

SECURITY COUNCIL



SAMUN

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The United Nations Security Council

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Letter from Presidents

Regards honorable delegates,

We are pleased to welcome you to the eleventh version of SAMUN. Our names are Ana Sofia Martinez and Juan Camilo Zúñiga and this year we will be presiding the United Nations Security Council.

This is going to be our second time presiding in a model and we could not be more proud and excited that it is in this committee and with these topics, we chose thematics that we are passionate about and we hope you have the same reception for it. We hope that in the course of the debate you will make your position known and present sound solutions to solve existing problems. We want to invite you all to join us in this wonderful experience as it is going to be SAMUN XI. Please read the background guide we have prepared for the committee to have a better understanding on the topics and do any extra research if it is needed to make the experience something better for you and the rest of the delegates.

We hope that you enjoy SAMUN and have an amazing time debating and bringing your solutions to the committee regarding the problematics.

If you have any doubt or restlessness don't think it twice before contacting us

Sincerely,

Ana Sofia Martínez & Juan Camilo Zúñiga
Chairs of Security Council



Introduction to the United Nations Security Council

Once the United Nations was created in 1945 after World War II it established 6 main organs within the organization, proudly to say that the Security Council was one of those 6 organs. The United Nations Security Council is the UN's main committee, since it's the one that accepts or declines each one of the decisions made by other committees of the organization.

The UN Security Council is primarily responsible for the maintenance of international security and peace. Each member of the security council (nowadays it's 15 countries) has the obligation and responsibility to comply with all the council decisions. This committee is also the leader of the United Nations in terms of determining the existence of conflict or a threat to any country or in the worst of the cases, a worldwide threat. In Addition to these things, the Security Council is the only committee allowed to impose sanctions and make use of force to preserve worldwide peace and security.



Topic A: Measures to prevent the illegal expansion of territory to increase the maritime area of power.

Key Concepts

EEZ:

An “exclusive economic zone,” or “EEZ” is an area of the ocean, generally extending 200 nautical miles (230 miles) beyond a nation's territorial sea, within which a coastal nation has jurisdiction over both living and nonliving resources.

UNCLOS:

The United Nations Convention on the Law of the Sea (UNCLOS), also called the Law of the Sea Convention or the Law of the Sea Treaty, is an international agreement that establishes a legal framework for all marine and maritime activities.

Tri-service strategy:

The tri-service strategy, entitled 'Advantage at Sea: Prevailing with Integrated All-Domain Naval Power', proposes several important changes to the way the maritime services have operated in the past. It emphasizes the threats to the US posed by China and, to a lesser extent, Russia.

Territorial waters:

territorial waters, in international law, that area of the sea immediately adjacent to the shores of a state and subject to the territorial jurisdiction of that state.



International waters:

The terms international waters or trans-boundary waters apply where any of the following types of bodies of water (or their drainage basins) transcend international boundaries: oceans, large marine ecosystems, enclosed or semi-enclosed regional seas and estuaries, rivers, lakes, groundwater systems (aquifers).

Naval Power:

A maritime power is a nation with a very strong navy, which often is also a great power, or at least a regional power. A maritime power is able to easily control their coast, and exert influence upon both nearby and far countries. A nation that dominates the world navally is known as a maritime superpower.

Maritime strategy:

A maritime strategy is the comprehensive direction of all aspects of national power to achieve specific policy goals in a specific situation by exercising some degree of control at sea.

LOSC:

Is the foremost international legal instrument for realizing collaborative approaches to maritime security.



Introduction:

The oceans had long been subject to the freedom of-the-seas doctrine - a principle put forth in the seventeenth century essentially limiting national rights and jurisdiction over the oceans to a narrow belt of sea surrounding a nation's coastline. The remainder of the seas was proclaimed to be free to all and belonging to none. While this situation prevailed into the twentieth century, by mid-century there was an impetus to extend national claims over offshore resources.

