



General Assembly First Committee Topic Background Guide
Topic 3: Strengthening Security and Cooperation in Asia and the Pacific¹

10 October 2012

According to Chapter I, Article I of the United Nations (UN) Charter, the purpose of the UN is:

- To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace;
- To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace;
- To achieve international co-operation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion.²

As the General Assembly (GA) subcommittee charged with security issues, the General Assembly First Committee (GA-1) considers ways to strengthen international security and cooperation. Thus a frequent topic is how the three goals listed above fit together in particular regions.

The Asia and Pacific region faces some of the most serious national and human security challenges in the world. In 2010, one-third (5 of 15) major armed conflicts (those involving at least 1,000 battle-related deaths) in the world were in Asia. This number was higher than any other region and included the civil war in Afghanistan, the conflict between India and Pakistan in Kashmir, the civil war in the Karen State of Myanmar, the civil and international conflict in Pakistan, and civil violence in the Philippines.³

The Asia-Pacific has also recently been the site of minor (less deadly) military conflicts between North and South Korea. In 2009, a North Korean ship entered part of the Yellow Sea claimed by South Korea, which “pounded it with thousands of rounds of gunfire, disabling it and killing at least one sailor.”⁴ In March 2010, an explosion sunk a South Korean naval vessel called the Cheonan, killing 46 sailors. According to South Korea and experts from the UK, Australia, Canada, and Sweden, the cause of the explosion was a North Korean torpedo attack. North Korea denied any role in the incident and threatened to wage “all-out-war” if attacked as a result of “speculation” regarding the incident.⁵ In November 2010, the DPRK (North Korea) attacked a South Korean island

¹ This background guide was written by Karen Ruth Adams, MMUN faculty advisor, and Lindsey Benov, 2012 research assistant. Copyright 2012 by Karen Ruth Adams.

² “Charter of the United Nations,” June 21, 1946, available at <http://www.un.org/aboutun/charter/>

³ Stockholm International Peace Research Institute (SIPRI), “SIPRI Yearbook 2011, Appendix 2A. Patterns of major armed conflicts, 2001–10,” available at <http://www.sipri.org/yearbook/2011/02/02A>

⁴ “Factbox: What is the Korean Northern Limit Line?,” Reuters, November 23, 2010, <http://www.reuters.com/article/2010/11/23/us-korea-north-nll-idUSTRE6AM2O820101123>

⁵ “The Cheonan,” *New York Times*, May 20, 2010, http://topics.nytimes.com/top/reference/timestopics/subjects/c/cheonan_ship/index.html?inline=nyt-classifier

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with “dozens” of artillery shells, killing two soldiers, wounding 15 soldiers and three civilians, and setting fire to many buildings. According to North Korea, the attack was provoked by a South Korean military exercise. South Korea denied that any of the artillery it fired in the exercise hit DPRK territory and responded to the attack by shelling North Korean gun positions. According to a spokesman for UN Secretary-General Ban Ki-moon (who is South Korean), the North’s attack on Yeonpyeong island was “one of the gravest incidents since the end of the Korean War.”⁶

In addition, the Asia-Pacific region is the site of a number of long-simmering conflicts about islands and natural resources. In 2012 alone, conflicts between China and Japan, between China and the Philippines, and between China and Vietnam have involved displays of force.

Armed conflict imperils the national security of the states in question, as well that of their neighboring states and trading partners. In addition, it reduces human security, both by subjecting people to violence and by reducing spending on social and economic purposes in favor of military budgets. According to the UN Development Programme (UNDP), in 2011, none of the Asian and Pacific states involved in major military conflicts had “very high” or “high” levels of human development (standards of living). Two (the Philippines and India) had “medium” levels, and Pakistan, Myanmar, and Afghanistan had “low” levels. Of the states involved in emerging conflicts, only Japan had “high” levels of human development; China, the Philippines, and Vietnam were in the “medium” category.⁷ The difference in human security among these countries is illustrated by the life expectancies of their people, which ranged from 83 to 69 years in the countries with emerging conflicts (83 years in Japan, 75 in Vietnam, 73 in China, and 69 in the Philippines) and from 65 to 49 years in the countries with major military conflicts (65 years in India, Pakistan, and Myanmar, and 49 in Afghanistan).⁸

To improve human and national security in Asia and the Pacific, international cooperation is needed. States involved in military conflicts must be encouraged to resolve their differences, and emerging conflicts must be defused before they escalate. As a result, there are many issues the GA-1 could address.

