LEGAL OR PRACTICAL REDEFINITION OF MARITIME ZONES THAT COULD ERODE ITS SOVEREIGNTY OR STRATEGIC AUTONOMY.

IN PRACTICAL TERMS, TAIWAN EMPHASISES SOVEREIGNTY PROTECTION AND LEGAL FRAMING THROUGH INTERNATIONAL NORMS, BUT COUPLES THIS WITH STRATEGIC RESTRAINT RATHER THAN ESCALATION. TAIWAN ALSO WORKS MORE CLOSELY WITH INTERNATIONAL PARTNERS TO ENSURE ITS SITUATION IS UNDERSTOOD, BUILD SUPPORT, AND COUNTER ATTEMPTS TO ISOLATE IT DIPLOMATICALLY. AS A RESULT, ITS APPROACH IN THE SOUTH CHINA SEA IS NOT FOCUSED ON AGGRESSIVE ASSERTION OF MARITIME CLAIMS BUT ON MAINTAINING EXISTING LEGAL AND POLITICAL BOUNDARIES, DEFENDING ITS DE FACTO AUTONOMY, AND MANAGING SECURITY PRESSURES IN A HIGHLY CONTESTED INDO-PACIFIC ENVIRONMENT. OVERALL, TAIWAN'S STANCE COMBINES SOVEREIGNTY PROTECTION, RELIANCE ON INTERNATIONAL LAW, AND CAREFUL CRISIS MANAGEMENT, AIMING TO AVOID ESCALATION WHILE PUSHING BACK AGAINST PERCEIVED CHINESE ENCROACHMENT AND INFLUENCE OPERATIONS.

## ASEAN

ASEAN PLAYS A CENTRAL BUT COMPLICATED ROLE IN THE SOUTH CHINA SEA BECAUSE SOME OF ITS MEMBERS ARE DIRECT CLAIMANTS WHILE OTHERS PRIORITISE ECONOMIC TIES WITH CHINA, MAKING UNITY DIFFICULT. ITS OVERALL APPROACH IS GROUNDED IN NEUTRALITY, DIALOGUE, AND REGIONAL STABILITY, USING PLATFORMS LIKE THE ASEAN REGIONAL FORUM, ASEAN-CHINA SUMMITS, AND CODE OF CONDUCT (COC) NEGOTIATIONS TO PROMOTE PEACEFUL SOLUTIONS AND UPHOLD INTERNATIONAL LAW, ESPECIALLY UNCLOS. HOWEVER, ASEAN'S EFFECTIVENESS IS LIMITED BY INTERNAL DIVISIONS, DIFFERING NATIONAL INTERESTS, AND THE "ASEAN WAY" OF CONSENSUS AND NON-INTERFERENCE, WHICH SLOWS DECISION-MAKING AND WEAKENS ITS ABILITY TO CONFRONT EXTERNAL PRESSURE.

WITHIN ASEAN, THE PHILIPPINES AND VIETNAM ARE THE MOST OUTSPOKEN CLAIMANTS. THE PHILIPPINES CLAIMS PARTS OF THE SPRATLY ISLANDS AND FOCUSES ON DEFENDING ITS EEZ, RELYING ON ITS ALLIANCE WITH THE UNITED STATES AND LEGAL TOOLS SUCH AS THE UNCLOS ARBITRATION IT WON IN 2016, EVEN THOUGH CHINA REJECTED THE RULING. VIETNAM, WHICH CLAIMS BOTH THE SPRATLY AND PARACEL ISLANDS, SEES THE SOUTH CHINA SEA AS VITAL AND VIEWS CHINA AS A MAJOR STRATEGIC THREAT, SO IT SUPPORTS "INTERNATIONALISING" THE ISSUE BY INVOLVING PARTNERS LIKE THE US, JAPAN, AND INDIA AND HAS INVESTED IN MODERNISING ITS NAVY AND COAST GUARD. MALAYSIA TAKES A QUIETER, CAUTIOUS APPROACH: IT HAS OVERLAPPING CLAIMS WITH CHINA AROUND THE LUCONIA SHOALS AND THE SPRATLYS AND ALIGNS ITS EEZ CLAIMS MOSTLY WITH UNCLOS, BUT AVOIDS OPENLY CONFRONTING BEIJING DUE TO STRONG ECONOMIC LINKS AND DOMESTIC SENSITIVITIES. BRUNEI IS THE MOST LOW-PROFILE CLAIMANT, QUIETLY ASSERTING LIMITED BUT RESOURCE-RICH CLAIMS WHILE FOCUSING ON ECONOMIC COOPERATION WITH CHINA AND BACKING MULTILATERAL, PEACEFUL SOLUTIONS. INDONESIA IS NOT A FORMAL CLAIMANT TO THE SPRATLY OR PARACEL ISLANDS, BUT IT HAS GROWN MORE ASSERTIVE AS CHINA'S CLAIMS OVERLAP WITH ITS EEZ NEAR THE NATUNA ISLANDS, PROMPTING STRONGER PATROLS AND MILITARY PRESENCE THERE.

## JAPAN

JAPAN IS NOT A DIRECT CLAIMANT IN THE SOUTH CHINA SEA AND HAS NO EEZ OR TERRITORIAL CLAIMS THERE, BUT IT SEES ITSELF AS A MAJOR STAKEHOLDER BECAUSE THE SEA IS A VITAL SEA LANE OF COMMUNICATION THROUGH WHICH MOST OF ITS TRADE AND ROUGHLY FOUR-FIFTHS OF ITS ENERGY IMPORTS PASS. THE SOUTH CHINA SEA IS THUS ESSENTIAL TO JAPAN'S ECONOMIC SECURITY, AND TOKYO WORRIES THAT INSTABILITY, COERCION, OR CHINESE DOMINANCE THERE COULD ENDANGER ITS SUPPLY ROUTES.

