



A Background Guide for the

# UNITED NATIONS SECURITY COUNCIL

**Escalating Tensions in South Asia**

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## LETTER FROM THE EXECUTIVE BOARD

Dear Distinguished Delegates!

It is with great pleasure that we welcome you, on behalf of the entire Executive Board and the Secretariat, to The Shishukunj Model United Nations.

To the experts of MUN, we promise you a very enriching conference like you have not experienced before, and to the newcomers, we are really excited to be part of your first voyage into the world of Model UN.

The following pages intend to guide you with the nuances of the agenda as well as the Council. The Guide touches upon all the different aspects that are relevant and will lead to fruitful debate in the Council. It will provide you with a bird's eye view of the gist of the issue.

However, it has to be noted that this guide only contains certain basic information which may form the basis for your debate and research. We encourage you to go beyond this guide and delve into the extremities of the agenda to further enhance your knowledge of burning global issues like the disputes in the South China Sea and the Kalapani Dispute.

We expect each delegate to come to the conference with an understanding of his or her country's positions and a willingness to forge agreements. What we desire from the delegates is not how experienced or articulate they are. Rather, we want to see how they can respect disparities and differences of opinion and work around these while extending their own foreign policy so that it encompasses more of the others without compromising their own stand, thereby reaching a unanimously-acceptable practical solution.

We will post a video regarding the procedure to be followed in the committee. Be sure to watch it, because it will help clear all your procedural concerns.

If you have any questions or concerns before the conference, please do not hesitate to contact any of us. In the meantime, we are all looking forward to meeting you at the end of July and trust we will all work together extremely well and, most importantly, have plenty of fun doing so!

Sincerely

Executive Board

Security Council

## Introduction to the UN Security Council

The United Nations Charter gives<sup>1</sup> the Security Council primary responsibility for maintaining international peace and security. According to Article 28 of the UN Charter, “The Council may convene at any time, whenever peace is threatened.”

In contrast to the decisions made by the General Assembly, the Security Council is authorized by the UN Charter to make its decisions legally binding. There are 15 Council members. Five of these — China, France, the Russian Federation, the United Kingdom, and the United States — are permanent members and are referred to as the P-5. The remaining 10 are non-permanent members, referred to as the E-10. Each year, five non-permanent members complete their term in the Security Council, and five new non-permanent members are elected by the General Assembly for two-year terms that start in January of the next year.

According to Article 27<sup>2</sup> of the UN Charter, in Security Council decisions, each member of the Security Council has one vote. Decisions on procedural matters require a minimum of nine ‘yes’ votes. Decisions of the Security Council on all other matters require a minimum of nine ‘yes’ votes including the concurring votes of the permanent members. Any member that is a party to a dispute must abstain from voting. Action cannot be taken on an issue that is brought before the Security

Council if any one of the permanent members vote ‘no’ on a draft resolution.

The ability of a permanent member to stop a draft resolution from being adopted by voting ‘no’ is called the “veto power.” All five permanent members have exercised the right of veto at one time or another. If a permanent member does not fully agree with a proposed resolution but does not wish to cast a veto, it has been a long-standing practice that the member may choose to abstain (i.e. decline to vote for or against at proposal), thus allowing the resolution to be adopted if it obtains the required number of nine favourable votes. Under Chapter VII of the UN Charter, the Council can take measures to enforce its decisions and ensure that mandates are fulfilled. It can impose economic sanctions or order an arms embargo.

On rare occasions, the Council has authorized Member States to use “all necessary means,”<sup>3</sup> including collective military action, to see that its decisions are carried out.

## Procedure

### 1.1 Rules of Procedure

On 17 January 1946, the Security Council met for the first time in London and adopted provisional rules of procedure. The provisional rules that were presented to the Council at its first meeting were the result of lengthy debates in a Security Council sub-committee called the Executive Committee of the UN Preparatory Commission. The

<sup>1</sup> <http://www.un.org/en/sections/un-charter/chapter-v/index.html>

<sup>2</sup> <http://www.un.org/en/sections/un-charter/chapter-v/index.html>

<sup>3</sup> <http://www.un.org/en/sections/un-charter/chapter-v/index.html>

Commission continued to discuss the draft for several months but in late June 1946 decided that it could not agree on a definitive set of rules of procedure. The Provisional Rules have since been amended eleven times. The Security Council has clarified its working methods and procedures through Notes of the President ([S/2010/507](http://www.un.org/en/sc/repertoire/Notes/s-2010-507.pdf)<sup>4</sup>, [S/2008/847](http://www.un.org/en/sc/repertoire/Notes/s-2008-847.pdf)<sup>5</sup>, [S/2007/749](http://www.un.org/en/sc/repertoire/Notes/s-2007-749.pdf)<sup>6</sup>, [S/2006/507](http://www.un.org/en/sc/repertoire/Notes/s-2006-507.pdf)<sup>7</sup>, [S/2006/78](http://www.un.org/en/sc/repertoire/Notes/s-2006-78.pdf)<sup>8</sup>).

<http://www.un.org/en/sc/repertoire/Notes/s-2006-507.pdf>  
<http://www.un.org/en/sc/repertoire/Notes/s-2006-78.pdf>

There is no Right of Reply in the Security Council, and it is the practice of the Council not to make amendments during a formal meeting to adopt a resolution. It is also the practice of the Council to vote on all resolutions.

## 1.2 Format of Meetings

In practice, the Council convenes: 1) Public meetings, 2) Private meetings, 3) Informal consultations, and 4) Informal interactive dialogues.

There are four types of public meetings:

1. Open Debate: This format often focuses on thematic issues and typically involves the diversity of speakers including members of the Secretariat (e.g. the Secretary-General), representatives of non-governmental organizations, Council members, non-Council members, and other persons who might provide assistance to the Council as it examines a particular agenda item.

