

Forum: Special Political & Decolonization Committee (GA4)
Issue: The issue of territorial claims on the West Philippine Sea
Student Officer: Maggie McBride
Position: Co-Chair

PERSONAL INTRODUCTION

Dear delegates of the Special Political & Decolonisation Committee,

My name is Maggie McBride, I'm sixteen years old in 11th grade at Queen Elizabeth's Grammar School. I have the utmost honour and pleasure to serve as a co-chair in the Special Political & Decolonisation Committee at this year's PS MUN conference. I started MUN two years ago and since then I have gone to several many conferences, and have always wanted to chair. I have just recently attended the THIMUN conference where I was part of the Human Rights Committee. This PSMUN conference will be my first time chairing and I am strongly looking forward to it, as I love MUN and chairing is an amazing opportunity. I look forward to supporting and helping the delegates of this committee.

This study guide touches upon the issue "The issue of territorial claims on the West Philippine Sea." This topic includes various aspects of the issue, including an in-depth understanding of the historical background and the rise of significance of the sea, also the various claims on the islands and consequences of the claims. Therefore, a significant number of aspects and factors must be considered when coming up with a solution to this issue.

Although this study guide addresses several aspects of this issue, the delegates should not only use this as their only source of research. Thus, it is strongly encouraged to conduct your own research in relation to this topic, in order to develop a wider understanding and be knowledgeable of the topic before the debate. Should you have any questions or need any help, please feel free to contact me via the following email: maggiemcbride146@gmail.com

I strongly look forward to meeting you all,

Yours sincerely,

Maggie McBride

TOPIC INTRODUCTION

The West Philippine Sea is located west of the Philippines, east of Vietnam and south of China. For decades it has been an area of significant interest and dispute for the nations surrounding it, such as the Philippines, China, Taiwan, Vietnam, Malaysia and Brunei. The dispute is surrounded around the claims of territories in the sea including maritime activity and the use of natural resources. Some of the islands and territories under discourse are the Spratly Islands, the Paracel Islands, Pratas Island and the Vereker Banks, the Macclesfield Bank and the Scarborough Shoal.

Its seabed is thought to contain vast oil and natural gas deposits, in 2013, the US Geological Survey estimated that the West Philippine Sea had around 11 billion barrels of oil and at least 190 trillion cubic feet of natural gas. It also has valuable fisheries, which are critical for millions of people in Southeast Asia's food security, especially for the Philippines. In addition, in terms of geopolitics, the West Philippine Sea is an incredibly important body of water. The sea has long been a vital trading route between China and Southeast Asia, as well as India and the west. It is now the world's second-most-used sea route.

Out of all the claimants, China has the most significant claim on the West Philippine Sea. China possesses enormous influence. As a result of its projected nine-dash line, it has become engaged in every crisis in the region. Furthermore, as China's energy demands increase, the West Philippine Sea is becoming increasingly vital, and the oil and natural gas deposits that could be identified there could be tremendously advantageous. Another source of concern is the PRC's recent creation of artificial islands on shallow reefs that are above sea level at low tide. These islands were built to strengthen Chinese power in the West Philippine Sea by serving as powerful military outposts. The other significant claimant of course is the Philippines. The Philippines' West Philippine Sea claims include the eastern portion of the Spratly Islands and the Scarborough Shoal, which run along the western coast of the Philippine archipelago.

Another factor in the dispute are the coral reefs in the Scarborough Shoal, as for the Philippines it is very important that they are preserved as they play a very crucial role in protecting marine life, such as fish, which makes a significant contribution to the national economy in terms of income and employment to the Philippines.

To conclude, this topic has never been more significant and more relevant than now in the present. As a result, the long-term and most important goal in establishing patterns that assure secure and cooperative ties in the region is the reconstruction of solidarity between and among states.

