

General Assembly First Committee

Addressing the conduction of artificial islands and military bases in international waters

Forum	General Assembly 1
Issue:	Addressing the construction of artificial islands and military bases in international waters
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Introduction

The construction of artificial islands and military bases in international waters have emerged a persistent challenge, particularly evident in the South China Sea. The disputes surrounding this issue primarily revolve around territorial claims, with the deployment of artificial islands equipped with military assets such as airstrips, radar systems, and missile installations by a certain nation that the rest don't agree with.

The territorial disputes linked to this topic have sparked concerns about potential disruptions to peace among the involved countries and violations of international laws outlined by the United Nations Convention on the Law of the Sea. The construction of artificial islands, often achieved through land reclamation strategies, involves the use of chemicals and cement that may pose threats to the surrounding ecosystems.

Moreover, the concerns associated with this topic extend to the impact on the freedom of navigation in international waters. The presence of military bases on artificial islands has the potential to jeopardise regional stability, contributing to regional instability and escalating geopolitical tensions. It is crucial to emphasise the resolution of these conflicts through peaceful means, urging the involved countries not to resort to war over territorial disputes associated with these islands, as militarization may pose security threats to neighbouring nations.

These artificial islands may also serve as platforms for the exploitation of natural resources in the region, leading to disagreements over resource rights. Territorial disputes have already arisen, highlighting the need for careful consideration of which state should have the authority to exploit these resources. Importantly, it should be acknowledged that coastal states are granted the right to



exploit or conserve resources found within the water, on the seafloor, or beneath the subsoil of the sea floor.

Definition of Key Terms

EEZ

An exclusive economic zone (EEZ) is an area of the ocean that extends 200 nautical miles (230 miles) beyond a nation's territorial sea. The concept of an exclusive economic zone (EEZ) was adopted through the 1982 United Nations Convention on the Law of the Sea. Under international law, within its defined EEZ, a coastal nation has:

- Sovereign rights for the purpose of exploring, exploiting, conserving, and managing natural resources of the seabed, subsoil, and waters above it.
- Jurisdiction as provided for in international law regarding the establishment and use of artificial islands, installations, and structures; marine scientific research; and the protection and preservation of the marine environment.
- Other rights and duties provided for under international law.

Artificial islands

Artificial islands are islands built by man and are not naturally occurring. These islands in recent years have been built to mitigate overcrowding, reclaim land, provide new urban expansions, and meet infrastructure and industrial needs. Artificial islands also have certain strategic advantages and economic gains and can lead to geopolitical benefits. There are many reasons for building artificial islands, and the number of reasons keep on increasing as the world faces the increasing issue of space scarcity, geo-political conflicts and more. It should be noted that these islands have a huge negative impact on the environment as they cause large changes to the seabed by permanently smothering local habitats. They also lead to severe environmental degradation of the marine ecosystem.



Maritime environments

Maritime environments are places influenced by the sea, like oceans and coasts. They're home to a variety of plants and animals and are important for regulating the Earth's climate. These areas also play a big role in global trade and are vital for things like fishing. Taking care of maritime environments is crucial for keeping our planet healthy and ensuring we can continue to benefit from the resources they provide, like seafood. They're supporting diverse ecosystems and connecting different parts of the world through trade and travel.

General Overview

Concerns over the construction artificial islands are numerous and extend beyond geopolitical conflicts and reach into significant environmental problems. The intentional expansion of landmass, often accomplished by means of prolonged dredging and land reclamation procedures, presents noteworthy and complex hazards to marine ecosystems. A major concern for the environment is the possible deterioration of delicate coral reefs and disturbance of native biodiversity, which are essential elements of healthy maritime environments. Artificial island construction frequently involves dredging, which disturbs natural sedimentation processes and causes habitat loss. These changes can have a significant impact on the delicate balance of maritime environments, why this is important is because maintaining maritime environments is essential not only to environmental conservation but also about securing economic benefits, ensuring food and energy resources, and strengthening global cooperation for a sustainable future

Dredged materials frequently include contaminants, therefore disposing of them raises the risk of contamination and environmental harm. With the acceleration of climate change, contributing to rising sea levels, artificial islands constructed at lower elevations face heightened vulnerability, further compounding the environmental risks. The potential loss of these islands due to sea-level rise could also result in the release of construction materials into the surrounding waters, exacerbating the ecological impact. Achieving a delicate equilibrium between infrastructure development and environmental preservation is paramount to ensure the sustainable coexistence of artificial islands with their surrounding marine ecosystems. This necessitates comprehensive environmental impact assessments, responsible construction practices, and a commitment to long-term ecological sustainability.



