

**BSAMUN 2026**

**Maintaining regional  
stability and  
upholding  
international law  
amid the South  
China Sea Dispute**

**Security Council**  
**SC**

**President Chair: Marina Briski**  
**Deputy Chair: Matthew Syrotovsky**

## Introduction

The South China Sea dispute is one of the most complex and sensitive geopolitical issues in contemporary international relations. The region is strategically vital due to its major shipping lanes, abundant natural resources, and geopolitical significance. Multiple states claim overlapping maritime zones and land features, resulting in heightened tensions, increased military presence, and diplomatic confrontations. Maintaining regional stability while upholding international law remains a major challenge for the global community, as disputes test the effectiveness of legal frameworks such as the United Nations Convention on the Law of the Sea (UNCLOS) and threaten peace in the Asia-Pacific region.

## Key Terms

**South China Sea (SCS)** - A semi-enclosed sea in Southeast Asia bordered by China, Taiwan, the Philippines, Vietnam, Malaysia, Brunei, and Indonesia.

**UNCLOS (United Nations Convention on the Law of the Sea)** - An international treaty that defines maritime zones, including territorial seas, exclusive economic zones (EEZs), and continental shelves.

**Exclusive Economic Zone (EEZ)** - A maritime zone extending up to 200 nautical miles from a coastal state's baseline, where the state has rights to exploit marine resources.

**Nine-Dash Line** - A demarcation line used by China to assert historical claims over most of the South China Sea, not recognised under UNCLOS.

**Arbitral Tribunal Ruling (2016)** - A legal decision by the Permanent Court of Arbitration in the case brought by the Philippines against China, ruling that China's expansive claims had no legal basis under UNCLOS.

**Freedom of Navigation** - The principle that ships and aircraft have the right to move freely through international waters and airspace.

## General Overview

The South China Sea dispute involves overlapping territorial and maritime claims over islands, reefs, and surrounding waters. The region is economically and strategically significant, with approximately one-third of global maritime trade passing through it annually, alongside rich fishing grounds and potential oil and gas reserves.

Tensions escalated in recent decades due to land reclamation, construction of military installations, and increased naval patrols. While UNCLOS provides a legal framework for resolving maritime disputes, differing interpretations and the rejection of international rulings by certain parties have undermined its effectiveness. The 2016 arbitral ruling clarified legal entitlements but failed to resolve tensions due to lack of enforcement mechanisms.

Regional organisations such as ASEAN have attempted to promote dialogue through instruments like the Declaration on the Conduct of Parties in the South China Sea, though progress toward a binding Code of Conduct remains slow. The dispute continues to pose risks to regional stability, international law, and global trade security.

## Major Parties Involved

### Claimant States

- **China:** Claims the majority of the South China Sea based on historical assertions, maintaining a strong military and coast guard presence.
- **The Philippines:** Claims areas within its EEZ and relies heavily on UNCLOS and international arbitration.
- **Vietnam:** Asserts sovereignty over the Paracel and Spratly Islands and opposes expansive claims.
- **Malaysia:** Claims parts of the Spratly Islands within its EEZ.
- **Brunei:** Claims a maritime zone but does not claim land features.
- **Taiwan:** Maintains claims similar to China and controls Itu Aba (Taiping Island).

### Non-Claimant but Involved States

- **United States:** Conducts freedom of navigation operations and supports international law without making territorial claims.
- **ASEAN (Association of Southeast Asian Nations):** Acts as a diplomatic platform seeking peaceful resolution and regional stability.
- **Japan and Australia:** Advocate for freedom of navigation and adherence to international law.

## Timeline of Key Events

**1947:** The Republic of China publishes the first map featuring the “nine-dash line” which claims most of the South China Sea

**1950s-1970s:** Other coastal nations in the South China Sea start to claim islands and waters of the South China Sea after the discovery of oil and gas in the region

**1974:** China takes control of the Paracel Islands after a conflict with South Vietnam

**1982:** The UN adopts the United Nations Convention on the Law of the Sea (UNCLOS), which establishes Exclusive Economic Zones (EEZ) and legal maritime boundaries.

