

Study Guide

Committee: Disarmament and International Security Council (DISEC)

Topic: Preventing armed conflict in disputed maritime zones (like the South China Sea)

1. Introduction to the Committee:

The Disarmament and International Security Council (DISEC), also known as the First Committee, was founded in 1945. Since its establishment, DISEC has been a part of the six primary committees of the UN General Assembly. Thus, the committee permits all 195 full members and full observer status states to participate.

The committee holds a cardinal position in the General Assembly as its primary focus lies on global issues related to demilitarization and security threats on an international and national scale. Due to the increasing rate of disputes and conflicts in the modern world, the involvement and responsibilities of DISEC have increased considerably. Although matters of security and peace reviewed by the Security Council and the First Committee are similar, the difference between the two is that DISEC is a part of the General Assembly and thus does not possess the power to pass resolutions that approve intervention.

2. Introduction to the Topic:

When states legalized the maritime domain in the 20th century, the relationship between states and maritime space changed. Since the turn of the millennium, certain global trends have further amplified the role of the oceans in international affairs. This has led to a renewed focus on

maritime space, as well as states' rights and responsibilities within this domain, delineated through the concept of a “boundary” at sea.

The South China Sea particularly emphasizes the urgency of this issue. China’s controversial claims of sovereignty over the sea – and the sea’s estimated eleven billion barrels of untapped oil and 190 trillion cubic feet of natural gas – have antagonized competing claimants Brunei, Indonesia, Malaysia, the Philippines, Taiwan, and Vietnam. As early as the 1970s, countries began to claim islands and various zones in the South China Sea, such as the Spratly Islands, which possess rich natural resources and fishing areas. The failure of Chinese and Southeast Asian leaders to resolve the disputes diplomatically could undermine international laws governing maritime disputes and encourage destabilizing arms buildups, further highlighting the severity of the situation.

3. Key Terminologies and Definitions:

- a. Maritime Zones:** Areas of the sea defined by international law, mainly under the United Nations Convention on the Law of the Sea (UNCLOS), including territorial waters, Exclusive Economic Zones (EEZs), and international waters.
- b. Exclusive Economic Zone (EEZ):** A zone extending two hundred nautical miles from a state’s coastline, where that state has exclusive rights to explore and exploit natural resources (oil, gas, fisheries), but foreign vessels still enjoy freedom of navigation.
- c. Territorial Waters:** The area up to twelve nautical miles from a state’s coastline, where the state has full sovereignty, similar to land territory.
- d. Disputed Maritime Zones:** Sea areas where two or more states have overlapping claims of sovereignty or resource rights, often due to unclear boundaries or conflicting interpretations of UNCLOS.

- e. **Freedom of Navigation:** The principle under international law that ships of all states (civilian and military) are free to sail through international waters and EEZs without restriction.
- f. **Nine-Dash Line:** A demarcation line used by China to claim nearly 90% of the South China Sea, widely rejected by international law, including a 2016 ruling at The Hague
- g. **Militarization:** The act of building military infrastructure (bases, airstrips, missile systems) or deploying armed forces in disputed maritime zones to strengthen territorial claims.
- h. **Gray Zone Tactics:** Actions that fall below the threshold of war, such as using coast guard ships, fishing militias, or water cannons to harass other claimants, are mostly common in the South China Sea.
- i. **Code of Conduct (CoC):** A proposed regional framework (negotiated between China and ASEAN - the Association of Southeast Asian Nations) to establish rules of behavior in disputed waters to prevent escalation.
- j. **Cabbage Strategy:** China's tactic of surrounding disputed features with layers of fishing boats, coast guard vessels, and navy ships to gradually assert control without direct war.

4. Historical Context and Current State of Armed Conflict in Maritime Zones:

a. **Historical Context:**

Early conflicts: Before World War II, European colonial powers frequently clashed over sea lanes and naval dominance. For instance, the Anglo-Dutch Wars (1652-1674) were rooted in disputes over maritime trade routes and naval supremacy.