BEYOND ECONOMICS, JAPAN VIEWS CHINESE BEHAVIOUR IN THE SOUTH CHINA SEA—EXPANSIVE HISTORICAL CLAIMS, REJECTION OF THE 2016 ARBITRAL RULING UNDER UNCLOS, MILITARISATION OF ARTIFICIAL ISLANDS, AND GREY-ZONE TACTICS—AS SETTING DANGEROUS PRECEDENTS THAT COULD LATER BE USED AGAINST JAPAN IN THE EAST CHINA SEA, ESPECIALLY AROUND THE SENKAKU/DIAOYU ISLANDS. FOR JAPAN, THE CORE ISSUE IS THEREFORE NOT JUST SPECIFIC FEATURES IN THE SOUTH CHINA SEA BUT THE SURVIVAL OF A RULES-BASED MARITIME ORDER AND THE PRINCIPLE THAT DISPUTES MUST BE SETTLED ACCORDING TO INTERNATIONAL LAW, ESPECIALLY UNCLOS, RATHER THAN UNILATERAL COERCION.

BECAUSE OF THIS, JAPAN FRAMES ITS SOUTH CHINA SEA POLICY AROUND MULTILATERALISM, CAPACITY-BUILDING, AND RULE-ENFORCEMENT RATHER THAN DIRECT MILITARY CONFRONTATION. IT HAS HELPED CREATE AND SUPPORT REGIONAL INSTITUTIONS SUCH AS THE ASEAN REGIONAL FORUM, EAST ASIA SUMMIT, ADMM-PLUS, AND THE EXPANDED ASEAN MARITIME FORUM, USING THESE PLATFORMS TO PROMOTE DIALOGUE, OPPOSE CHANGES TO THE STATUS QUO BY FORCE, AND QUIETLY BALANCE CHINESE INFLUENCE. JAPAN HAS ALSO LED REGIONAL COOPERATION ON MARITIME SECURITY AND ANTI-PIRACY, BACKING AGREEMENTS LIKE RECAAP AND PROVIDING COAST GUARD VESSELS, RADAR, SURVEILLANCE AIRCRAFT, AND OTHER MOSTLY NON-LETHAL EQUIPMENT TO SOUTHEAST ASIAN STATES SUCH AS THE PHILIPPINES AND VIETNAM TO STRENGTHEN THEIR MARITIME DOMAIN AWARENESS AND LAW-ENFORCEMENT CAPACITY. AT THE SAME TIME, JAPAN PARTICIPATES IN JOINT NAVAL EXERCISES AND HAS SIGNED ARRANGEMENTS LIKE THE RECIPROCAL ACCESS AGREEMENT WITH THE PHILIPPINES, BUT IT AVOIDS HIGHLY PROVOCATIVE STEPS LIKE US-STYLE FONOPS, KEEPING ITS INVOLVEMENT BELOW THE THRESHOLD OF DIRECT CONFRONTATION. ALL OF THIS IS INTEGRATED INTO JAPAN'S "FREE AND OPEN INDO-PACIFIC" (FOIP) VISION, WHICH AIMS TO PRESERVE FREEDOM OF NAVIGATION, PROTECT THE MARITIME COMMONS, AND PREVENT ANY SINGLE POWER—ESPECIALLY CHINA—from DOMINATING THE REGION, WHILE STILL ACKNOWLEDGING JAPAN'S CONSTRAINTS: RELIANCE ON THE US SECURITY UMBRELLA, CONSTITUTIONAL LIMITS, DEMOGRAPHIC AND ECONOMIC PRESSURES, AND DEEP ECONOMIC INTERDEPENDENCE WITH CHINA. JAPAN THEREFORE TRIES TO BALANCE DETERRENCE AND ENGAGEMENT, SEEKING ABOVE ALL TO KEEP THE UNITED STATES DEEPLY INVOLVED IN THE INDO-PACIFIC AND TO SUPPORT SOUTHEAST ASIAN PARTNERS SO THAT NO STATE CAN UNILATERALLY REWRITE THE RULES.

## INDIA

INDIA'S ROLE IN THE SOUTH CHINA SEA HAS EXPANDED UNDER PRIME MINISTER NARENDRA MODI, EVEN THOUGH INDIA IS NOT A CLAIMANT. NEW DELHI INCREASINGLY SEES THE REGION AS STRATEGICALLY IMPORTANT BECAUSE SOUTHEAST ASIA IS A GATEWAY TO THE INDIAN OCEAN AND NEARLY HALF OF INDIA'S TRADE PASSES THROUGH THE STRAIT OF MALACCA AND THE SOUTH CHINA SEA, MAKING SECURE SEA LANES VITAL FOR ECONOMIC AND ENERGY SECURITY. INDIA WORRIES THAT CONFLICT OR CHINESE DOMINANCE THERE COULD SPILL INTO THE INDIAN OCEAN AND UNDERMINE ITS TRADITIONAL SPHERE OF INFLUENCE. AS PART OF ITS "ACT EAST POLICY" AND ITS EFFORT TO BALANCE CHINA'S RISE, INDIA HAS DEEPENED DEFENCE COOPERATION WITH KEY CLAIMANT STATES LIKE THE PHILIPPINES AND VIETNAM THROUGH NAVAL EXERCISES, ARMS EXPORTS, AND CAPACITY-BUILDING, INCLUDING JOINT EXERCISES WITH ASEAN NAVIES AND THE SALE OF BRAHMOS SUPERSONIC ANTI-SHIP MISSILES TO THE PHILIPPINES AND A MISSILE FRIGATE TO VIETNAM, AS WELL AS PLANS TO SUPPLY HELICOPTERS TO THE PHILIPPINE COAST GUARD.

