

United Nations Security Council



Agenda: Situation in Guam

Table of Contents

Letter from the Executive Board	3
Mandate	5
Introduction	6
Strategic Importance of Guam	7
Military Significance	7
Economic Significance	8
Significance Through History	8
Brief Timeline of Events	9
Guam	9
South China Sea	11
North Korean Weapon Developments	13
United States and Guam	13
What is an Unincorporated Territory?	13
American Involvement in Guam	14
South China Sea Dispute	17
What is the dispute about?	17
Other Stakeholders	18
China	18
North Korea	19
Other Asia-Pacific Nations	20
Points to Consider	20
Escalation of Disputes	20
South China Sea	20
North Korea	21
Guam’s Right to Self Determination	21
Developments in Guam	21
United Nations Viewpoint	22
Effect of Militarisation on Guam	22
Conclusion	23

Letter from the Executive Board

Delegates are requested to keep a few pointers in mind before reading the background guide and preparing for the simulation of the United Nations Security Council (UNSC) at the SBS MUN Conference 2017.

1. A background guide is not supposed to contain all the information on an agenda. A background guide contains an introduction to the agenda and useful links for further research. Hence, delegates are requested to use the background guide only as a base for research purposes.
2. The background guide is divided into different sections. The first section is about UNSC and its function. The functions and powers of all councils and committees are outlined by their mandate, which also defines the scope of debate in council. The mandate also defines what kind of actions can be taken by the UNSC.
3. The second section explains the agenda at hand in brief. Delegates must note that to understand any agenda it is important to deeply explore its development in history and understand various political, social, legal, cultural, religious, economic and security aspects riding with it. The guide just touches upon some of these aspects and the delegates must explore them in detail while preparing for and deliberating during the conference.
4. Many sections are followed by or include links which will help in understanding the agenda better, attaining relevant documents and guide you for further research on the issue. Delegates are requested to visit these links.
5. Delegates can follow the following pattern for researching (if required):
 - a. Understanding of the UN and the Committee/council – Mandate, historical work and decisions on the issue or relates issues etc.
 - b. Research on the allotted country, especially with respect to the agenda, past policies or actions taken.
 - c. Understanding the Foreign Policy of the allotted country by studying past actions, their causes and consequences.
 - d. Reading the Background Guide thoroughly.
 - e. Researching further upon the agenda using the footnotes and links given in the guide and from other sources such as academic papers, news articles, blogs etc.
 - f. Prepare topics for moderated caucuses and their content.
 - g. Assemble proof/evidence for any important piece of information/allegation you are going to use in committee.

h. Keep your research updated using news websites given in the Proof section.

Feel free to contact if you have any query. Good luck!

Warm Regards

Harsh Vardhan Yadav

President, UNSC

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Mandate

As per the UN Charter, Security Council has primary responsibility for maintaining international peace and security, and it may call a meeting whenever peace is threatened. Under the Charter, the United Nations has four purposes that the Security Council must also uphold:

- to maintain international peace and security;
- to develop friendly relations among nations;
- to cooperate in solving international problems and in promoting respect for human rights;
- and to be a centre for harmonizing the actions of nations.

It has 15 Members, and each Member has one vote. All Member States of the UN are obligated to comply with Council decisions. The Security Council takes the lead in determining the existence of a breach of peace, threat to the peace or acts of aggression. It calls upon the parties to a dispute to settle it by peaceful means and recommends methods of adjustment or terms of settlement. In some cases, the Security Council can resort to imposing sanctions or even authorize the use of force to maintain or restore international peace and security.

The Security Council also recommends to the General Assembly the appointment of the Secretary-General and the admission of new Members to the United Nations. And, together with the General Assembly, it elects the judges of the International Court of Justice.

You are also advised to read about the practice of the Security Council and how the Charter affects the same. This will be highly informative as to the inner workings of the Council and hence, debate on it.

Links for further research-

- [About United Nations Security Council](#)
 - [Repertoire of Actions Available to the SC](#)
-

Introduction

Guam has always been strategically important because of its location. It is an important vehicle for United States to exert influence over the proceedings and actions of Asia-Pacific region. As tensions escalated in the region owing to the South China Sea Dispute (Over the extent of territorial waters of each country) and development of new weapons (with longer ranges that can reach targets as far as the US mainland) by North Korea, the presence of US military in Guam has become an even more important point of discussion. The island is strategically located as it is equidistant from the Korean Peninsula and the South China Sea and can be a base for response to any events in both regions. However, the status of Guam and the American use of Guam to influence proceedings so far from its mainland is a cause of contention among many nations. Military build-up in Guam, thus, interests Asia-Pacific countries such as China and North Korea, who are not allies of the United States.

