

# DISEC

## Agenda 1: The militarization of the Arctic Circle.

### IMPORTANCE OF THE ISSUE

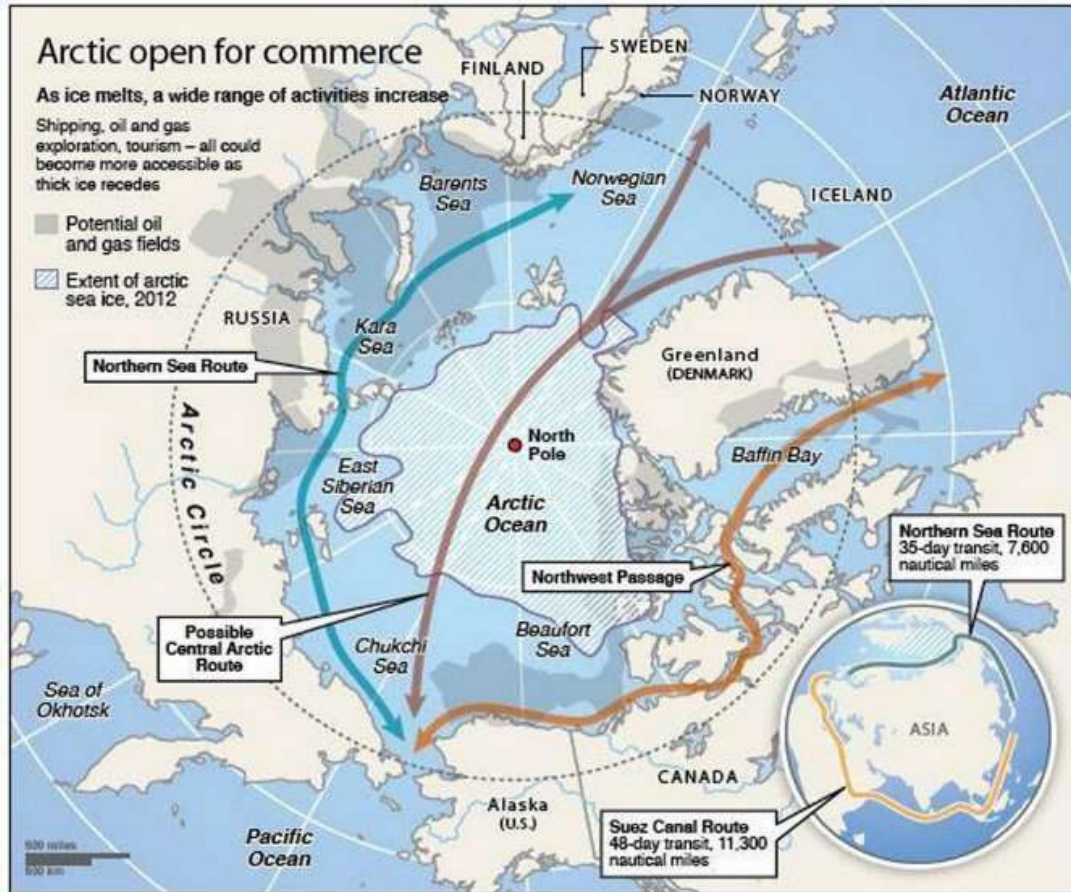
The Arctic region is considered to be geographically significant due to several reasons. The primary reason is that the High North contains an unthinkable large quantity of natural resources. Studies have concluded that the Arctic may be capable of containing an approximate of one fifth (1/5th) of the world's undiscovered oil reserves and natural gas resources; as a matter of fact, there is evidence that suggests the possibility that 90 billion barrels of oil reserves and 47 cubic meters of natural gas lie under the region, which amounts to around 13% of the world's approximate reserves. In addition to oil and natural gas, it is also believed that the Arctic is rich in other resources, including precious stones such as platinum, gold, silver, iron, zinc, copper, as well as significant deposits of methane hydrates, the potential future energy source, deep under the region's ocean. In a situation where the world's natural resources are being depleted at an extremely fast rate, it is desirable for any nation to claim Arctic as its own land, which presents a profusion of natural resources along with a vast area of developable land.



In addition to oil and natural gas, it is also believed that the Arctic is rich in other resources, including precious stones such as platinum, gold, silver, iron, zinc, copper, as well as significant deposits of methane hydrates, the potential future energy source, deep under the region's ocean. In a situation where the world's natural resources are being depleted at an extremely fast rate, it is desirable for any nation to claim Arctic as its own land, which presents a profusion of natural resources along with a vast area of developable land.