Created in 1982, the UNCLOS provides a comprehensive legal framework governing all activities and uses of the world's seas and oceans. The Convention establishes general obligations for safeguarding the marine environment and protecting freedom of scientific research on the high seas.

Across the globe, Governments have taken steps to bring their extended areas of adjacent ocean within their jurisdiction. They are taking steps to exercise their rights over neighboring seas, to assess the resources of their waters and on the floor of the continental shelf.

The definition of the territorial sea has brought relief from conflicting claims. Navigation through the territorial sea and narrow straits is now based on legal principles. Coastal States are already reaping the benefits of provisions giving them extensive economic rights over a 200-mile wide zone along their shores. The right of landlocked countries of access to and from the sea is now stipulated unequivocally. The right to conduct marine scientific research is now based on accepted principles and cannot be unreasonably denied.



Current Situation and Approach:

UNCLOS establishes a series of maritime zones, including the territorial sea, contiguous zone, Exclusive Economic Zone (EEZ) and continental shelf.

The key legal issue between China and the United States relates to foreign military activities in a state's EEZ. The US argues that the EEZ is part of "international waters" and UNCLOS preserves the right to freedom of navigation over flight. In other words, UNCLOS does not prohibit military activities, such as hydrographic and military surveys, that are "non-aggressive and done in preparation for self-defense."

Raul Pedrozo, for example, argues that oceanographic surveys, underwater surveillance, hydrographic surveys, missile tracking and acoustic surveys carried out by the US Navy's Special Mission Program "are not subject to coastal state jurisdiction or control in the EEZ" and are sanctioned under international law. The US also argues that the deployment of US Navy vessels in EEZs does not interfere with environmental protection measures by coastal states and that the attempt to use such domestic legislation to constrain military activities is not supported by international law.

China argues that military surveys fall under the category of marine scientific research and the coastal state has the right under UNCLOS to adopt domestic legislation regulating such activity. China further argues that UNCLOS requires that states exercise "due regard" for the interests of coastal states and must be for peaceful purposes. In China's view, US military activities may be viewed as hostile (and illegal) because they are intended to gather information that are not for peaceful purposes (i.e. they could be used to prepare for war).



This legal argument is clouded because, as Chinese and US legal specialists agree, many key terms in UNCLOS are either not defined or ill-defined.

Dutton and Garofano, for example, point out that the terms “hydrographic surveys” and “marine scientific research” are not defined in UNCLOS. Ji Guoxing concedes that “the issue of military and information-gathering activities in the EEZ is an unspecified ‘grey area’ in the Convention.” Since 1992 China has enacted a growing list of domestic laws and regulations to support its jurisdiction over its maritime domain.

In 1992 it adopted the Law on the Territorial Sea and the Contiguous Zone that claimed sovereignty over all of the “islands” in the South China Sea. In 1998 China advanced its jurisdictional authority over nearly all of the South China Sea through the adoption of the Law of the People’s Republic of China on the Exclusive Economic Zone and the Continental Shelf. Article 14 of the law asserts China’s “historical rights” over the maritime area. China also has issued the Regulations of the People’s Republic of China on the Management of Foreign-related Marine Scientific Research to regulate foreign military surveys in its EEZ. In 2002 China enacted a law to prohibit surveillance or surveying activities in its EEZ without prior permission.

Since 1979 the United States has conducted a Freedom of Navigation program designed to challenge coastal states that adopt practices at variance with the US interpretation of UNCLOS. Specifically, the US challenges the right of coastal states to regulate military activity in their EEZs by deliberately sending military ships into these areas.



Today, over sixty states have asserted some form of restriction over ships transiting their EEZs, including requiring prior permission to conduct reconnaissance and surveillance activities. Among the members of the ARF, the following states fall into this category: Bangladesh, Cambodia, China, India, Indonesia, Malaysia, Myanmar, Pakistan, the Philippines, Sri Lanka, Thailand and Vietnam. Only China has physically challenged the US in its assertion of freedom of navigation; and because of this the issue of safety of navigation of military vessels in EEZs has become a political issue.