DIPLOMATICALLY, INDIA HAS SHIFTED FROM CAUTIOUS NEUTRALITY TO A CLEARER LEGAL STANCE. AFTER INITIALLY ONLY "TAKING NOTE" OF THE 2016 ARBITRAL RULING IN PHILIPPINES V. CHINA, INDIA LATER JOINED THE PHILIPPINES IN EXPLICITLY STRESSING PEACEFUL DISPUTE RESOLUTION, ADHERENCE TO UNCLOS, AND RESPECT FOR THE AWARD, MARKING A BREAK FROM ITS EARLIER RELUCTANCE TO BE SEEN AS SIDING AGAINST CHINA. INDIA'S INVOLVEMENT IS DRIVEN BY THREE MAIN FACTORS: STRATEGIC WORRIES ABOUT CHINA'S MILITARY AND MARITIME EXPANSION, THE NEED TO PROTECT FREEDOM OF NAVIGATION, AND LONG-STANDING ENERGY INTERESTS, SUCH AS OIL AND GAS EXPLORATION PROJECTS WITH VIETNAM THAT ALSO SERVE TO ANCHOR ITS PRESENCE IN THE REGION.

AT THE SAME TIME, INDIA'S ROLE IS ENCOURAGED BY ITS PARTNERSHIP WITH THE UNITED STATES AND OTHER QUAD MEMBERS, WHO SEE INDIA AS A BALANCING POWER IN THE INDO-PACIFIC. HOWEVER, INDIA STILL FACES CLEAR LIMITS: IT LACKS A PERMANENT MILITARY PRESENCE OR ALLIANCE NETWORK IN THE SOUTH CHINA SEA, REMAINS PRIMARILY FOCUSED ON DOMINANCE IN THE INDIAN OCEAN, AND CONTINUES TO VALUE STRATEGIC AUTONOMY. AS A RESULT, ITS APPROACH COMBINES GROWING ENGAGEMENT—THROUGH DIPLOMACY, DEFENCE COOPERATION, AND ECONOMIC TIES—WITH CAUTIOUS AVOIDANCE OF DIRECT CONFRONTATION OR FULL ALIGNMENT WITH ANY ONE BLOC.

## AUSTRALIA

AUSTRALIA'S ROLE IN THE SOUTH CHINA SEA HAS GROWN AS IT TAKES A MORE ACTIVE STANCE AGAINST CHINA'S COERCIVE BEHAVIOUR IN THE INDO-PACIFIC, EVEN THOUGH IT HAS NO TERRITORIAL CLAIMS THERE. CANBERRA SEES THE SOUTH CHINA SEA AS VITAL TO A RULES-BASED INTERNATIONAL ORDER AND TO ITS OWN TRADE AND SECURITY, SO IT STRONGLY SUPPORTS FREEDOM OF NAVIGATION, OPEN SEA LANES, AND ADHERENCE TO INTERNATIONAL LAW, ESPECIALLY UNCLOS. IT HAS FULLY ENDORSED THE 2016 ARBITRAL RULING THAT REJECTED MANY OF CHINA'S MARITIME CLAIMS AND FRAMES ITS POSITION NOT JUST AS FOLLOWING THE UNITED STATES, BUT AS ADVANCING ITS OWN NATIONAL INTERESTS AND SUPPORTING SOUTHEAST ASIAN PARTNERS. UNLIKE WASHINGTON'S SOMETIMES MORE IDEOLOGICAL TONE, AUSTRALIA GENERALLY AVOIDS CONFRONTATIONAL RHETORIC THAT MIGHT ALIENATE ASEAN STATES, FOCUSING INSTEAD ON PRACTICAL STEPS THAT BUILD COLLECTIVE REGIONAL RESILIENCE.

AUSTRALIA'S 2020 DEFENCE STRATEGIC UPDATE SIGNALLED A SHIFT TOWARD A MORE ACTIVE AND INDEPENDENT ROLE IN SHAPING INDO-PACIFIC SECURITY, DRIVEN BY THE RECOGNITION THAT THE UNITED STATES ALONE CAN NO LONGER UPHOLD REGIONAL ORDER. CANBERRA HAS DEEPENED DEFENCE AND SECURITY COOPERATION WITH JAPAN, INDIA, THE UNITED STATES, AND ASEAN MEMBERS THROUGH JOINT EXERCISES, DIPLOMATIC COORDINATION, AND FRAMEWORKS LIKE THE QUAD, ALL UNDER THE BANNER OF A "FREE AND OPEN INDO-PACIFIC." OPERATIONALLY, AUSTRALIA IS UNDER GROWING PRESSURE TO MATCH ITS LEGAL STANCE WITH ACTIONS SUCH AS PARTICIPATING IN OR SUPPORTING FREEDOM OF NAVIGATION OPERATIONS NEAR CHINESE-CLAIMED FEATURES, BUT IT ALSO RECOGNISES THAT FONOPS ARE LARGELY SYMBOLIC AND DO LITTLE ON THEIR OWN TO STRENGTHEN SOUTHEAST ASIAN CLAIMANTS. AS A RESULT, AUSTRALIA IS LIKELY TO FOCUS MORE ON INTELLIGENCE SHARING, MARITIME SURVEILLANCE, AND COORDINATED PATROLS WITH REGIONAL NAVIES AND COAST GUARDS TO HELP PROTECT FISHERIES, ENERGY EXPLORATION, AND COMMERCIAL SHIPPING IN OTHER STATES' EEZs.