This background guide will focus on emerging conflicts among China, Japan, the Philippines, Vietnam, and other states about islands and resources in the South and East China Seas,. Although these conflicts have not risen to the level of war, they have created a great deal of tension among the states in question and throughout the region. Given the central importance of China, Japan, and other Asian and Pacific countries in international trade, the effects of these conflicts are also likely to be felt worldwide. The South China Sea’s ports and shipping lanes are responsible for “\$5 trillion in ship-borne trade” and “[h]alf the world’s shipping tonnage.” In addition, the area has “10 per cent of the global fisheries catch”⁹ and is believed to have large oil and natural gas reserves, as well as important minerals.¹⁰

How can UN member states in the GA-1 cooperate to resolve the conflicts among the states in the South and East China Seas before they escalate to war and imperil international and human security?

⁶ “Statement attributable to the Spokesperson for the Secretary-General on the Korean Peninsula,” 23 November 2010, <http://www.un.org/sg/statements/?nid=4948>

⁷ UN Development Programme (UNDP), “Human Development Index (HDI) - 2011 Rankings,” available at <http://hdr.undp.org/en/statistics/>

⁸ UNDP, “Human Development Index (HDI) - 2011 Rankings.”

⁹ David Lague, “Analysis: China’s nine-dashed line in South China Sea,” Reuters, 25 May 2012, <http://www.reuters.com/article/2012/05/25/us-china-sea-boundary-idUSBRE84O07520120525>

¹⁰ Robert Kaplan, “The South China Sea is the Future of Conflict,” *Foreign Policy*, Sept/Oct 2011, http://www.foreignpolicy.com/articles/2011/08/15/the_south_china_sea_is_the_future_of_conflict?page=0.1,

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History and Current Events

The China Sea is the part of the Pacific Ocean that extends along the Chinese coast. It has three parts. In the north there is the Yellow Sea, which washes up on the shores of China, North Korea, and South Korea. In the south there is the South China Sea, which is shared by China, Viet Nam, Malaysia, Indonesia, Brunei, the Philippines, and Taiwan. Between the other two is the East China Sea, which is between China, Taiwan, Japan, and South Korea.

The conflicts in the South and East China Seas arise from ambiguity about which countries, if any, have legitimate rights to rocky islands and resources in the middle of the seas. The answer to this question is complicated, as well as unclear. All of the states in question (with the exception of Taiwan and North Korea) have ratified the 1982 UN Convention on the Law of the Seas (UNCLOS III) and have therefore agreed to common definitions of each state's territorial waters (12 nautical miles or about 22 km from the state's "baseline"), exclusive economic zone (EEZ, 200 nm beyond the baseline), and continental shelf (200 nm from the baseline or "the edge of the continental margin," whichever is greater).¹¹ In addition, they have agreed that the territorial waters of states "with opposite or adjacent coasts" will be settled by negotiation or by drawing a median line, and that their EEZs and continental shelves will be determined under international law as articulated by the UN International Court of Justice (ICJ or World Court).¹² They have further agreed that "Rocks which cannot sustain human habitation or economic life of their own shall have no exclusive economic zone or continental shelf." Thus any resources surrounding such an outcrop can be exclusively exploited by the state that has sovereignty over the island only up to 12 nm.¹³

Like other states that have ratified UNCLOS, the states in the China Sea have further agreed that waters and resources beyond any state's EEZ (in other words, the "high seas") are the "common heritage of mankind" and can therefore be used by all states for peaceful purposes such as navigation and research, as well as sustainable and equitable fishing and resource extraction.¹⁴ Finally, they have agreed to resolve any disputes that arise peacefully and using whatever mediators or courts they prefer, including the ICJ, the International Tribunal for the Law of the Sea (ITLOS), and special tribunals.¹⁵

The ambiguity arises from the fact that UNCLOS does not specify criteria for determining how competing claims to sovereignty over particular pieces of territory should be resolved, except that this should be done peacefully. As a result, there are a number of competing claims.

As shown in Figure 1, China has used a navigational map from 1947 with a "nine-dashed line" to claim sovereignty over parts of the South China Seas that seem to be beyond its EEZ. This does not necessarily mean that China is in violation of UNCLOS. That depends on the legal basis of China's claim, which is unclear. Some Chinese officials have suggested that China will soon deposit with UNCLOS geological surveys showing that its continental shelf extends into this area, and therefore that its EEZ does too. By contrast, experts in international maritime law believe that China is trying to walk a fine line between satisfying the need to look strong to its population and claiming more than it can justify to other states. As a result, they argue, China is likely to continue to be contradictory and vague about exactly what it is claiming, and why.¹⁶

¹¹ UN Convention on the Law of the Sea (UNCLOS III), 1982, Parts II, V, VI, http://www.un.org/depts/los/convention_agreements/texts/unclos/closindx.htm

¹² UNCLOS III, Part II, Article 15; Part V, Article 74; Part VI, Article 83.