Furthermore, the construction of artificial islands and military bases in international waters also raise significant concerns primarily related to geopolitical tensions, security, and strategic implications. In regions like the South China Sea, where multiple nations assert territorial claims, the development of artificial islands can worsen already existing longstanding disputes, leading to increased geopolitical tensions. The establishment of military bases on these artificial islands further intensifies security concerns, contributing to regional instability. The militarization of such features may alter the balance of power, impact freedom of navigation, and trigger arms races among neighbouring states. The potential for military conflict and the challenge of enforcing international laws in contested areas underscore the multifaceted geopolitical risks associated with the construction of artificial islands and military bases in international waters.

South China Sea dispute

The South China Sea dispute is a complex and longstanding geopolitical issue involving territorial claims, maritime boundaries, and strategic interests among several countries in the Asia-Pacific region. Key claimants to various parts of the South China Sea include China, Vietnam, the Philippines, Malaysia, Brunei, and Taiwan. The primary points of conflict revolve around sovereignty over islands, reefs, and waters in the South China Sea, which is rich in natural resources and a crucial maritime trade route. China, in particular, has asserted expansive territorial claims, marked by the "nine-dash line," covering a significant portion of the sea.

Tensions have escalated due to China's construction of artificial islands, military installations, and its increasing assertiveness in asserting territorial claims. The Permanent Court of Arbitration ruled in 2016 in favor of the Philippines, stating that China's claims lacked a legal basis under international law, particularly the United Nations Convention on the Law of the Sea (UNCLOS). However, China rejected the ruling and continued its activities in the region, contributing to ongoing regional instability.

The South China Sea dispute involves a plethora of economic, political, and security considerations. It has led to increased military activities, the militarization of disputed islands, and an increased presence of foreign naval forces. The involvement of external powers, notably the United States, has further complicated the situation, as they aim to ensure freedom of navigation and support their regional allies.



Efforts to address the dispute have included diplomatic initiatives, such as the negotiation of a Code of Conduct (COC) between China and the Association of Southeast Asian Nations (ASEAN), but progress has been slow. The dispute remains a major issue in the region, impacting regional stability, economic interests, and the overall geopolitical landscape in the Asia-Pacific. As countries continue to try and find an agreement on how to solve these issues, finding a comprehensive and mutually agreeable resolution to the South China Sea dispute remains a significant challenge.

Other disputes

Disputes over the construction of artificial islands and military bases extend beyond the South China Sea. In the Baltic Sea, Russia's development on Gotland Island raises concerns among neighbouring countries. The annexation of Crimea in the Black Sea by Russia involves the establishment of military facilities. In the North Pacific, the dispute between Japan and Russia over the Kuril Islands includes discussions on military bases. The Arctic region has witnessed growing interest in constructing artificial islands and military bases as melting ice opens new opportunities for resource exploitation. Competing territorial claims among Arctic nations, including Russia, Canada, and Denmark, have heightened geopolitical tensions in this environmentally sensitive area. In the East China Sea, the dispute between China and Japan over the Diaoyu/Senkaku Islands involves concerns about militarization. The strategic significance of these islands has led to increased maritime patrols and military activities, worsening longstanding regional rivalries.