The main Arctic states that were first entangled in this contentious issue are Russia, Canada, Denmark, the United States of America, Sweden, Finland, Iceland and Norway. It can be said that the rest of world's nations were used to the fact that major concerns were submitted to the Arctic Council, which was set up in 1996 to settle territorial disputes between the Arctic Nations. But that is not the case anymore, and things have changed. Today, other countries appear to resent this method, it seems that they would also like to take part in the division of the Arctic pie. The primary countries to voice their discontent with the way in which the Arctic was being used were the United Kingdom, Germany, France, Spain and Poland. Nowadays, countries like India, Japan, South Korea, Australia, Brazil and People's Republic of China are also knocking at the Arctic Council's door, insisting that the Arctic should belong to everyone.

In the international arena, the issue of the Arctic was then tackled as an issue of 'Sovereignty' amongst countries. The issue of challenging claims for sovereignty over territorial waters was raised in the United Nations in 1967 by Malta, and this led to convening the Third United Nations Conference on the Law of the Sea in 1973. In order to reduce the influence of organized groups of states influencing the negotiations, the standard majority vote was replaced with a consensus voting procedure. This prolonged the negotiations for a while, and the final agreement was reached only 9 years later, in 1982.



The final product of the conference was the treaty that is known today as the United Nations Convention on the Law of the Sea (UNCLOS), which only entered into force in 1994 and became the most significant international agreement regulating the rights and responsibilities of nations in their use of the world's high seas. Probably the single most important provision of the UNCLOS permitted coastal states to establish exclusive economic zones extending up to 200 nautical miles within which they could exercise sovereign rights over both the waters and the seabed. Furthermore, the treaty assured that this sovereign territory could be extended depending on how far the continental landmass belonging to a nation extended out under the ocean. Moreover, another factor that contributes to the significance of this region results from the well known concept of climate change. As the annual global temperature rises slowly yet continuously, the Arctic territory is decreasing in size, with sea ice and ground permafrost melting rapidly. As a result, it is now possible for some ships to pass through areas that were almost inaccessible before the climate change. In 2005, for instance, the Akademik Fyodorov, A Russian Research vessel, successfully reached the North Pole without the aid of an icebreaker. Looking at the current situation, some scientists predict that the Arctic would be completely free of ice in the near future. This conclusive prediction leads to an implication that new

shipping routes through the Arctic will become much shorter than the currently existing ones. If that will be the case, then both time and money can be saved in transportation and trade, and the issue of sovereignty becomes even more important.