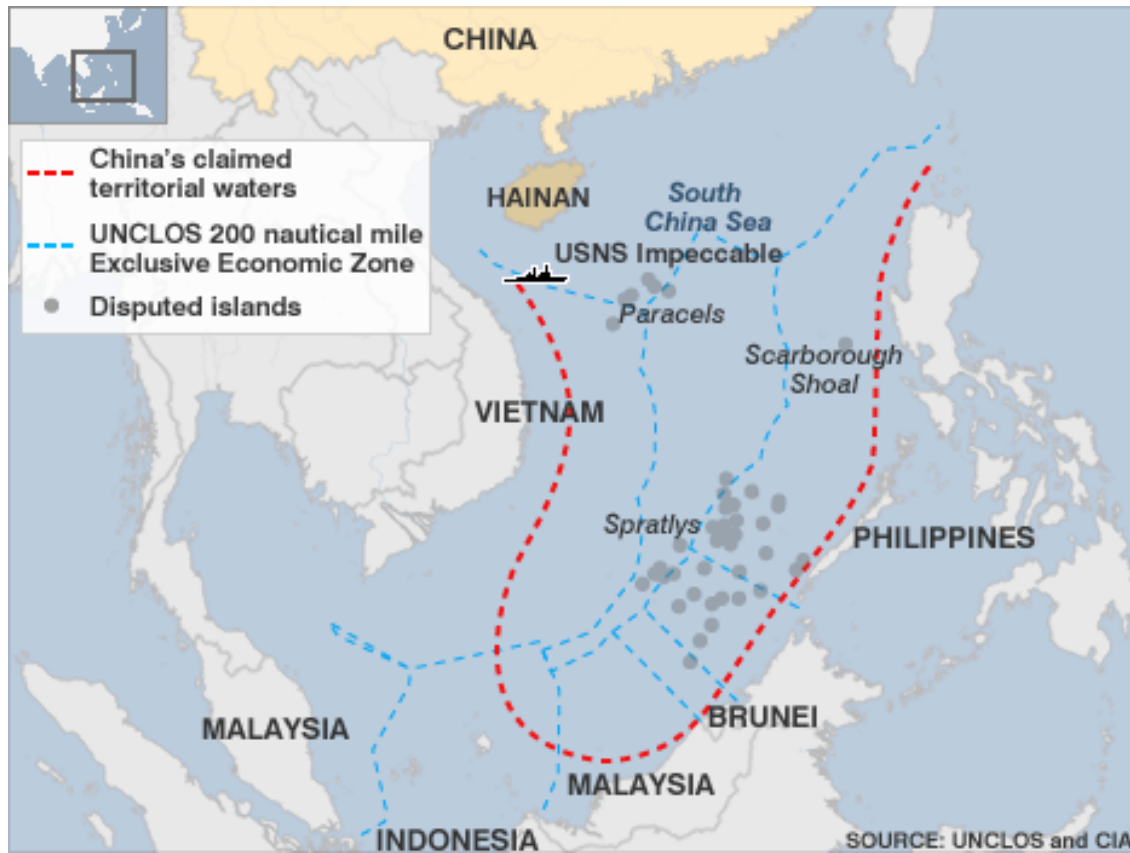
¹³ UNCLOS III, Part II, Article 15; Part VI, Article 121.

¹⁴ UNCLOS III, Part II, Article 15; Part I, Article 1; Part VII and Part XI.

¹⁵ UNCLOS III, Part II, Article 15; Part XV, Articles 279, 287.

¹⁶ Lague, "Analysis: China's nine-dashed line in South China Sea."

