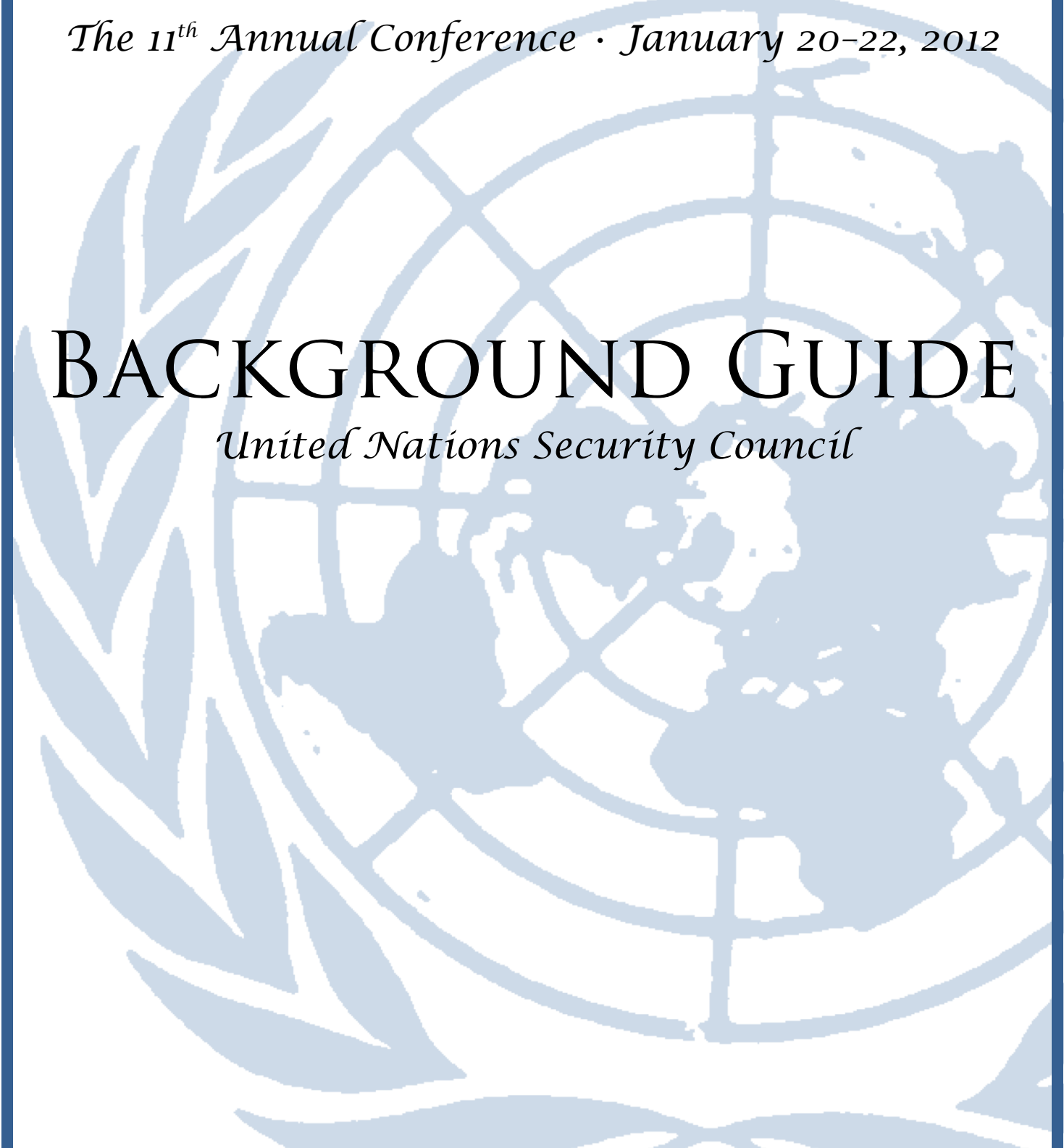


VANCOUVER MODEL UNITED NATIONS

The 11th Annual Conference · January 20-22, 2012

BACKGROUND GUIDE

United Nations Security Council





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The 11th Annual Conference · January 20-22, 2012

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Dear Delegates,

My name is Eric and it is my pleasure to welcome to you to the United Nations Security Council at VMUN 2012. I am currently a senior at St. George's School, and I have a deep-seated interest in international affairs. This will be my 5th VMUN conference, and I am very excited to serve as your director.