Major Parties Involved

China

China's significance in the South China Sea dispute is a result of a combination of historical claims, strategic interests, and geopolitical ambitions. Asserting sovereignty over the majority of the South China Sea through the controversial Nine-Dash Line, China seeks to control a region crucial for global trade due to its strategic location along major shipping routes. The area is rich in natural resources, including fisheries and potential oil and gas reserves, adding economic incentives to China's claims. Through rapid military modernization and the construction of artificial islands, China has enhanced its military presence, enabling power projection and securing its maritime interests. The dispute is not only a matter of national security for China but also an opportunity to expand its geopolitical



influence in the Asia-Pacific region. Despite international legal challenges and a 2016 tribunal ruling against its claims, China remains steadfast, creating tensions with neighbouring countries and raising concerns globally. The situation underscores the complex interplay between historical narratives, economic interests, and geopolitical strategies, with implications for regional stability and the broader balance of power in international relations.

United states of America

The United States plays a crucial role in the South China Sea dispute by upholding freedom of navigation, supporting its regional allies, and advocating for a rules-based international order.

Through Freedom of Navigation Operations (FONOPS), diplomatic engagement, and security assistance, the U.S. challenges excessive maritime claims, reinforces defence capabilities of involved nations, and promotes peaceful resolutions. Its military presence in the region serves as a deterrent, contributing to regional stability. While not a direct claimant, the U.S. involvement underscores its commitment to maintaining a balance of power, ensuring adherence to international law, and preserving its strategic interests in the Asia-Pacific region.

Philippines

The Philippines holds a crucial role in the intensifying South China Sea territorial disputes marked by China's assertiveness and resource competition among claimant states. President Rodrigo Duterte's pragmatic approach aimed at economic benefits rather than challenging China's claims has faced challenges. Despite downplaying a 2016 UN Convention on the Law of the Sea (UNCLOS)

tribunal victory and pursuing economic ties, irritants persist, including Chinese activities in the Philippine exclusive economic zone. Scepticism grows domestically about compromising territorial claims for economic gains. Manila has shifted its stance, sending protest notes to China, revisiting the U.S. alliance, and re-engaging in South China Sea discussions. Facing diplomatic complexities, the Philippines seeks cooperation with neighbours on shared interests like fisheries management, law enforcement, and environmental research, emphasizing dialogue, risk management, and advancing the Code of Conduct to mitigate the risk of escalating conflicts in the region.

Vietnam



The risk of armed conflict in the South China Sea has risen due to increased territorial claims, China's dominance, and U.S. involvement. Vietnam, a major claimant, plays a vital role, seeking to prevent escalation. To do so, claimant states, including Vietnam, should expedite negotiations, emphasizing cooperation in less sensitive areas. Vietnam's one-party system ensures a consistent approach, balancing economic engagement with China and strategic cooperation with major powers. Efforts to finalize maritime boundaries and re-energize Code of Conduct negotiations are crucial. Vietnam's legal and soft balancing options, combined with regional cooperation initiatives, aim to mitigate tensions and promote peaceful resolution.

Indonesia

Indonesia a non-claimant in the South China Sea dispute, plays a crucial role in maintaining regional stability. Emphasizing a neutral stance, Indonesia supports and recommends peaceful resolutions, supports international law, and offers mediation between claimant states. Its location between the Pacific and Indian Oceans emphasizes on its interest in preventing tensions that could impact maritime security and trade. While not directly involved in territorial claims, Indonesia actively engages diplomatically, maintains ties with all relevant parties, and encourages adherence to international norms for a rules-based order in the South China Sea.

Timeline of Key Events

Date:	Description of event:
January 19 th , 1974	Chinese forces occupy parcel islands, ejecting south Vietnamese troops
March 19 th , 1988	Chinese and Vietnamese forces clash after China seizes fiery cross and Cuarteron reefs in the Spratlys. At least 74 Vietnamese sailors were killed
1994	UNCLOS goes into effect, establishing a legal framework for maritime jurisdiction, including definition of territorial seas, EEZ's and continental shelves.



