



Regional Council

US Senate Background Guide

Dispute in the South China Sea - US Senate 119th Congress

Letter from Director

Dear Delegates,

My name is Apollin Lu and it is my utmost pride to serve as director of the US Senate. I started MUN in 6th grade and it truly changed my life. I've gained lifelong friends, memories and skills I will cherish for the rest of my life. SMUSMUN 2025 will be my 16th MUN conference and I have no doubt it will be just as special as my first conference. I aim to make our committee as welcoming and as fun as possible. I think in the midst of late night crises, chaotic unmods and the general buzz on MUN, we often lose sight of what matters the most, which as corny as it sounds is having fun.

Over the past few months, me and your dias committee have been hard at work writing your background guide. It is my pleasure to introduce you to my chair, Bronwyn, assistant director, Byrdie and general staff Eli. After much (rather heated) debate over our topic, we have chosen: the current situation in the South China Sea. We feel it is a timely topic, with a variety of actors and perspectives to invite engaging debate.

I wish you the best of luck in your preparations. Please do not hesitate to reach me at apollin.lu@smus.ca, whether it be about position paper questions, the conference or anything at all.

Kind Regards,
Apollin Lu
US Senate Director

Position Paper Policy

What is A Position Paper?

A position paper is a brief overview of a country's stance on the topics being discussed by a particular committee. Though there is no specific format the position paper must follow, it should include a description of your positions your country holds on the issues on the agenda, relevant actions that your country has taken, and potential solutions that your Senator would support. Each position paper should not exceed one page, excluding works cited, and should all be combined into a single document per delegate. For the United States Senate, position papers, although strongly recommended, are not required. However, delegates who wish to be considered for an award must submit position papers. If delegates choose to write their position paper with the help of AI, they will also not be eligible to receive awards.

Formatting

Position papers should:

- Include the name of the delegate, their country, and the committee (For US Senate this would be delegate name and senator they're representing)
- Be in a standard font (e.g. Times New Roman) with a 12-point font size and 1-inch document margins
- Not include illustrations, diagrams, decorations, national symbols, watermarks, or page borders
- Include citations and a bibliography, in any format, giving due credit to the sources used in research (not included in the 1-page limit)
- Not be written by Large Language models (AI), as this does not align with school and SMUSMUN policy. (If you require further clarification, please contact us.)

Due Dates And Submission Procedure

Position papers for this committee must be submitted by 11:59 PM PT on April 2nd 2025. Once your position paper is complete, please save the file as your last name, your first name and send it as an attachment in an email to your committee's email address, with the subject heading as "[last name] [first name] — Position Paper". Please do not add any other attachments to the email. Your position paper should be submitted in PDF format; position papers submitted in another format will not be accepted. Each position paper will be manually reviewed and considered for the Best Researched award. Please send all Position Papers to apollin.lu@smus.ca.

Overview

While the South China Sea has always been an issue in the back of America's mind, in the more recent years, the US has realized its changing role in the situation. And while many important Americans have expressed their opinions, the US Congress and specifically the Senate are tasked with resolving this conflict once and for all, without violence or trade warring.

The issue of the South China Sea is very unique in the US, as most senators agree that China's Nine Dash Line is a ridiculous claim, and that the US should support our allies in the region, protecting them from any unprompted Chinese threats, whether they are military or economic. The divide between policies really appears in the way that we do so. Being one of the United States' most influential trading partners, China has a significant economic grip over the US, but so do other countries. Despite trade with China being 11.1% of the US's total trade, three other countries with disputes against China in the South China Sea, South Korea, Taiwan, and Vietnam, all culminate to 9.5% of total trade, representing a significant portion that cannot be ignored.¹

In addition to the economic issues, the United States has a responsibility to aid its allies in the area in the face of military threats by China. In this instance, the United States has important military and political alliances with the member states of the Association of Southeast Asian Nations (ASEAN). Former Secretary of the Air Force, Frank Kendall, expressed his fear of the might of the Chinese military, through his experiences travelling in Asia in the past 15 years. Specifically, he found the People's Republic of China's continued investment in nuclear and cyber warfare to be alarming, signaling the need to prepare the United States in case of possible military conflict.² If the United States were to follow Kendall's advice, the union would need to maintain and increase existing joint military operations with pacific allies, which would include the restructuring of the DOD initiative, or even formalizing a treaty or military alliance.

With China's never-ending threats in the South China Sea, the west, including the United States, is becoming increasingly more aware of the role that must be undertaken to halt the spread of Chinese ambition. With this in mind, the US Senate must rule in a way that facilitates economic growth while also protecting its democratic allies in the area from Chinese aggression.