DEFINITION OF KEY TERMS

West Philippine Sea

West Philippine Sea is the official designation by the Philippine government of eastern parts of the West Philippine Sea which are included in the Philippines' exclusive economic zone.¹

Arbitration

Arbitration is an out-of-court method for resolving a dispute. Arbitration takes place in front of a neutral decision-maker called an “arbitrator” (or in some cases, a group or “panel” of arbitrators) who will listen to each side and make a decision about the case.²

United Nations Convention on the Law of the Sea (UNCLOS)

UNCLOS is an international agreement that establishes a legal framework for all marine and maritime activities. As of June 2016, 167 countries and the European Union are parties. It lays down a comprehensive regime of law and order in the world's oceans and seas establishing rules governing all uses of the oceans and their resources.³

Exclusive Economic Zone (EEZs)

An Exclusive Economic Zone (EEZ) is where a coastal State assumes jurisdiction over the exploration and exploitation of marine resources in its adjacent section of the continental shelf, taken to be a band extending 200 miles from the shore. The Exclusive Economic Zone (EEZ) comprises an area which extends either from the coast, or in federal systems from the seaward boundaries of the constituent states to 200 nautical miles off the coast. Within this area, nations claim and exercise sovereign rights and exclusive fishery management authority over all fish and all Continental Shelf fishery resources.⁴

Nine-dash line

The nine-dash line represents the maximum extent of Chinese historical claims within the West Philippine Sea. China's claim is not that the entire space within the nine-dash line is their territory to control, but that the islands within it, the Paracel, Spratly, Zhongsha, and Pratas, all belong to them.⁵

¹ “West Philippine Sea - Google Arts & Culture.” *Google*, Google, <https://artsandculture.google.com/entity/west-philippine-sea/g11hyqzt7p0?hl=en>.

² “Clarifying Arbitration in the Workplace.” *Legal Aid at Work*, 10 Dec. 2018, <https://legalaidthework.org/factsheet/arbitration-at-work/>.

³ “Overview - Convention & Related Agreements.” *United Nations*, United Nations, https://www.un.org/depts/los/convention_agreements/convention_overview_convention.htm.

⁴ “Preamble to the United Nations Convention on the Law of the Sea.” *United Nations*, United Nations, https://www.un.org/depts/los/convention_agreements/texts/unclos/part5.htm.

⁵ Chen, Jacob Rutzick and Jonathan. “The Validity of the 9 Dash Line.” *ArcGIS StoryMaps*, Esri, 16 Mar. 2021, <https://storymaps.arcgis.com/stories/4791710315c54e6fb963e10496faa4db>.

Marine Protected Area (MPA)

Marine protected areas are protected areas of seas, oceans, estuaries. These marine areas can come in many forms ranging from wildlife refuges to research facilities. MPAs restrict human activity for a conservation purpose, typically to protect natural or cultural resources.⁶

Tribunal

Tribunals are specialised legal organisations that resolve legal issues in a certain field. Tribunal hearings can occur in a variety of locations, such as conventional courtrooms or casual hearing rooms.

The Association of Southeast Asian Nations (ASEAN)

Is an economic and political union in Southeast Asia comprised of ten member states that fosters international co - operation and encourages economic, political, security, military, educational, and culturally integration among its members and other Asian countries. The major goal of ASEAN was to accelerate growth in the economy and, as a result, sociocultural development. The maintenance of regional stability governed by the rule of law as well as the principles of the United Nations charter was a major priority.