### **Territorial Claims and Militarization**

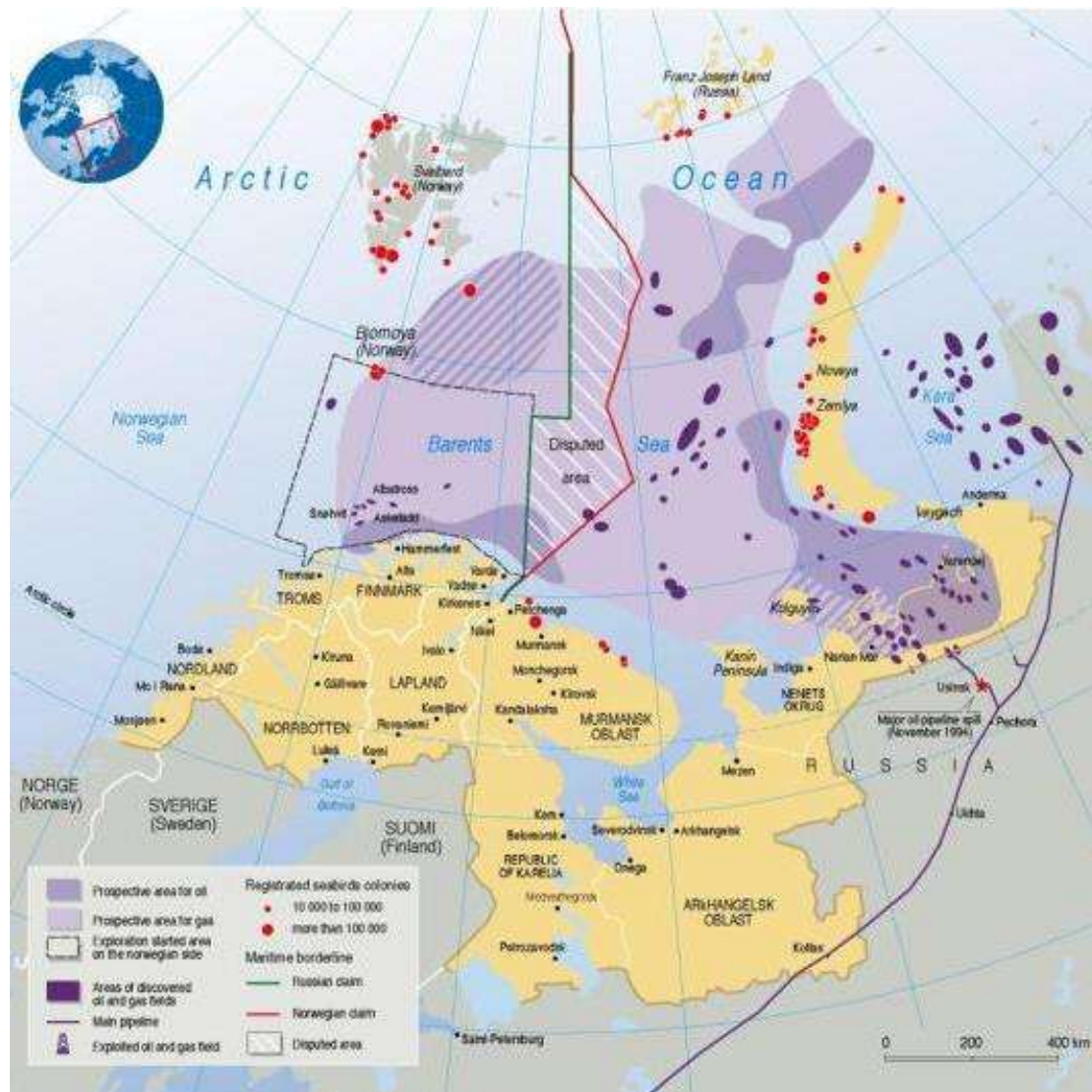
In the early 20th century, the Arctic powers based their claims in the Arctic off the sector principle. The sector principle meant that each country could lay claim to the territory enclosed within lines drawn from the Arctic Circle to the Eastern and Western boundaries of the country. There were many conflicts concerning sovereignty over parts of the Arctic Sea during the 1920's. Both Canada and Russia laid claim to the territory north of their borders all the way to the North Pole. Arctic affairs gained a new, sinister flavor following World War II. As East-West tensions grew, the strategic and military aspects of the Arctic become crucial. The Arctic was extremely important during the Cold War because the shortest distance between the US and the Soviet Union was over the Arctic. As the United States did not have much territory in the Arctic it had to rely on treaties and agreements with other Arctic powers to protect this region.

### **United Nations Convention on the Law of the Sea**

In 1994, the United Nations ratified the United Nations Convention on the Law of the Sea (UNCLOS) after over two decades of legislation. Possibly the most significant clause in UNCLOS allowed countries possessing coastal borders to claim the sea and sea bed up to 200 nautical miles from their coast line as an exclusive economic zone and sovereign territory. Furthermore, UNCLOS permits the extension of this territory depending upon the extension of the continental land mass. Currently, UNCLOS has been ratified by 158 nations. The US has not ratified UNCLOS.

Arctic Militarization Prior to World War II, there was no military activity in the Arctic. However, during WWII there were several minor battles there and it served as an important convoy route between the UK and the USSR. Military activity in the Arctic really increased most dramatically following WWII. There were three main reasons for this increase in military activity. The first cause of this increase was the Cold War. The second cause was the development meant of nuclear weapons and long-range delivery mechanisms. The third cause is that the Arctic was the shortest distance between the USA and the USSR. By the 1980's, both the USA and Russia had developed their ballistic missile systems to the point that from a submarine in the Arctic, virtually all strategic targets in the Northern hemisphere were in range of a nuclear strike. This led to an increased emphasis on sea and air defense systems in the region. The USA in particular built many radar stations in the Arctic with the cooperation of Canada and Iceland. After the end of the Cold War, most Arctic powers moved their forces away from the Arctic. However, in recent years the Arctic has been re-emerging as an important strategic and economic area





