

Dear esteemed delegates of the Security Council,

The second topic that our committee will discuss this year will be carried out differently than in conferences past. This year, the second topic on our agenda will be referred to as an “Open Agenda.” What this means is that you as the delegates will not know exactly what topic will be discussed until the actual conference, when you, the delegates of the Security Council, vote on which topic to debate. As the events and topics the UNSC debates are constantly evolving, I feel it is important that you, the members of the Security Council, decide what topic is most important to explore at the conference on February 12th, 2018.

What this means practically is that topic #1-Denuclearization of North Korea, will be set to our agenda first. During our first committee session you as the delegates will also debate why you feel one of the two topics on our Open Agenda should be discussed. The two topics on our Open Agenda this year are: Preventing Conflict in the South China Sea and the Israeli-Palestinian Conflict. After the debate on topics is closed, the topic to set second to our agenda will be voted on by the delegates of the Security Council and subsequently debated after voting on resolutions for topic #1.

Regarding your second position paper, I ask that you as delegates write one paper discussing your countries’ stances on both topics of the Open Agenda. The topic paper is **not** an opportunity to state or hint to which way you will be voting regarding the Open Agenda topic, rather, it is a time for you to explore and research both topics and write a position paper simply describing your countries’ stances on each topic. Please disregard the history and formalities that generally color one half of delegate’s position papers and simply explain in 1-2 pages your committee’s position on both topics.

I look forward to exploring this new committee format with you, the delegates, and voting on which topic is more pertinent to the world’s security and to our committee in February. I ask that you refrain from discussing which way you will vote until our first committee session.

Remember, the idea of an Open Agenda is for the Security Council to focus on the topic most prevalent to the world’s security at that moment in time. This will require you to remain updated on each topic and the events of the UN in any attempt to solve the issues. I expect that the information I discuss in my topic papers as well as anything relevant in February will be discussed during our debates. The topic papers you will find below are just suggestions for what we will discuss in our committee sessions; it is up to you, the delegates, to not only decide which topic to set to our Agenda, but which facets of that topic to focus on.

If you have any questions or concerns about the new format of the topic, please feel free to reach out to me at rena.kleiner@mail.yu.edu

The conflict in the South China Sea is dated back to 1947, after World War II when Japan lost control of the area. In an effort to claim their right to the geography, China established the “nine-dash line” map, which they date back to the 15th century¹. The United Nation’s institution of the Exclusive Economic Zone in 1973, under the jurisdiction of the Law of Seas, has brought this conflict to head based on its mandate that “two hundred-nautical miles off the coast of a land is under sovereignty of that said country”². Malaysia, Brunei, Taiwan, Indonesia, Philippines, and Vietnam all claim governorship to the South China Sea, yet all observe and respect the range of the EEZ. What prompts this conflict is China’s refusal to accept the scope of the Exclusive Economic Zone and the effort that China has made to expand their sovereignty in the Parcels and Spratly Islands of the South China Sea.

Over the course of two years (between 2014 and 2017), China has built seven artificial islands in the Spratly Islands³. It is suspected that these islands are being used as military bases to help China carry out their “Cabbage Tactic⁴. ” By constructing new territory, China has stationed naval ships in the area, preventing other countries in the region from shipping and trading within these locations. Ultimately, this plan is meant to increase China’s likelihood of claiming these contested territories mounted over oil and energy rich waters, and to eventually assert ownership over the majority of the South China Sea, to which China feels entitled.

Countries like the Philippines have acted in retaliation against China’s efforts. On July 12th, 2016, the Permanent Court of Arbitration in Hague, Netherlands ruled in the case of the *Republic of Philippines v. The People’s Republic of China* that China had no historical right to the area debated based on their “nine-dash line”⁵. This ruling instructed China to keep to their energy and sea agreement with the Philippines. Despite the arbitral tribunal ruling that their decision be upheld by all parties, China refuses to comply and continuously invades areas of the South China Sea that are legally under Philippine sovereignty.