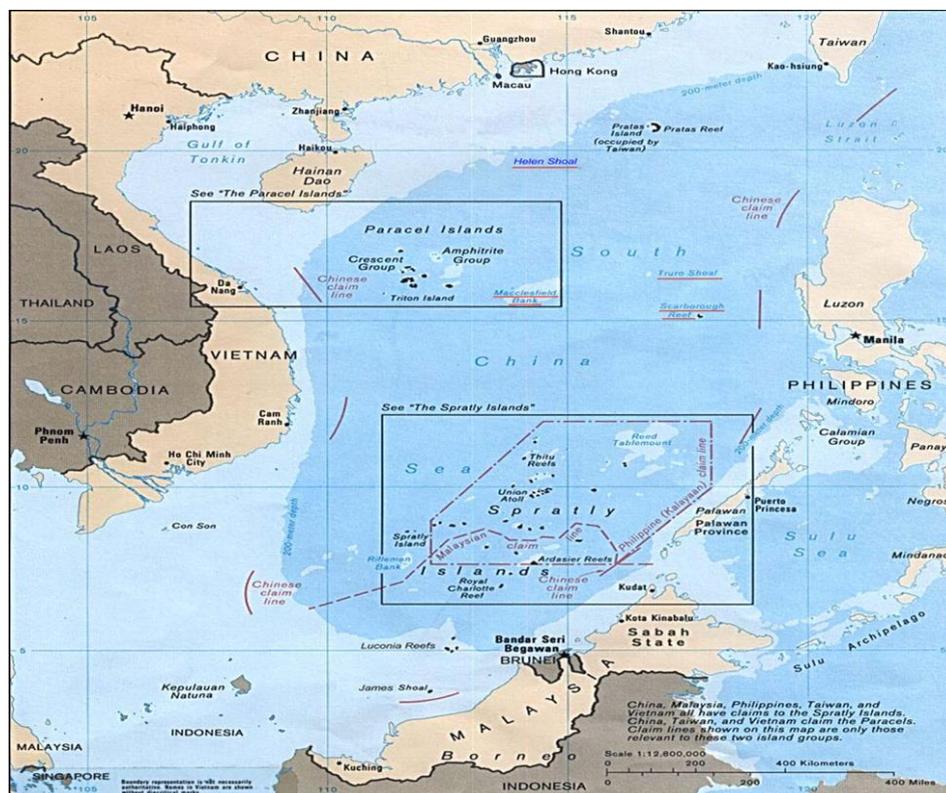


Figure 1: image of the West Philippine Sea

⁶ Marine Protected Areas, [http://marine-analyst.eu/dev.py?N=55&O=1207&titre_chap=Marine+Protected+Area&maxlat=65.0&maxlon=44.0&minlon=-16.0&minlat=30.0&visit=.](http://marine-analyst.eu/dev.py?N=55&O=1207&titre_chap=Marine+Protected+Area&maxlat=65.0&maxlon=44.0&minlon=-16.0&minlat=30.0&visit=)

BACKGROUND INFORMATION

Historical Background

The islands in the West Philippine Sea can be divided into two island chains, as seen in the map above. The Paracel Islands are located in the northwest corner of the Sea, while the Spratly Islands are located in the southeast. The claimants have fought violently about the "real" history of these island chains. Some have attempted to establish the legitimacy of their present claims by demonstrating a lengthy and uninterrupted history of national authority over the claimed qualities. These countries claim that their citizens fished around the islands of the Sea or used them as a storm shelter. Beijing, especially, has played a key role in funding archaeological expeditions to uncover proof of exclusive Chinese use of the Sea's varied features since the dawn of time.

In any case, during the majority of the country's history, the matter was moot. The Sea stayed silent for the first part of the twentieth century as surrounding states concentrated their attention on other issues. In truth, no claimant occupied a single island in the entire West Philippine Sea at the end of WWII. Then, in 1946, China established itself on a few features in the Spratlys, and two weeks before the French and Vietnamese planned to land, it bought Woody Island, part of the Paracel Islands chain. The French and Vietnamese opted on Pattle Island after being denied their initial choice. Even at this point, none of the claimants considered the West Philippine Sea to be a priority. As a result, after a catastrophic loss at the hands of Mao's Communists, Chiang Kai Shek's forces fled to Taiwan and abandoned their West Philippine Sea outposts. Because of the quickly expanding conflict in Vietnam, even the French and Vietnamese were too distracted to take advantage of the lapse in Chinese control.

However, interest in the West Philippine Sea grew rapidly during the next half-century. China and Taiwan maintained permanent presences on numerous key islands in 1955 and 1956, while a Filipino citizen, Thomas Cloma, claimed ownership of much of the Spratly Island chain.

This period of frenzied island occupancy was tempered once more by a lengthier period of stagnation. However, by the early 1970s, the claimants were back at it. This time, though, the panic was sparked by reports that oil was lurking beneath the West Philippine Sea's waters. The Philippines was the first country to take action. China responded with a well-coordinated seaborne invasion of several islands not long after. It wrested several features from South Vietnam's hands in the Battle of the Paracel Islands, killing several dozen Vietnamese and sinking a corvette in the process. As a result, both South and North Vietnam strengthened their remaining garrisons and seized a number of other empty areas. In 1988, after Beijing marched into the Spratlys and triggered a new series of occupations by the claimants, another decade of relative quiet was punctured by bloodshed. Tensions reached a peak when Beijing took Johnson Reef violently, murdering dozens of Vietnamese sailors in the process.