America classifies Guam as an organized unincorporated territory, i.e. it can make its own decisions but US mainland can override them. Its citizens do not have the same rights as natural US citizens, but legally the territory is a part of the US. No county contests America's claim over Guam, i.e. no other country claims right to the land as their own. However, the right to Guam's self-determination has been brought up in the UN, primarily by independent groups or advocates multiple times.

The UN classifies it as a non-self-governing territory, i.e. the people of Guam do not have power to govern themselves. The militarisation of Guam and its use as a military base by the US has massively affected life on the island and it is important to identify the rights and best interests of the citizens of Guam as a theme for the committee. The question of Guam's expression of its right to self-determination also remains.

The dispute in the South China Sea is quick becoming severe. The UN and US both have debased China's claims to territorial water in the region. However, China continues to build military bases on islands in the South China Sea, to be able to stake claim to the extensive maritime trade going through the region and storehouse of minerals available there. The US however has actively tried to negate these Chinese claims by sending military missions in areas that China claims to be its territorial waters.

The situation in Guam, apart from the question over the legality of United States actions at various stages, raises the question of the possibility of escalation of tensions between China and US into an active dispute or even a war. Thus, as the involvement of US has created a very sensitive dynamic in the region, it is important to prevent any scenario that can lead to a full-scale conflict.

The impact of American actions in Guam on the lives of citizens of Guam, and on the polity of the Asia-Pacific region is significant, which is why the need to discuss this agenda arises.

Strategic Importance of Guam

Military Significance



For more than a century, Guam’s strategic regional location has allowed the United States to achieve its policy objectives in the Asia-Pacific region. As the westernmost sovereign soil of the United States, it has contributed greatly to the projection of American power and national interests. In the Pacific Ocean, Hawaii is about 2,400 miles west of California, and Guam is about 3,800 miles further west of Hawaii. It acts an important staging post for access to Korea, Japan and the Taiwan Strait, and facilitates quick response to aggression in the region, if required.

In July 2014, then United States Deputy Defence Secretary William Lynn III visited Guam and stressed Guam’s value, saying, “From bases here, our forces can ensure the security of our allies, quickly respond to disaster and humanitarian needs, safeguard the sea lanes that are so vital to the world economy, and address any military provocation that may occur.”

Guam is the US’ portal to the Asia-Pacific region. It is equally distant from the South China Sea and the Korean peninsula. It is very far away from the American mainland yet it is considered as an American territory and allows America to keep track on events in the Oceania and Asia-Pacific and exert influence over them. America has used Guam as a launch pad for its forces in the past, including the Vietnam War (1955-1975) and the Korean War (1950-1953) and placing forces there allows for quick mobility and movement in the Asia-Pacific region. It has

many modern and advanced weapons, including nuclear capable planes and submarines placed in Guam, currently and is looking to expand its arsenal there.

Economic Significance

On the axis that crosses 5,000 miles of the Pacific between Hawai'i and Asia, Guam is the only island with both a protected harbour and sufficient land for major airports. Guam is also the largest landfall for communications, shipping, and military installations on the nearly 3,000-mile north-axis from Japan to Papua New Guinea and Australia. This geography means that whoever controls Guam has access by air and sea to China to the west, to Hawai'i and North America to the east, to Southeast Asia from the north and to Japan from the south. These geopolitical factors make Guam a valuable strategic nexus similar to other small island bastions in military history and maritime trade such as Hawai'i, Gibraltar, Malta and Singapore.

Significance Through History

The importance of Guam was recognized by Spain after Ferdinand Magellan made the first European landfall there in 1521 on the way to the Philippines and the first circumnavigation of the world. In the following decades, Guam became an important stop for provisions for the Spanish, as they travelled from Mexico to Manila in pursuit of trade with China. After defeating Spain in the Spanish-American War of 1898, the United States kept Guam as a part of a trans-Pacific line of communications (including the islands of Hawai'i, Midway and Wake) in a manner similar to the Spaniards to support the newly acquired Philippines. Guam was then needed as a coaling station for steam-powered ships.

World War I brought a modernizing and powerful Japan into Micronesia. The Japanese soon viewed Guam and the Philippines as obstacles in their southward march to gain access to the raw materials of Southwest Asia for Japan's growing industries. Both Japan and America began to plan for war against each other (called War Plan Orange by the US Navy) with Guam an obvious target for Japan. In response, the Americans initiated human and radio intelligence gathering in Micronesia and Asia from Guam.