Figure 1
UNCLOS Borders and Chinese Claims in the South China Sea¹⁷

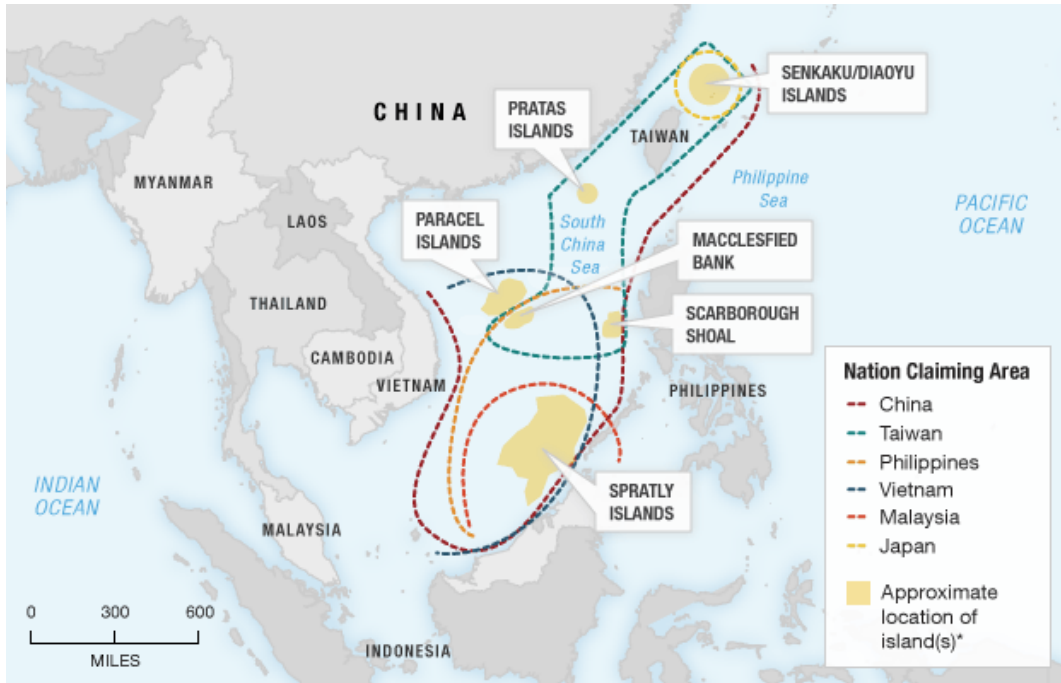


¹⁷ Vaudine England, "Who's right in South China Sea spat?," BBC News, Hong Kong, 13 March 2009, <http://news.bbc.co.uk/2/hi/asia-pacific/7941425.stm>

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China is not alone in claiming waters and islands that are beyond its EEZ. As shown in Figure 2, Taiwan, the Philippines, Vietnam, Malaysia, and Japan have also made claims, as have two additional countries whose claims are not shown (Indonesia and Brunei).

Figure 2
Disputed Islands in the South and East China Sea¹⁸



Whether these claims are legitimate depends on how one defines legitimate. Based on current possession, one would say that Japan has a legitimate claim to the Senkaku islands. But, based on historical possession, one would give the claim to China, which calls them the Diaoyu islands. According to the *New York Times*,

Japan annexed the islands in 1895, saying that they were unclaimed territory. It says China started showing interest in them only in the early 1970s, after possible oil reserves were discovered nearby. China says that the islands were Chinese for centuries and that Japan took them as a first step toward its later [World War II] invasion of the Chinese mainland.¹⁹

This summer, the dispute between Japan and China over the Senkaku-Diaoyu islands escalated dramatically, when

In July, Japan's prime minister Yoshihiko Noda announced his government's plans to buy three of the uninhabited islands, which [were] owned by a Japanese citizen. In September, Chinese patrol vessels sailed in the disputed waters around the islands. Anti-Japanese protests were held in dozens of Chinese cities in August and September.²⁰

Taiwan, which until 1949 was held by mainland China, also claims the islands, which it calls the Tiaoyutai.

¹⁸ Scott Neuman, "Little Islands Are Big Trouble In The South China Sea," NPR [National Public Radio], 7 September 2012, <http://www.npr.org/2012/09/07/160745930/little-islands-are-big-trouble-in-the-south-china-sea>

¹⁹ "Territorial Disputes Involving Japan," *New York Times*, 20 September 2012, <http://www.nytimes.com/interactive/2012/09/20/world/asia/Territorial-Disputes-Involving-Japan.html?ref=territorialdisputes>

²⁰ "Territorial Disputes Involving Japan."

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China has a similar dispute with the Philippines over the Scarborough Shoal, called Huangyan Island in China and Panatag Island and Bajo de Masinloc in the Philippines. According to the Philippines, the rocky outcrop is part of its 200 nm mile EEZ. But China claims the shoal has been part of Chinese territory since the 13th century. In February 2012, the Philippines invited oil and gas companies to explore the area. In April, China responded by sending two ships, which had a naval stand-off with a Philippine frigate.²¹ Since then, “China has effectively blocked the Philippines ... from gaining access to the Scarborough Shoal...The Chinese placed a rope across the entrance to the island lagoon and have kept patrol boats in the adjacent waters.”²² The Philippines would like to refer the dispute to the Associate of Southeast Asian Nations (ASEAN) or the ICJ, but China has refused.²³

As an ally (and former colonizer) of the Philippines, the US has become involved in this conflict. In fact, from the Chinese point of view, the US precipitated the conflict in November 2011 when

Secretary of State Hillary Rodham Clinton stood on the deck of an American warship ...in Manila Bay and reaffirmed the military alliance between the Philippines and the United States. Mrs. Clinton referred to an area of the South China Sea as the West Philippine Sea — a name used by the Philippines but not other nations — a point that irritated the Chinese.²⁴