¹ "Top Trading Partners - December 2024." United States Census Bureau. US Department of Commerce. Last modified December 2024. Accessed February 20, 2025.
<https://www.census.gov/foreign-trade/statistics/highlights/topcm.html>.

² Olay, Matthew. "Threat From China Increasing, Air Force Official Says." US Department of Defense. Defense Media Activity. Last modified September 16, 2024. Accessed February 20, 2025.
<https://www.defense.gov/News/News-Stories/Article/Article/3907669/threat-from-china-increasing-air-force-official>

Timeline

2016

An international tribunal votes unilaterally in favour of the Philippines, inciting that the PRC has no basis in international law. Both the PRC and the Philippines were member states, meaning this ruling was legally binding on both parties.¹ On July 13th, 2020, the United States, under president Trump, consolidated its views on the topic entirely with the tribunal, advocating for recognition that Beijing cannot legally assert maritime jurisdiction from the EEZ of Scarborough Reef and the Spratly Islands, as well as James Shoal. Additionally, former secretary of state,³ Michael Pompeo, rejected the PRC's claims over the Vanguard Bank, Luconia Shoals, waters in Brunei's EEZ, and Natuna Besar. ¹

2015 - 2019

The United States introduces the DOD Indo-Pacific Marine Security Initiative, in 2015 to reaffirm its efforts in backing South East Asian nations such as the Philippines, Vietnam, and Singapore and is later broadened in 2019 to include increasing maritime awareness in these countries. Furthermore, the US has proceeded to conduct joint military patrols and operations within the South China Sea along with allied countries like Japan, India, and Australia.⁴

2020

The United States took a more proactive approach to resolving the conflict by restricting trade with Chinese construction, energy, and shipbuilding companies involved in the South China Sea. With these new additions to its entity list, US companies are banned from exporting to these companies without a license.⁵

³ Pompeo, Michael R., Secretary of State, ed. "U.S. Position on Maritime Claims in the South China Sea." US Department of State. Last modified July 13, 2020. Accessed February 19, 2025. <https://2017-2021.state.gov/u-s-position-on-maritime-claims-in-the-south-china-sea/>.

⁴ Ben Dolven, Susan V. Lawrence, and Ronald O'Rourke, "South China Sea Disputes: Background and U.S. Policy," Congressional Research Service, last modified February 2, 2021, <https://crsreports.congress.gov/product/pdf/IF/IF10607/6>.

⁹ Olay, Matthew. "Threat From China Increasing, Air Force Official Says." US Department of Defense. Defense Media Activity. Last modified September 16, 2024. Accessed February 20, 2025. <https://www.defense.gov/News/News-Stories/Article/Article/3907669/threat-from-china-increasing-air-force-official-says/>.

⁵ Ibid

2021

Then US secretary of state, Anthony Blinken, reaffirmed the United States' commitment to aiding their Filipino allies if there is a threat of armed attacks against military or civilian air or watercraft. While speaking about the US-Philippines Mutual Defense Treaty, Blinken also committed to the backing of Southeast Asian allies, "in the face of PRC pressure."⁶

2023

Republican Senator Marco Rubio introduced the South China Sea and East China Sea Sanctions Act, which if passed, would allow the president's administration to deny certain visa rights or property blocking sanctions to Chinese individuals who have supported the government's claims to the South China Sea, or its ability to access the resources there. These sanctions or additional export restrictions could be imposed on shareholders of individuals in support or directly involved in the Chinese operations within the nine dash line. With this legislation, the Department of State would be accountable for submitting occasional reports to congress, "identifying countries that recognize China's claims to the contested territories."⁷

2025

On February 18th, the United States called out the Chinese military in light of an incident involving a dangerous helicopter maneuver. According to CNN, "a Chinese military helicopter flew within 10 feet (3 metres) of a Philippine patrol plane."⁸ Scarborough Shoal, an uninhabited rock sitting amongst valuable fishing grounds, is undoubtedly located within the Philippines' exclusive economic zone (EEZ), despite its de facto control by the People's Republic of China. In response, US ambassador MaryKay Carlson posted on X, a statement encouraging Beijing, "to refrain from coercive actions and settle its differences peacefully in accordance with international law." This was not the only incident of 2025 involving the two countries, China and the Philippines, as tensions soar increasingly high.⁹

⁶ Ibid

⁷ South China Sea and East China Sea Sanctions Act of 2023, S. 591, 118th Cong. (as introduced, Mar. 1, 2023). <https://www.congress.gov/bills/118th-congress/senate-bill/591>.