Relations eased for a few years, only to resurface in 1995 when Beijing constructed bunkers above Mischief Reef in response to a Philippine oil concession. When ASEAN and China signed the Declaration on the Conduct of Parties in the West Philippine Sea in 2002, the issue appeared to be heading in the right direction.

The Declaration aimed to lay the groundwork for the eventual negotiation of a West Philippine Sea Code of Conduct. Exercise restraint when engaging in activities that could exacerbate or aggravate disagreements, jeopardizing peace and stability the parties promised, among other things, they must refrain from settling on currently deserted islands, reefs, shoals, cays, and other characteristics, as well as resolve their differences constructively. The Declaration seemed to put conflict at bay for a while. Beijing began a charm push across Southeast Asia over the next half-decade, and the claimants avoided aggravating one another by occupying more features.

Malaysia and Vietnam jointly submitted a joint statement to the Commission on the Limits of the Continental Shelf in May 2009, detailing some of their claims. The other claimants, who objected to the two nations' claims, responded with a flurry of notes verbales in response to the initial submission. China, in particular, reacted to the joint submission with a map that included the controversial "nine-dash" line. This line encircles the West Philippine Sea's perimeter and includes all of the Sea's territorial features as well as the great majority of its waters. Beijing, on the other hand, has never formally stated what the line means.

Rather, it has preserved uncertain strategies stating merely that China has unquestionable authority over the islands in the West Philippine Sea and adjacent waterways, as well as sovereign rights and control over the waters in question, including the seafloor and subsoil. This could imply that China merely claims the sea's territorial elements and any near waters permitted by maritime law. Alternatively, then that could imply that China claims all of the territorial features and waterways enclosed by the nine-dash line, including those that go beyond what is allowed under international maritime law.

Since the publishing of the nine-dash line, the region has become increasingly apprehensive about China's alleged West Philippine Sea plans. When Beijing took Scarborough Shoal from the Philippines in 2012, it confirmed some of these fears. The two countries had been at odds over Chinese fishermen's alleged illicit poaching. The parties agreed to withdraw from the Shoal after a two-month impasse. Manila was the one who did it. Beijing, however, did not. Since then, China has barred Philippine vessels from entering the seas of the Shoal.

[The global significance of the dispute](#)

The South China Sea is an important economic and strategic sub-region of the Indo-Pacific because it serves as a vital commercial gateway for a large amount of the world's merchant ships. Geographically, the South China Sea plays an important role in Indo-Pacific geopolitics. Brunei, Cambodia, China, Indonesia, Malaysia, the Philippines, Singapore, Taiwan, Thailand,

and Vietnam all border the South China Sea. A considerable share of the world's commercial merchant shipping passes through these seas as a result of their recent economic expansion. Although the accessibility of diversionary sea lanes avoiding the South China Sea offers non-littoral governments with some flexibility in this regard, Japan and South Korea rely extensively on the South China Sea for their supply of fuels and raw materials, as well as an export route. The South China Sea also has rich fishing grounds that are unregulated and over-exploited, as well as significant undiscovered oil and gas reserves.

Philippines's territorial claims

It is known that the West Philippine Sea belongs to the Philippines because international law says so, even before Filipinos won a landmark victory at the Permanent Court of Arbitration in the Philippines vs. China case in 2016. The Philippines has claims on the Spratly Islands and the Scarborough Shoal

In 2009, the Philippines updated its baselines law, which specifies the country's territorial limits, in compliance with the criteria and timelines established by the United Nations Convention on the Law of the Sea (UNCLOS).

Senator Miriam Defensor-Santiago, a maritime and international law specialist, held her colleagues accountable on this issue, even chastising them when they advocated including the entire Spratly Islands in our baselines.

Because of the late senator's foresight, the Permanent Court of Arbitration examined the merits of the baselines law that the Philippines specified in 2009 and found it flawless in 2016. As a result, we now have an ironclad defence stating that we own all of the islands in the West Philippine Sea that China occupies.

The majority of governments in the world, particularly members of the United Nations, accept the Court's verdict. It also implies that they acknowledge the Philippines' sovereignty over the West Philippine Sea. Their backing gave the Philippines crucial security and leverage over China, which has a history of being unwilling to take severe measures if it fears losing international status. Working against the wishes of a majority of United Nations members runs the risk of losing worldwide respect and significance.