## Current Situation

The United States Geological Survey found in 2008 that, "The Arctic accounts for about 13 percent of the undiscovered oil, 30 percent of the undiscovered natural gas, and 20 percent of the undiscovered natural gas liquids in the world.i " Additionally the Arctic also contains significant deposits of gold, silver, copper, iron, platinum, lead, tin, nickel, diamonds, zinc, and manganese. As one might imagine, these economic resources make the Arctic a highly desirable zone for economic expansion. The issue of territorial claims over the Arctic gained significant media attention in 2007, when a Russian submarine planted a Russian flag in the North Pole. This act was symbolic of a significant shift in policy towards the Arctic, which for most of the twentieth century had been generally recognized as international waters. Both Russia and Norway have submitted territorial claims to the United Nations Commission on the Limits of the Continental Shelf. Russia's claims are still contested and under investigation, but Norway's claims to over 235,000 sq. km of territory were recognized. Some contested areas at the moment are the sea

border between Alaska and Canada, and the East Barents Basin, between Russia and Norway. Russia has been increasing Arctic patrols and strengthening its Arctic forces since 2007. This increased military presence has been thought to be a Russian attempt to gain more influence and leverage in territorial disputes in the Arctic. The United States is also increasing its presence in the region and is planning to establish a Joint Task Force-Arctic Region Command and an Arctic Coast Guard Forum. Canada has also increased its Arctic presence, building new patrol ships, new military bases, and a port

### **International Stand**

Although the geopolitics of the Arctic Ocean is largely regional, it undoubtedly affects the entire international system, as it involves the political relationship between great powers. In the same vein, it is feasible to analyze such regional issue in the global aspect through the assessment of three different groups: (1) countries directly situated close to the Arctic region, (2) countries not situated in the area, and (3) international organisations involved in the matter.

Keep in mind that the list below only includes directly related countries, and the views of other states, even though not presented in this list, are also important for the debate:

### **Russian Federation**

Russia views the Arctic region as an area of vital importance to the country's economic and strategic interests. The Arctic is, on the one hand, a fundamental supply of resources, producing 11% of the nation's GDP; on the other hand, it provides Russia with access to three oceans and military bases, which grants numerous advantages in terms of geographical position. In consequence, Russia strongly opposes the internationalization of the Arctic; it also plans to arrange special military forces in the region in order to guarantee military security under various military and political situations.

### **The United States of America**

Shortly before leaving the presidency, George Bush issued a presidential directive dedicated to the United States Arctic Policy, emphasizing the strategic significance of the Arctic for the United States in relation to the missile defence and early warning systems. The United States also implied that it is also entering the scientific and military race for sovereignty over parts of the Arctic. Nonetheless, the US takes a different approach than Russia in that it has always supported the need for freedom of navigation in the Arctic Ocean, focusing on the fact that its vessels have the right of international navigation both through Northwest Passage and straights along Northern Sea Route.

### **Canada**

The prime minister of Canada announced the creation of two military bases in the Canadian

Arctic; to emphasize the willpower of Canada to maintain its sovereignty in the Arctic, he also declared that eight patrol vessels would be built and deployed to the region. Likewise, Canada considers the attempts of the US and the EU that support freedom of navigation in the Arctic as questions to Canadian jurisdiction, especially regarding navigation safety in the Northwest Passage. Canada believes that the passage is part of its internal waters and thus should be regulated by the Canadian national law.

### **Denmark**

Denmark is engaged in a territorial dispute with Canada over the status of the Hans Island in the Kennedy Channel. The fact that it is the only Nordic country that is a member of both NATO and EU shows that Denmark is generally supportive of cooperation in the Arctic and the idea of freedom of passage. Denmark is, however, only tied to the Arctic because of its special relationship with Greenland and the Faroe Islands.

### **Norway**

The Kingdom of Norway is the only Scandinavian country to have direct access to the Arctic region. Norwegian territories in the high Arctic include the Svalbard archipelago and the island of Jan Mayen in the Norwegian O Greenland Sea. In consequence, Norway's Arctic focus is devoted principally to issues such as resource management, the environment, and maritime transport, which is uncommon for other European countries. Norway is also committed to developing the Arctic cooperation further, and welcomes the EU's involvement in Arctic governance. On the issue of militarization, Norway is aware of Russia's increased military presence in the Arctic region, and observes with concern Russian bombers flying near the Norwegian coast.

### **Sweden**

From all the Arctic countries, Sweden was the last to make its own strategic policy, which was done in May 2011. Its main policy is based on three fundamental points: (1) climate and environment, (2) economic development and (3) living conditions for people in the region. Sweden craves for a wider line of attack to the question of economic sustainable development of the natives of the Arctic, especially the Sámis, with which the country has cultural bounds. The economic factor is recurrent in its policy strategy, as Sweden is keen to endorse a very wide assortment of economic activities, but the Scandinavian country also highlights the value of respecting international law when exploring natural resources. Even if Sweden is a strong defender of the need for peaceful resolution and demilitarization of the

Arctic, it has been providing training ice fields for NATO and the US and has also been cooperating militarily with other Nordic states.