2. Debate: This format is typically used to focus on disputes or situations in a particular country. Non-Council members that are directly concerned or affected or have special interest in the matter under consideration may be invited to participate in the discussion upon their request.
3. Briefings: This format is used to update Council members on the status of a dispute or situation. While briefings may be conducted during open debates or debates, when briefings are scheduled as a separate meeting, only Council members are allowed to deliver statements. Briefings are often followed by Informal Consultations of the Whole, which are closed to the public.
4. Adoption: This format is convened when the Council is ready to take action on a draft resolution. Council members are able to make statements before and after they vote on the resolution. No briefings are made during adoption meetings.

Every public meeting is followed by a Press Release.

In addition to the public formats, there are two types of private meetings:

Private meeting: Non-Council members may be invited to participate in the discussion upon their request, and briefings may be conducted just as they would during a public meeting, the only difference being that there is no public record of the meeting. A verbatim copy of private meetings is kept by the Secretary

<sup>4</sup> <http://www.un.org/en/sc/repertoire/Notes/S-2010-507.pdf>

<sup>5</sup> [www.un.org/en/sc/repertoire/Notes/s-2008-847.pdf](http://www.un.org/en/sc/repertoire/Notes/s-2008-847.pdf)

<sup>6</sup> <http://www.un.org/en/sc/repertoire/Notes/s-2007-749.pdf>

<sup>7</sup> <http://www.un.org/en/sc/repertoire/Notes/s-2006-507.pdf>

<sup>8</sup> <http://www.un.org/en/sc/repertoire/Notes/s-2006-78.pdf>

General. Pursuant to Rule 55 of the Council's provisional rules of procedure<sup>9</sup>, a Communiqué is issued at the close of each private meeting.

- Troop contributing countries (TCC): Security Council Resolution 1353 (2001) outlines when TCC meetings should take place and who should be invited. This type of meeting takes place in the ECOSOC or Trusteeship Council chamber instead of the Security Council itself. TCC meetings are presided over by the President of the Council.

Additional formats include:

- Informal Consultations of the Whole: These are held in private with all 15 Council members present. Such consultations are held in the Security Council Consultations Room, have an agreed agenda and interpretation, and may involve one or more briefers. The consultations are closed to non-Council Member States. There are no official records of informal consultations.
- Informal interactive dialogues: These informal private meetings of the Security Council members are convened in order to hold an off-the-record discussion with one or more non-Council Member States. The informal dialogues are presided over by the Council President and take place in a meeting room other than the Council Chamber or Consultations Room. They are sometimes used to allow a party or parties to a dispute to meet with Council members outside the Council's formal chambers. This is intended to give representatives of all parties to the conflict an

opportunity to have their perspectives heard on the issues dividing them. Only parties that have been invited can attend. There are no official records of informal dialogues.

- "Arria-formula" Meetings: These meetings are a relatively recent practice of the members of the Security Council. The "Arria-formula meetings" are very informal, confidential gatherings which enable Security Council members to have a frank and private exchange of views. Such informal gatherings do not constitute an activity of the Council and are convened at the initiative of a member or members of the Council rather than by the President. This format allows Council members to take the initiative to convene meetings. Participation in such meetings is for individual members to decide upon, and there have been instances when some members have chosen not to attend. They provide interested Council members an opportunity to engage in direct dialogue with high representatives of governments and international organizations as well as non-State parties with whom they believe it would be beneficial to hear and/or to whom they may wish to convey a message on matters with which they are concerned. "Arria-formula" meetings are held in a Conference Room or at a Permanent Mission and not in the Security Council Consultation Room.

The Security Council has broad power and authority to invite any non-Council member or individual to participate in its meetings. In accordance with Rule 37 of the provisional rules of procedure, all

<sup>9</sup> <http://www.un.org/ar/sc/pdf/rules.pdf>

States, whether or not members of the United Nations, can be invited to participate in Council meetings. In accordance with Rule 39 of the provisional rules of procedure, members of the Secretariat or other persons may be invited to supply the Council with information or give other assistance in examining matters within its competence. Invitations under Rule 39 can be grouped into the following categories: (a) the Secretariat; (b) other organs of the United Nations, subsidiary bodies or agencies; (c) regional and other intergovernmental organizations; and (d) other persons.<sup>10</sup>

### 1.3 Role of the President of the Security Council

Under rule 18, the presidency of the Security Council rotates monthly in the English alphabetical order of the names of the members of the Council. If the country the President represents is directly involved in a dispute that is being considered by the Security Council, he/she may decide not to preside over the Council during the period that this issue is being discussed. When this occurs, the representative of the member next in English alphabetical order temporarily assumes the Presidency.

The functions of the President include: 1) presiding over meetings of the Council and Informal Consultations of the Whole; 2) briefing non-Council members on the monthly programme of work of the Council at the beginning of the month; 3) holding bilateral meetings with concerned parties such as Member States, heads of principal organs and Agencies, chairmen of the regional groups, and others; 4) representing the Security Council and delivering statements on behalf of the Council with the concurrence of Council members including informal meetings of

the heads of the principal organs of the United Nations; and 5) delivering statements or remarks to the press following the conclusion of discussions in Informal Consultations of the Whole and whenever Council members have reached an agreement on the text.

**However, in the present conference, no country has been allotted to the presidency of the Council so as to maintain a better flow of discussions among the member delegates. The Director of the committee will act as the President in order to moderate and facilitate debate.**

### 1.4 Speakers' List

Every meeting in the Security Council chamber – whether public or private – has a speakers' list. Council Members usually let the President know in advance if they wish to make a statement but can decide to do so during the course of a meeting as well: when prompted by the President, they may raise their placards in order to speak during a formal meeting.