In the past several years, the US has expressed interest not only in the Philippines but also in the China Seas more generally and all of Asia and the Pacific. In 2011, the Obama administration announced a political and military “pivot” or “rebalancing” towards the region, away from its previous emphasis on Europe and the Middle East.²⁵ According to some observers, this has emboldened the Philippines and other states in the region that have conflicts with China.²⁶

One such state is Vietnam, which fought the US for decades but now seeks its protection in its conflict with China over the Spratly and Paracel Islands. The conflict between China and Vietnam dates back centuries and, according to political scientist Taylor Fravel is motivated by economic and military concerns. Between 2005 and 2010, China detained 63 Vietnamese fishing boats and their crews, many of which were not released until large fines were paid.²⁷ In May 2011, Vietnamese officials claimed that Chinese boats cut cables from Vietnamese oil exploration ships. In June 2011, Vietnam responded by conducting live-ammunition naval exercises off the coast of Vietnam.²⁸ In June 2012, Vietnam claimed sovereignty over the Spratly and Paracel islands. In response, China

²¹ Floyd Whaley, “Philippines and China in a Standoff at Sea,” *New York Times*, 11 April 2012, <http://www.nytimes.com/2012/04/12/world/asia/diplomatic-resolution-sought-in-south-china-sea-standoff.html>,

²² Steven Lee Myers and Jane Perlez, “No Movement on Major Disputes as Clinton Meets with Chinese Leaders,” *New York Times*, 5 September 2012, <http://www.nytimes.com/2012/09/06/world/asia/no-movement-on-key-disputes-as-clinton-meets-with-chinese-leaders.html>.

²³ Floyd Whaley, “U.S. Reaffirms Defense of Philippines in Standoff with China,” *New York Times*, <http://www.nytimes.com/2012/05/02/world/asia/us-reaffirms-defense-of-philippines-in-standoff-with-china.html>,

²⁴ Whaley, “Philippines and China in a Standoff at Sea.”

²⁵ Elisabeth Bumiller, “U.S. Pivots Eastward to Address Uneasy Allies,” *New York Times*, 24 October 2011, <http://www.nytimes.com/2011/10/25/world/asia/united-states-pivots-eastward-to-reassure-allies-on-china.html>

²⁶ Edward Wong, “Beijing Warns U.S. About South China Sea Disputes,” *New York Times*, 22 June 2011, http://www.nytimes.com/2011/06/23/world/asia/23china.html?_r=1.

²⁷ M. Taylor Fravel, “All Quiet in the South China Sea, Why China is Playing Nice (For Now),” *Foreign Affairs*, 22 March 2012, <http://www.foreignaffairs.com/articles/137346/m-taylor-fravel/all-quiet-in-the-south-china-sea?page=show>.

²⁸ Edward Wong, “China Navy Reaches Far, Unsettling the Region,” *New York Times*, 14 June 2011, <http://www.nytimes.com/2011/06/15/world/asia/15china.html>.

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established a legislature “to govern the 1,100 people who live on the island groups of the Spratlys, the Paracels and the Macclesfield Bank... known in Chinese as the Xisha, Zhongsha and Nansha Islands.” China also approved the deployment of soldiers to Xisha (the Paracels) to guard the inhabitants, the islands, and “772,000 square miles of the South China Sea over which China claims jurisdiction.”²⁹

The Philippines also claims the Spratly and Parcel Islands, as well as Macclesfield Bank. Additional claimants to the Spratlys are Taiwan, Malaysia and Brunei.³⁰

According to experts, until this spring it appeared that China had decided to approach these conflicts cooperatively.³¹ In the previous year, bilateral relations between China and members of the Association of Southeast Asian Nations (ASEAN, which includes the Philippines and Vietnam but not Japan or China) had improved. It seemed that China was trying to cultivate a more positive image in East Asia and weaken the rationale for an greater U.S. presence. China also seemed to realize that forceful actions would harm economic growth and relations with its trading partners and allies.³² In November 2011, before the East Asian Summit (attended by ASEAN countries as well as China, Japan, South Korea, and others), China announced that it would establish a \$476 million fund for ASEAN-China maritime cooperation on scientific research, environmental protection, freedom of navigation, search and rescue, and transnational crime.

China’s approach apparently changed in response to the more aggressive approach of countries in the region – the Philippines’ February 2012 invitation to energy companies to explore near the Scarborough Shoal, Vietnam’s June 2012 claim of sovereignty over the Spratly and Parcel islands, and Japan’s July 2012 decision to purchase the Senkaku-Diaoyu islands.