**1988:** During a naval clash between China and Vietnam in the Johnson South Reef, China sinks 3 Vietnamese ships, resulting in casualties for Vietnam.

**1992:** China signs a law which asserts sovereignty over most of the South China Sea.

**1995:** China occupies the Mischief Reef Islands that were previously claimed by the Philippines.

**2002:** ASEAN and China sign the Declaration on the Conduct of Parties in the South China Sea (DOC) and commit to a peaceful resolution of the dispute.

**2009:** China formally submits its extensive nine-dash line claims to the UN.

**2012:** Standoff between China and the Philippines at the Scarborough Shoal escalates the tensions in the dispute. China takes de facto control of the islands while the Philippines protests.

**2013:** The Philippines initiated arbitration Proceedings against China under the United Nations Convention on the Law of the Sea (UNCLOS)

**2014:** China places Oil rigs next to the Paracel Islands and imposes fishing permit rules, which sparks clashes with Vietnam

**2014:** The US and the Philippines sign a Mutual Defence Treaty to assist the Philippines in Maritime Security, Humanitarian Assistance, Disaster Response and more.

**2016:** The Permanent Court of Arbitration (PCA) rules in favour of the Philippines and rejects China's nine-dash line claims.

**2017:** China begins to build artificial islands and heavily militarises them

**2023:** The Chinese Coast Guard starts using water guns and lasers to target the Philippine supply operations of the Second Thomas Shoal

**2024:** USA ensures that its mutual defence treaties will cover the South China Sea

**2024:** Japan also increases military cooperation with the Philippines and Vietnam

**2025:** China continues hostilities near Scarborough Shoal and Second Thomas Shoal

## UN Involvement & Relevant Resolutions

**UNCLOS Framework:** The UN has set a set of maritime rules which define the seawaters of a certain country, the specialised economic zones of a country and allow for other governing bodies to resolve the disputes.

**UN Security Council:** The UN Security Council has never been able to pass any resolutions on the South China Sea dispute, mainly because of vetoes from the People's Republic of China. The UN Security Council has, however, emphasised and encouraged a peaceful resolution of the dispute.

**UN General Assembly:** Many member states have raised the South China Sea dispute, however there was never a debate held in the UN General Assembly concerning this topic despite efforts from the ASEAN countries.

**Permanent Court of Arbitration:** Despite not being a UN body, the Court of Arbitration ruling was done under the UNCLOS rules, and the decision was endorsed by the UN.

## Previous attempts to solve the issue

1. Bilateral Negotiations and Agreements
  - a. China has historically preferred bilateral negotiations with individual claimant states such as the Philippines and Vietnam. However, it has usually only eased off the tensions for a short term, with China continuing to put more pressure on the other claimant states.
  - b. Bilateral fisheries agreements and energy cooperation talks have been initiated between some claimant states, but they have been stalled for the most part due to concerns over sovereignty
2. ASEAN-China Diplomatic Frameworks
  - a. The Declaration on the Conduct of Parties in the South China Sea (DOC), signed in 2002, aimed to promote self-restraint, confidence-building, and peaceful dispute resolution. However, due to it being non-binding, no serious actions were taken.
  - b. The ongoing negotiations for an ASEAN-China Code of Conduct were done with the goal of establishing clear rules of behaviour. The progress has been slow with disagreements over settlement mechanisms.
3. Arbitration Mechanisms
  - a. In 2013, the Philippines initiated an arbitration against China under UNCLOS. In 2016, the court ruled in favour of the Philippines and invalidated China's nine-dash line claims.
  - b. China rejected the ruling despite it being legally significant, showing the limitations of international legal mechanisms when they lack enforcement
4. Risk Reduction Measures
  - a. Mechanisms such as the Code for Unplanned Encounters at Sea (CUES) have been adopted by the relevant states' navies to reduce the risk of accidental clashes.
  - b. Hotlines and maritime communication channels have been proposed and partially implemented; however, they are still inconsistent.