### **Iceland**

Iceland sustains that it should be recognized as a major player in the matter of the Arctic, and all political parties of the country have agreed that the region is a priority in Iceland

foreign policy. However, the Arctic Council does not consider this country as a coastal state and in formal meetings Iceland is not recognized as such. In 2011, Iceland's parliament approved an Arctic strategy that focuses in environmental issues, natural resources, maritime routes, the questions of natives and the cooperation with other states.

The relationship with other non Arctic states is especially important for Iceland because, since after its economical breakdown in 2008, it has been receiving foreign investments from countries like China that, in return, can obtain the possibility of profiting from the geostrategic location of Iceland. It is also interesting to observe that Iceland's President, Ólafur Ragnar Grímsson, announced in 2013 the formation of the Arctic Circle, an organization that will bring together many international players in the Arctic (not only states, but organizations, indigenous people, institutions, think tanks, etc) to further discuss the issue. This initiative was well perceived internationally, especially amongst scholars advocating for a more constructive approach to the issue of militarization and international cooperation.

### **France**

Even if France does not have any territory in the Arctic, it is the only non Arctic country that has an ambassador charged of the issues in the Arctic. This ambassador, Michel Rocard, affirmed that the country does not have an own Arctic policy and sustains that it is a great voice of the EU's position and it is willing to participate in all negotiations in the Arctic Council. In the same statement, he stressed that the issue is an international matter, where not only Arctic States should be involved, above all if the debate is about the environmental threat. Nevertheless, not only the climate change and its implications motivate France in becoming more diplomatically involved in the subject, but also maritime security, major business interest and, most important, fortification of the country's position as a voice of the EU's geopolitical interests. Furthermore, France is a NATO member with an army able to operate in extreme weathers and is also a nuclear power, which provides the country an important international role in case of a crisis in the Great North.

### **Germany**

Germany is one of the European Union countries that are in the Arctic Council as permanent observer and has multiple economical and ecological interests in the region. The German navy is considered one of the largest in the world and the



prospect of new maritime routes, especially the opening of the Northwest Passage, is attractive because it means economical savings and travel time cutbacks, as already mentioned before; for that reason, Germany endorses the need of maritime freedom. In 2009, a German merchant ship was the first non Russian commercial vessel to sail the Northern Sea Route and the German companies are showing their interest in investing not only because of the benefits of these new routes, but also because of the new access to Arctic's resources. Through technological and military cooperation, Germany wants to fortify the EU's position and, for this matter, has already signed agreements for joint military manoeuvres in the High North with Nordic states.

### **United Kingdom**

United Kingdom Like, Germany, the United Kingdom is also a permanent observer of the Arctic Council, the United Kingdom is devoted to sustain the European Union position in the matter. The British government has officially stressed that the country has a strong environmental, political, economic and scientific interest in the region and that it is willing to assist with technology and expertise. Even if the United Kingdom does not have any territorial interests in the region, it is clearly interested in the new shipping routes, new sources of energy and also in the opportunity to influence in the international. Not only the government is interested in the far north, but also British based oil companies are already showing great curiosity in this new economic frontier.

### **European Union (EU)**

With three of its member states being the Arctic States (Sweden, Finland, and Denmark) the European Union claims for a permanent observer status within the Arctic Council. However, it firmly opposes the concept of an "Arctic treaty", stating that "the full implementation of already existing obligations, rather than proposing new instruments should be avoided." Its interest is to keep the balance between the preservation of Arctic environment and the need for sustainable use of potential resources. North Atlantic Treaty Organization (NATO)

### **North Atlantic Treaty Organization (NATO)**

Considering that five of its member nations (Canada, Denmark, Iceland, Norway, and United States) are part of the Arctic countries, NATO is relatively favourable toward the Arctic Council. One of its goals is to ensure the security and safety of all

its members as well as to promote peaceful collaboration among these nations; under NATO, its member states are able to come together for collective defence if a third party undertakes hostile attacks (Art. 5 of the Washington Treaty).

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## Agenda 2: International security in the region of the South China Sea with special attention to the Spratly and Paracel Islands.



The territorial dispute over South China Sea is certainly not new, but is definitely renewed by oceanographic discoveries, and the subsequent increase in International interest – both due to China's strategic rivalry with the United States of America, and USA's strategic support of the ASEAN countries in the dispute. On an introductory note, it can be said that the dispute is between the claims of ASEAN states and China, but the underlying interests of these nations complicate the dispute – making it, despite recent diplomatic efforts one of the most structurally unresolvable territorial disputes. Situated at the crossroads of Europe, West Asia and India on one side, and Japan and China on the other, together with abundant wealth of natural resources, the South China Sea is also of vital commercial and strategic significance to the states of the regions. Encompassing nearly 3.5 million square kilometres, the South China Sea stretches from Singapore and the Straits of Malacca to the Taiwan Straits. The international value of the South

China Sea has three principle axes: resources, sea-lanes, and security. First, the South China Sea constitutes a massive potential of direct wealth to those who possess its assets via oil, natural gas, and fishing arenas.