AT THE SAME TIME, IT TRIES TO BALANCE DETERRENCE WITH DIPLOMACY BY EMPHASISING COLLECTIVE SECURITY, PRACTICAL COOPERATION, AND REGIONAL STABILITY RATHER THAN FRAMING THE REGION PURELY IN IDEOLOGICAL TERMS. THIS MAKES AUSTRALIA AN INCREASINGLY IMPORTANT STAKEHOLDER IN THE SOUTH CHINA SEA DISPUTE, NOT BECAUSE IT SEEKS TERRITORY, BUT BECAUSE THE OUTCOME WILL SHAPE TRADE SECURITY, THE REGIONAL BALANCE OF POWER, AND THE FUTURE OF THE RULES-BASED ORDER IN THE WIDER INDO-PACIFIC

## SOUTH KOREA

SOUTH KOREA IS NOT A CLAIMANT IN THE SOUTH CHINA SEA BUT HAS SIGNIFICANT ECONOMIC STAKES IN THE REGION, AS A LARGE PORTION OF ITS TRADE AND ENERGY IMPORTS — INCLUDING MIDDLE EASTERN OIL AND GAS — PASS THROUGH SCS SHIPPING LANES, MAKING STABILITY IN THE REGION ESSENTIAL TO ITS ECONOMY. SEOUL'S POSITION IS COMPLICATED BY ITS DUAL DEPENDENCE ON THE UNITED STATES, ITS PRIMARY SECURITY ALLY UNDER THE 1953 MUTUAL DEFENSE TREATY, AND CHINA, ITS LARGEST TRADING PARTNER, MEANING SOUTH KOREA CONSISTENTLY AVOIDS TAKING STRONG PUBLIC STANCES ON SCS DISPUTES TO PRESERVE BOTH RELATIONSHIPS. WHILE SOUTH KOREA BROADLY SUPPORTS FREEDOM OF NAVIGATION AND A RULES-BASED MARITIME ORDER, IT HAS LARGELY STAYED OUT OF DIRECT SCS DIPLOMACY, PREFERRING TO FOCUS ITS STRATEGIC ATTENTION ON THE KOREAN PENINSULA AND NORTH KOREAN DENUCLEARISATION. IN COMMITTEE, DELEGATES REPRESENTING SOUTH KOREA SHOULD REFLECT THIS CAREFUL BALANCING ACT — SUPPORTIVE OF INTERNATIONAL LAW IN PRINCIPLE BUT UNWILLING TO DIRECTLY ANTAGONISE CHINA.

## CURRENT ESCALATION:

AMAJORESCALATION HAS BEEN THE SHARP RISE IN DIRECT CONFRONTATIONS, ESPECIALLY WITH THE PHILIPPINES AROUND SECOND THOMAS SHOAL AND SCARBOROUGH SHOAL. CHINESE COAST GUARD AND MARITIME MILITIA VESSELS HAVE REPEATEDLY USED GREY-ZONE TACTICS SUCH AS WATER CANNON BLASTS, RAMMING, BLOCKING, AND DANGEROUS MANOEUVRES AGAINST PHILIPPINE RESUPPLY MISSIONS TO THE GROUNDING BRP SIERRA MADRE, INJURING SAILORS AND DAMAGING SHIPS IN INCIDENTS DOCUMENTED IN 2023 AND 2024. THESE CLASHES SIT WITHIN A WIDER TREND OF GREY-ZONE OPERATIONS ACROSS THE SOUTH CHINA SEA, INCLUDING THE USE OF LARGE FISHING FLEETS, LAW-ENFORCEMENT PATROLS, AND SURVEILLANCE ASSETS TO ESTABLISH A “NEW NORMAL” OF CHINESE PRESENCE INSIDE OTHER STATES’ EEZS WITHOUT CROSSING INTO OPEN WARFARE. AT THE SAME TIME, EXTERNAL POWERS HAVE DEEPENED THEIR INVOLVEMENT: THE UNITED STATES HAS EXPANDED FREEDOM OF NAVIGATION OPERATIONS, STRENGTHENED ITS DEFENCE COMMITMENTS TO THE PHILIPPINES, AND INCREASED EXERCISES SUCH AS THE LARGE BALIKATAN DRILLS THAT NOW INVOLVE MISSILE FIRINGS AND MORE ALLIES, WHILE JAPAN, AUSTRALIA, AND OTHERS HAVE STEPPED UP JOINT PATROLS AND NAVAL PRESENCE, FURTHER INTERNATIONALISING THE DISPUTE

PARALLEL LEGAL AND DIPLOMATIC MOVES—SUCH AS THE PHILIPPINES’ MARITIME ZONES ACT ON ONE SIDE AND CHINA’S CONTINUED REJECTION OF THE ARBITRAL RULING ON THE OTHER—HAVE HARDENED POSITIONS, WHILE COMPETITION OVER HYDROCARBONS AND FISHERIES HAS RAISED THE ECONOMIC STAKES IN CONTESTED AREAS LIKE THE SPRATLYS, LUCONIA SHOALS, AND WATERS NEAR THE NATUNA ISLANDS. OVERALL, ADMINISTRATIVE EXPANSION, MILITARISED ISLAND-BUILDING, REPEATED MARITIME CLASHES, GREY-ZONE COERCION, RESOURCE COMPETITION, AND GREAT-POWER RIVALRY HAVE COMBINED TO MAKE THE SOUTH CHINA SEA ONE OF THE MOST VOLATILE AND ESCALATION-PRONE MARITIME REGIONS IN THE INDO-PACIFIC.

## CHALLENGES, RISKS, AND IMPLICATIONS:

### CHALLENGES:

THE SOUTH CHINA SEA PRESENTS A COMPLEX SET OF INTERCONNECTED CHALLENGES SHAPED BY TERRITORIAL DISPUTES, GEOPOLITICAL RIVALRY, REGIONAL FRAGMENTATION, MILITARISATION, AND THE WIDER SECURITISATION OF THE INDO-PACIFIC. AT ITS CORE IS A LONG-RUNNING DISPUTE BETWEEN CHINA AND SEVERAL SOUTHEAST ASIAN STATES OVER A SEMI-ENCLOSED SEA THAT WAS NEVER PROPERLY DEMARCATED AFTER DECOLONISATION. RIVAL CLAIMS CENTRE ON THE SPRATLY ISLANDS, PARACEL ISLANDS, AND SCARBOROUGH SHOAL, WHILE CHINA’S NINE-DASH LINE SYMBOLISES ITS EXPANSIVE MARITIME CLAIMS AND AMBITIONS. THIS HAS CREATED A HIGHLY CONTESTED ENVIRONMENT IN WHICH CLAIMANT STATES COMPETE TO OCCUPY FEATURES AND ASSERT CONTROL, MAKING THE DISPUTE ONE OF THE MOST COMPLEX MARITIME CONFLICTS IN THE WORLD.