The US - in an effort to protect its allies (like Japan), international waters and the world economy as a whole (as \$5 trillion of the world’s trade flows through the South China Sea annually) - has occasionally launched warships in the area’s international waters to survey China’s activities. These ships have been launched under the United States’ Freedom of Navigation Operation Program (FONOPS,) but have been met with vexation from China⁶.

Although thus far the conflict in the South China Sea has not sparked any maritime war, China’s efforts are beginning to provoke intense hostility among the six other countries that claim portions of the South China Sea. Their actions are a threat to

¹ <https://thediplomat.com/2016/06/what-does-the-nine-dash-line-actually-mean/>

² http://www.un.org/depts/los/convention_agreements/texts/unclos/part5.htm

³ <http://nationalpost.com/news/world/artificial-islands-in-south-china-sea-nearly-complete-allowing-china-to-dominate-region-report>

⁴ <https://thediplomat.com/2013/10/chinas-expanding-cabbage-strategy/>

⁵ <https://pca-cpa.org/wp-content/uploads/sites/175/2016/07/PH-CN-20160712-Award.pdf>

⁶ <https://www.cfr.org/report/conflict-south-china-sea>

⁷ <https://www.state.gov/e/oes/ocns/opa/maritimalsecurity/>

the regional security of Southeast Asia, and, if continued can affect all countries of the world.

As the United Nations Security Council (UNSC) it is your job to investigate the history and activities of conflict in the South China Sea and determine what there is to be done under the jurisdiction of the Security Council to prevent conflict in the area. It is important that you review the Charter, “Pacific Settlement of Disputes” (Chapter VI, Article 34) which states that the Security Council “may investigate any dispute, or any situation which might lead to international friction or give rise to a dispute”⁸⁹. Countries like the United States and the Philippines have attempted to fight China’s efforts through diplomatic and legal means, but what is the next step of the international community to prevent the conflict that could arise if China continues their raid of the entire South China Sea?

While researching your country’s stance on this topic please consider: What is the Security Council’s jurisdiction over the South China Sea? Review the facts of the “Pacific Settlement of Disputes” Charter, and the idea that the Security Council can “recommend appropriate procedures or methods of adjustment if they determine that a situation may endanger international peace and security”¹⁰. What steps can be taken to prevent further conflict in the South China Sea? How could this conflict be prevented without increasing regional instability? How could conflict be prevented while also protecting the sovereignty of each nation and freedom of navigation of: Malaysia, Brunei, China, Indonesia, Philippines and Vietnam? What are the drawbacks of active involvement by countries not directly affected by China’s actions in the South China Sea? Do these countries, like the United States and the United Kingdom, have a right to make active efforts to prevent conflict as their allies Japan and Malaysia are directly affected by this conflict? Should the involvement of these countries be limited? What kind of precedent could a policy set for other countries that are attempting to obtain contested territory, like in the case of Russia and Crimea? Is our solution China specific or will it be applicable in all cases similar to the nature of this conflict? What is the responsibility of the international community if China were to claim an “air identification zone” over the South China Sea, claiming that any flight path in the zone must be cleared through China before flying? What role does historical claim play in this issue? China’s “nine-dash line” is based on historical claims but Vietnam, Philippines and Japan all stake historical claim to the South China Sea also.

⁸ <http://www.un.org/en/sc/repertoire/settlements.shtml>

⁹ <http://www.un.org/en/sections/un-charter/chapter-vi/index.html>

¹⁰ http://www.un.org/en/sc/repertoire/2014-2015/Part_VI/2014-2015_Part_VI.pdf#page=25

Since 1948, the United Nations Security Council (UNSC) has passed 187 resolutions concerning the Arab-Israeli conflict (after the 1978 Camp David Accords becoming known as the “Palestinian-Israeli Conflict¹¹.”) Although a multitude of them specifically deal with the admission of Palestine as state to the United Nations, the majority has attempted to solve the conflict that has existed long before the creation of the United Nations.