Oil reserves estimates range wildly from as high as 213 billion barrels to as low as 28 billion barrels. In fact, China has estimated that the South China Sea holds around two quadrillion cubic feet of natural gas reserves. Much of the speculation over hydrocarbon amounts revolve around two archipelagos (chain or cluster of islands) called the Spratly Islands and the Parcel Islands. According to the 1995 assessment made by the Russia's Research Institute of Geology of Foreign Countries, the Spratly Islands area might contain 6 billion barrels of oil equivalent, of which 70% would be natural gas. While the Chinese media called the South China Sea "the second Persian Gulf," estimating oil resources near the Spratly islands to range from 105 billion barrels to 213 billion barrels.

Beyond resources, the South China Sea hosts perhaps the most significant global sea-lanes in the world. Joining the South-east Asian states with the Western Pacific, the South China Sea plays host to more than half the world's annual merchant fleet tonnage and a third of all maritime traffic. Being mostly export oriented and resources-deficient, Asian-Pacific States depend heavily on sea borne trade. It is estimated that more than 41,000 ships – over half the world's shipping tonnage sail's through the sea each year and more than 80% of the oil imported by Japan, South Korea, and Taiwan transits through the area. The South China Sea is proved to be rich in both living and non-living resources. The South China Sea ranks the fourth among the world's 19 fishing zones in terms of total annual marine production with a catch of over 8 million metric tons (live weight) of marine fish: this represents about 10% of the total world catch and 23% of the total catch in Asia.

With respect to non-living resources, the South China Sea is widely known for its rich oil and gas reservoirs and oil and gas have been discovered in most parts of the sea. In the context of globally increased demand for oil and gas resources and the instability and shortage of the oil and gas supplying resources due the political turmoil in the Gulf, it is clear that the South China Sea is expected to accommodate the need for oil and gas resources for the States in the region thus amplifying the potential for conflicting claims.

Meanwhile, the Spratly islands are located approximately in the centre of the South China Sea, and thus the control over these islands would allow the controlling States to place a substantial part of the South China Sea under its jurisdiction and monitor all sea traffic through the South China Sea. This, in turn, would affect all activities in the South China Sea. The significance of the Spratly islands dispute is therefore more wide-ranging than the area confined by the South China Sea.

The South China Sea dispute is composed of two aspects: the overlapping jurisdictional claims and the territorial dispute over groups of mid ocean islands. It is regarded as one of the most complex disputes in the East Asia, and remains a dangerous source of potential conflict which could worsen if it is not properly managed and resolved. Complicated by many factors such as number of claimants, the economic and strategic nature of the area, the South China Sea dispute of which the dispute over the sovereignty of Spratly islands is a main problem has long attracted the attention of international community and many attempts have been made to investigate the real causes of the dispute as well as to introduce possible resolutions. The complexity of situation has made the South China Sea dispute more vulnerable to armed conflicts

### Spratly Islands and Paracel Islands Dispute



EIA estimates the region around the Spratly Islands to have virtually no proved or probable oil reserves. Industry sources suggest less than 100 billion cubic feet (Bcf) in currently economically

viable natural gas reserves exist in surrounding fields. However, the Spratly Island territory may contain significant deposits of undiscovered hydrocarbons. USGS assessments estimate anywhere between 0.8 and 5.4 (mean 2.5) billion barrels of oil and between 7.6 and 55.1 (mean 25.5) Tcf of natural gas in undiscovered resources. Evidence suggests that most of these resources are likely located in the contested Reed Bank at the northeast end of the Spratlys, which is claimed by China, Taiwan, and Vietnam. The Philippines began exploring the area in 1970 and discovered natural gas in 1976. U.S.-based Sterling Energy won the concession in 2002, and U.K.-based Forum Energy acquired the concession in 2005 and became its operator. However, Chinese objections halted further development, and the concession remains undeveloped.

China's strategic interest in the post-cold war vacuum of the Spratly Islands is also often debated. Various civilian, satellite based and military expansive activities have been carried out and Philippines has recently also sought the help of an International Tribunal to charge China. Most of these disputes are centred on the Chinese built structures in Mischief Reefs and around.