THE SOUTH CHINA SEA IS ALSO STRATEGICALLY IMPORTANT BECAUSE IT CONNECTS THE INDIAN OCEAN AND THE PACIFIC OCEAN THROUGH VITAL ROUTES SUCH AS THE STRAIT OF MALACCA AND THE TAIWAN STRAIT, CARRYING ABOUT ONE-THIRD OF GLOBAL MARITIME TRAFFIC. ITS OIL, MINERALS, FISHERIES, AND OTHER MARINE RESOURCES HAVE RAISED THE STAKES FURTHER, WHILE BROADER INDO-PACIFIC GEOPOLITICS HAS TURNED THE SEA INTO A KEY THEATRE OF GREAT-POWER COMPETITION BETWEEN CHINA AND THE UNITED STATES. THIS RIVALRY HAS MADE ASEAN’S NON-ALIGNMENT STRATEGY HARDER TO SUSTAIN, AS REGIONAL STATES FACE INCREASING PRESSURE TO CHOOSE BETWEEN WASHINGTON AND BEIJING, WEAKENING TRADITIONAL HEDGING.

ANOTHER MAJOR CHALLENGE IS CHINA'S ASSERTIVE TERRITORIAL STRATEGY AND GRAY-ZONE TACTICS. CHINA INCREASINGLY USES ITS COAST GUARD, MARITIME MILITIA, AND CIVILIAN VESSELS TO CARRY OUT COERCIVE ACTIONS WHILE AVOIDING OPEN WAR, INCLUDING RAMMING, WATER CANNON ATTACKS, LASER TARGETING, AND HARASSMENT OF RESUPPLY MISSIONS NEAR DISPUTED FEATURES SUCH AS SECOND THOMAS SHOAL AND SABINA SHOAL. IT HAS ALSO BUILT ARTIFICIAL ISLANDS IN THE SPRATLYS AND PARACELS, ADDING PORTS, RUNWAYS, RADAR SYSTEMS, MISSILE FACILITIES, AND MILITARY OUTPOSTS THAT INTENSIFY INSTABILITY. THE SITUATION IS FURTHER COMPLICATED BY CHINA'S REJECTION OF THE 2016 ARBITRAL RULING UNDER UNCLOS, DISAGREEMENTS OVER EEZ RIGHTS AND FREEDOM OF NAVIGATION, AND ASEAN'S INTERNAL DIVISIONS, WHICH HAVE SLOWED PROGRESS ON A BINDING CODE OF CONDUCT. MILITARISATION, COMPETING LEGAL INTERPRETATIONS, AND EXTERNAL INVOLVEMENT HAVE TOGETHER MADE THE SOUTH CHINA SEA ONE OF THE MOST VOLATILE SECURITY FLASHPOINTS IN THE INDO-PACIFIC.

## RISKS:

THE MOST IMMEDIATE RISK IN THE SOUTH CHINA SEA IS MILITARY ESCALATION ARISING FROM HISTORICAL CLAIMS, COUNTERCLAIMS, MILITARISATION, AND CONFRONTATIONAL MARITIME INCIDENTS. BECAUSE THE SCS SITS AT THE CENTRE OF US-CHINA RIVALRY, EVEN LOCALIZED MARITIME INCIDENTS INVOLVING TAIWAN, THE SPRATLY ISLANDS, PARACEL ISLANDS, SCARBOROUGH SHOAL, OR ARTIFICIAL INSTALLATIONS COULD ESCALATE INTO BROADER REGIONAL OR GLOBAL CONFLICT. REPEATED CLOSE ENCOUNTERS BETWEEN NAVAL AND COAST GUARD FORCES INCREASE THE PROBABILITY OF MISCALCULATION AND ACCIDENTAL CONFLICT.

A MAJOR RISK STEMS FROM CHINA'S "GRAY ZONE" STRATEGY, WHICH DELIBERATELY BLURS CIVILIAN AND MILITARY DISTINCTIONS THROUGH MARITIME MILITIA, COAST GUARD OPERATIONS, AND COERCIVE MANOEUVRES. VESSEL RAMMING, AGGRESSIVE INTERCEPTIONS, LASER TARGETING, AND HARASSMENT OF FOREIGN SHIPS CREATE UNCERTAINTY AND INCREASE THE LIKELIHOOD OF UNINTENDED ESCALATION. THESE TACTICS ALLOW INCREMENTAL CONTROL WITHOUT OPEN WAR BUT DESTABILISE THE REGIONAL SECURITY ENVIRONMENT.

THERE IS ALSO A SYSTEMIC RISK TO THE RULES-BASED INTERNATIONAL ORDER. CHINA'S REJECTION OF UNCLOS ARBITRATION UNDERMINES INTERNATIONAL LEGAL INSTITUTIONS AND ENCOURAGES POWER-BASED GOVERNANCE OVER RULES-BASED SYSTEMS. IF MARITIME BOUNDARIES ARE RESHAPED THROUGH COERCION AND SELECTIVE COMPLIANCE, GLOBAL CONFIDENCE IN INTERNATIONAL LAW AND PEACEFUL DISPUTE RESOLUTION WEAKENS SIGNIFICANTLY.