When the Secretary-General, other senior Secretariat officials, or senior UN staff from other Offices, Departments, or UN agencies are invited to speak, they go first. If there are NGO representatives or other individuals, they go next.

If an agenda item is about a situation in a particular country, the representative of that country speaks after the Secretary-General or other Secretariat officials. Council members go next. At the conclusion of the Speakers' List of Council members, the last person to speak is the President, who has the option to speak in his/her national capacity before resuming his/her functions as President of

<sup>10</sup> <http://www.un.org/ar/sc/pdf/rules.pdf>

the Council to either continue chairing or to conclude the meeting.

When non-Council members or other governmental bodies with Observer status are invited to speak, they usually speak after Council members.

During informal meetings, however, there is no Speakers' List, and in this context, members may raise their hands to indicate they wish to speak.

## 1.5 Outcome Documents

All documents issued by the Security Council, except resolutions, require consensus of Council members. The documents prepared by the Council include:

- **Press Elements:** This consists of bullet points that outline what the members of the Security Council should say to the press during a stakeout, or a press engagement that follows the development of a Press Element. The members may then speak to the press about happenings in the committee but are considered bound by the agreed-upon content in the Press Element.
- **Press Statement:** A Press Statement is distributed following every public meeting in the Security Council chamber. It summarizes the discussion that took place during the meeting in full paragraph form.
- **Presidential Statement (PRST):** The content of a Presidential Statement is more general than a resolution; it can contain the Secretary-General's and President's remarks on the topic at hand and convey the Council's progress and concerns. The PRST is a decision of the Council. However, normally, when the

Council wants to take a more 'operational' decision, such as establishing a new body, it will do so by a resolution. It is now the practice of the Council to allow Member States to disassociate themselves from elements of the Presidential Statement and to make a public statement to this effect after the President has read the Presidential Statement during a formal meeting.

- **Resolution:** Resolutions follow standard UN format. Council members can vote for, against, or abstain from voting. Any member of the P-5 can veto a resolution.

## Resolution Writing Guidelines

All resolutions must have two general sections. The first section should contain preambulatory paragraphs, which give background on the topic at hand, overview of the actions taken by the UN on the agenda item that will be discussed, and summarize the ideals and concerns of Member States on the issue. The second section should contain operative paragraphs that outline the actions and solutions that Member States recommend should be taken on the issue. Here are some more details about what goes in each section:

### 2.1 Preambular Paragraphs

- Refer to the most important resolutions already adopted by the UN on this agenda item. Familiarity with past actions is important to prevent delegates from repeating actions already taken in the operative section.



- Security Council example: *Recalling* its previous resolutions and the statements of its President concerning the Democratic Republic of the Congo (DRC), especially its resolutions 2211 (2015), 2198 (2015), 2147 (2014), 2136 (2014), and 2098 (2013)...
  - Refer to past actions taken by other UN bodies, important UN conferences on the issue, and any actions that may have been taken by Member States.
  - Refer to any Reports of the Secretary-General that have been distributed on the agenda item.
  - Draw attention to any general points on the issue that Member States should keep in mind.
  - Express any concerns that Member States may have that highlight the work that still needs to be done on this issue.
  - Preambular paragraphs always begin with a verb in the present participle, often in the -ing form of a verb (e.g. *Recalling*). The verb is italicized (no longer underlined), and the preambular paragraph always ends with a comma.
  - If two paragraphs in row begin with the same verb (e.g., *Noting*), then it is considered good practice to write *Noting further* the second time it is used.
- threat posed by the illicit transfer, destabilizing accumulation, and misuse of small arms and light weapons...
- Add sub-operative paragraphs if necessary to describe actions in more detail.
  - Refer to any Secretary-General reports that have been distributed on the agenda item.
  - Operative paragraphs are numbered, always begin with an underlined verb in the present tense (e.g., Requests), and end with a semi-colon, except for the last operative paragraph, which ends in a period.

Common preambular and operative phrases used in real UN resolutions can be found by consulting the following document compiled by The United Nations Institute for Training and Research(UNITAR):

**<http://outreach.un.org/mun/files/2013/11/Terms-used-inresolutions.pdf>**

The best way to learn about how to write resolutions properly is to study actual UN resolutions.

## 2.2 Operative Paragraphs

- Refer to actions Member States recommend should be taken on the agenda item it has been assigned.
- Security Council example: *Calls for* continued national efforts to address the

## 2.3 Sample Resolution

Draft Resolution 1.3

Committee: Security Council

Topic Area: Situation in North Korea

Sponsors: Austria, Brazil, Bosnia, China, France, Gabon, Japan, Lebanon, Nigeria, Russia, Turkey, UK, Uganda

The Security Council,

Emphasizing the need for the United Nations and the international community to support consolidation of mutual trust between the two parties,

Reaffirming Resolution 1927 of the United Nations Security Council (UNSC), which tackle the explosion incident in Pyongyang on 5th June 2010,

Noting with deep concern the ongoing violence and consequent deterioration of the humanitarian aid situation and humanitarian access to populations in need, and reiterating its deep concern about the security of civilians and humanitarian aid workers, and calling upon both parties in Korea Peninsula to cease offensive actions immediately and to refrain from further violent attacks,

Recalling relevant resolutions that has been made, including Resolution 825(1993), Resolution 1540 (2004) and Resolution 1695 (2006) and Resolution 1874(2009), especially with the part that recalls Statement underlined the need for all Member States to resolve peacefully in accordance with the Charter any problems in that context threatening or disrupting the maintenance of regional and global stability,

Bearing in mind the collective support of the NPT and the commitment given in the Treaty, DPRK cannot have a status as a nuclear-weapon state in all aspects in accordance to the NPT,