The Spratly Islands

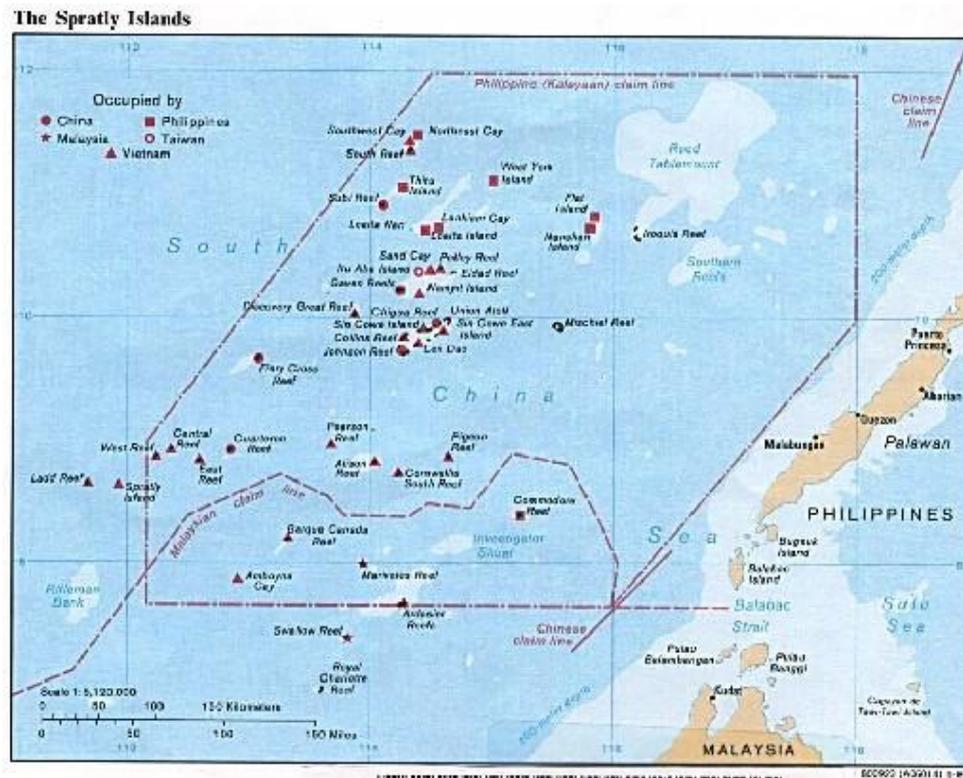


Figure 2: map of the Spratly islands

The significance of the islands

Off the coasts of the Philippines and Malaysia are the Spratly Islands. Both of these countries, as well as China, Vietnam, Brunei, and Taiwan, have claimed this territory. They have a total land area of 4 square kilometers spread out over 450,000 square kilometers of sea. This makes infrastructure construction extremely difficult, rendering the islands unusable. For the past 20 years, countries all across the Pacific have been demanding islands, challenging their opponents' claims, and employing military force to intimidate their opponents. The rich maritime habitat, gas and oil riches, and great location for military strategies all contribute to this. There has yet to be a significant major military conflict involving these five countries. But there have been occasions where two nations have clashed on a small scale.

For China the islands are significant because according to the China National Offshore Oil Company, the area contains up to 500 trillion cubic feet of natural gas and 125 billion barrels of oil, which might be highly valuable in addressing China's growing energy demands. In addition, the Spratly Islands have served as a base for the building of Chinese artificial islands, which have been fortified with advanced military technologies in order to strengthen Chinese sovereignty over the region.

In addition, because the Spratly Islands have the potential to be the world's fourth largest oil deposit, the country who successfully acquires these resources will reap

enormous benefits. Even though the globe is gradually moving toward a greener future, many countries are still grappling with rising energy demands, and more resources would help alleviate a potential catastrophe. Another consequence of the acts would be the possibility for ecosystem and environmental harm. Petroleum extraction would result in even more greenhouse gas emissions and a higher carbon footprint. Furthermore, the artificial islands in the Spratlys undermine the delicate ecological balance of these already endangered habitats.