Members of the Security Council, the most powerful organ of the United Nations, are expected to have significant experience in public speaking, debating, and Model UN, and to be well versed in the foreign policy of their nations. Delegates should note that while diplomacy, negotiation, and flexibility are certainly important, they should always strive to adhere to the policies of their states. I suggest that, as part of their preparation, delegates pay close attention to international affairs and events in the weeks and months leading up to the conference.

The two topics that have been selected for consideration during the committee sessions are both important, pressing, and intriguing issues that confront the world today. South Sudan's recent split from Sudan marks a watershed in the conflict-filled history of the region and is cause for optimism; however, much work remains to be done, and many issues to be resolved, lest South Sudan become a failed state. The demarcation of maritime borders is also an issue of rising importance; increasingly, countries are jockeying for control over the seas out of a desire to protect national sovereignty, enlarge their territories and international influence, and bolster their claims to the considerable resources that lie in the waters. Without proactive measures, these often-aggressive and overlapping claims could lead to international conflict.

Please feel free to contact me if you have any questions or concerns. I look forward to reading your positions papers and meeting you at the conference, and I wish you the best of luck in your preparations!

Regards,

Eric Liu
Director, United Nations Security Council
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Topic B: Maritime Territorial Disputes

Introduction

Even today, the seas play an important role in the functioning of the world and control of the seas remains a relevant issue. Ships remain a vital form of transportation (over 90% of commercial goods are shipped this way)¹ and vast arrays of valuable natural resources have been discovered in the seabeds. The principal document regulating maritime activities is the United Nations Convention on the Law of the Sea (UNCLOS), a document created in the late 20th century in response to increased interest in the seas following the discoveries of aforementioned resources. While a major step forward at the time, this convention, signed nearly thirty years ago, is rather equivocal and many of its flaws have since been exposed; succeeding attempts to correct the document's oversights have resulted in an unwieldy patchwork of documents. Consequently, many problems have arisen that cannot be effectively dealt with under UNCLOS, including the demarcation of boundary lines and jurisdiction over the seas. As these unresolved disputes could easily escalate into violent conflict, the Security Council, keeping in mind its mandate to "[maintain] international peace and security,"² must strive to find a solution that will resolve these issues in a timely fashion.

Timeline

1956 — The first conference on the law of the sea (UNCLOS I) is held.

1960 — UNCLOS II is held. However, smaller nations have little input into the proceedings, and no new agreements result.

1967 — A remarkable speech by Arvid Pardo, a representative from the Republic of Malta, inspires the UN General Assembly to pass Resolution 2749, which affirms that the seabed is the "common heritage of mankind" (it was later modified to exclude areas under national jurisdiction, as dictated by UNCLOS).

1976 — A Philippine company discovers oil in the South China Sea, which leads to increased interest in the sea by all surrounding nations.

1982 — After close to a decade of negotiations, UNCLOS III concludes with several new agreements regulating territorial jurisdiction, environmental conservation, navigational rights, and conflict resolution.³

1999 — A major conflict between North and South Korea breaks out in the disputed Yellow Sea. The incident marks the first in a string of intermittent but deadly clashes.

2002 — A non-binding agreement is signed between China and the Association of Southeastern Asian Nations (ASEAN). The agreement, entitled "Declaration on the Conduct of Parties in the South China

¹ Ticy V. Thomas, "The Proliferation Security Initiative: Towards Relegation of Navigational Freedoms in UNCLOS? An Indian Perspective," *Chinese Journal of International Law* 8.3 (2009): 657–680.

² United Nations, *Charter of the United Nations and the Statute of the International Court of Justice* (San Francisco, 1945).

³ Division for Ocean Affairs and the Law of the Sea, "The United Nations Convention on the Law of the Sea (A historical perspective)," 1998, *United Nations*, 31 July 2011 <http://www.un.org/Depts/los/convention_agreements/convention_historical_perspective.htm>.

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Sea,” delineates some basic principles, including a commitment (on paper, at least) to preserve freedom of navigation and to “exercise self-restraint in the conduct of activities.”⁴

2007 — Two bilateral treaties are signed between Cyprus and Israel and Cyprus and Lebanon surrounding sovereignty in the Mediterranean Sea. However, the boundary lines in the two treaties contradict one another, and tensions between Israel and Lebanon escalate.