Reaffirming its commitment to the sovereignty, unity, independence, and territorial integrity of the DPRK and to the cause of peace, stability, and security throughout the region,

1. Stresses its deep concern, condolences, and denunciation of the recent security event concerning the attacks of the Cheonan naval ship of the Republic of Korea (RoK) navy
2. Acknowledges that the attack has brutally violated the United Nations Convention on the Law of the Sea;

3. Authorizes a neutral surveillance team to survey an inspection report of several national governments on the Cheonan naval ship incident, as well as the obligation clarification and negotiation of the incident, which:

a. are directly responsible to the Security Council (UNSC) by reports every 10 days to the council about the incident,

b. includes representatives of the Security Council,

c. includes representatives of the Special Political and Decolonization Committee of the General Assembly (SPECPOL) and other relevant committees of the UN,

d. includes professionals from International Maritime Organisation (IMO) and other responsible UN agencies,

e. includes representatives of relevant states including the Republic of Korea (RoK), Democratic People Republic of Korea (DPRK), Russian Federation (RF), People Republic of China (PRC), Japan, and the United States of America (USA),

f. invites concerning NGOs, such as the Council for Security Cooperation in the Asia Pacific (CSCAP), as consultants and witnesses;

4. Demands the governments of DPRK and RoK to comply with Resolution 1927 of the UNSC on resolving the dispute and tension caused by the explosion incident in Pyongyang on 5th June 2010;

5. Reiterates the demand stressed in its previous Resolution 1874 for the DPRK to return to the Six Party Talks immediately without preconditions;

6. Decides to remain actively seized in this matter.

## **Agenda: Escalating Tensions in South Asia**

### **3.1 Introduction**

Like any other major political region, Southeast Asia too has various unresolved disputes that need to be decided upon to ensure peace and security in the region. These disputes have led to several clashes, and, thus, severe damage to both human and natural resources. It has, therefore,

become of utmost importance to resolve these issues in order to improve the social, economic, and political status of the region and subsequently progress towards regional integrity. Considering that the region includes a large number of countries, it is bound to witness a similarly large number of disputes. These include disputes relating to both land and waters, which have arisen mainly due to ambiguous demarcations of national territories. The history of the region shows that the involvement of the International Court of Justice and other international organizations has been

relatively limited in the resolution of these disputes, and most disputes in the past have been resolved through bilateral cooperation and concord.

One of the most major disputes in Southeast Asia is the Spratly Islands dispute. As the name suggests, the dispute attends to the possession of the Spratly Islands located in the South China Sea.

Another major dispute is the Teesta Water dispute between India and Bangladesh. India claims 55% of the river's water, which is not agreed with by Bangladesh.

Yet another issue of concern is the Kalapani River dispute. The Kalapani River flows in India as well as Nepal and has long been embroiled in controversy over its ownership.

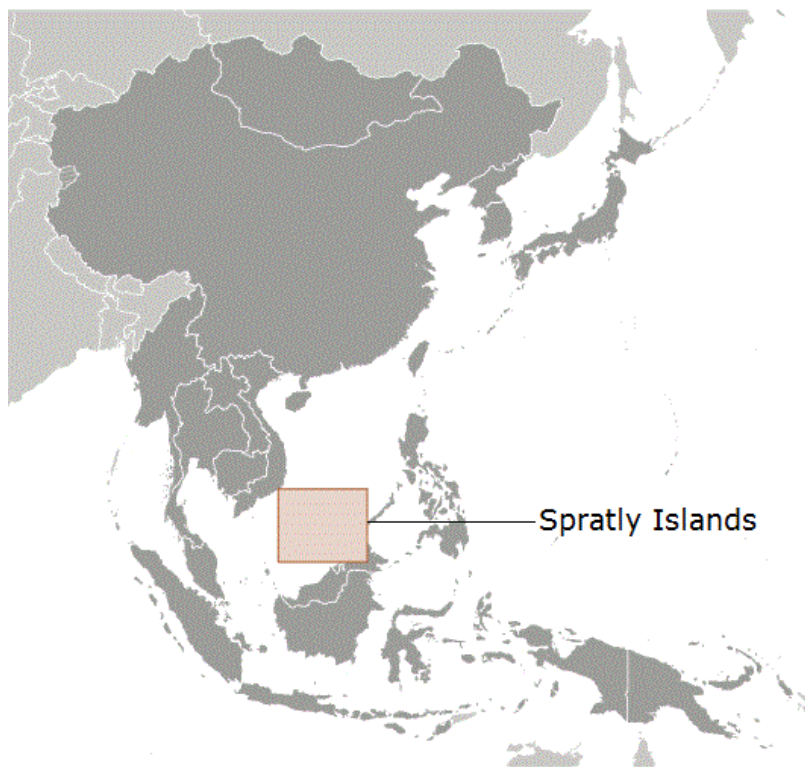
There are many more issues related to South Asia that have not been mentioned here in the guide, as we wish to discuss over these disputes first and then move on to the other issues that pertain to this region. This is because we want to ensure that a fruitful discussion takes place over these three disputes.

## 3.2 Spratly Islands Dispute

### Geography

The Spratly Islands are a significant group of 14 major islands and several reefs and cays located in the South China Sea, covering a total of less than 5 sq km (land area). In all, the islands,

reefs, cays, and islets cover 140,000 sq km of the South China Sea. They lie about 3,125 km from Hainan, China, and about 1,175 km from the Philippines. No parts of the islands are in use for agricultural purposes, but the island group, allegedly, has extensive



oil and natural gas resources that might be of great importance.