The claims on the island

The Spratly Islands should ideally go to the country with the best equipment and qualifications to sustainably develop the islands' resources while also protecting their diverse marine ecosystems; however, this is no small task, and none of the five countries involved in this territorial dispute are known for their green technology. These nations' territorial claims over the Spratly Islands are based on a number of historical, political, and economic factors. A few have suggested that the US should intervene militarily. For the past 20 years, smaller countries such as the Philippines, Malaysia, and Vietnam have been opposing China's military aggression. Although China's historical claim to the islands is weak, it has remained a significant role in the Spratly Islands issue due to its considerable military power.

Philippines' claims

Others say that the Philippines must claim ownership over the Spratly Islands since it has the best success and expertise with marine ecosystem preservation, and the islands are well within the Philippine exclusive economic zone (EEZ). In the 1970s and 1980s, the Philippines had about 10% of the world's marine protected areas (MPAs), which were established in reaction to the country's widespread cyanide and dynamite fishing. Except for academic experiments, no one is allowed to enter, fish in, or dive in MPAs. With approximately 500 marine protected areas (MPAs) in Philippine waters, the military and government are well-versed in dealing with aquatic ecosystems and maintenance. Additionally, the MPAs have demonstrated a high level of preservation efficiency.

The Philippines, on the other hand, is not a faultless country. Despite its accomplishment, there still are unresolved issues in Philippine politics that must be addressed in order to completely resolve the Spratly Islands conflict.

Scarborough Shoal



Figure 3: map of Scarborough Shoal

The Scarborough Shoal is another contested location in the West Philippine Sea. It is a point of contention among China and the Philippines. The reef has remained a popular fishing spot for locals, and in 2012, a disagreement erupted when the Philippines Coast Guard dispatched a ship to examine five Chinese fishing vessels. The Philippines claimed the boats held illegally harvested maritime items and prepared to detain the fishermen, but China Marine Surveillance (CMS) intervened with two vessels. Since then, a Chinese Coast Guard boat has usually been present, often investigating the operations of Filipino ships.

As a result of this conflict, the Philippines asked The Permanent Court of Arbitration at The Hague (PCA) to investigate the PRC's allegations on their behalf in 2016. The Tribunal determined that the PRC's historical claims were without merit. There was no indication that China has historically exerted exclusive control over the waterways or their resources, despite the fact that Chinese fishermen had been fishing the waters for a long time. The Tribunal also determined that none of the islands in the Spratlys or the Scarborough Shoal allow for the enlargement of maritime boundaries, and that China's acts against the Philippines were illegal.

Other disputed areas

The Paracel Islands, Pratas Islands, Vereker banks, Vietnam's maritime boundary, Macclesfield bank, and sections of the sea surrounding the disputed territory are all in conflict in the West Philippine Sea. Because of the vast areas that both China and Vietnam have asserted, the majority of the claims concern them. Other countries in the region, including the Philippines, Malaysia, and Brunei, have claims to certain territories.

MAJOR COUNTRIES AND ORGANIZATIONS INVOLVED

The Philippines

The Philippines' West Philippine Sea claims span along the west coast of the Philippine archipelago, comprising the eastern portion of the Spratly Islands and the Scarborough Shoal. The Philippines' standpoint is that it crucially needs those islands for a thriving economy and the natural resources will be mightily beneficial. The Philippines resorted to international law in response, owing to its considerably diminished military capabilities. In 2013, it launched a case with the International Tribunal for the Law of the Sea (ITLOS) against China over maritime issues in the West Philippine Sea. Ultimately, in 2016, the Permanent Court of Arbitration awarded the Philippines a historic win, declaring China's nine-dash lines and traditional claims on the entire West Philippine Sea to be unconstitutional. It also declared that important characteristics in the West Philippine Sea are part of the Philippines' marine zone.

China

In the West Philippine Sea, China wields tremendous power. It finds itself embroiled in every conflict in the region as a result of its proposed 'nine-dash line,' which spans the majority of the West Philippine Sea. As China's energy demands rise, possible energy sources beneath the West Philippine Sea could be an important instrument in helping the government meet those goals. The People's Republic of China is a powerful international power, and its control of the region would have a significant impact on international commerce and trade. Increased Chinese involvement in the region could imperil free passage in the West Philippine Sea, which is a vital international hub. There have also been troubling developments in China's artificial island construction. The PRC has created artificial islands on shallow reefs that are above sea level at low tide in recent years. These islands have been constructed to serve as formidable military bases in the West Philippine Sea, bolstering Chinese influence. Furthermore, China's energy demands are rising, and the oil and natural gas deposits that could be discovered in the West Philippine Sea could be extremely beneficial. Because the PRC wields significant international influence and has a slew of powerful allies, comprehensive Chinese rule of the region may bring enormous benefits to its supporters while also posing a significant threat to them.