In addition to differences between China and the United States, there are also differences between China and the South China Sea littoral states: Vietnam, the Philippines, Malaysia and Brunei. Each of the four Southeast Asian states has declared exclusive economic zones under the provisions of UNCLOS and have asserted sovereignty over the resources in this area. The EEZs are determined by baselines along the shoreline. Vietnam has made an excessive claim for its southeast coast baseline, and the Philippines has drawn excessive baselines around a group of islands in the Spratly archipelago which it calls the Kalayaan Island Group (KIG).

China, on the other hand, claims “indisputable sovereignty” over the islands and adjacent waters in the South China Sea on the basis of historic rights. In May 2009 China officially lodged a map with the UN’s Commission on the Limits of the Continental Shelf (CLCS). This map depicted nine dash lines forming a u-shape along the coasts of the Southeast Asian littoral states. This line encircles approximately 80 percent of the maritime area. China has not clarified the legal basis on which its claims are based and international legal experts dismiss China’s map as having no standing in international law.



Nevertheless, China has taken increasingly assertive action to enforce its claimed jurisdiction in the South China Sea. First, in principle, the UNCLOS provides basic rules to regulate human activities at sea. On the other hand, because of the lack of clear-cut definitions for the identified terms in the UNCLOS, states tend to follow their own logic in explaining the ambiguous terms to serve their own national interests.

Second, from China's legal documents and state practice shown by the three cases above, it is clear that China has been making efforts to adjust its marine laws and regulations in line with the provisions of the UNCLOS; however, perceived gaps exist among countries due to discrepancy in interpreting the provisions of the UNCLOS. It seems that security and prevention from danger from the seas remained China's main concern during the discussion leading to the UNCLOS as well as while implementations are underway. As China's economic interests expand overseas, its involvement in international cooperation in regard to navigational safety and security tends to grow. It remains to be seen how its stricter interpretation of navigational rights in other states' EEZ will restrain its reactions to possible threats to its interests posted there.



QARMAS:

- Should countries involved in illegal land expansion be sanctioned? And if so, how?
- What are countries able to do in order to prevent this problem from continuing?
- What effects may be seen in territories such as the South China Sea if these problems keep going nonstop?
- Should International Sea Law change its regulations in order for illegal expansion of land to be unnecessary and stop being a problem? If so, how could it adjust to the actual problematic?

Questions:

- Does your country expand its territory in order to increase the maritime area of power?
- How is your country involved and affected with this problem?
- How is this unbeneficial for the international community?
- What possible consequences may this problem have in the future?
- What is your country doing in order to solve this situation?
- What has been done to solve this and how may it improve in order to ensure this problem to be solved?



Useful Links:

https://www.gouvernement.fr/sites/default/files/contenu/piece-jointe/2016/01/strategie_nationale_de_surete_des_espaces_maritimes_en_national_strategy_for_the_security_of_maritime_areas.pdf

<https://www.sciencedirect.com/topics/social-sciences/maritime-power>

https://www.un.org/depts/los/convention_agreements/convention_historical_perspective.htm

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/322813/20140623_40221_national-maritime-strat-Cm_8829_accessible.pdf

<https://sites.tufts.edu/lawofthesea/chapter-six/>

https://unctad.org/system/files/official-document/rmt2021_en_0.pdf

<https://www.boell.de/en/2017/05/30/ocean-governance-who-owns-ocean>

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



Topic B: The inadequate use of the arctic in order to take advantage in the globe.

Key Concepts:

Freedom of Navigation:

Is the right recognized in international law especially by treaties or agreements for vessels of one or all states to navigate streams passing through two or more states.

Shipping Routes:

Shipping routes are the paths taken by ships across the world's seas. They are channels a few kilometers wide, defined by compulsory points of passage (capes, straits, channels), physical constraints (current speed, depth, presence of reefs) and geopolitical contexts.

Arctic:

The word arctic describes frigid and inhospitable weather. The word arctic refers to the Arctic Circle — the North Pole and the land that surrounds it — which is the northernmost major circle of latitude on the Earth.