The Washington Naval Conference at which treaties were signed limiting the number of warships the five major naval powers could construct temporarily calmed strategic rivalries in the Pacific in 1922. Washington officials, to the dismay of the US Navy, agreed to halt any fortification of Guam for ten years. A geopolitical calm then settled over the western Pacific. However, the agreement was not renewed in 1932. In 1941, during the Second World War, the poorly fortified island of Guam was quickly taken over by the Japanese. Having lost Guam, the Americans had to fight their way westward from Hawai'i and northward from Australia, in bloody battles across Micronesia. After the Americans re-occupied the Marianas in 1944, the

islands became launch pads for their air assault on Japan that culminated in the dropping of the atomic bombs on Hiroshima and Nagasaki and Tokyo's surrender. Thereafter the Pacific Ocean became – and remains – American, with Guam the controlling factor.

During the cold war that followed, military bases on Guam were a deterrence against the Soviet Union in the American strategy of forward deployment around the edges of Asia. America used Guam to harbour nuclear missile submarines, long-range bombers, satellite and underwater cable communications centres, large facilities for electronic intelligence gathering, and stockpiles of conventional and nuclear weapons. Updated versions of these weapons systems and facilities remain in place on Guam. Simultaneously, the federal government used Guam to serve American interests as a support base for the Korean War in 1949-53, a base for B-52 bombers in the Vietnam War of 1965-73 (and a haven for South Vietnamese refugees in 1975). It was also used as a logistical link to the U.S. base on Diego Garcia in the Indian Ocean for the 1991 Gulf War and the Iraq War that began in 2003.

Throughout all those wars, the people of Guam remained loyal to the United States despite the fact that Guam is an American territory without full self-government. In 2014, United States declared that Guam is being prepared for redeployment of a Marine Corps brigade from Okinawa, additional Air Force units, and regular visits from Navy aircraft carriers as America continues a slow withdrawal from its forward deployment in foreign nations of the Asia-Pacific region.

Further Links for Research-

- [Guam's Historic Importance](#)
- [Guam's Impact on Asia Pacific](#)

Brief Timeline of Events

Guam

1944	U.S. troops completed the liberation of Guam from the grasp of Imperial Japan.
1947-1978	The US governed the Northern Marianas Islands as a UN Trust Territory. The native largely abandoned fishing and Spam and Budweiser became staples.
1975	In local elections, 78.8% of the residents approved a covenant under which the Northern Marianas would become a US Commonwealth.

- 1976 In a poll, 51 percent of Guam's indigenous population supported the status quo.
- 1982 Further polling in Guam found 73 percent in favour of commonwealth leading to statehood, with independence and free association garnering only 12 percent support each
- 2006 One of the largest US military exercises in decades got underway off Guam Island in the western Pacific.
- 2009 In Japan, US Secretary of State Hillary Rodham Clinton warned North Korea against following through on a threatened missile launch, saying it would damage its prospects for improved relations with the United States and the world. Clinton also signed an agreement with Japan that will move 8,000 Marines off the southern Japanese island of Okinawa to the US territory of Guam.
- 2010 U.S. Navy's Joint Guam Program Office issued an Environmental Impact Statement (EIS) on implications of the build-up on Guam. It estimated a total increase of 79,000 in Guam's population owing to the provisions of the 2009 United States-Japan Pact. This included transient workers that would later return to the US. However, the number was still too large for the island to be able to sustain, according to many organizations as well as Guam's governing authorities.
- 2012 United States and Japan reached an agreement for the US to withdraw 9,000 troops from the Okinawa Base, 5,000 of which were slated to go to Guam.
- 2013 The United States said it would soon send a missile defence system to Guam to defend it from North Korea, as the US military adjusts to what US Defence Secretary Chuck Hagel described as a "real and clear danger" from Pyongyang.
- 2013 Japan and the U.S. agreed to start moving marines from Okinawa to Guam in the first half of the 2020s as part of efforts to reduce its footprint on the prefecture, which hosts the bulk of U.S. military bases in Japan.
- 2014 Department of Navy issued a Draft Supplemental Environmental Impact Statement (SEIS), revising the peak addition to the number of people living in Guam to 10,000 (earlier 79,000) and 7,400 additional residents (earlier 33,000).
- 2016 China develops new ballistic and cruise missiles, capable of carrying conventional as well as nuclear warheads whose range is just enough to hit Guam. It was China's first

conventional ballistic missile capable of reaching Guam. These weapons received the moniker of 'Guam Killers'