Vietnam

Vietnam is a significant claimant to territories in the West Philippine Sea. Vietnam's claim encompasses about half of the West Philippine Sea, including contentious areas like the Paracel Islands and the Spratly Islands. Vietnam's claims are historical and span the country's entire coast. Throughout the dispute it has been in conflict with China. When China put an oil rig in Vietnam's exclusive economic zone in 2014, the two countries got into a confrontation that resulted in violent anti-China protests in Vietnamese cities. Beijing reportedly threatened to strike Hanoi's settlements in the Spratly Islands in 2017 if Hanoi did not stop drilling in an area on Vietnam's continental shelf that coincides with China's claim.

Malaysia

In the region, Malaysia claims two distinct territories. The first claim, which is uncontested and does not conflict with any other claim, is made off the coast of Malaysia. The second and more contentious claim pertains to the territory off the coast of Brunei. China, Vietnam, Brunei, and the Philippines have all made similar claims. Despite making this contentious claim, Malaysia has taken a relatively quiet role in the fight, simply protecting its interests when necessary to avoid becoming embroiled in a war between the United States and China, aiming to reap the benefits of being on both sides.

USA

Today, the United States is concerned about Chinese control of the region and has dispatched naval warships to the area as part of freedom of navigation operations. The West Philippine Sea is a significant international maritime corridor moving products from Asia to Western markets, and it has formed alliances with various countries in the region. The United States has a tense relationship with China, particularly since the Covid-19 pandemic, and it would be in its best interests to keep an eye on Chinese activity and prevent them from gaining illegal economic, political, or military advantage, such as China's construction of artificial islands, which the United States has opposed. As a result, the United States works with countries like the Philippines to demonstrate that it is interested in the region. During times of conflict, the American naval presence is bolstered to demonstrate the potential consequences of actions performed and to emphasize the significance of free movement at sea.

Brunei

In comparison to its Southeast Asian neighbors, Brunei's claims in the West Philippine Sea are deemed minor. Brunei claims a maritime border in the north of Borneo, which Brunei and China are now disputing. Brunei's foreign policy has been irregular throughout the conflict, and it has been hesitant to take a firm stand in the conflict. Brunei's current foreign policy attitude, which dates back to 2010, is a dynamic of foreign policy oddity. The nation has ignored the act of antagonism, has displayed a general contempt for reality, and has essentially succumbed in the situation.

Taiwan

Taiwan claims ownership over the Spratlys, Paracels, Pratas, and Macclesfield Bank island groupings in the West Philippine Sea, as well as jurisdiction over neighboring waters. Since 1946, Taiwan has controlled Itu Aba Island and Pratas Island.

ASEAN

ASEAN has played a critical role in safeguarding the region's peace and security. The fact that China is not an ASEAN member makes the West Philippine Sea conflict extremely problematic for ASEAN. The challenge arises from the fact that China invests heavily in ASEAN member countries' economies, and any strong criticism could result in this investment being

withdrawn. As a result, ASEAN promotes itself as a conflict-neutral party that may assist in the development of a peaceful settlement.

TIMELINE OF EVENTS

Date	Description
2 BC	China claims to have discovered the Spratly Islands serving as the evidence for the historical claims of the islands
1600	Vietnam claims the Spratly islands and other territories in the sea, this also serves as Vietnam's evidence for the historical claims of the sea's regions
September 3rd, 1937	Japan invades West Philippine Sea islands. Japan occupies the Pratas Islands after claiming exclusive rights to several West Philippine Sea archipelagos
1947	China uses an eleven-dash line on a map to define its territorial claims in the West Philippine Sea. The claim includes the Pratas Islands, the Macclesfield Bank, and the Paracel and Spratly Islands
September 8th, 1951	The Treaty of San Francisco is signed, renouncing Japanese control of islands in the West Philippine Sea without specifying who owns them
May 15th, 1956	Tomas Cloma, a Filipino explorer, claims the Spratly Islands and other West Philippine Sea islands for the Philippines
August 8th, 1967	ASEAN is founded to bring peace and conformity
January 19th, 1974	China claims the Paracel islands after a conflict with Vietnam
December 10th, 1982	The United Nations Convention on the Law of the Sea (UNCLOS) is established
March 14th, 1988	On the Johnson Reef, China and Vietnam fought, marking China's first armed conflict in the Spratly archipelago. Three Vietnamese ships are sunk by the Chinese navy, killing seventy-four sailors.
February 1992	China implements the Law on the Territorial Sea and the Contiguous Zone, claiming the whole West Philippine Sea based on prior claims dating back to the Xia dynasty
January 1996	Near Capones Island in the Mischief Reef, part of Manila's Spratly chain of islands, three Chinese naval vessels engage in combat with a Philippine navy gunboat.
May 2009	Vietnam and Malaysia submit a joint application to the United