Polar Silk Road:

The Polar Silk Road refers to Arctic shipping routes connecting three major economic centers — North America, East Asia, and Western Europe — through the Arctic Circle.



Introduction & Current Situation

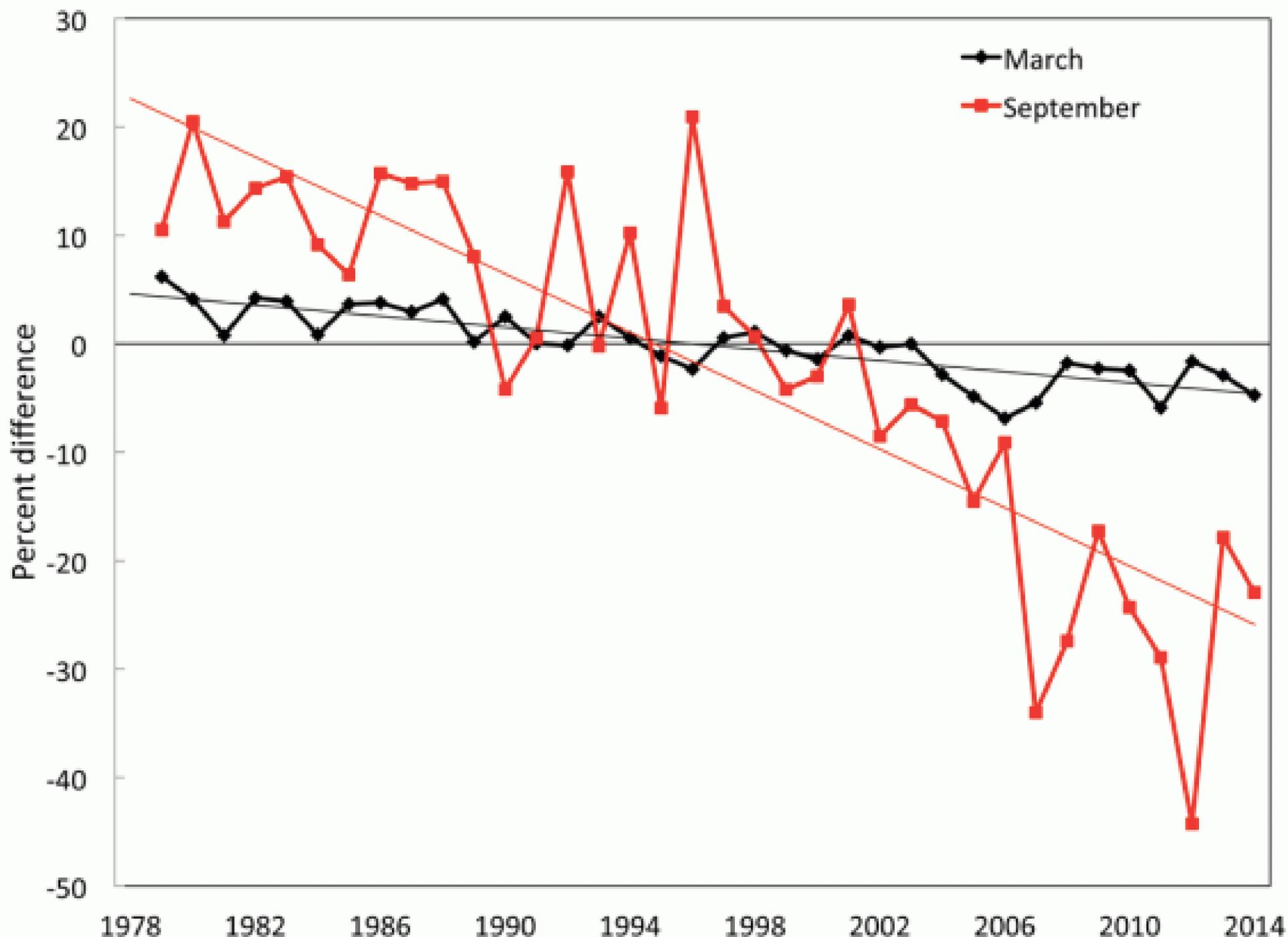
Over the past twenty years, developments in the Arctic climate and environment, under the pressure of climate change, have resulted in the northernmost latitudes being recognized as an area experiencing a crisis. Large environment, as well as a new economic zone promoting potential business.