Post World War II conflicts: Following the Second World War, as decolonization unraveled, newly independent states began asserting sovereignty over surrounding waters, often leading to overlapping claims. The Cod Wars (1958-1976), for example, included a series of confrontations between the United Kingdom and Iceland over fishing rights in the North Atlantic. Though not

leading to large-scale war, these clashes involved naval skirmishes and demonstrated how resource disputes at sea could turn violent.

Asia-Pacific centered conflicts: In the Asia-Pacific region, specifically, the South China Sea dispute has been a matter of great significance. Since the 1970s, claimants including China, Vietnam, the Philippines, Malaysia, and Brunei have contested sovereignty over the Spratly and Paracel Islands. Among the notable disputes are the Battle of the Paracel Islands (1974) – where China seized control from South Vietnam – and the Johnson South Reef Skirmish (1988) – where Chinese and Vietnamese naval forces clashed, resulting in the deaths of over 70 Vietnamese personnel.

b. Current State:

The South China Sea: Tensions in the South China Sea have been rising, with Scarborough Shoal at the center of recent confrontations. China has stepped up its presence through “combat readiness” patrols, and even saw a naval ship collide with its own Coast Guard vessel while trying to block the Philippines – a sign of how risky these encounters have become. Earlier, Chinese forces blasted Philippine research ships with water cannons near Thitu Island, sparking outrage. Using its so-called “cabbage strategy,” China layers its navy, coast guard, and militia to assert control. Similar clashes have taken place off Capones Island, where Chinese ships used aggressive tactics against Philippine vessels. Other neighbors like Vietnam, Indonesia, and Malaysia are also pushing back, with Indonesia working on a boundary deal with Vietnam. Still, ASEAN’s talks on a binding Code of Conduct drag on, leaving U.S. military support as a key factor in balancing China’s pressure.

Gambia: Off Gambia’s coast, confrontations between local fishermen and foreign trawlers, particularly from Egypt and China, have become increasingly violent. This includes arson, collisions, and escalating tensions over fishing rights within local zones, making Gambia a hub with imminent potential for further international warfare.

The Red Sea: The U.S.-led “Operation Prosperity Guardian,” involving coalition air and naval strikes, ran from late 2023 until around May 2025. Though a ceasefire was declared, Houthi

attacks on ships, especially those linked to Israel, have continued, ensuring the Red Sea's status as a hotspot for repeated attacks on commercial vessels, mainly by the Houthi movement.

East Mediterranean: Türkiye's continued disputes with Cyprus over the latter's exploration of gas fields in its Exclusive Economic Zone (EEZ) remain a prevalent cause of contention in the East Mediterranean region. Ankara rejects international norms about island EEZ rights and continues drilling in contested waters. These tensions contribute to regional instability and economic disputes.

Gulf of Guinea: This Gulf remains one of the world's most significant piracy hubs. Armed gangs using mothership tactics and kidnappings are disrupting trade. Nigeria and India have strengthened collaboration on maritime security to address these threats, yet the issue remains largely unsolved.

5. Some Immediate Impacts in Case of Escalation:

a. Economic:

- i. Armed conflicts disrupt global trade routes, like the South China Sea, which carries one-third of world shipping.
- ii. Investor confidence drops, and maritime insurance costs rise, hurting both coastal states and global markets.
- iii. Resource extraction (oil, gas, fisheries) becomes riskier, threatening regional economies.

b. Political:

- i. Conflicts strain regional diplomacy, making cooperation on broader issues (climate change, trade) harder.
- ii. Smaller states lose political leverage when disputes escalate into military standoffs.
- iii. Power rivalries intensify, especially between major powers like the U.S. and China.

c. Humanitarian:

- i. Fishermen and coastal communities face violence, displacement, and loss of livelihoods.

- ii. Military clashes risk civilian casualties and damage to vital coastal infrastructure.
- iii. Environmental damage from armed conflict (oil spills, destroyed reefs) harms food security and human health.