Although China insists that the structures on Mischief Reef are intended only to provide shelter for Chinese fishermen in the area, serious suspicions exist among Asian and Western states that the completion of military structures on Mischief Reef foreshadows further Chinese military activity in the South China Sea. Recent reports in fact suggest that China might be taking secret steps to occupy the Fiery Cross atoll, another tiny islet claimed by the Philippines. Consequently, the Philippine government filed a diplomatic protest against China for the 1999 intrusion onto Mischief Reef, and has welcomed the participation of the United States and the United Nations in efforts to find a solution to the Spratlys dispute.

Paracel Islands have also been traditionally under dispute, and forms a significant subset of the larger South China Sea dispute. The Paracel Islands are disputed between Vietnam and China. The Chinese were occupying Eastern Paracel, also known as Amphitrite group, before 1974. South Vietnam then occupied Western Paracel, also known as the Crescent group. When Vietnam made Spratly islands a part of its administrative unit; China, which claimed all the islands in the area, responded by taking over Western Paracel (Crescent group) sometime between 17 and 20 January 1974. The Paracel operation was a relatively uncomplicated military manoeuvre that did not require the deployment of significant naval assets. It was almost risk free for China since there was practically no likelihood of American intervention. The US as well as Soviet reaction to the event was muted. The US navy and the Red Cross had confined their roles to helping the South Vietnamese to evacuate from the islands. Despite several attempts by the Vietnamese to retake the islands between 1979 and 1982, the Chinese remain in effective control of the whole of Paracel.



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The complexities of overlapping claims and the dispute's long history make determination of national sovereignty in the South China Sea dispute extremely difficult. Obviously, if the issue of sovereignty can be resolved, then the maritime jurisdictional principles codified in the 1982 UNCLOS can be applied to the Spratlys and other disputed areas in the South China Sea. Such application would cede undersea resource rights to portions of the South China Sea to recognized legal owners. But paradoxically, the situation is seemingly irresolvable due to fundamental issues of the effectiveness and compelling nature of the territorial claims in the case. Let us study the historical claims in the case of the South China Sea dispute –

China's claims are quite historical, but oftentimes invalidated by its incapacity to adhere to the Palmas Case of April 1928 that requires that continuing and effective occupation is necessary to make a claim of historical occupation. China and Vietnam claim the entire area of the South China Sea and the islands within it while Malaysia, the Philippines, Indonesia, and Brunei have laid claims to contiguous areas. Two principles govern the claims, both of which work against the Chinese claim to the entire area.

### **Present Threats and Disputes**

We have seen various historical maritime skirmishes in the South China Sea, so much so, that South China Sea has more shipwrecks than any other sea in the world. The present dispute over the South China Sea also tempts escalation, and is a constant threat to International Peace and Security, as China has historically never shown reluctance in the use of military force in exercising control, and even despite recent diplomatic efforts such as the ASEAN Six Point Principles, the mutually agreed Code of Conduct among others, the possibility of military confrontation and inevitable United States involvement makes the South China Sea dispute a very critical tipping balance in long-standing International Peace in the region since Vietnam War. There are many sources of concern, and many of those concerns were renewed after the standoff between China and Philippines during Scarborough Shoal incident

Firstly, China's Intent of the Use of Force to drive out Vietnam, Philippines and other nations that occupy some features in the South China Sea despite its own unacknowledged territorial claims in the region may scale up to become a devastating conflict. Secondly, United States of America's inevitable and direct involvement in the conflict would be beyond its harmless use of South China Sea as a media of propagating Sino-American rivalry as it might come at a great cost, at the same time tipping the balance of peace in the world. Any intervention by United States of America will be reckless and cause great damage to not only the sea but also convert East Asia into an undesirable Theatre of War. Thirdly, South China Sea's denial of free passage by hostile takeover by any claimant will directly affect the economy of almost 150 nations of the world resulting in not only military but great economic pressure on the claimant. Chinese Denial of India's right of exploration in the South China Sea is a mild example of such an incident,

which upon up scaling can become a worldwide conflict. Lastly, the assertion of claims that have the tendency to take violent forms as seen in many incidents in the past year.

While United States of America and Philippines joint exercises in the South China Sea could be nothing but flexing the military muscle, a military conflict would be dangerous, large, exponentially harmful as it will result in Sino-American war-like state given Beijing's already assertive behaviour and result in a power struggle that will also include military giants like America. South China Sea is universally seen as a relatively dormant territorial and sovereignty dispute, but the effects of Beijing's determination can be unwholesome and painful.