1995	Chinese navy occupies Mischief reef, off the Philippine Island of Palawan. Subsequent standoff results in a fight between Chinese and Philippine naval forces.
November 2002	ASEAN member states and China reach agreement on the non-binding declaration on the conduct of parties in the South China Sea, pending a full-fledged code of conduct.
May 2009	China makes “nine-dash line” claim in which it submits the nine-dash line map in response to a joint submission by Malaysia and Vietnam to the commission on the limits of continental shelf.
April 10 th , 2012	China seizes Shoal from Philippines. Attempted arrest of Chinese fishermen by the Philippine navy at Scarborough Shoal prompts a standoff. By July, China asserts control over the Shoal.
January 22 nd , 2013	The Philippines takes legal action against China by initiating an arbitration case under UNCLOS to challenge Chinese claims of “historic rights” and maritime entitlements to the Spratly Islands and Scarborough Shoal.
Late 2013	China starts building artificial islands in the Spratly Islands.
May 2014	China and Vietnam clash over oil as Chinese and Vietnamese law enforcement vessels collide as the Vietnamese manoeuvre to prevent placement of a Chinese oil rig in waters claimed by Hanoi.
October 2015	The U.S starts freedom of navigation operations (FONOPS's) in South China Sea.
July 12 th , 2016	Manila wins big case against Beijing. An arbitral tribunal at the Permanent Court of Arbitration in The Hague finds that China's declared nine-dash line has no legal basis under UNCLOS.
July 2018	China and ASEAN agree on a single draft negotiating text.
December 2019	Malaysia in a three-way standoff as a six-month standoff between China, Malaysia and Vietnam over the deployment of a Malaysian drillship begins.
March 2021	The Philippines demands that some 200 Chinese vessels, including suspected maritime militia (Chinese fishers that get some basic military training that serve as one of the forces next to the Chinese coast guard) boats, withdraw from waters around Whitsun Reef in the Spratly's.



UN involvement, Relevant Resolutions, Treaties and Events

No comprehensive international resolution or treaty has been achieved to address the construction of artificial islands and military bases in international waters, notably in the South China Sea. The 2016 Permanent Court of Arbitration (PCA) ruling, which is one submitted by the Philippines against China, deemed China's actions violating the United Nations Convention on the Law of the Sea (UNCLOS) with no legal basis. However, China rejected the ruling, showing the limitations of international legal mechanisms. Diplomatic protests and dialogues within forums like ASEAN have been put into action, but achieving a general agreement remains challenging due to conflicting national sovereignty concerns and geopolitical interests. The United States' Freedom of Navigation Operations (FONOPS) challenging maritime claims has not deterred China's assertive actions. Additionally, negotiations for a Code of Conduct (COC) between ASEAN and China aim to manage incidents but face difficulties due to competing territorial claims and historical conflicts. The multifaceted nature of the issue, coupled with geopolitical complexities, underscores the absence of a universally accepted resolution and the persistent challenges in addressing the matter diplomatically.

Previous Attempts to solve the Issue

Attempts to address the construction of artificial islands and military bases in international waters, particularly the South China Sea, involve legal, diplomatic, and strategic approaches. The United Nations Convention on the Law of the Sea (UNCLOS) and the 2016 Permanent Court of Arbitration (PCA) ruling against China's actions have shown legal mechanisms' potential. However, China's rejection of the PCA decision highlights the challenge of enforcing international rulings. Diplomatic avenues, such as protests and dialogues within ASEAN, face difficulties due to conflicting national sovereignty concerns and geopolitical interests. Despite the United States Freedom of Navigation Operations challenging maritime claims, China continues its assertive actions. Negotiations for a Code of Conduct (COC) between ASEAN and China aim to manage incidents, but progress is slow due to competing claims and historical conflicts. The multifaceted nature of the issue, along with geopolitical dynamics and different interpretations of international law, has led to failed attempts at



a universally accepted resolution, emphasizing the persistent challenges in diplomatically addressing this complex matter.

