**FORUM:** Disarmament Committees

**QUESTION OF:** Determining sovereign rights over the dispute of the South China Sea.

**SUBMITTED BY:** China

DISARMAMENT COMMISSION,

THE GENERAL ASSEMBLY,

*Noting* with grave concern the uncertainty of sovereign rights in the South China Sea due to the differences between the UN and China in which there is a debate to who has more legitimacy in the law that claims the area,

*Expressing* it’s deep concern over the obvious consequences affecting not only China but but the countries who also may claim to have sovereignty over the Sea under the UN Law of the Seas, (Malaysia, The Philippines, Indonesia, Vietnam, and Brunei), due to the UN Law that they would follow because they had no previous claims to the area,

*Keeping in mind* that it is China’s sovereign right according to the Nine-Dash Line that in which we, China, claim most of the South China Sea since the fall of Japan’s dominance of the area and it was claimed by China,

*Conscious* that the UN has concern that ‘The UN Law of the Seas’, which states that each country has sovereign rights over 200 miles off their coast named the Exclusive Economic Zone, is being violated by the People’s Republic of China’s claims, despite the fact that the nine dash line claimed the area prior to the UN making of the law,

*Reiterating* the Sea is full of natural resources with as much as 11 billion barrels of oil, 10 percent of the world’s fisheries passing through, 226 trillion cubic feet of natural gas and holds many rare earth materials which will not only benefit China as their owner but will in turn aid the world as a whole,

*Having reviewed* the consequences of conflict and understanding the conflict capability in today’s world with the ongoing conflicts around the world in countries with no nuclear capability, we recognise the importance of a level and equal approach to this matter in order to avoid the use of chemical or nuclear weapons,

*Bearing in mind* the United States’ intervention to defend the UN’s law despite the United States holding no claim to any part of the Sea,

*Reaffirming* the process of building man made islands in the area in order to take into consideration both UN and Chinese Law in the South China Sea,

*Fully aware* of the historic claims that China makes over these seas and considering that sovereignty is always absolute, despite the signing of the UN Law of the Seas,

1. Urges the UN to take into consideration the predicament caused by the differences between UN law and the People’s Republic of China’s in the Sea but understand the historic context of the nine dash line and respect the cultural boundaries of China’s sovereignty due to a legitimate claim after Japan’s fall of control over the area:
   1. Realising the legitimacy of China’s claim over the South China Sea through understanding the historical context of the dispute in which China re-claimed 90 percent of the South China Sea through it’s nine dash line,
   2. Communicating with the countries in consideration who claim they have sovereign rights over the sea to discuss the ever growing issue of sovereignty and create an open system of communication to come to an agreement,
   3. Focusing on reevaluating the legitimacy of the UN law in the South China Sea when a previously stated law was already understood and present in the Sea;
2. Recommends controlling the use of military action by the United States in the name of the UN by taking into consideration the danger presented by bringing in external forces, especially one with such an extensive military force, with the ability to escalate the situation:
   1. understanding the danger in introducing military use to defend the UN law and recognising this by only utilising this military defense at the hands of the UN at the last moment,
   2. taking a peaceful approach by discussing the matter in question with China and the surrounding countries at a yearly conference, outlined in more detail in clause 3,
   3. avoiding the use of military power at any cost in the region to avoid a war that may involve not only the countries in the region but also external forces and furter making an effort to avoid offending a superpower with nuclear capability that may end in a conflict involving nuclear weapons,
   4. if the US continues to make provocative actions to challenge sovereign rights in the south china sea it will give justified reason to declare an air identification zone over the South China Sea;
3. Welcomes the idea of a biannual conference to discuss the matter of sovereignty in the South China Sea involving Malaysia, Indonesia, The Philippines, Brunei, Vietnam, Taiwan, The United States and China:
   1. an open and equal discussion leading to a better understanding of the situation between all countries and attempting to open communication in order to satisfy the majority of the countries to the best possible ability,
   2. banning the use of military action or threats with military operational vehicles to defend the law of the UN until either an attack has previously been made or it is the last and only possible positive scenario,
   3. encouraging new laws if the correct and fair terms are come to while taking into consideration the legitimacy of the nine dash line and coming to a fair and equal conclusion if The People’s Republic of China’s sovereign rights are realised,
   4. promoting the legitimacy of the nine dash line because of the historical context in which we gained the area and putting forth the importance that sovereignty is absolute;
4. Further reminds that there are numerous valuable natural resources that the sea holds and need to be accessible by a country with a stable and capable economy, rather than it being an open and insecure debate later on when the natural resources under international waters are needed:
   1. stressing the importance of a capable and developed country utilising the resources properly in order for the resources to be processed and used properly in order to have national and world development,
   2. committing to the money needed to find and develop the resources available in order to have the smallest opportunity cost of such a significant amount of valuable resources;
5. Strongly urges the legitimacy of the man made islands in the South China Sea:
   1. it is better safeguarding territorial sovereignty and maritime rights and interests of the People’s Republic of China,
   2. better performing China’s international responsibility and obligation in maritime search and rescue,
   3. contributing to disaster prevention and mitigation by creating safe zones,
   4. furthering China’s marine science and research,
   5. environmental protection,
   6. the new constructions will allow ships to take shelter from typhoons and other inclement weather as well as providing navigation aid, search and rescue.