⁸ Lendon, Brad. "US calls out 'dangerous' Chinese helicopter maneuvers as tensions rise over South China Sea." CNN World. CNN. Last modified February 19, 2025. Accessed February 19, 2025. <https://www.cnn.com/2025/02/18/asia/philippines-china-helicopter-australia-intl-hnk-ml/index.html>.

⁹ Reuters, "US condemns 'dangerous' maneuvers by Chinese navy in South China Sea," VOA News, last modified February 19, 2025, accessed February 19, 2025, <https://www.voanews.com/a/us-condemns-dangerous-maneuvers-by-chinese-navy-in-south-china-sea/7980179.html>.

Historical Analysis

China's claims and US involvement

The South China Sea involves many nations including China, the Philippines, Vietnam, Malaysia, Brunei, and Taiwan. Hatred between the nations mainly revolves around territorial claims around islands and land, and political hatred between countries. China's claims, taken off of the "Nine-Dash Line," dispute with the United Nations Convention on the Law of the State (UNCLOS) and have been hated on by international bodies including the US Senate extensively. The U.S. Senate has actively addressed issues concerning the South China Sea, focusing on China's claims and actions in the region. In March 2023, the US introduced an act called the "South China Sea and East China Sea Sanctions Act of 2023" creating restrictions on people of China involved in activities like military projects in blocked off places.¹⁰ This bill also stops them blocking other nations rights to access what they need in the south China sea, but was never passed.

Influence of major events

The U.S. Senate has played the main role in shaping American policy toward the South China Sea, because of its important shipping and geographical standpoints for society. Over the decades, the senate has slowly chosen its decisions based on major events and how they affect America itself.

The South China Sea dispute first came to be post world war II, as the "Nine-Dash Line" map in 1947, asserting broad claims over the region. At the time the US senate had bigger problems to deal with like the Soviet Union, and simply overlooked the conflict, while keeping a close eye on its progression. As the US senate continued to limit its interest, the Johnson South Reef skirmish took place and killed 64 Filipino soldiers.¹¹ This wasn't just a significant event for the people of the Philippines, but also first alerted America to the seriousness of China's power. The final major shift in U.S. policy occurred in 1995 when China constructed structures on Mischief Reef, a feature within the Philippines' Exclusive Economic Zone (EEZ).¹² The U.S. Senate passed a resolution condemning China's actions, sticking to the importance of continuing to support countries' laws (and international laws) as well as the importance of cultural differences. This was one of the first official legislative actions by the Senate addressing specific changes in the south China sea, and how important it was from an economical standpoint.

¹⁰ South China Sea and East China Sea Sanctions Act of 2023, S. 591, 118th Cong. (as introduced, Mar. 1, 2023). <https://www.congress.gov/bill/118th-congress/senate-bill/591>.

¹¹ Wikimedia Foundation, "Johnson South Reef," Wikipedia, last modified December 23, 2024, https://en.wikipedia.org/wiki/Johnson_South_Reef.

¹² Reuters, "Rubio says US committed to Philippines in call about China's 'dangerous' actions," Reuters, last modified January 23, 2025,

Power and Goals

The Senate exercises its constitutional powers of legislation, oversight, and giving formal consent of treaties to control South China Sea policy. However, it does often use these devices for policies regarding strategic questions which the U.S. sponsors in the region.

Legislative Power and Sanctions

The Senate has launched a lot of bills regarding the South China Sea, to counter China's aggression with respect to heavy military expansion and militarization in the region. Such is the case with the South China Sea and East China Sea Sanctions Act¹³ that was meant to separate Chinese players involved in the artificial island-building and aggression from the military. Such activities have also been funded by NDAA's to carry out military operations, surveillance, and Freedom of Navigation Operations (FONOPs) in the region to protect international maritime rights.

Objectives of the U.S. Senate

There are many main objectives of the US senate that have been made clear. A few examples are a few of the efforts directed toward making sure that heightened military assistance would go to Southeast Asian states as part of strengthening their maritime security¹⁴. Some others look like Strengthening Alliances and Regional Partnerships and the Diplomatic and military engagement of regional allies to guarantee security (Or to reaffirm security), as well as some Common-ASEAN foreign capacity-building programs and assistance initiatives placed to see regional responses to territorial claims.

¹³ South China Sea and East China Sea Sanctions Act of 2023, S. 591, 118th Cong. (as introduced, Mar. 1, 2023). <https://www.congress.gov/bill/118th-congress/senate-bill/591>

¹⁴ Jim Gomez, "US and Philippine fighter aircraft jointly patrol disputed shoal region guarded by China," AP News, last modified February 4, 2025, <https://apnews.com/article/philippines-us-joint-patrol-scarborough-shoal-843b68e5833dd640fc9336ac415705c3>

Possible Solutions and Controversies

Strengthening Alliance and increasing military aid with ASEAN:

Strengthening alliances and increasing military aid and coalition drills with ASEAN and QUAD (U.S., India, Japan, Australia) allies would help to strengthen regional security.¹⁵ This would help to secure major trade routes and prevent possible economic disruption of American trade routes and goods and stop any single nation from securing critical maritime checkpoints. It would especially help to strengthen regional stability with extra military support and help to standardise tactics in a time of crisis, to create allies with an equal strength.