In July, the International Crisis Group (ICG) warned that the disputes in the South China Sea “have become so intense [that] the prospect of open conflict is becoming more likely... All of the trends are in the wrong direction, and prospects of resolution are diminishing.”³³ According to the ICG,

All claimants are expanding their military and law enforcement capabilities, while growing nationalism at home is empowering hardliners pushing for a tougher stance on territorial claims. In addition, claimants are pursuing divergent resolution mechanisms; Beijing insists on resolving the disputes bilaterally, while Vietnam and the Philippines are actively engaging the U.S. and ...ASEAN. To counter diminishing prospects of resolution of the conflicts, the countries should strengthen efforts to promote joint development of hydrocarbon and fish resources and adopt a binding code of conduct for all parties.³⁴

In August 2012, the ICG issued a similar warning on the conflict between Japan and China over the Senkaku-Diaoyu islands. ICG researcher Stephanie Kleine-Ahlbrandt says that the roots of this conflict go back to 2010, “when China eclipsed Japan to become the world’s second-largest economy” and “a Chinese fishing boat rammed Japanese coastguard patrols.” According to her:

²⁹ Jane Perlez, “China Sends Troops to Disputed Islands,” *New York Times*, 23 July 2012, <http://www.nytimes.com/2012/07/24/world/asia/china-sends-troops-to-disputed-islands.html>

³⁰ Simone Orendain, “Asian Nations Meet on Island Disputes,” VOA [Voice of America], 5 October 2012, <http://www.voanews.com/content/article/1520888.html>

³¹ Perlez, “China Sends Troops to Disputed Islands.”

³² Fravel, “All Quiet in the South China Sea, Why China is Playing Nice (For Now).”

³³ Jane Perlez, “Nations at Impasse Over South China Sea, Group Warns,” *New York Times*, 24 July 2012, <http://www.nytimes.com/2012/07/25/world/asia/nations-at-impasse-over-south-china-sea-group-warns.html>

³⁴ International Crisis Group, “Stirring up the South China Sea (II): Regional Responses,” Asia Report No. 0229, 24 July 2012, <http://www.crisisgroup.org/en/regions/asia/north-east-asia/china/229-stirring-up-the-south-china-sea-ii-regional-responses.aspx>

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Nationalism makes sovereignty in the East China Sea a highly explosive issue, much more so than the South China Sea... Due to the link with atrocities committed during the Japanese invasion, sentiments over the status of the Diaoyu/Senkaku islands run deeper in the Chinese psyche than any other territorial dispute in modern Chinese history. Japan, on the other hand, feels threatened by China's rise, and fears that its territorial sovereignty might be eroded. Therefore, incidents surrounding these islands strike directly at historical wounds, stirring national pride and constricting the already narrow space for diplomatic manoeuvre.³⁵

Additional island- and resource-related conflicts in Asia and the Pacific include a conflict between South Korea and Japan over the Dokdo/Takeshima Islands,³⁶ and a conflict between Russia and Japan over the Kurile islands.³⁷ Like the Senkaku/Diaoyu dispute, both of these conflicts go back to World War II, to when Japan conquered and controlled Korea (1905-1945), most of China (1931-1945), and much of the Asia-Pacific.³⁸

In response to US offers to mediate these disputes as a whole instead of leaving each state to negotiate with China,³⁹ China has said that “the United States is not a claimant state to the dispute...So it is better for the United States to leave the dispute to be sorted out between the claimant states.”⁴⁰ According to geostrategic analyst Robert Kaplan, China is motivated by “a historic belief that is very similar to that which motivated the United States in the Caribbean basin throughout much of the 19th and 20th centuries.”⁴¹

The countries of the region have also had disputes among themselves and with countries from other regions about navigation rights. In particular, China, Indonesia, and Vietnam have complained about US military patrols in their territorial waters.⁴²

In October 2012, the ASEAN countries met with met in the Philippines with China, Japan, South Korea, India, the US, Australia, New Zealand, and Russia. The meeting was scheduled last year, before the conflicts erupted. It accomplished little other than providing a forum for each country to state its position.⁴³

³⁵ Stephanie Kleine-Ahlbrandt, “China and Japan's Simmering Island Row is Threatening to Boil Over,” *Guardian* [UK], 20 Aug 2012, <http://www.crisisgroup.org/en/regions/asia/north-east-asia/china/kleine-ahlbrandt-china-and-japans-simmering-island-row-is-threatening-to-boil-over.aspx>

³⁶ Peter Beck, “East Asia's Troubled Waters,” YaleGlobal Online, 27 Apr 2006, <http://www.crisisgroup.org/en/regions/asia/north-east-asia/east-asias-troubled-waters.aspx>

³⁷ “Territorial Disputes Involving Japan.”

³⁸ Mark McDonald, “East Asia's Sea Disputes: Scar Tissue from War Wounds,” *International Herald Tribune*, 16 August 2012, <http://rendezvous.blogs.nytimes.com/2012/08/16/east-asias-sea-disputes-scar-tissue-from-war-wounds/>

³⁹ Myers and Perlez, “No Movement on Major Disputes as Clinton Meets with Chinese Leaders.”