2008 — The Security Council approves Resolution 1816, which, unprecedentedly, allows foreign nations to operate in Somalia’s territorial waters to combat piracy. It is the first instance where the Council has treated maritime crimes, such as piracy, as a threat to international peace and has allowed foreign intervention in sovereign waters.

2010 — The US deploys the *USS George Washington*, an aircraft carrier, to the Yellow Sea and conducts joint naval exercises with South Korea; the actions are intended to discourage North Korea from further acts of aggression.

2011 — The situation in the South China Sea intensifies as nations begin to pursue their claims more aggressively. Two of the most significant developments are the commencement of joint US-Vietnam naval exercises and the completion of China’s first aircraft carrier.

Historical Analysis

Around the 16th century, as many future imperial powers began to expand their territories and attempted to control profitable trading routes, the issue of control of the seas was first raised. At the time, there were two predominant opposing theories. Some powerful nations, like Spain and Portugal, claimed immense areas of oceans as their own, arguing that nations should be able to possess parts of the ocean just like they could with land. Others, whose livelihoods were based heavily on trading, like the Dutch, advocated freedom of the seas (which gave birth to the eponymous theory), and posited that the oceans belonged to no one in particular. Unsurprisingly, the impractical nature of enforcing the grandiose claims made by the former led to the triumph of the latter’s ideas. From that point onwards, it was generally accepted that, save for a small area off the shoreline of coastal nations, the seas were open to all.⁵ During this time, the concept of “innocent passage” also arose; vessels were free to pass through another nation’s waters so long as they did not harm or otherwise disturb that nation.

Starting from the 20th century, however, these simple principles would give way to a complex and intricate series of laws, necessitated by the discovery of resources like oil, increased maritime traffic, and an increasingly-militant world. These developments marked a paradigm shift; whereas previously the seas were used mostly for transportation and thus could be shared, now, the seas were viewed as a potential source of revenue and an important part of a country, and therefore could not be easily shared. Many nations declared an exclusive right to resources within their territorial waters, and these arbitrary and unregulated claims made navigating the seas quite chaotic. There were no set standards as to the amount of maritime territory a nation was entitled to; consequently, territorial claims varied from three miles extending from the shore to over twelve. Furthermore, as these claims often encompassed entire straits,

⁴ Association of Southeast Asian Nations & People's Republic of China, “Declaration on the Conduct of Parties in the South China Sea,” 2002, [The Association of Southeast Asian Nations](http://www.aseansec.org/13163.htm), 14 August 2011 <<http://www.aseansec.org/13163.htm>>.

⁵ Scott G. Borgerson, [The National Interest and the Law of the Sea](#), Council Special Report No. 46 (New York: Council on Foreign Relations, 2009).

movement was severely curtailed: routes that were previously open to all became territorial, forcing vessels to go out of their way to respect international laws surrounding navigation in private waters.

To remedy these issues, international conferences aimed at regulating the seas were held. These efforts culminated in UNCLOS, completed in 1982, a comprehensive document that addressed an exceptional number of issues, including environmental regulations relevant to the topic and the establishment of standard territorial zones, which protected states' rights to resources off their shores but also preserved freedom of navigation.

Current Situation

Currently, the conflict concerning the seas focuses on the establishment of maritime boundaries, and the rights of nations within those boundaries. These problems, mundane as they might seem, are "flash points for militarized confrontation... between states that normally avoid... conflict."⁶ While UNCLOS does address these issues, the convention is severely limited by its age, complexity, and intentional vagueness (as to adopt a moderate stance).⁷

Firstly, regarding territorial claims: in many areas of the world, neighbouring nations' maritime claims overlap. The problem is compounded by disagreements in how baselines are drawn and the criteria used to assess claims. Examples of disputed territories include the following:

- South China Sea (China, Taiwan, Philippines, Vietnam, Malaysia, Brunei): Although the area has always been valuable as a frequently-used shipping lane, interest was minimal until the 1970s, when explorations revealed significant amounts of oil (it is estimated that there are in the neighborhood of 200 billion barrels, making the Sea the largest reserve outside the Middle East).⁸ Surrounding nations, presumably attempting to cash in on this discovery, claimed parts of the Sea. However, depending on the criteria used to assess claims, all of the nations have legitimate entitlements to EEZs; China, Vietnam, and Taiwan, for example, claim the region on the basis of historical use, while Brunei, Malaysia, and the Philippines' claims are based upon geography.⁹ Furthermore, since the region is largely uninhabitable and UNCLOS stipulates that an EEZ can only be formed in areas where life is possible, it would be difficult, in any event, to determine the size of the exclusive economic zone. As a result of this gridlock, many of the countries, while operating under the pretense of seeking solutions through peaceful negotiation, have taken steps to prepare for a military conflict and have acted antagonistically: China has not hesitated to make its neighbors aware of its impressive naval capabilities (it recently debuted its first aircraft carrier and expressed intentions to build

⁶ Stephen C. Nemeth, et al., "UNCLOS and the Management of Maritime Conflicts," University of Iowa & Florida State University, 2008.