	Nations Commission on the Limits of the Continental Shelf
June 1st, 2011	the Philippines summoned a Chinese envoy to voice its growing worry over naval incursions in its claimed territory.
April 8th, 2012	The Philippine Navy attempts to detain Chinese fishing vessels acting illegally in the waters near the Scarborough Shoal, escalating the Scarborough Shoal issue into a confrontation.
June 2012	Vietnam approves a marine law claiming its sovereignty over the disputed Spratly and Paracel Islands, requiring international navy ships transiting through the area to notify it.
January 22nd, 2013	The Philippines filed an international arbitration action under the United Nations Convention on the Law of the Sea (UNCLOS)
July 12, 2016	The Permanent Court of Arbitration in The Hague ruled in favor of the Philippines. The panel concludes that China's declared "nine-dash line" claims to historic rights to resources in the West Philippine Sea have no legal validity.

ATTEMPTS TO SOLVE THIS ISSUE

San Francisco Treaty

The San Francisco Treaty set out to remove the West Philippine Sea islands from Japan's imperialistic control in 1951. Although it did achieve removing the islands from Japan's control, the treaty never really clarified to whom the islands belonged to, therefore exacerbating the tensions in the territorial claims of the sea.

The Permanent Court of Arbitration of the Hague

The arbitral tribunal ruled in favor of the Philippines on the majority of its claims on July 12, 2016. While it would not "rule on any question of ownership" or "delimit any maritime boundary," it underlined that China's historical rights claims over maritime territories within the "nine-dash line" had no legal standing unless they are granted under UNCLOS. China and Taiwan have both disputed the verdict. Eight governments have called for the ruling to be respected, 35 issued generally positive statements noting the verdict but not called for compliance, and eight rejected it. However the ruling of this tribunal has not been followed by China, as China still continues to violate the ruling.

POSSIBLE SOLUTIONS

Maritime cooperation in the West Philippine Sea is currently characterized by more bilateral than multilateral activities. Despite some cooperation, bilateral agreements have resulted in a deadlock. Establishing long-term multilateral cooperation structures based on domains that

may bring all parties' pragmatic interests together will be a viable option to break the current impasse. The goal of regional multilateralism is to create a set of stable, long-term, and successful institutional arrangements among the West Philippine Sea's bordering countries. Only in this way will the issue of a lack of will to establish a regional governance structure be resolved.

Economic cooperation

Maritime connectivity and tourism can serve as launching pads for regional economies to collaborate. The quantity of tourism resources and the size of the travel sector can help countries benefit from multilateral collaboration. Port connectivity, supply chain reformation, and effective resource reallocation will be required to realize this strategy.

Distributing resources and environmental protection

Drawing on successful European practices, the West Philippine Sea countries should establish multilateral coordinative mechanisms for environmental protection, joint surveys of maritime resources and databases of regional maritime information under the COC, and explore potential agreements to share resources, including available energy deposits, through the UNCLOS.

Cooperation through ASEAN

To ensure navigation and marine security in the West Philippine Sea, a regional humanitarian rescue mechanism should be implemented as a top priority. This is critical for post-pandemic economic recovery. The usage of ASEAN, which may create a central entity to represent the claimant countries, is one possible solution to the problem. It may also aid in the facilitation of talks and agreements between China and the other claimants. China and ASEAN nations should develop plans for establishing effective and stable marine rescue cooperation. These initiatives can alleviate the current situation, which includes a lack of mechanisms and rescue capabilities, by commencing with institutional building and facility creation and sharing.

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