ANOTHER RISK IS STRATEGIC POLARIZATION CAUSED BY EXTERNAL INVOLVEMENT. THE UNITED STATES CONTINUES FREEDOM OF NAVIGATION OPERATIONS (FONOPS) AND STRENGTHENS ALLIANCES WITH THE PHILIPPINES, JAPAN, AND AUSTRALIA, WHILE CHINA VIEWS QUAD AND AUKUS AS CONTAINMENT MECHANISMS. THIS INTENSIFIES ARMS COMPETITION, MILITARY DEPLOYMENTS, AND STRATEGIC DISTRUST ACROSS THE INDO-PACIFIC, INCREASING THE POSSIBILITY OF BLOC CONFRONTATION. THE US-PHILIPPINES MUTUAL DEFENSE TREATY ALSO RAISES THE RISK OF US INVOLVEMENT IN A REGIONAL CONFLICT IF PHILIPPINE FORCES OR VESSELS ARE ATTACKED.

ECONOMIC RISKS ARE SUBSTANTIAL BECAUSE THE SOUTH CHINA SEA IS ONE OF THE WORLD'S BUSIEST MARITIME ARTERIES. DISRUPTION OF SEA LANES OF COMMUNICATION (SLOCs) WOULD AFFECT GLOBAL TRADE, SUPPLY CHAINS, ENERGY TRANSPORT, AND INTERNATIONAL MARKETS, WITH ONE-THIRD OF GLOBAL MARITIME TRADE PASSING THROUGH THESE WATERS. INSTABILITY WOULD THEREFORE HAVE GLOBAL CONSEQUENCES FOR ECONOMIC AND ENERGY SECURITY.

ASEAN FRAGMENTATION CREATES ANOTHER KEY RISK, AS INTERNAL DIVISIONS WEAKEN COLLECTIVE RESPONSES AND ALLOW EXTERNAL POWERS TO EXPLOIT DIFFERENCES. FAILURE TO FINALISE A BINDING CODE OF CONDUCT REINFORCES INSTITUTIONAL WEAKNESS AND REDUCES ASEAN'S ABILITY TO FUNCTION AS A REGIONAL STABILISER. AT THE BROADER LEVEL, THERE IS A RISK OF UNSTABLE MULTIPOLAR TRANSITION DRIVEN BY COMPETING AMBITIONS OF CHINA, THE UNITED STATES, INDIA, JAPAN, AND AUSTRALIA, INCREASING LONG-TERM GEOPOLITICAL CONFRONTATION.

## IMPLICATIONS:

THE SOUTH CHINA SEA HAS BECOME A DEFINING BATTLEGROUND FOR 21ST-CENTURY GEOPOLITICS, REPRESENTING A CONTEST OVER INTERNATIONAL LAW, MARITIME ORDER, STRATEGIC INFLUENCE, AND GLOBAL POWER TRANSITION. IT REFLECTS THE EVOLUTION OF A MULTIPOLAR INTERNATIONAL SYSTEM IN WHICH CHINA, THE UNITED STATES, AND REGIONAL ACTORS SUCH AS THE PHILIPPINES ARE CENTRAL PARTICIPANTS.

A KEY IMPLICATION IS THE TRANSFORMATION OF THE INDO-PACIFIC INTO THE PRIMARY ARENA OF GLOBAL STRATEGIC COMPETITION. THE SCS FUNCTIONS AS A CENTRAL HUB FOR POWER PROJECTION, ALLIANCE-BUILDING, MARITIME CONNECTIVITY, AND MILITARY STRATEGY, MAKING IT INDISPENSABLE TO GLOBAL GEOPOLITICS AND ECONOMIC STABILITY. CHINA'S ASSERTIVENESS IMPLIES AN EFFORT TO RESHAPE REGIONAL ORDER BASED ON STRATEGIC STRENGTH RATHER THAN EXISTING LEGAL FRAMEWORKS, THROUGH MILITARISATION OF ARTIFICIAL ISLANDS, REJECTION OF ARBITRATION RULINGS, AND EXPANSION OF MARITIME PRESENCE, CHALLENGING US DOMINANCE AND EXISTING NORMS.

THE PHILIPPINES' RESISTANCE UNDER PRESIDENT FERDINAND MARCOS JR. REFLECTS A BROADER REGIONAL TREND OF BALANCING AGAINST CHINA THROUGH ALLIANCES WITH THE US, AUSTRALIA, AND JAPAN, STRENGTHENING REGIONAL DETERRENCE NETWORKS BUT INCREASING STRATEGIC POLARIZATION. THE UNITED STATES VIEWS THE SCS AS A LITMUS TEST OF CREDIBILITY IN UPHOLDING A RULES-BASED ORDER, YET ITS STRATEGY ALSO REVEALS LIMITS OF EXTERNAL POWER PROJECTION DUE TO ESCALATION RISKS. ASEAN'S STRUGGLES HIGHLIGHT THE LIMITATIONS OF CONSENSUS-BASED DIPLOMACY IN MANAGING GREAT POWER RIVALRY AND ITS INABILITY TO ENFORCE BINDING MECHANISMS SUCH AS A CODE OF CONDUCT, RAISING QUESTIONS ABOUT FUTURE REGIONAL GOVERNANCE EFFECTIVENESS. ASEAN'S HEDGING STRATEGY REMAINS CENTRAL TO REGIONAL ORDER, PRESERVING FLEXIBILITY BUT LIMITING DECISIVE OUTCOMES.

THE SOUTH CHINA SEA ALSO DEMONSTRATES INTERCONNECTEDNESS OF GLOBAL THEATRES, WHERE DEVELOPMENTS IN EUROPE, PARTICULARLY THE WAR IN UKRAINE, INFLUENCE INDO-PACIFIC STRATEGIES, MAKING MULTIPOLAR COMPETITION GLOBALISED RATHER THAN REGIONAL.