Possible Solutions

To solve the issues of artificial islands and military bases in international waters, we can consider a few ideas. First, get neutral parties or international groups to help with talks – this might make discussions smoother and reduce tensions. Second, make regional cooperation stronger, especially through organizations like ASEAN, to encourage open conversations and trust-building. Creating a Code of Conduct (COC) within this cooperation could help manage disputes. Third, everyone involved should follow international laws, like UNCLOS, to have a clear and fair basis for resolving conflicts. Lastly, sharing resources, such as working together on exploring and using natural resources, could create economic opportunities and make the region more cooperative and stable.

Bibliography

- “The Recent History of the South China Sea: A Timeline.” *Crisis Group*, 29 Nov. 2021, www.crisisgroup.org/asia/south-east-asia/south-china-sea/recent-history-south-china-sea-timeline.
- “Exclusive Economic Zone.” *Wikipedia*, Wikimedia Foundation, 19 Nov. 2023, en.wikipedia.org/wiki/Exclusive_economic_zone.
- Fakharany, Nour. “Unpacking the History of Artificial Islands: The True Cost on the Built Environment.” *ArchDaily*, ArchDaily, 21 Aug. 2023, www.archdaily.com/1005681/unpacking-the-history-of-artificial-islands-the-true-cost-on-the-built-environment.
- Dafforn, Katherine, et al. “Future ‘ocean Cities’ Need Green Engineering above and below the Waterline.” *The Conversation*, 6 Dec. 2023, theconversation.com/future-ocean-cities-need-green-engineering-above-and-below-the-waterline-93843#:~:text=The%20creation%20of%20artificial%20islands,on%20top%20of%20coral%20reefs.
- Al-Ghamdi, Sami, and Furqan Tahir. “Artificial Island Developments.” *Encyclopedia*, Sami Al-Ghamdi, 16 May 2022,



encyclopedia.pub/entry/22945#:~:text=These%20artificial%20island%20development%20projects,%2C%20seagrass%20meadows%2C%20and%20mudflats.

“Spratly Islands.” *Wikipedia*, Wikimedia Foundation, 4 Dec. 2023, en.wikipedia.org/wiki/Spratly_Islands.

d.swane, micheal. “America’s Security Role in the South China Sea - Carnegie Endowment For ...” *America’s Security Role in the South China Sea*, 2015, carnegieendowment.org/2015/07/23/america-s-security-role-in-south-china-sea-pub-60826.

Crisis, Group. “The Philippines’ Dilemma: How to Manage Tensions in the South China Sea.” *Crisis Group*, 17 June 2022, www.crisisgroup.org/asia/north-east-asia/china/316-philippines-dilemma-how-manage-tensions-south-china-sea.

Bahasa, Versi. “Our Role in the South China Sea.” *The Jakarta Post*, 31 Mar. 2023, www.thejakartapost.com/opinion/2023/03/31/our-role-in-the-south-china-sea.html#:~:text=Although%20it%20has%20a%20recurring,in%20the%20South%20China%20Sea.

wikipedia. “Kuril Islands Dispute.” *Wikipedia*, Wikimedia Foundation, 12 Dec. 2023, [en.wikipedia.org/wiki/Kuril_Islands_dispute#:~:text=The%20modern%20Kuril%20Islands%20dispute,San%20Francisco%20\(September%201951\)](https://en.wikipedia.org/wiki/Kuril_Islands_dispute#:~:text=The%20modern%20Kuril%20Islands%20dispute,San%20Francisco%20(September%201951)).

Buchanan, Elizabeth, and Bec Strating. “Why the Arctic Is Not the ‘next’ South China Sea.” *War on the Rocks*, 6 Nov. 2020, warontherocks.com/2020/11/why-the-arctic-is-not-the-next-south-china-sea/.

Wikipedia. “Senkaku Islands Dispute.” *Wikipedia*, Wikimedia Foundation, 4 Dec. 2023, [en.wikipedia.org/wiki/Senkaku_Islands_dispute#:~:text=The%20Senkaku%20Islands%20dispute%2C%20or,China%20\(ROC%20or%20Taiwan\)](https://en.wikipedia.org/wiki/Senkaku_Islands_dispute#:~:text=The%20Senkaku%20Islands%20dispute%2C%20or,China%20(ROC%20or%20Taiwan)).