The International Polar Year 2007-2008, involving several thousand researchers from 63 countries, issued a resounding warning: The Arctic is the canary in the coal mine because climate variability is happening all over the world. Temperatures are warming in the Arctic two to three times greater than the global average over the past century. From 1979 to 2012, the warming of the Northern climate was times greater than the global warming. One of the most obvious manifestations of climate change today is the sharp decline in Arctic sea ice at the end of summer. It is estimated that the total volume of Arctic sea ice has decreased by 75% since 1980.



Evolution of Arctic sea ice , 1979-2014

Source : NOAA



Although the exact date is unknown, the Arctic Ocean is expected to become ice-free in the summer in a few days. next decade.

The melting of Arctic sea ice heralds greater access to seas beyond the Arctic margins and eventually to the central Arctic Ocean. This will benefit future international shipping, as well as Nordic recreational sailing, which is already a booming sector. Offshore energy sources, seen as very promising, will also become more accessible, as will new fisheries, even if the latter sources are more difficult to assess.



The global economic and trade outlook remains unattractive due to extreme weather conditions in the Arctic sea. Navigating very risky and very rare ports. Many areas do not have operational maritime search and rescue facilities. The area is poorly mapped overall and there is no technology to deal with oil spills in the polar regions. Each economic outlook comes with a number of challenges that are mainly related to the important issues of the Arctic waters, namely maritime safety and the environment (search and rescue, pollution control).

These opportunities and challenges mainly concern the five Arctic coastal states (USA/Alaska, Canada, Denmark/Greenland, Norway and the Russian Federation). Their sovereign rights and jurisdiction over large portions of the Arctic Ocean and their sovereign rights over the natural resources therein put them in a unique and legal position to deal with it. . Between 2006 and 2011, five Arctic coastal and three non-Arctic coastal states had territories or areas under their national jurisdiction within the Arctic Circle, namely Finland, Iceland and Sweden, both identified their interests in national strategy documents on how the Arctic, to varying degrees, combines the challenges of economic development, environmental protection, security and enhancement of sovereignty.



The partnership between the eight Arctic states is a recent initiative born of a shared political commitment to transcend the strategic past of the former Cold War era. “Let the Arctic be a pole of peace” and “a zone of real fruitful cooperation,” declared President Mikhail Gorbachev in 1987. He founded the Arctic Council's intergovernmental forum in 1996. This council brings together the five Arctic coastal states, as well as the three non-Arctic coastal states, and puts them on a par with each other. The five Arctic coastal states reserve the right to meet, without other states, as they deem necessary, to resolve specific maritime issues.

Until recently, the Arctic Council consisted of six European countries with observer status (France, Germany, the Netherlands, Poland, Spain and the United Kingdom). They get this title thanks to their research activities in the fields of science related to the Arctic. Since May 2013, the Arctic Council has granted observer status to Italy, and five Asian countries (China, India, Japan, South Korea and Singapore) have shown a lasting interest in the economic and commercial opportunities in the North. Over the years, the Arctic Council has become an important international forum on Arctic issues.



Strengthening sectoral governance of the Arctic Ocean includes the fundamental challenge of regulating the human activities that can flourish and intensify in a protected and fragile marine environment, while the markedly reduced sea ice extent increased accessibility. The Arctic Council has limited regulatory powers and the participation of observer states is encouraged in working groups, but not at the political level, notwithstanding the responsibilities of user states. the potential of the Arctic Ocean. The five Arctic coastal states solemnly declare in the Ilulissat Declaration of 28 May 2008 that the United Nations Convention on the Law of the Sea of 10 December 1982 (hereinafter referred to as the "Convention") should be the framework legal for all activities. related to the Arctic Ocean. . Under the Convention, governance issues in the Arctic Ocean require a balance between the interests of coastal states and those of other states.