## DIPLOMATIC SOLUTIONS AND POLICY RECOMMENDATION:

DIPLOMATIC SOLUTIONS TO THE SOUTH CHINA SEA DISPUTE FOCUS LESS ON A FINAL SETTLEMENT AND MORE ON PREVENTING ESCALATION, MANAGING TENSIONS, AND PRESERVING REGIONAL STABILITY. THE MAIN PRIORITY IS CONFLICT MANAGEMENT THROUGH CONFIDENCE-BUILDING, GRADUAL ENGAGEMENT, AND CRISIS-PREVENTION MECHANISMS RATHER THAN EXPECTING AN IMMEDIATE RESOLUTION OF SOVEREIGNTY DISPUTES.

ASEAN REMAINS CENTRAL TO THIS APPROACH, ESPECIALLY THROUGH NEGOTIATIONS FOR A BINDING CODE OF CONDUCT (COC) WITH CHINA. SINCE THE 2002 DECLARATION ON THE CONDUCT OF PARTIES, TALKS HAVE AIMED TO CREATE CLEARER RULES ON MILITARY ACTIVITY, MARITIME CONDUCT, AND CRISIS MANAGEMENT, BUT PROGRESS HAS BEEN SLOW BECAUSE ASEAN MEMBERS HAVE DIFFERENT INTERESTS AND CHINA PREFERS BILATERAL NEGOTIATIONS. A MAJOR PART OF DIPLOMACY IS BUILDING HOTLINES, COMMUNICATION PROTOCOLS, RULES FOR ENCOUNTERS AT SEA, AND OTHER MECHANISMS TO PREVENT INCIDENTS LIKE WATER-CANNON ATTACKS, LASER TARGETING, DANGEROUS MANOEUVRES, AND SHIP COLLISIONS FROM SPIRALLING INTO LARGER CONFLICT.

INTERNATIONAL LAW, ESPECIALLY UNCLOS, IS ANOTHER CORE PILLAR. THE 2016 ARBITRATION RULING REMAINS IMPORTANT BECAUSE IT REJECTED THE LEGAL BASIS OF CHINA'S NINE-DASH LINE AND REINFORCED THAT MARITIME ENTITLEMENTS MUST CONFORM TO UNCLOS, EVEN THOUGH CHINA REJECTED THE DECISION. MANY PROPOSALS ALSO CALL FOR STRONGER ASEAN UNITY AMONG CLAIMANT STATES LIKE THE PHILIPPINES, VIETNAM, MALAYSIA, INDONESIA, AND BRUNEI, SO THEY CAN COORDINATE ON EEZ RIGHTS AND DISPUTE MANAGEMENT, THOUGH THIS IS LIMITED BY DIFFERENT TERRITORIAL INTERESTS AND VARYING DEPENDENCE ON CHINA. ANOTHER PRACTICAL OPTION IS PROVISIONAL RESOURCE-SHARING AND JOINT DEVELOPMENT, WHICH WOULD ALLOW STATES TO SET ASIDE SOVEREIGNTY DISPUTES TEMPORARILY AND COOPERATE ON FISHERIES, OIL, AND GAS, EVEN IF POLITICAL MISTRUST MAKES THIS DIFFICULT.

EXTERNAL ACTORS SUCH AS THE UNITED STATES, JAPAN, AUSTRALIA, AND FRANCE SUPPORT FREEDOM OF NAVIGATION, CAPACITY-BUILDING, AND MARITIME SECURITY COOPERATION, BUT MOST REGIONAL STATES PREFER BALANCING RATHER THAN DIRECT BLOC CONFRONTATION. OVERALL, THE MOST REALISTIC DIPLOMATIC STRATEGY IS NOT COMPLETE RESOLUTION, BUT STRUCTURED COOPERATION: STRENGTHENING LEGAL NORMS, IMPROVING COMMUNICATION, EXPANDING JOINT DEVELOPMENT, AND MAINTAINING CONSULTATION, FLEXIBILITY, PRAGMATISM, AND CONSENSUS SO THE SOUTH CHINA SEA REMAINS STABLE EVEN AMID RIVALRY.

## CONCLUSION:

THE SOUTH CHINA SEA DISPUTE REMAINS ONE OF THE MOST SIGNIFICANT GEOPOLITICAL FLASHPOINTS IN THE MODERN INTERNATIONAL SYSTEM. WHAT BEGAN AS COMPETING TERRITORIAL AND MARITIME CLAIMS HAS EVOLVED INTO A BROADER STRATEGIC CONTEST INVOLVING SOVEREIGNTY, INTERNATIONAL LAW, MILITARY POWER, AND GREAT-POWER RIVALRY. AT ITS CENTRE IS CHINA'S EXPANSIVE NINE-DASH LINE CLAIM, WHICH CONFLICTS WITH THE EEZs OF SEVERAL SOUTHEAST ASIAN NATIONS AND HAS BEEN WIDELY CHALLENGED UNDER UNCLOS. TENSIONS HAVE ESCALATED THROUGH MILITARISATION, ARTIFICIAL ISLAND CONSTRUCTION, COAST GUARD CONFRONTATIONS, AND INCREASING MILITARY DEPLOYMENTS BY REGIONAL AND EXTERNAL POWERS ALIKE. IN RESPONSE, STATES LIKE THE PHILIPPINES AND VIETNAM HAVE DEEPENED DEFENCE TIES WITH THE UNITED STATES, JAPAN, AND AUSTRALIA, TRANSFORMING THE SOUTH CHINA SEA INTO A CENTRAL ARENA OF US-CHINA STRATEGIC COMPETITION. THE 2016 PCA RULING, THOUGH LANDMARK, EXPOSED A CRITICAL WEAKNESS: INTERNATIONAL LAW HAS LIMITED FORCE WHEN MAJOR POWERS REFUSE COMPLIANCE, AND ASEAN'S INTERNAL DIVISIONS HAVE PREVENTED A UNIFIED REGIONAL RESPONSE.