⁴⁰ Wong, “Beijing Warns U.S. About South China Sea Disputes.”

⁴¹ Neuman, “Little Islands Are Big Trouble in The South China Sea.”

⁴² England, “Who's right in South China Sea spat?”

⁴³ Orendain, “Asian Nations Meet on Island Disputes.”

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Previous Committee Work on This Topic

In 1947, the General Assembly created the United Nations Economic and Social Commission for Asia and the Pacific (ESCAP). ESCAP promotes regional cooperation on development and other issues.⁴⁴

In 1967, the Association of Southeast Asian Nations (ASEAN) was established by Indonesia, Malaysia, the Philippines, Singapore, and Thailand. Since then, its membership has grown to include Brunei, Cambodia, Laos, Myanmar, and Vietnam.⁴⁵ ASEAN aims to “accelerate the economic growth, social progress, and cultural development in the region through joint endeavors in the spirit of equality and partnership in order to strengthen the foundation for a prosperous and peaceful community of Southeast Asian nations.”⁴⁶

In 1982, the GA endorsed UNCLOS (the United Nations Convention on the Law of the Seas). The treaty covers navigation rights, territorial sea limits, economic jurisdiction, legal status of resources on the seabed beyond the limits of national jurisdiction, passage of ships through narrow straits, conservation and management of living marine resources, protection of the marine environment, a marine research regime, and a binding procedure for settlement of disputes between states.⁴⁷ As of October 2012, 163 states have ratified the treaty. Among the states that have not ratified are Iran, North Korea, and the US.⁴⁸

In 2002, China and the ASEAN countries signed the Declaration of the Conduct of Parties in the South China Sea (DOC). The DOC aims to promote the freedom of navigation in the South China Sea, resolve territorial disputes by peaceful means in accordance with international law, and refrain from action on islands that are currently uninhabited.⁴⁹

In Resolution 63/111 (2008), GA established the Commission on the Limits of the Continental Shelf (CLCS). The functions of the Commission are to “facilitate the implementation of the United Nations Convention on the Law of the Sea in respect of the establishment of the outer limits of the continental shelf beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured.” According to Article 76 of the Convention, the CLCS shall make recommendations to coastal states on matters related to the establishment of the outer limits of their continental shelf. These recommendations are to be final and binding.⁵⁰

⁴⁴ United Nations Economic and Social Commission for Asia and the Pacific (ESCAP), “General Description,” <http://www.unescap.org/about/index.asp>, accessed 6 June 2012.

⁴⁵ Association of Southeast Asian Nations (ASEAN), http://www.aseansec.org/about_ASEAN.html, accessed 6 June 2012.

⁴⁶ Association of Southeast Asian Nations (ASEAN)

⁴⁷ Oceans and Law of the Sea, “The United Nations Convention on the Law of the Sea, A Historical Perspective,” available at http://www.un.org/Depts/los/convention_agreements/convention_historical_perspective.htm#Historical_Perspective, accessed 6 June 2012.

⁴⁸ United Nations Treaty Collection, “UN Convention on the Law of the Sea,” status of ratifications, accessed 10 October 2012, http://treaties.un.org/Pages/ViewDetailsIII.aspx?src=TREATY&mtdsg_no=XXI~6&chapter=21&Temp=mtdsg3&lang=en See also Thomas Wright, “Outlaw of the Sea: The Senate Republicans’ UNCLOS Blunder,” Foreign Affairs, 7 August 2012, <http://www.foreignaffairs.com/articles/137815/thomas-wright/outlaw-of-the-sea>

⁴⁹ Association of Southeast Asian Nations (ASEAN), “Declaration of the Conduct of Parties in the South China Sea (DOC),” 2002, <http://www.aseansec.org/13163.htm>

⁵⁰ Commission on the Limits of the Continental Shelf, “Purpose, Functions, and Sessions,” http://www.un.org/Depts/los/clcs_new/commission_purpose.htm#Purpose, accessed 6 June 2012.

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Each year, the GA passes resolutions regarding Oceans and the Laws of the Seas. The most recent resolution, A/RES/66/231 (2011), emphasizes capacity building, meetings of state parties, and peaceful settlement of disputes.⁵¹

In December 2011, before the conflicts in the South and East China Seas had escalated, the GA passed resolutions reinvigorating UN Regional Centres for Peace and Disarmament established in 1987. These resolutions were initiated by the GA-1. The resolution related to Asia and the Pacific was A/RES/66/56.⁵² The regional center involves 43 countries.⁵³

Conclusion

Emerging conflicts in the South and East China Seas threaten international, national, and human security. What can the GA-1 do to encourage peaceful resolution of these conflicts?