Legal and Diplomatic Pressure:

Advocating for stronger enforcement of UNCLOS and supporting diplomatic moves that usher transparency and accountability would help strengthen American involvement in territorial disputes (the main disputes that happen in the south China sea).¹⁶ It could also help the Senate in advocating for stronger partnerships with Japan, Australia, the EU, and QUAD to create a more unified front on territorial conflicts, and to create peace amongst the joint regions. There is also the possibility that it could help to limit China's actions and make it harder to claim legality for territorial expansion.

Increased Sanctions and Restrictions:

Impose sanctions on those individuals or groups which have engaged in illegal sea encroachment or ecological destruction within the South China Sea.¹⁷ As it would limit the US financial and trade system, it could lead to many possible outcomes. This could involve things like blocking Chinese banks that fund the economic cost of expansion for later, and could help to restrict American companies that help China in fishing and other environmental and maritime destruction.

¹⁵ "THE UNITED STATES' ENDURING COMMITMENT TO THE INDO-PACIFIC REGION," U.S Mission to ASEAN, <https://asean.usmission.gov/the-united-states-enduring-commitment-to-the-indo-pacific-region/>

¹⁶ Ibid

¹⁷ South China Sea and East China Sea Sanctions Act of 2023, S. 591, 118th Cong. (as introduced, Mar. 1, 2023); Mathew Lee, "U.S. imposes new sanctions on Beijing over South China Sea violations," PBS News, last modified January 14, 2021, <https://www.pbs.org/newshour/politics/u-s-imposes-new-sanctions-on-beijing-over-south-china-sea-violations>; South China Sea and East China Sea Sanctions Act of 2023, S. 591, 118th Cong. (as introduced, Mar. 1, 2023)

Bloc Positions

Blocs are divided into 3 main categories:

1. Primacists: This was the traditional Republican stance, although Trump has remained quite ambiguous on his position. Primacists advocate for increased spending and US hegemony in the region. They view US presence as a checkback for growing Chinese power, and protect interests like Taiwanese microchips. An interesting development in this bloc is Trump's advocacy against Taiwanese chips, a position that is a complete shift from previous administrations. The US is heavily dependent on Microchips from TSMC and chip sufficiency isn't expected in this decade. Some examples of primacists would be Senator Tom Cotton. He co-sponsored the South China Sea and East China Sea Sanctions Act, aiming to impose sanctions on Chinese entities involved in territorial disputes.

2. Prioritizers: This faction seeks to reallocate U.S. military and diplomatic resources, focusing primarily on strategic competition with China. While they support a strong stance against China's aggression in the South China Sea, they also advocate for scaling back U.S. commitments in other regions to concentrate efforts in the Indo-Pacific. Typical examples would be, senators like Josh Hawley and JD Vance (now vice-president) prioritizing challenges posed by China over other international engagements. Prioritizers make up a significant portion of Trump's cabinet and inner circle.

3. Restrainers: Senators in this bloc advocate for reducing U.S. military engagements abroad. Failure in past interventions is a big factor in their position and they tend to favor diplomatic solutions over military interventions. Senators in this bloc tend to be Democrats, though not all Democrats support this stance. They express caution against actions that might escalate tensions with China, especially in multilateral discussions and regional partnerships to address disputes in the South China Sea. Trump has changed the traditional shaping of this bloc, he is in talks with Xi and increased presence in the South China Sea has a high chance of derailing talks, as Taiwan is a redline for China.

Discussion Questions

1. How can international organizations like the United Nations and ASEAN mediate the dispute?
2. How should the U.S. balance military deterrence and diplomatic engagement in the South China Sea?
3. Should the U.S. increase military aid and security assistance to ASEAN countries?
4. Why do territorial disputes persist despite international legal rulings?
5. What are the risks of escalating tensions in disputed maritime regions?
6. What economic consequences would a prolonged conflict in the South China Sea have?
7. How should the Senate balance national security interests with economic ties to China?
8. How can the Senate leverage trade agreements to discourage aggressive actions by China?
9. How should the Senate respond to potential cyber or hybrid threats related to the South China Sea dispute?
10. What measures can the Senate take to ensure that U.S. defense infrastructure in the region is secure?

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