⁷ Gudmundur Eiriksson, "The Third United Nations Conference on the Law of the Sea — an Assessment," *Columbia Journal of World Business* (1975): 15–19.

⁸ Scott Snyder, *The South China Sea Dispute: Prospects for Preventive Diplomacy*, United States Institute of Peace (Washington, D.C.: United States Institute of Peace, 1996).

⁹ Xavier Furtado, "International Law and the Dispute over the Spratly Islands: Whither UNCLOS?," *Contemporary Southeast Asia* 21.3 (1999): 386–404.

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more)¹⁰, the Philippines have reasserted their claims through legislation and have removed Chinese buoys from the disputed region, Vietnam has conducted live-fire drills and its government has condoned anti-China protests, and so on.^{11 12}

- Yellow Sea (Democratic People's Republic of Korea and the Republic of Korea): Although the Korean War Armistice of 1953 set a boundary in the Yellow Sea, the region remains disputed because the DPRK has continually refused to accept that stipulation.¹³ Both sides have a clear interest in the region: the area is very close to South Korean ports, but is also a fertile fishing ground that could tremendously aid the floundering North Korean economy. The dispute has recently been quite violent, with multiple fatal encounters between the two belligerents; recently, the North, allegedly, sank a South Korean warship, killing 46 sailors, and the two nations engaged near Yeonpyeong Island. While the violence remains sporadic, South Korea has indicated that its patience with its northern neighbor has been exhausted and that it will "respond more forcefully [to attacks] in the future."¹⁴
- Mediterranean Sea (Israel and Lebanon): Vast amounts of oil have been discovered off the coasts of Israel and Lebanon. Since neither country currently has any significant oil reserves, control of the region is extremely valuable.¹⁵ The parties have asked the United Nations to assist, but bilateral negotiations, which will likely be necessary for a permanent solution, have stalled. In addition, since the countries have also yet to agree on a land border, determining the maritime line of demarcation is very difficult.¹⁶ Both nations have publicly stated they do not wish to have conflict, but actions like Israel's deployment of drones to watch over the area have militant overtones.¹⁷
- Arctic Ocean (Russia, US, Canada, Norway, Denmark): Claims to the Arctic mostly revolve around natural resources. While the Arctic has been known to contain large amounts of oil and gas (a recent US Geological Survey suggested around 83 billion barrels of oil and 44 trillion cubic metres of natural gas), climate change, and the resulting melting ice, has made these resources easily accessible for the first time.¹⁸ In addition to a desire to reap the benefits

¹⁰ Chris Buckley, "China's first aircraft carrier makes maiden sea trial," 9 August 2011, *Reuters*, ed. Daniel Magnowski and Sanjeev Miglani, 9 August 2011 <<http://www.reuters.com/article/2011/08/10/us-china-military-carrier-idUSTRE77900D20110810>>.

¹¹ Agence France-Presse, "Vietnam slams China sea survey in disputed area," 9 August 2011, *Yahoo! News*, 9 August 2011 <<http://news.yahoo.com/vietnam-slams-china-sea-survey-disputed-area-061338683.html>>.

¹² Joseph Santolan, "South China Sea disputes heighten danger of conflict," 15 June 2011, *World Socialist Website*, 9 August 2011 <<http://www.wsws.org/articles/2011/jun2011/scse-j15.shtml>>.

¹³ International Crisis Group, "North Korea: The Risks of War in the Yellow Sea," 23 December 2010, *International Crisis Group*, 14 August 2011 <<http://www.crisisgroup.org/en/regions/asia/north-east-asia/north-korea/198-north-korea-the-risks-of-war-in-the-yellow-sea.aspx>>.

¹⁴ BBC, "North Korea disputes Seoul's border shelling claim," 10 August 2011, *BBC News*, 10 August 2011 <<http://www.bbc.co.uk/news/world-asia-pacific-14486244>>.