The Palestinian-Israeli conflict has existed for decades, and, due to the complex and nuanced nature of the dispute, it has yet to be even remotely resolved. The primary contributing factors to the conflict include, politics, land, statehood, security and terrorism, refugees and human rights. Although both the Israelis and Palestinians could envision solutions to the issues that would most optimally benefit their people, the job of the United Nations Security Council to resolve and/or mitigate this conflict is not as simple.

Following the adoption of Resolution 181 in November of 1947 by the UN General Assembly which called for the creation of one Arab and one Israeli state, Israel officially declared themselves as an independent state on May 14, 1948¹²¹³. This declaration was met with an immediate wage of war by the surrounding Arab countries (Egypt, Syria, Lebanon, Iraq and Jordan.) By the end of the war, Israel had defeated their enemies and in the process acquired more land than was originally allotted to them per A/RES/181. Subsequently following the 1967 Six-Day War fought between Israel and its surrounding Arab states (Egypt, Jordan and Syria), Israel acquired the totality of land within its borders, as well as the Sinai Peninsula, Gaza, the West Bank and the Golan Heights. Through peace agreements, portions of this land have been given back to Israel’s Arab neighbors, but the question of to whom the land rightfully belongs, and the return to pre-1967 borders, has been at the heart of this conflict for the past 50 years.

The question of who has the right to the land has stumped politicians, academics and civilians, and has been the central tenet from which various other aspects of the conflict have spurred. It is clear where the two opposing parties stand on the conflict. Israel desires to keep the existing borders and continue protecting its country and citizens as they see fit, while the Palestinian people want the land allotted to them before the war of 1967, and for all Israeli settlers currently in this said land to be expunged from the area. Yet, finding a solution to who indeed has sovereignty over the land only scratches the surface of the elements affecting this conflict.

Since the aftermath of the 1948 war, Palestinians have been fighting for the “right of return” to the land, which they were removed from, as granted to them in A/RES/194¹⁴. Today millions of Palestinians live in refugee camps and desire a return to their occupied territories and, “a claim to citizenship, financial settlement and, in some

¹¹ <http://www.un.org/en/sc/documents/resolutions/>

¹² <https://unispal.un.org/DPA/DPR/unispal.nsf/0/7F0AF2BD897689B785256C330061D253>

¹³ <http://www.mfa.gov.il/mfa/foreignpolicy/peace/guide/pages/declaration%20of%20establishment%20of%20state%20of%20israel.aspx>

¹⁴ <https://unispal.un.org/DPA/DPR/unispal.nsf/0/C758572B78D1CD0085256BCF0077E5>

cases, return to former homes and property in what is today Israel¹⁵.” Conversely, Israel maintains that the status quo is necessary to maintain Israel as a Jewish state.

The current attitude of civilians that triggers much interpersonal fighting and terrorism remains the biggest hindrance to a solution suitable to both parties. Putting aside the diplomatic agreements made at the Camp David Accords (1978) and Oslo Accords (1993,) Israel’s actions have been met with immense aggression by the Palestinian people in the form of the First, and Second Intifadas^{16,17}. Both these “formal” rebellions, as well as the ones that have taken place since, have led to the deaths of thousands of Israelis and millions of Palestinians. These uprisings have left the state of civilians scared, angry and apprehensive towards any diplomatic solution. It is the job of the UNSC to work towards a solution to this problem. It is the responsibility of committee to formalize a solution that will not only protect citizens they see at risk, but terminate a decades-long social conflict that not only affects Israelis and Palestinians, but the international community at large.

Both the Israeli Government and the Palestinian Authority have worked towards remedies that they see fit for the protection of their country and their people. The most notable attempt has been Palestine’s strive towards recognized UN statehood.

The most recent development of statehood arose in 2011 when the Palestinian Liberation Organization (PLO) applied for the slot as the 194th state of the United Nations¹⁸. Seeing that the UNSC vote delayed, in the interim the PLO announced an appeal to their application, and by November of 2012, Palestine was voted affirmatively by the UN General Assembly, upgrading their UN status to “non-member observer state” under resolution A/RES/67/19¹⁹. When the question of Palestinian Statehood was voted on in 2014, the application was both vetoed by the United States and did not reach the minimum nine affirmative votes to pass if no member of the P5 had vetoed²⁰. Although 138 of the 193 members of the UN recognize Palestine’s sovereignty over the West Bank and Gaza, the scope of their status still limits their abilities in the UN, and most importantly their desire to return to pre-1967 borders and the surrendering of East Jerusalem to the PLO²¹. Until Palestine receives what they feel they are entitled to, both Palestinians and Israelis will continue to fight for the security of their people in the ways they see fit.