### Overview

The Spratly Island Dispute is a current territorial dispute regarding the ownership of the Spratly Islands and associated maritime features. Several claims have been made by countries including China, Brunei, Taiwan, Malaysia, the Philippines, and Vietnam. Along with the Spratlys, the neighbouring Paracel islands are also highly disputed.

The Spratly islands are considered to be of great strategic and economic importance. Reports have shown that

the Spratlys have vast, unexplored oil and natural gas reserves. Located in the South China Sea, the area is also one of the world's biggest fisheries, which is another reason for the disputes regarding its ownership.

The origin of this dispute dates back to the 19<sup>th</sup> century. However, this island group has seen a major rise in clashes and conflicts over its possession in recent times. Each claimant has their own basis of claim.

## Claims:

### China

In 1947, the then-Republic of China claimed the entire South China Sea (SCS) by drawing up the Southern China Sea Islands Location Map and marking its national territorial boundaries with an 11-dash line. Later, in 1958, the People's Republic of China issued a declaration of a 12-nautical-mile limit territorial waters that encompassed the Spratly Islands, thus establishing control over the island group.

Later, the 11-dash line was reduced to a nine-dash line, which is still used by China for its claims over a major part of the SCS.



### Taiwan

The largest island in the Spratlys, Taiping, or Itu Aba, has been occupied by the Republic of China (ROC), confined to Taiwan, since 1949. The People's Liberation Army and the Republic of China Armed Forces have been stationed in Taiping by the ROC. In 1999, Taiwan stated that "legally, historically, geographically, or in



reality<sup>11</sup>," all of the South China Sea and Spratly islands was a part of Taiwan's territory and condemned actions undertaken there by Malaysia and the Philippines. This statement indirectly also referred to the Treaty of Taipei of 1952, under which Japan renounced all right, title, and claim over the Spratly and Paracel Islands.

Notably, China and Taiwan claim about exactly the same portions of the South China Sea, and, thus, they are strategically aligned in this matter. China has agreed to cooperate with Taiwan against all other countries for the possession of the Spratly Islands. However, Taiwan has recently taken a rather vocal stance against the claims of China.<sup>12</sup> It is also anticipated that Taiwan may separate entirely from China in the near future, resulting in a war. China, on the other hand, states that keeping Taiwan and China united as they are is its most important concern.

## The Philippines

In 1974, the Philippines took formal control of 53 features in the South China Sea. Later in the year, the President of the Philippines declared the Spratly Islands (referred therein to as the Kalayaan Island Group) as Philippine territory.

Further, the Philippines supported its claims through the UNCLOS

and stated that the islands lay in its 200-nautical-mile Exclusive Economic Zone (EEZ).

In 2013, the Philippines protested against the nine-dash-line claim of China, saying that it violated the United Nations Convention on Law of Sea (UNCLOS). The case was filed in an arbitral tribunal, which later ruled in favour of the Philippines. After a series of controversies, the tribunal declared that China had no legal basis or historic claim on the nine-dash line. However, this verdict was rejected by China.

## Malaysia

Malaysia has occupied and stationed its military in three islands of the Spratlys, namely the Swallow Reef, the Ardasier Reef, and the Mariveles Reef. The nation has made it known that it has a peaceful stance on the issue and believes that the dispute can be solved through diplomacy.



<sup>11</sup> <http://www.chinapost.com.tw/editorial/taiwan-issues/2014/10/16/419513/p2/america-making.htm>

<sup>12</sup> <http://www.chinapost.com.tw/editorial/taiwan-issues/2014/10/16/419513/p2/america-making.htm>

The country claims only the islands that lie in its EEZ of 200 nautical miles, as defined by the UNCLOS.

Malaysia has had varying opinions about the activities of China in the South China Sea and has both supported and condemned the same.

## Vietnam

Vietnam claims the entire Spratly islands and an extensive part of the South China Sea. These claims are based on history and the continental shelf principle. The Vietnamese claim that the Spratly and Paracel islands were claimed by France in the 1930s on behalf of its colony Vietnam. They also contend that the Vietnamese have inhabited the Spratlys since the 17<sup>th</sup> century and, thus, are the rightful owners of the islands.

## Brunei

Brunei claims the part of the South China Sea closest to it as its continental shelf and EEZ, as prescribed by the United Nations Convention on the Law of the Sea (UNCLOS).

As stated in the UNCLOS, the Exclusive Economic Zone (EEZ) is an area beyond and adjacent to the territorial sea, subject to the specific legal regime established in this Part, under which the rights and jurisdiction of the coastal State and the rights and freedoms of other States are governed by the relevant provisions of this Convention. This area shall not extend beyond 200 nautical miles from the baseline.

## Official Documents:

### **Excerpt of**

United Nations  
Security Council

**Topic:** Territorial Rights in the South China Sea

**Sponsors:** The Republic of Korea, Australia, Luxembourg, Pakistan, the United Kingdom, Russia, the United States

**Signatories:** France, China, Togo, Morocco:

1. Strongly recommends that the boundaries of the South China Sea, in regards to first priority of wielding the ocean's resources, be delegated to say nations as follows:

A. The People's Republic of China will be allotted the following territory, marine or otherwise:

- a. A 1000-kilometer radius of the baseline of the shore to explore and exploit resources freely, while not infringing on other country's sovereignty and not specifically barring other countries from this region;
- b. the Mischief Reef,
- c. Fiery Cross Reef,
- d. Subi Reef of the Spratly Islands,
- e. Itu Aba Island,
- f. Union Reefs,
- g. London Reef,
- h. Barque Canada Reef,
- i. Amboyna Cay.