¹⁵ Nicholas Blanford, "The Next Big Lebanon-Israel Flare-Up: Gas," 6 April 2011, *Time*, 14 August 2011 <<http://www.time.com/time/world/article/0,8599,2061187,00.html>>.

¹⁶ Yolande Knell, "Israel-Lebanon sea border dispute looms over gas fields," 11 July 2011, *BBC News*, 14 August 2011 <<http://www.bbc.co.uk/news/world-middle-east-14104695>>.

¹⁷ Agence France-Presse, "Israel Deploys Drones Over Gas Fields: Report," 9 August 2011, *Defense News*, 9 August 2011 <<http://www.defensenews.com/story.php?i=7346091&c=MID&s=AIR>>.

¹⁸ Michael Byers, *Who owns the Arctic?: Understanding Sovereignty Disputes in the North* (Vancouver: Douglas & McIntyre Publishers Inc., 2009).

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of the oil and gas, claimants may also see the Arctic as a strategic trading route in the future and wish to establish control. However, ownership of the Arctic is quite uncertain; for example, Canada's early claim to the Northwest Passage may be challenged by other nations on the grounds that the Passage should be an international shipping route. As well, the US has not ratified UNCLOS, making it difficult to apply any sort of standard to the dispute.

Furthermore, UNCLOS allows countries with disputes to select their means of resolving the issue from a myriad of choices, including, among others, the International Tribunal for the Law of the Sea (ITLOS), the International Court of Justice (ICJ), special tribunals, and direct bilateral talks. The immense number of choices can bog down the conflict-resolution process. With so many different options, no one body has exclusive jurisdiction over the laws of the sea, and there is no consensus on the organization that should deal with conflicts; despite the formation of ITLOS specifically for this purpose, only 13 of the 47 states that have selected a preferred method of resolution have indicated ITLOS as their first choice.¹⁹

Secondly, there is the question of who has power where. One issue surrounds the concept of "innocent passage," a vague concept that is intended to be a pragmatic balance between respecting the territory of the state and enabling peaceful vessels to pass through freely and easily. In territorial waters, the stretch directly bordering a state, it is assumed that the state has absolute sovereignty, yet all nations have the right of innocent passage. The disagreement lies in semantics, or more precisely, the definition of the term "innocent." The current definition is any vessel that does not pose a threat to security, which technically can include warships and other military vessels, a troubling thought to some nations. While most nations adhere to the strict definition provided by UNCLOS, that any peaceful ship has the right of passage, regardless of type, armament, and cargo, some developing countries, led by China, argue that military ships must first request permission. Other issues include permissible activities in the EEZ, the ability of other nations to enter sovereign waters to combat crime, and criminal jurisdiction.

Thirdly, there is the concern that overregulation will eliminate many longstanding rights surrounding the use of the seas. The right of innocent passage, which allows ships to pass through another country's territorial waters, is one such example: giving nations greater control over their maritime waters seems incompatible with the notion of freely-navigable seas. Similar concerns surround the freedom of the high seas, which include the rights to lay cables and traverse both on the water and in the skies above a nation's EEZ, and the more-controversial right of visit (the ability to board ships suspected of illegal activities like piracy).

Alarmingly, it appears that discussion of such issues can no longer be further delayed. As developing states acquire more weaponry and nationalism continues to spread, these crises will only worsen; therefore, not only is an ephemeral solution inadequate, the time left to achieve a diplomatic solution is dwindling.²⁰ With these developments in mind, the Council must strive to reach a resolution in a timely fashion.

¹⁹ Keyuan Zou, "The International Tribunal for the Law of the Sea: Procedures, Practices, and Asian States," *Ocean Development & International Law* 41 (2010): 131—151.

²⁰ Scott Snyder, *The South China Sea Dispute: Prospects for Preventive Diplomacy*, United States Institute of Peace (Washington, D.C.: United States Institute of Peace, 1996).

UN Involvement

As the issue of maritime security and safety necessarily requires international agreement, the United Nations is, expectedly, a significant actor in the regulation of the seas. In a recent presentation on the occasion of the 25th anniversary of UNCLOS (it was delivered in 2007), the UN identified the primary threats to maritime security as “use of force against the sovereignty, territorial integrity or political independence of a State,” acts of terrorism, piracy & armed robbery, transnational organized crime, and resource & environmental threats;²¹ while the Council will primarily deal with the first issue, nations should keep in mind the other problems as well, as they are all intertwined.