In researching your country's position on this issue, consider the following questions:

- Is your country in the Asian and Pacific Region? If so, what are its security concerns, and what is its perspective on these conflicts? What is its level of development, and how does this affect national and human security in the country? How are other countries helping or hindering its progress?
- If your country is not a member of the region, what are its security concerns, and what is its perspective on these conflicts? Has it historically contributed to or detracted from security, development, and human rights in the region? What allies, trading partners, and other interests does your country currently have in the region, and what has it done to protect them?
- Is your country a party to UNCLOS? Has it had disputes similar to these?
- Which aspects of the conflicts are most pressing, and how should they be addressed?
- How can your country in particular and the UN in general contribute to the resolution of these conflicts? In particular, should the GA endorse a particular definition of "legitimate" possession of territory based on current or historical possession? Should the GA endorse efforts to mediate the conflicts? If so, which states or international organizations should take the lead?

Recommended Reading

Association of Southeast Asian Nations (ASEAN), http://www.aseansec.org/about_ASEAN.html.

This website provides access to information about ASEAN countries and agreements with various countries, including the 2002 agreement with China, the "Declaration on the Conduct of Parties in the South China Sea," <http://www.aseansec.org/13163.htm>. For other international organizations that could mediate the conflict, see footnotes 69 and 83 above, as well as the discussion about UNCLOS dispute resolution.

⁵¹ United Nations General Assembly Resolution 66/231 (2011), available at <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N11/472/68/PDF/N1147268.pdf?OpenElement>

⁵² UN General Assembly, "Resolutions, 66th session," <http://www.un.org/en/ga/66/resolutions.shtml>, search on the word "Asia."

⁵³ UN Office for Disarmament Affairs, "United Nations Regional Centre for Peace and Disarmament for Asia and the Pacific," accessed 10 October 2012, <http://www.un.org/disarmament/disarmsec/rcpd/index.shtml>

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International Crisis Group. "Stirring up the South China Sea (II): Regional Responses." Asia Report No. 0229. 24 July 2012. Available at <http://www.crisisgroup.org/en/regions/asia/north-east-asia/china/229-stirring-up-the-south-china-sea-ii-regional-responses.aspx>

The International Crisis Group (ICG) is an independent think tank that has several experts working on this issue. In this report, the ICG assesses the extent and causes of the conflict in the South China Sea and offers solutions. It is a good source for resolution ideas. For reports on the conflicts in the East China Sea between China and Japan and between South Korea and Japan, as well as in the Pacific between Japan and Russia, search the site for country or island names.

Kaplan, Robert. "The South China Sea is the Future of Conflict." *Foreign Policy*. Sept/Oct 2011. Available at http://www.foreignpolicy.com/articles/2011/08/15/the_south_china_sea_is_the_future_of_conflict?

This article provides in-depth historical background on the situation in the South and East China Seas, as well as on other conflicts such as the one between Japan and Russia over the Kurile Islands. For additional historical sources, see footnotes 34 and 35.

Lianke, Yan. "Words to Soothe Asia's Tensions." *New York Times*. 5 October 2012. Available at <http://www.nytimes.com/2012/10/06/opinion/yan-lianke-words-to-soothe-asias-tensions.html?ref=territorialdisputes>

In this opinion piece, Chinese novelist Yan Lianke discusses the possibility of using Asian culture to overcome Asian conflicts.

Lind, Jennifer. "Between Giants: South Korea and the U.S.-China Rivalry." *Atlantic*. 19 July 2012. Available at <http://www.theatlantic.com/international/archive/2012/07/between-giants-south-korea-and-the-us-china-rivalry/260060/>

In this article, political scientist Jennifer Lind discusses the US "pivot" to Asia and explains why it worries South Korea, which long been a US ally.

McDonald, Mark. "How to Settle the Fight over Some Guano-Covered Rocks." *International Herald Tribune*. 23 September 2012. Available at <http://rendezvous.blogs.nytimes.com/2012/09/23/how-to-settle-the-fight-over-some-guano-covered-rocks/>

According to the author of this article, nationalism and identity are the root causes of these conflicts. He discusses a number of relevant international organizations and suggests they could mediate to establish a neutral zone that would be owned by no nation and excluded from economic exploitation. See also his article in footnote 60.

"Times Topic: China's Territorial Disputes." *New York Times*. <http://topics.nytimes.com/top/news/international/countriesandterritories/china/territorial-disputes/index.html>

This site provides access to the latest news on China's conflicts with its neighbors. The *Times* has similar sites for other countries. Search on country or island names.

United Nations Convention on the Law of the Sea (UNCLOS III). 1982. Available at http://www.un.org/Depts/los/convention_agreements/convention_overview_convention.htm

This site provides access to the text of UNCLOS III, as well as historical timelines. To find out whether your country has ratified the treaty, see the sources in footnote 77.