B. The Republic of the Philippines will be allotted the following territory:

- a. A 380-kilometer radius off the baseline of the shore to explore and exploit resources freely, while not infringing on other country's sovereignty and not specifically barring other countries from this region
- b. Loaita Island,
- c. Lankiam Cay,
- d. Nanshan Island,
- e. Flat Island,
- f. North Danger reef,
- g. Commodore Reef,
- h. Thitu Island,
- i. West York Island of the Spratly Islands.
- C. The Socialist Republic of Vietnam will be allotted the following territory:
- a. A 380-kilometer radius off the baseline of the shore to explore and exploit resources freely, while not infringing on other country's sovereignty and not specifically barring other countries from this region;
- b. Vanguard Bank,
- c. Prince Consort Bank,
- d. Grainger Bank,
- e. Bombay Castle, ladd Reef,
- f. Spratly Island,
- g. London Reefs,
- h. Pearson Reef,
- i. Alston Reef, Pigeon Reef,
- j. Cornwallis S. Reef.
- D. Malaysia will be allotted the following territory:
- a. A 280-kilometer radius of the baseline of the shore to explore and exploit resources freely, while not infringing on other country's sovereignty and not specifically barring other countries from this region;
- b. the Erica Reef,
- c. Investigator Shoal,
- d. Mariveles reef,
- e. Dallas Reef,
- f. Ardasier reef,
- g. Shallow Reef of the Spratly Islands.
- E. Brunei will be allotted its claim as it does not interfere with any other claims, in addition to the Louisa Reef;
- F. The Russian Federation will be allotted the following offshore rights:
- a. Allotted 400-kilometers of oil rights in the lower part of the South China Sea.
- b. Will continue to pass through and trade within the territories of China and Vietnam, due to their bilateral agreements.
- For the complete resolution, please visit:
- <https://www.google.co.in/url?sa=t&rct=j&q=&esrc=s&source=web&cd=7&cad=rja&uact=8&ved=0ahUKEwitpJbs94jUUAhUSSY8KHURbCCkQFghGMAY&url=https%3A%2F%2Fnewmexicomodelun.files.wordpress.com%2F2013%2F04%2Fresolution1-1southchinasea.docx&usg=AFQjCNFEuEM2YygEYtdnpfwesrnfCDbF6Q&sig2=12YUKqrtguDOWzj5VSJQ-g>
- Other resolutions:
- [http://www.un.org/sg/spokesperson/highlights/index.asp?HighD=7/24/2012&d\\_month=7&d\\_year=2012](http://www.un.org/sg/spokesperson/highlights/index.asp?HighD=7/24/2012&d_month=7&d_year=2012)
- [http://www.un.org/depts/los/convention\\_agreements/texts/unclos/unclos\\_e.pdf](http://www.un.org/depts/los/convention_agreements/texts/unclos/unclos_e.pdf)



[http://asean.org/?static\\_post=declaration-on-the-conduct-of-parties-in-the-south-china-sea-2](http://asean.org/?static_post=declaration-on-the-conduct-of-parties-in-the-south-china-sea-2)

### 3.3 Teesta Water Dispute

#### Geography of The Teesta

##### River:

Famous for its emerald-green waters, the Teesta River is one of the most important rivers in Bangladesh. Prior to meeting the Brahmaputra as its tributary, it is also known to form the boundary between the states of Sikkim and West Bengal. 115 km of the 315 km long river lies in Bangladesh, and the rest lies in India. It has drainage of about 12,000 km, of which about 83% lies in India.

The Teesta River has its source high up in the Cholamo Lake in Northern Sikkim at an altitude of 17,4876 ft over the sea surface in the Himalayan

mountain ranges. The average monthly flow of the river is about 2,430 cubic meters per second (Cusec), and its average catchment area in the mountains is just 12,500 km.

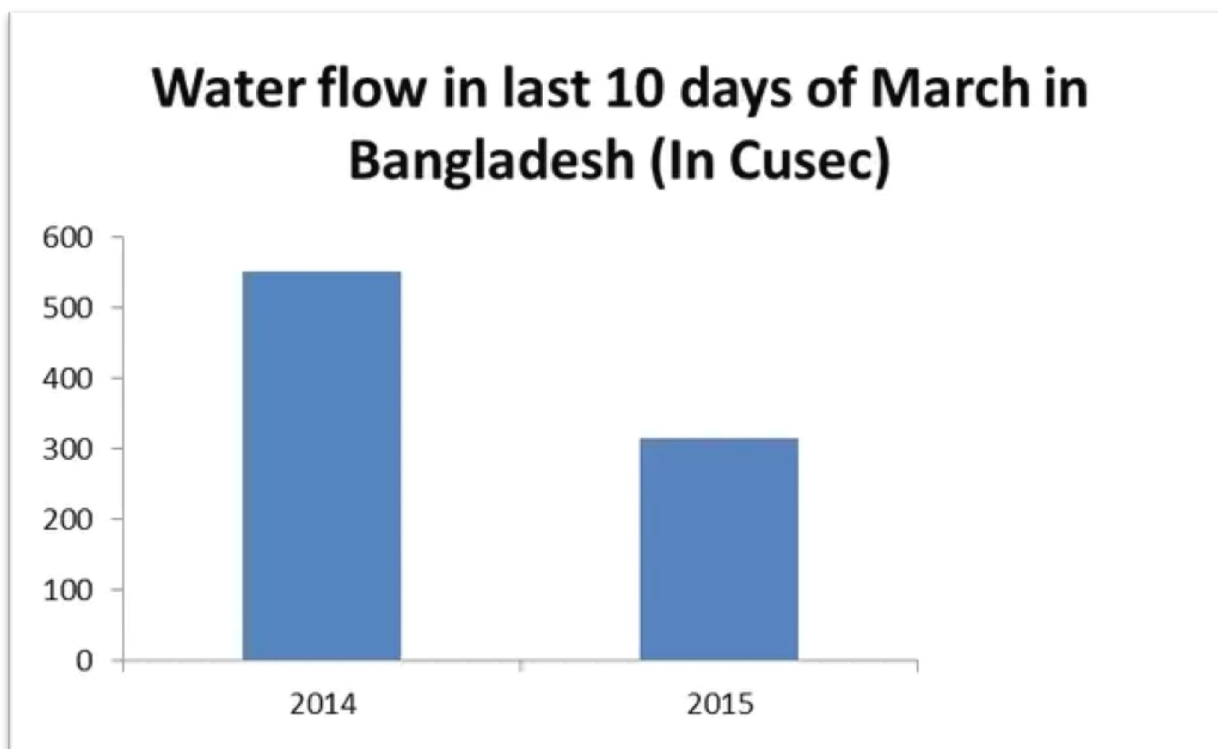
#### Water Allocation:

India and Bangladesh share 54 streams in common, with the Teesta being a major one. Currently, 39% of the total water is allocated to India, 36% is allocated to Bangladesh, and the remaining 25% remains unallocated.

#### Bangladesh's Stance On the Dispute:

Bangladesh claims for 50% of the total water on its behalf, especially during summers, because it is when the water flow in the country drops drastically. 1,00,000 hectare of the Bangladeshi land directly depends on Teesta River for irrigation-based activities. This historical flow of the river has also led to a loss of livelihood for the fishermen and for their farmers, whose standing crops are withering away.





India promotes its own interests, calling it a compulsion. To boost its agriculturally-fertile land, India says not enough water is flowing from the Teesta to achieve its target of bringing 1.5 lakh acres of land under farming.

The crux of the dispute also lies in the formation of dams, which are on the river in the Sikkim region and can harness 50,000 MV of energy for India in the coming few years. Experts are apprehensive because they believe construction of these dams may cause river-stimulated seismicity.

#### Solutions to The Dispute:

Negotiations have been occurring since 1983. A 2011 interim deal was planned to divide the water as 42.5% to India and 37.5% to Bangladesh. However, the then-Chief Minister of West Bengal, Mr. Bannerjee, cancelled the trip, and the deal was left unratified.

The then Chief Minister of West Bengal Mr. Rajiv Bannerjee proposed that the two countries should set up a

commission to solve the dispute, but the inequality in division and the greed to exploit as many water resources as possible has failed the commission to bring out pragmatic solutions over time.

#### Conclusion:

The success of a comprehensive deal on the dispute has emerged as a necessity for governments of both countries. Bangladesh has been considered as one of India's strongest allies in South Asia, and allocating a permanent solution will help it remain so.

Overcoming the problem would provide New Delhi a political grasp over the Bay of Bengal region in order to check the influence of China. On the other hand, signing a pact would provide Bangladesh's PM Haseena an upper hand over other political parties in the 2018 General Elections.



### India’s Stance On the Dispute:

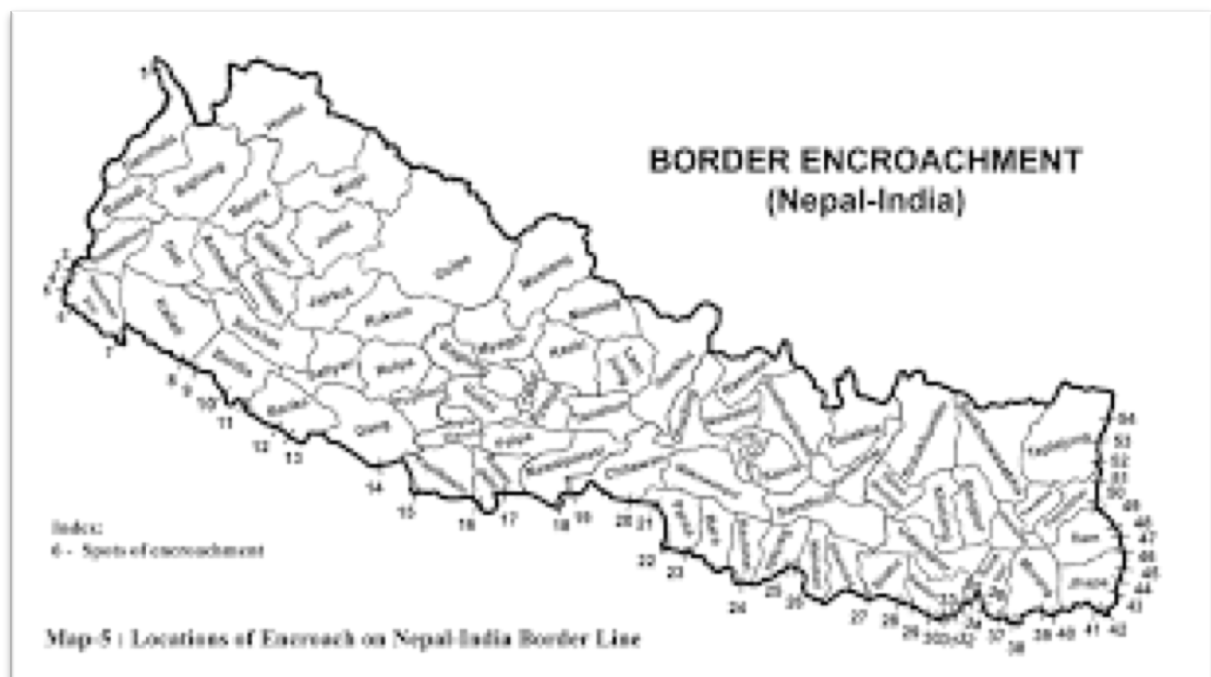
The Indian Army views the Kalapani area as a strategic point to watch the Chinese activity army via Lipulek Pass. There is a most strategic and highly sensitive spot 6,180 meters high in Kalapani area, from where all Chinese activities can be visualized with the help of a binocular. The district, as India says, has been held not by the India army but by the Indo-Tibetan Border Police.