The United Nations Convention on the Law of the Sea is currently the cornerstone of “contemporary international law governing activities related to and in the oceans.”²² Since its signing in 1982, it has been ratified by 162 parties; notably, 16 nations have not signed, and a further 18, including the Democratic People’s Republic of Korea and the United States, have signed but not ratified.

The Convention follows the principles listed in the UN Charter, specifically Articles 1, 2, and 3, which discuss the preclusion of conflict, the advancement of the global economy and society, and the development and maintenance of international law. Of particular relevance to this topic are the following provisions:

- It is vital that nations cooperate with each other,
- Matters regarding maritime use are often interrelated and thus resolving such issues requires the examination of the seas as a whole, and
- The seas should be used in a manner that is beneficial to society and does not harm the environment and is deferential to the controlling state, if applicable.

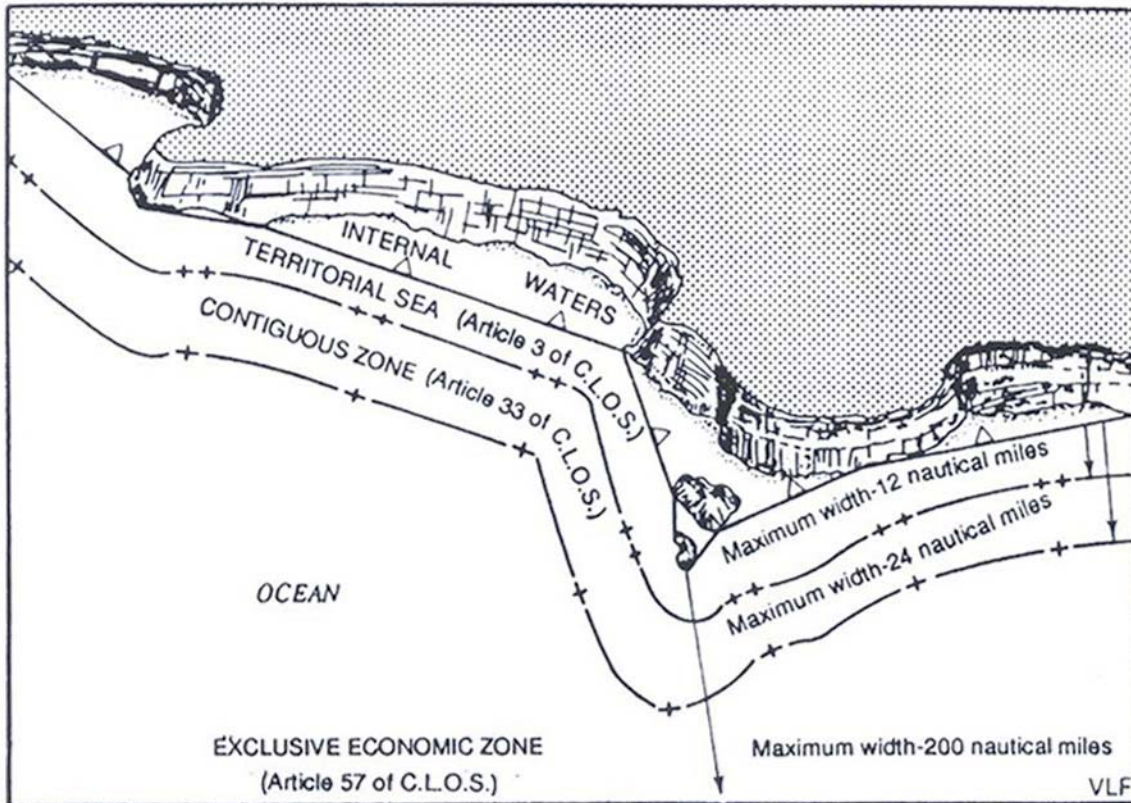
Further, under the convention, the seas are divided into four main categories (note that all distances are measured from the baseline, which is either the low-water line, or in circumstances where the coastline is highly uneven, an equivalent straight line):

1. Internal Waters — The area between land and the baseline; the state has complete control over the region, and innocent passage does not apply
2. Territorial Waters — The area twelve nautical miles (1 nautical mile is 1,852 metres) out from the baseline; the state has complete control, but innocent passage does apply
3. Contiguous Zone — The area twelve nautical miles out from the territorial water outer boundary; the state may regulate only pollution, taxation, customs, and immigration
4. Exclusive Economic Zone — An area extending up to 200 nautical miles from the baseline; the state has exclusive access to the resources in the region, but beyond resource exploitation and explicitly-militant actions, foreign nations are free to use the region²³

²¹ Michele Ameri and Michael Shewchuk, Maritime Security and Safety (17 October 2007).