6. International Legal Frameworks and Past UN Actions:

a. United Nations Convention on the Law of the Sea (UNCLOS, 1982):

Establishes legal zones like territorial seas and EEZs and provides dispute-settlement mechanisms such as arbitration. It underpins most maritime sovereignty debates, including those in the South China Sea.

b. South China Sea Arbitration (Philippines v. China, PCA, 2016): An arbitral tribunal invalidated China's "Nine-Dash Line" claim and found violations of the Philippines' EEZ. It then reinforced UNCLOS norms despite China's refusal to comply.

c. Declaration on the Conduct of Parties in the South China Sea (DOC, 2002): A non-binding agreement between ASEAN and China to resolve disputes via peaceful negotiations rather than force. It serves as a precursor to the future Code of Conduct.

d. Code for Unplanned Encounters at Sea (CUES, 2014): A voluntary but practical agreement, adopted by twenty-one states, including China, the U.S., and ASEAN countries, and designed to reduce accidental clashes at sea, especially between naval vessels.

e. PCA & International Arbitration Mechanisms: The Permanent Court of Arbitration facilitates legally binding arbitration under UNCLOS and other treaties. The PCA tribunal serves as a formal path for peaceful dispute resolution.

f. BBNJ Agreement ("High Seas Treaty," 2023): Complements UNCLOS by conserving and sustainably using marine biodiversity beyond national jurisdiction, strengthening protection of maritime environments.

g. International Tribunal for the Law of the Sea (ITLOS): Settles disputes under UNCLOS; its rulings are binding but rely on state compliance.

- h. International Maritime Organization (IMO):** A UN agency setting global maritime safety, environmental, and security norms. These standards help reduce misinterpretations that could trigger conflicts.
- i. UN Security Council Dispute Management & Peacekeeping:** While not specific to maritime law, the UNSC can invoke its powers to prevent escalation, recommend peaceful settlements, and adopt resolutions addressing security threats at sea.

7. Potential for Prevention through Pre-Existing Frameworks:

International law, particularly the UNCLOS, provides a thorough framework for resolving disputes peacefully. Arbitration cases, like the Philippines' successful challenge against China in 2016, show how legal rulings can clarify rights and boundaries. While compliance remains an issue, legal institutions like UNCLOS and ITLOS offer states an alternative to military force, keeping conflicts within a rule-based order.

Regionally diplomatic efforts like the ASEAN-China Code of Conduct aim to regulate behavior, while agreements like CUES (Code for Unplanned Encounters at Sea) reduce risks of accidents. Historical models, such as joint resource development deals in Southeast Asia, prove that states can cooperate even while sovereignty remains unresolved.

Institutions such as the UN Security Council and the International Maritime Organization bring global oversight into maritime disputes. While enforcement can be slow, it amplifies smaller states' voices and applies pressure on powerful claimants. Informal dialogues also help to create trust where official negotiations stall. Multilateral engagement makes conflict less likely by broadening accountability.

8. QARMA (Questions A Resolution Must Answer):

- a. Which long-standing territorial claims continue to fuel disputes, and how can these be addressed diplomatically?
- b. What immediate measures can be taken to reduce the risk of clashes between naval, coast guard, and militia forces?
- c. How effective has UNCLOS been in managing disputes, and does it need enhancement or replacement?
- d. Should ITLOS and other tribunals have stronger enforcement powers, and if so, how?
- e. What gaps or enforcement failures in previous UN resolutions and mechanisms need to be corrected?
- f. How can the UN ensure accountability when powerful states ignore rulings?
- g. How can conflict prevention strategies protect trade routes and energy security?
- h. What safeguards are needed to protect civilian fishermen, coastal populations, and marine ecosystems?
- i. How can regional economic cooperation reduce incentives for militarization?
- j. How can cooperation between regional organizations and the UN be strengthened?
- k. What innovative mechanisms can balance competing claims and ensure equal representation of smaller states?

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