### 3.4 Kalapani Dispute

Kalapani is a 372 square km area where Nepal, China, and India meet. It has been a long-disputed area for all countries, as they see Kalapani as important in their own ways and hence lack a converging opinion.

### Nepal’s Stance On the Dispute:

Nepal has long complained of small but continuous encroachments by the Indian Army into its territories as and when the Kali river shifts its course. Nepal believes that Kalapani lies in the Darchula district of Nepal, and so for the Nepalese, the Indo-Tibetan Border



Police presence amounts to Indian encroachment of Nepal territory. It therefore demands that the border post should be removed and the area should be restored under the Nepalese government.

### Solutions to the Problem:

Both Delhi and Kathmandu believe that continuing the order dispute may hamper the safe and efficient movement of trade and pilgrims across the strategic Lipu Lekh pass.

As far as the Indo-Nepal border demarcation is considered, the India-Nepal Joint Technical Level Boundary committee has been working for the last three decades, but no strong solution has been found. The order encroachment, disputes on some segments, divergence of opinion on basic maps, and old documents have led to the failure of a successful demarcation to satisfy both the parties. The targets have been reset a number of times for 1999, 2001, and 2003, but all failed.

A Joint Technical Boundary Committee has also been made. It meets in Nepal and India twice a year consecutively, but nothing concrete has emerged from its deliberations so far. It may be feasible to shift India to the Western Bank of Mahakali, but what is technically feasible is not politically and strategically feasible.

### **3.5 Questions a Resolution Must Answer**

1. In general context of the agenda, what immediate action can the United Nations Security Council take to reduce tensions in all the disputed areas?
2. In general context of the agenda, what long term action can be taken to address the issue?
3. In general context of the agenda, what effect will the intervention of other countries have on the dispute?
4. In general context of the agenda, what is the role of the countries involved in the disputes, and what role should they assume?
5. In general context of the agenda, how has the issue affected resources and the lives of people, and how can the United Nations Security Council overcome and further prevent such damages?
6. Considering the Spratly Islands dispute, how should the ownership of the island group be allotted to countries according to legal bases of claim?
7. Considering the Spratly Islands dispute, what new rules and guidelines need to be established to ensure peace and order in the South China Sea?
8. Considering the Spratly Islands dispute, how is the UNCLOS to be applied to the disputed regions of the South China Sea?
9. Considering the Teesta Water Dispute, on what basis should the Teesta Water be allocated between the two countries?
10. Considering the Teesta Water Dispute, Should the Sugauli treaty be and the documents be still relied upon or should there be a decision on the basis of current situation in the district?

11. Considering the Teesta Water Dispute, What role can China play as a significant neighbour for the two countries in solving the dispute?

### 3.6 Links for Further Research:

The United Nations Convention on the Law of the Sea (UNCLOS) (Important for all the topics in the agenda)

[http://www.un.org/depts/los/convention\\_agreements/convention\\_overview\\_convention.htm](http://www.un.org/depts/los/convention_agreements/convention_overview_convention.htm)

An article emphasising on the effects that South China Sea clashes, especially between China and Philippines, have on ASEAN:

<http://nationalinterest.org/feature/south-china-sea-clashes-are-fracturing-asean-16699>

A collection of analyses on the various aspects of the South China Sea dispute:

<http://thediplomat.com/tag/south-china-sea-disputes/>

A summary of the China-Philippines conflict and the Hague tribunal ruling:

<https://www.theguardian.com/news/2016/jul/12/south-china-sea-dispute-what-you-need-to-know-about-the-hague-court-ruling>

An in-depth report on the settlement of disputes in Spatly Islands:

[http://www.un.org/Depts/los/nippon/un\\_nff\\_programme\\_home/fellows\\_pages/fellows\\_papers/nguyen\\_0506\\_vietnam.pdf](http://www.un.org/Depts/los/nippon/un_nff_programme_home/fellows_pages/fellows_papers/nguyen_0506_vietnam.pdf)

### 3.7 Bibliography:

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<http://china.usc.edu/treaty-peace-between-republic-china-and-japan-treaty-taipei-1952>

<http://thediplomat.com/2014/05/taiwan-will-not-cooperate-with-china-in-south-china-sea/>

<http://www.reuters.com/article/us-southchinasea-taiwan-idUSKBN13O0SU>

<http://thediplomat.com/2016/06/what-does-the-nine-dash-line-actually-mean/>

<http://www.nytimes.com/2012/06/22/world/asia/china-criticizes-vietnam-in-dispute-over-islands.html>

## Closing Remarks

Through this guide, we aimed at giving you the basic ideas of these pressing and current issues. These are the issues that the committee will be traversing through in some form or the other. It will be helpful if all the delegates go beyond this guide and independently research so that the agenda remains clear to you at all points of time. Do use verified media sources to read about actions and perspectives on the content above. We also encourage you to go through past UN resolutions and other official documents regarding the agendas. And finally, as a delegate, solidify your nations' view of the dispute and come prepared to the conference.

Apart from what is mentioned in this guide regarding the procedures, we will soon be posting a video regarding both UN4MUN and Security Council procedures, which we hope will further clarify your doubts about the UN4MUN procedures.

If after this video and the study guide, you still face any problem regarding the agenda, the committee in general, or the procedures, please do not hesitate to contact any of us at [sc@shishukunmun.com](mailto:sc@shishukunmun.com).

Above all, we hope to make this conference an extremely memorable and special experience for you all. We wish you all the luck for your research and look forward to meeting you all.

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