²² Keyuan Zou, Law of the Sea Issues Between the United States and East Asian States, University of Central Lancashire (Lancashire: Taylor & Francis Group, LLC, 2008).

²³ Jerome A. Cohen and Jon M. Van Dyke, “China’s EEZ: A US-China Danger Zone,” 7 December 2010, US Asia Law Institute, 14 August 2011 <<http://www.usasialaw.org/?p=4667>>.



In addition, the United Nations has also been responsible for a smattering of other treaties expanding on UNCLOS, including conventions against maritime drug trafficking, transport of weapons of mass destruction, and resource security.

Possible Solutions & Controversies

While UNCLOS and succeeding treaties certainly valiantly attempted to establish a standard law of the sea, there are several problems that need to be resolved.

Resolution of Territorial Conflicts

Despite the framework provided by UNCLOS, many states are viewing international intervention in territorial disputes as a last resort. For example, only after multiple signs of escalating tension in the South China Sea did claimants file for arbitration; up to that point, negotiations had been held internally, facilitated by ASEAN, a regional organization.²⁴ Similarly, the five claimants to the Arctic Ocean signed the Illulissat Declaration in 2008, which looks unfavorably upon any international interference in the dispute.²⁵ Talks can further be delayed, in certain circumstances, if one of the nations refuses to accept arbitration. The inefficiency in the status quo is concerning and should be dealt with; the Council will need to consider whether it wishes to encourage nations to use more actively the conflict resolution

²⁴ Mustaqim Adamrah, "UN steps into border row as doubts cloud ASEAN role," 2 February 2011, [The Jakarta Post](http://www.thejakartapost.com/news/2011/02/11/un-steps-border-row-doubts-cloud-asean-role.html), 14 August 2011 <<http://www.thejakartapost.com/news/2011/02/11/un-steps-border-row-doubts-cloud-asean-role.html>>.

²⁵ Canwest News Service, "Conference could mark start of Arctic power struggle," 28 May 2008, [canada.com](http://www.canada.com/topics/news/world/story.html?id=d0135cd8-c15a-48a3-9579-0df5f8e185c1), 8 August 2011 <<http://www.canada.com/topics/news/world/story.html?id=d0135cd8-c15a-48a3-9579-0df5f8e185c1>>.

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processes described in UNCLOS, or whether to provide for more freedom and accept alternative resolutions like regional forum discussions. While the larger states, like China, generally prefer bilateral talks, smaller states are reluctant to acquiesce due to fears of being intimidated or overpowered, and prefer multinational conferences instead. Faced with the three options of adopting a deferential stance and hoping that bilateral talks work out, condoning aggressive outside interference (e.g. the American presence in the South China Sea), and forcing nations to face international arbitration, the Council must now pick its poison.

Jurisdiction in Sovereign Waters

A very controversial issue is the jurisdiction of a country in its Exclusive Economic Zone (EEZ). While, as the name suggests, the country that controls the EEZ has exclusive rights to use the resources in the region, the limitations on uses of the area by foreign nations are rather vague. For instance, military activities are prohibited, but many maneuvers fall into a “grey zone.” Some countries claim activities like hydrographic surveying and other forms of marine research should be allowed; the United States has even stated that procedures involving military equipment (e.g. aerial reconnaissance) should be considered legal if no threat is posed to the state. On the other hand, many developing nations insist that all of these activities are illegal without prior permission; many also refuse to grant military aircraft the right of overflight.²⁶ The wide gap between the two opinions must be reconciled to prevent future misunderstandings.