## Possible solutions

There are a number of possible solutions for this issue, the most effective being a mix of multiple. Possible solutions include:

1. Strengthening Adherence to the International Law
  - a. Encouraging all states with claims in the South China Sea to fully comply with UNCLOS and to use it as a base for any maritime claims and disputes.

- b. Supporting the implementation of international legal rulings that would reinforce the credibility of global legal institutions.
2. Finalising a Binding ASEAN-China Code of Conduct
  - a. Accelerating negotiations toward a legally binding and enforceable Code of Conduct would reduce the risk of potential escalation of the conflict.
  - b. Establishing effective monitoring and dispute resolution mechanisms as a part of this Code of Conduct would improve compliance with the agreement.
3. De-escalation Measures
  - a. Expanding military-to-military communication channels and hotlines that would reduce the risk of escalation.
  - b. Promoting transparency in military activities, including prior notifications of exercises and weapon testing, to promote multilateral trust between the nations that are a part of the dispute.
4. Joint Resource Extraction and Environmental Cooperation
  - a. Establishing joint development zones for fisheries, oil and gas extraction facilities without being linked to a specific country would allow all states to benefit economically.
  - b. Cooperation on sea environment protection and disaster response could also be a neutral area for collaboration.
5. Increasing Multilateral Dialogue
  - a. Increasing the role of neutral third-party mediators, potentially including UN-facilitated dialogue, could also help to break the deadlock.
  - b. Using more global forums, such as the UN General Assembly, to ensure broader international engagement.
6. Respecting the Freedom of Navigation and Maritime Security
  - a. Assuring and committing to freedom of navigation in accordance with international law would protect global trade routes.
  - b. Military and Humanitarian assistance for Southeast Asian states in maritime law enforcement to strengthen regional stability.

## Bibliography

BBC. "What Is the South China Sea Dispute?" *BBC News*, 7 July 2023,

[www.bbc.com/news/world-asia-pacific-13748349](http://www.bbc.com/news/world-asia-pacific-13748349).

Center for Preventive Action. "Territorial Disputes in the South China Sea." *Global Conflict Tracker*, Council on Foreign Relations, 17 Sept. 2024,

[www.cfr.org/global-conflict-tracker/conflict/territorial-disputes-south-china-sea](http://www.cfr.org/global-conflict-tracker/conflict/territorial-disputes-south-china-sea).

China-US Focus. "Understanding the South China Sea Dispute." *Chinausfocus.com*, 2016,

[www.chinausfocus.com/south-china-sea/](http://www.chinausfocus.com/south-china-sea/).

Wiegand, Krista E. "International Law and Conflict Disputes: The Case of the South China Sea - Perry World House." *Perry World House*, 19 May 2025, [perryworldhouse.upenn.edu/news-and-insight/international-law-and-conflict-disputes-the-case-of-the-south-china-sea/](https://perryworldhouse.upenn.edu/news-and-insight/international-law-and-conflict-disputes-the-case-of-the-south-china-sea/).

Council on Foreign Relations. (n.d.). *China's maritime disputes*.

<https://www.cfr.org/timeline/chinas-maritime-disputes>

Council on Foreign Relations. (2023, September 21). *Territorial disputes in the South China Sea*. Global Conflict Tracker.

<https://www.cfr.org/global-conflict-tracker/conflict/territorial-disputes-south-china-sea>

a

International Crisis Group. (n.d.). *A recent history of the South China Sea: A timeline*.

<https://www.crisisgroup.org/asia-pacific/south-china-sea/recent-history-south-china-sea-timeline>

United Nations. (2016). *Law of the Sea Bulletin, No. 91*. Division for Ocean Affairs and the Law of the Sea.

[https://www.un.org/depts/los/doalos\\_publications/LOSBulletins/bulletinpdf/LOS\\_91\\_WEB.pdf](https://www.un.org/depts/los/doalos_publications/LOSBulletins/bulletinpdf/LOS_91_WEB.pdf)