Current consolidation of the sovereignty of coastal states in their northern regions (maritime boundary disputes, extension of the continental shelf, legal status of the bipolar strait, security issues, national security, etc.) sometimes raises questions about collective governance that concerns the international community.

The Arctic Ocean is a protected and fragile area that has been hit hard by climate change. It is an important factor in regulating the planet's climate. As the saying goes, "what happens in the Arctic is not in the Arctic," and the consequences of climate and environmental change in the arctic have been felt around the world.



Year after year, the nature and scale of the challenges in the Arctic Ocean increasingly reveal a new inter-oceanic connection between the North Atlantic and the North Pacific, which requires a degree of integration. high international cooperation between directly and indirectly affected countries. All potential users of the Arctic Ocean have a responsibility to face the challenges posed by the environmental sensitivity and low resilience of Arctic marine ecosystems to the functioning of the Arctic. people in particular

Several states outside of the Arctic region, in Europe and in Asia, have set out their interests and responsibilities in Arctic strategy documents, and the European Union, which includes three members of the Arctic Council and seven countries with observer status, has stated its interests in an integrated policy for the Arctic.

Ultimately, of the different energy parameters (role of unconventional hydrocarbons, global energy demand, etc.), political parameters (Arctic 2020 strategy of the Russian Federation, US Chairmanship of the Arctic Council 2015-2017, etc.) and environmental parameters that are shaping the emergence of the Arctic as a geopolitical and geoeconomic region, climate and environmental change in this area is indisputably the most predictable parameter: the Arctic Ocean should be ice-free during the summer season sometime in the coming decades.



QARMAS:

- What possible solutions may the international community offer in order to stop this problematic?
- Should sanctions be imposed in countries that make inadequate use of the arctic?
- How may the United Nations contribute to the resolution of the conflict?
- How important is the contribution of the 5 veto powers in the resolution of the problem? Is it possible to solve it without them?

Questions:

- Is global warming the basis of the problem?
- What are some consequences that it may bring that countries start using the arctic as a trade route?
- Is it beneficial or not that the arctic is used for market and trading purposes?
- Would the inadequate use of the arctic be unbeneficial for the ice melting of this area?
- What countries are involved in this situation?
- Why is the arctic so conflicted nowadays?
- Why do most countries want to take the arctic?
- How could this use of the arctic trigger worldwide tension in a near future?



Useful Links:

https://www.diplomatie.gouv.fr/IMG/pdf/frna_-_eng_-_interne_-_prepa_-_17-06-pm-bd-pdf_cle02695b.pdf

<https://www.scientificamerican.com/article/without-a-treaty-to-share-the-arctic-greedy-countries-will-destroy-it/>

https://ec.europa.eu/echo/files/civil_protection/civil/prote/pdffdocs/pretear_final_report_en.pdf

<https://www.eea.europa.eu/soer/2015/countries/arctic>

<https://www.cfr.org/report/arctic-governance>

<https://www.macleans.ca/news/canada/why-the-world-wants-the-arctic/>

<https://arcticportal.org/arctic-governance/arctic-council>

<https://carnegieendowment.org/2021/03/29/russia-in-arctic-critical-examination-pub-84181>

<https://www.thearcticinstitute.org/shifting-focus-us-arctic-policy-china-security/>

<https://www.wilsoncenter.org/blog-post/no-3-global-arctic-order-under-threat-agenda-american-leadership-north>

<https://www.airuniversity.af.edu/JIPA/Display/Article/282073.9/the-polar-trap-china-russia-and-american-power-in-the-arctic-and-antarctica/>

<https://www.washingtonpost.com/graphics/2018/world/arctic-climate-change-military-russia-china/>