The scope of Israel’s maintenance of national security in relation to this conflict is also highly questionable. The Palestinians feel they are under occupation by Israel. This

¹⁵ <https://www.globalpolicy.org/security-council/index-of-countries-on-the-security-council-agenda/israel-palestine-and-the-occupied-territories/refugee-right-of-return.html>

¹⁶ <http://www.mfa.gov.il/mfa/foreignpolicy/peace/guide/pages/camp%20david%20accord.s.aspx>

¹⁷ https://web.archive.org/web/20021115183950/http://knesset.gov.il/process/docs/oslo_eng.htm

¹⁸ <https://web.archive.org/web/20140208145034/http://palestinestate194.com/index.php/en/>

¹⁹ <https://unispal.un.org/DPA/DPR/unispal.nsf/0/19862D03C564FA2C85257ACB004EE69B>

²⁰ <http://www.un.org/apps/news/story.asp?NewsID=49709>

²¹ <https://www.un.org/press/en/2012/ga11317.doc.htm>

reality is only heightened as the Palestinian people feel the Israeli government challenges their daily lives and movement by way of the checkpoints and walls set up throughout the country, which Israel argues were implemented to attempt to protect their people. Palestine sees these efforts as a violation of their human rights and their sovereignty. In reaction, many Palestinians refuse to recognize Israel's right to exist and meet Israel's attempts of a status quo with terrorism and fighting.

Although this conflict has starred as the recurring face of international debate for the last 70 years, there has seldom been any solution favorable to both Israelis and Palestinians to help create any peace. It is the job of the Security Council to decipher this issue and come up with a resolution that will help the situation for both parties.

While researching please consider: What is your country's position on the Palestinian-Israeli conflict? Does your country assist either party in any way, such as by hosting Palestinian refugees? What could be done about the state of Palestinian refugees around the world? Does the United Nations have the right to demand the removal of Israeli citizens from Palestine's asserted occupied territories? How does the scope of each party's security measures need to shift in order to allow for any peace among their people? How could the UNSC manage potential violence from Palestinians? Is there anything we can do to prevent a third intifada? If a system is put into place, should there be consequences if either party violates it? Based on the violent history of the land, could US peacekeepers be placed there to successfully protect the security of both the State of Israel and the Palestinian people? How should the UNSC deal with the question of "Rights of Return"? What jurisdiction does the UNSC have on the Israeli government to realistically respect this concept? Consider how the recognition of Palestine as a "non-state observer" status changes the fate of this conflict. Many countries such as the United States and Israel opposed this decision, most vocally because they felt it would serve as a disruption to the peace process since under this status Palestine can prosecute Israelis at the International Criminal Court. What effect could UN recognition of Palestine as a state have on this conflict? What compromises to past attempted resolutions are realistic for countries of the UNSC to make in order to make Palestine a member state of the UN a reality? Consider Israel and Palestine's respective allies and what they would realistically agree to for resolving the issue. Examine the relationship between Hamas and the PLO. As the UNSC do you think we should continue treating them as one entity even though they spilt from the PA in 2005?

It is important to remember that such with any topic discussed at YUNMUN, the role of the delegate is to represent the opinion of their country, and not their personal stance on a topic. I expect that delegates will not only familiarize themselves with their country's position, but also their country's relationship with the other members of the Security Council to assure that the resolutions made are realistic to what one's country would take part in.

Every paper will be submitted to turnitin.com to be scanned for plagiarism. Any delegates found to have submitted a plagiarized paper will not be permitted to attend the conference and will be subject to disciplinary action from their schools.

Best of Luck,

Rena Kleiner
Chair, Security Council
YUNMUN XXVIII