### **Scarborough Shoal Incident**



The Scarborough Shoal standoff refers to tensions between China (PRC) and the Philippines which began on April 8, 2012 over the Philippine Navy apprehension of eight mainland Chinese fishing vessels in the disputed Scarborough Shoal

The Scarborough Shoal is claimed by both China and the Philippines. Taiwan also claims the shoal as part of its territory. On April 8, 2012, a Philippine Navy surveillance plane spotted eight Chinese fishing vessels docked at the waters of Scarborough shoal. BRP Gregorio del Pilar was sent on the same day by the Philippine Navy to survey the vicinity of the shoal, and confirmed the presence of the fishing vessels and their ongoing activities. On April 10, 2012, BRP Gregorio del Pilar came to inspect the catch of the fishing vessels. The Filipino inspection team claimed that they discovered illegally collected corals, giant clams and live sharks inside the first vessel boarded by the team. BRP Gregorio del Pilar reported that they attempted to arrest the Chinese

fishermen but were blocked by Chinese maritime surveillance ships, China Marine Surveillance 75 (Zhongguo Haijian 75) and China Marine Surveillance 84 (Zhongguo Haijian 84) . Since then, tensions have continued between the two countries



### **Lessons learned from the Scarborough Shoal Incident**

After the fisheries exploitation dispute of Scarborough Shoal of April 2012, trends have emerged in the South China Sea that places it at the topmost of concerns for the United Nations Security Council. But one must only think, as to what has caused such an immediate and necessary change in the world outlook toward considering South China Sea as a possible Pearl Harbour over any other classical territorial dispute that will ever last, yet remain dormant and harmless. There are definitely certain standards of investigations while looking into the Scarborough Shoal incident, and we will assume the perspective of threat-hunting and seeking risk-potential in the South China Sea after escalations reached an unprecedented stage last year between Philippines and China, with ensuing American intervention. Undoubtedly, the case may now be counted as been disposed of, and the visibility of confidence and trust between claimants may be a good sign but it does not necessarily mean that the dangers of South China Sea are more silent today than they were yesterday. New threats are emerging, that have the unconscious capacity to upset International peace in the South China Sea.



A genuine fear is the South China Sea has become a stage for China to flex its own military muscle and demonstrate its strength of resolve regarding its territorial claims, no matter how baseless they are. United States while maintaining its announced tilt towards Asia, has officially expressed concern about certain developments in the South China Sea and enhanced military and diplomatic relationships with concerned Southeast Asian states. Rejection of these actions by China is also negligence towards the American resolve, and claims that it is America's strategic presence to dilute China's regional influence. While this might be true, the concern is that America now a reputed actor of stage that desperately seeks a central role in the drama – and in the stage of South China Sea, the role is that of successive military authority. Philippines' bilateral military involvement with USA is a symptom of the American strategy, and America's agenda of containing Chinese naval expansion in the South China Sea is the worst kept secret of America.

## **Risk Potential**

The standoff between Philippines and Chinese after the former arrested Chinese fishing vessels elicited an unprecedented and a very strong military response from China and seriously strained diplomatic relations between the two countries. The net result is that China has taken 'effective and arbitrary control' of the disputed shoal. **This increased assertiveness by all claimants in the case of South China Sea, as seen from the Shoal standoff is a direct and impending threat to disruption of world peace, and a foremost concern for the UNSC.**

What is more scaring is the thought about the results of any, god forbid, any future Scarborough Shoal standoffs wherein now that America maintains a strong military presence, there can be a stage of conflict that rises above the containable status of any such war. Even unilateral actions concerning the sovereignty of Spratley and Paracel have been at the cost of steady violations and explicit contraventions of 2002 ASEAN-China Declaration on the Conduct of Parties in the South China Sea (DoC), challenging both the legitimacy and the strength of such a mechanism that diplomatically asserts on the parties to maintain self-restraint while dealing with unavoidable military standoffs in the South China Sea that is administered by multiple nations further diluting any one's authority.

There are a few solutions, and we can study them in the microcosm of the Shoal standoff only – firstly, China and other claimants should acknowledge the Shoal (in the parallel macrocosm, the South China Sea) as a disputed territory, at least informally which could have prevented the Philippine incursion and strong military response by China, and two, govern the region together by sharing equal natural resources. However diplomatic negotiations and forums have failed because none of these, and more solutions work around China's assertive claims over the South China Sea.

There is a stark, and forebodingly critical possibility that a new Scarborough Shoal incident will be a pre-cursor to disruption of peace in East Asia and a possible war between two world powers – a situation that bears the capacity to engulf India into its whirlpool. *While territorial and sovereignty claims are impossible to be rationalized*, diplomacy must muster enough strength to maintain relative military calm in the South China Sea before the volatility of the region explodes into a war-like situation.

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