Related to this issue is the problem of combating crime within a nation’s territorial waters. This presents a dichotomy: under UNCLOS, foreign nations could not intervene and it would be up to the state to address illegal activities, but these activities (e.g. transnational smuggling, piracy) will often have global effects, obliging the international community to take action. While most governments seem to be open to exemptions to UNCLOS for the purpose of preventing such activities — Resolution 1816, which allows foreign vessels to enter Somalia’s waters to fight piracy, was unanimously adopted by the Security Council, and the Proliferation Security Initiative, which allows states to operate in other nations’ waters to prevent transport of weapons of mass destruction, has the support of 98 countries — some powerful nations, such as India and China, have strongly opposed such a measure (indeed, China agreed to Res. 1816 only after assurances that the move had the support of the Somali government).²⁷

Certainly, a solution achieved through negotiation would be best, but if this does not manifest itself a workaround solution, in which each state would be free to independently determine the rules surrounding use of the EEZ (convenient, but contradictory to the principles of international consensus), should also be considered.²⁸

Response to Contravention of Article 88

Article 88 in the Convention on the Law of the Sea pithily states, “the high seas shall be reserved for peaceful purposes.” Unfortunately, considering recent heightened tensions, this article seems rather inadequate. Therefore, the Security Council may wish to consider measures to prevent conflicts and

²⁶ Caitlyn L. Antrim and George Galdorisi, “Creeping Jurisdiction Must Stop,” *Proceedings* 137.4 (2011): 66–71.

²⁷ Keyuan Zou, “Current Legal Developments: The United Nations Security Council,” *The International Journal of Marine and Coastal Law* 24 (2009): 583–595.

²⁸ Keyuan Zou, *Law of the Sea Issues Between the United States and East Asian States*, University of Central Lancashire (Lancashire: Taylor & Francis Group, LLC, 2008).

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punish instigators of the aforementioned tensions. These could include verbal censure, sanctions, or allowing for a foreign naval presence in areas of conflict to serve as a buffer between adversaries (this, of course, would have to conform to any clauses regarding jurisdiction in sovereign waters).

Evidently, considering the importance of this issue, there is no shortage of controversy. One of the limitations of UNCLOS was the immense size of the conferences; with over a hundred delegates, many of whom were not familiar with the intricacies of the issues, it was very difficult to accomplish anything significant. While the size of the Security Council is considerably smaller, making it easier to reach an agreement, it will be important for the Council to keep in mind that many views will not be represented in debate, including the interests of the shipping industry, which would greatly suffer if essential shipping routes are blocked off due to conflict. Also important to consider is the time factor: since negotiations can be slow, it is essential for the Council to prioritize the issues according to the risk they pose to international security.

Bloc Positions

Nations Embroiled in Disputes

These countries are all directly affected by the topic and thus will likely be seeking to advance their interests. Not all nations will be open to multinational agreements; while they would certainly prevent developing nations from being exploited, nations with superior naval capabilities or political influence may see little reason to compromise. Clearly then, countries in this bloc but with moderate views will be essential in brokering a compromise. It is important to note that since many of the countries in disputes will not be represented in the Council, their allies should advocate their views.

Coastal Nations

This bloc will be eager to determine the behavior acceptable in a nation's waters (at each level). Certain nations, like Brazil and China, are against "military" maneuvers in their EEZs without consent, whereas others are much more open. Note that it is important for there to be a consensus on what exactly qualifies as a military operation before talks begin.

Other Nations

Although these nations may not be directly influenced by maritime boundary demarcation, most, particularly export-heavy ones, do transport goods via ships, and therefore it would be in their best interest to see a peaceful resolution to the issue. These nations can help facilitate discussions and can attempt to bring their more opinionated allies to the middle.

Discussion Questions

1. What interests does your nation have in ensuring maritime security? Is it a landlocked or a coastal state? Does it have any allies engaged in disputes?
2. Should restrictions on innocent passage become more or less restrictive?
3. What role should the United Nations play in regulating maritime usage? Should a larger emphasis be placed on bilateral or regional talks?
4. Is sovereignty or freedom of the seas more important? How best could a balance be struck between the two?

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5. Under what circumstances would it be acceptable to enter a nation's maritime boundaries (e.g. combating piracy, tracking transports of WMDs)?
6. How should the Security Council respond to conflicts on the seas?
7. Should states have greater freedom to decide certain laws (e.g. legality of surveying) in their exclusive economic zones?

Additional Resources

http://www.un.org/Depts/los/convention_agreements/texts/unclos/closindx.htm

<http://www.un.org/Depts/los/index.htm>

<http://www.bbc.co.uk/news/world-asia-pacific-13748349>

<http://maritimesecurity.asia/>

<http://www.chathamhouse.org/sites/default/files/public/Research/International%20Law/ilp140206.doc>

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