THE STAKES ARE GLOBAL. ANY LARGE-SCALE CONFLICT OR PROLONGED INSTABILITY WOULD DISRUPT TRADE, THREATEN ENERGY SECURITY, AND RISK WIDER MILITARY CONFRONTATION. COMPLETE RESOLUTION REMAINS UNLIKELY IN THE NEAR FUTURE, MAKING CONFLICT MANAGEMENT A REALISTIC PRIORITY — THROUGH A BINDING CODE OF CONDUCT, ADHERENCE TO UNCLOS, MILITARY COMMUNICATION MECHANISMS, AND SUSTAINED CONFIDENCE-BUILDING. ULTIMATELY, HOW THIS DISPUTE UNFOLDS WILL SIGNIFICANTLY SHAPE THE BALANCE OF POWER, REGIONAL STABILITY, AND THE FUTURE OF THE RULES-BASED INTERNATIONAL ORDER.

## SUGGESTED MODERATED CAUCUS TOPICS:

1. DELIBERATIONS UNDER UNCLOS AND PEACEFUL DISPUTE RESOLUTION MECHANISMS IN THE SOUTH CHINA SEA.
2. THE ROLE AND EFFECTIVENESS OF ASEAN IN ADDRESSING RISING TENSIONS IN THE SOUTH CHINA SEA.
3. THE SIGNIFICANCE OF THE PROPOSED ASEAN-CHINA CODE OF CONDUCT (COC).
4. FREEDOM OF NAVIGATION OPERATIONS (FONOPS) AND COMPETING INTERPRETATIONS OF INTERNATIONAL MARITIME LAW.
5. MILITARISATION OF THE SOUTH CHINA SEA AND ITS IMPACT ON REGIONAL STABILITY.

6. EXCLUSIVE ECONOMIC ZONES (EEZs) AND OVERLAPPING MARITIME CLAIMS IN THE SOUTH CHINA SEA.
7. THE IMPACT OF CHINA'S NINE-DASH LINE CLAIMS ON THE RULES-BASED INTERNATIONAL ORDER.
8. STRATEGIC COMPETITION BETWEEN THE UNITED STATES AND CHINA IN THE INDO-PACIFIC.
9. THE SIGNIFICANCE OF MULTIPOLARITY IN SHAPING SOUTH CHINA SEA TENSIONS.
10. THE ROLE OF EXTERNAL STAKEHOLDERS SUCH AS INDIA, JAPAN, AUSTRALIA, AND THE QUAD.
11. ECONOMIC AND STRATEGIC IMPORTANCE OF THE SOUTH CHINA SEA FOR GLOBAL TRADE AND ENERGY SECURITY.
12. THE 2016 PERMANENT COURT OF ARBITRATION RULING AND ITS IMPLICATIONS.
13. THE USE OF GREY-ZONE TACTICS, MARITIME MILITIAS, AND COERCIVE STRATEGIES IN THE SOUTH CHINA SEA.
14. BALANCING SOVEREIGNTY, MARITIME SECURITY, AND FREEDOM OF NAVIGATION.
15. CHALLENGES IN ACHIEVING A UNIFIED ASEAN RESPONSE TO THE SOUTH CHINA SEA DISPUTE.

## QUESTIONS A RESOLUTION MUST ANSWER:

- WHAT ARE THE MEASURES REQUIRED TO RESOLVE THE GIVEN CRISES?
- WHAT WILL BE THE PROCEDURE IN CASE DIPLOMATIC EFFORTS FAIL?
- HOW WILL THE RESOLUTION ENSURE THE ACCOUNTABILITY OF STATES?
- HOW WILL THE RESOLUTION PROMISE REGIONAL STABILITY AND SAFETY?
- HOW WILL THE RESOLUTION ACCOUNT FOR THE ECONOMIC DISPARITY IN THE AFFECTED AREAS?
- WHAT LONG-TERM DEVELOPMENT INITIATIVES CAN BE PROMOTED TO AID FOSTERING AMICABLE RELATIONS WITH OTHER STATES?

## GUIDELINES:

INCLUDE AS MANY POINTS AS POSSIBLE FROM THE FOLLOWING:

A BRIEF INTRODUCTION TO YOUR COUNTRY AND ITS HISTORY CONCERNING THE TOPIC AND COMMITTEE.

HOW THE ISSUE AFFECTS YOUR COUNTRY.

YOUR COUNTRY'S POLICIES WITH RESPECT TO THE ISSUE AND YOUR COUNTRY'S JUSTIFICATION FOR THESE POLICIES.

QUOTES FROM YOUR COUNTRY'S LEADERS ABOUT THE ISSUE.

STATISTICS TO BACK UP YOUR COUNTRY'S POSITION ON THE ISSUE.

ACTIONS TAKEN BY YOUR GOVERNMENT WITH REGARD TO THE ISSUE.

CONVENTIONS AND RESOLUTIONS THAT YOUR COUNTRY HAS SIGNED OR RATIFIED.

UN ACTIONS THAT YOUR COUNTRY SUPPORTED OR OPPOSED.

WHAT YOUR COUNTRY BELIEVES SHOULD BE DONE TO ADDRESS THE ISSUE.

WHAT YOUR COUNTRY WOULD LIKE TO ACCOMPLISH IN THE COMMITTEE'S RESOLUTION.

HOW THE POSITIONS OF OTHER COUNTRIES AFFECT YOUR COUNTRY'S POSITION.

## GENERAL GUIDELINES:

USE TRUSTED SOURCES.

MAKE SURE TO CITE ALL THE INFORMATION YOU USE.

STAY TRUE TO YOUR COUNTRY'S STANCE AND FOREIGN POLICY.

INCLUDE NOT ONLY FACTS, BUT ALSO POSSIBLE SOLUTIONS.

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