South China Sea

- 1947 The Republic of China publishes the first map including the “nine-dash line” looping around almost the entirety of the South China Sea and claiming waters adjacent to Malaysia, the Philippines and Vietnam, for the government of Chiang Kai-shek.
- 2012 Hong Lei, China’s foreign minister, states “no country including China has claimed sovereignty over the entire South China Sea”, apparently moderating the nine-dash line claim.
- 2012 The Philippine navy discovers Chinese fishing vessels in a lagoon off Scarborough Shoal, finding large amounts of what it describes as illegally harvested coral and other sea life. The US and Philippines hold a joint military exercise during the ensuing standoff.
- 2012 Vietnam passes a new maritime law claiming sovereignty over the Spratly and Paracel Islands; China raises the administrative status of the disputed islands to the prefecture level.
- 2012 China submits claims to the East China Sea to the UN following the purchase of the Senkaku/Diaoyu Islands by Japan’s government.
- 2013 The Philippines formally initiates arbitration of China’s maritime claims in the South China Sea under the UN convention on the law of the sea with the International Tribunal for the Law of the Sea at The Hague. China refuses to participate in the arbitration.
- 2013 China announces an air defence identification zone in the East China Sea surrounding the Senkaku/Diaoyu Islands, claiming the right to monitor and intercept aircraft it finds within the zone. The US flies two jets through the airspace shortly afterwards.
- 2014 Satellite photos show Chinese vessels dredging sand to build the submerged Mischief Reef into an island. US president Barack Obama visits Manila to sign the 10-year

- US-Philippines Enhanced Defence Co-operation Agreement, which provides for US troop and ship rotations in the Philippines.
- 2014 China moves an oil rig owned by the China National Petroleum Corporation near the Paracel Islands, prompting anti-Chinese protests to erupt in Vietnam that damage businesses with ties to China.
- 2014 A Chinese fighter jet intercepts a US Navy surveillance aircraft.
- 2015 China's foreign ministry asserts that the Philippines has breached a 2002 code of conduct agreed upon by it and ASEAN nations. Arguments commence against China's claims to the South China Sea in China's absence at the Permanent Court of Arbitration in The Hague.
- 2016 Pentagon reports an "unsafe" interception by Chinese jets of a US surveillance aircraft over the South China Sea; President Obama visits Vietnam and lifts a 50-year arms embargo.
- 2016 A brief show of unity from ASEAN countries collapses as a statement expressing "serious concerns" over developments in the South China Sea is abruptly retracted. The Indonesian navy says it has fired warning shots at Chinese fishing boats operating in the Natuna Sea, part of Indonesia's exclusive economic zone.
- 2016 China ratchets up its media campaign to discredit the validity of any ruling from the Philippines case after the tribunal says it will announce its ruling on July 12. Newly inaugurated Philippine president Rodrigo Duterte says his country might be willing to enter new talks with Beijing after the ruling.
- 2016 A tribunal of Permanent Court of Arbitration rejects Chinese Nine-dash line historical claims over South China Sea, concluding it has no legal basis. The tribunal ruled against China in the Philippines v. China case, and unanimously awarded in favour of the Philippines.
- 2016 US regularly sent naval missions to pass by the islands and reefs claimed by China in the South China Sea as a show of strength and to discredit China's claims over the territorial waters surrounding those claimed territories.
- 2017 Donald Trump begins his term as president of the United States, having spoken vociferously against China in his campaigns. Many predict that he will take a stronger

stance on issues concerning China, including the South China Sea conflict, than his predecessor.

North Korean Weapon Developments

North Korea has developed nuclear weapon technology, and has weapon delivery systems and missiles that can be used to target Japan, South Korea, Guam and the US mainland as well. A detailed timeline of events is not necessary here, but it is important to understand the power North Korea holds. For reference and further research, a comprehensive timeline can be found here-<http://www.thehindu.com/news/international/chronology-of-north-korean-missile-development/article18451006.ece>

United States and Guam

United States classifies Guam as an unincorporated territory of the United States. Many liken this status to that of colonies as maintained by imperial kingdoms in the past.

What is an Unincorporated Territory?

United States law defines Unincorporated Area¹ as a region or area controlled by the US government, which is not a part of or incorporated into the United States. The US Constitution applies only partially in these territories. There are two kinds of unincorporated territories based on the presence or absence of an Organic Law²- organized or unorganized. In unincorporated territories, "fundamental rights apply as a matter of law, but other constitutional rights are not available". Selected constitutional provisions apply depending on congressional acts and judicial rulings according to U.S. constitutional practice, local tradition and law. Residents of Guam do not have full US citizenship, which is the cause for lack of constitutional or citizenship rights enforcement. They are legally US nationals but not full US citizens. This deprives them of some of the rights enjoyed by full citizens, such as voting in the presidential elections, voting rights in the Congress, and other Constitutional Rights. An organized unincorporated territory has a governing body but that governance is not integrated into the national political structures and the US Congress can override the laws they make.

American Involvement in Guam

American Law classifies Guam as an American territory, and the United States uses it to further their interests in the Asia-Pacific region. There has been heavy military build-up in Guam. The

¹ <https://www.youtube.com/watch?v=ASSOQDQvVLU&feature=youtu.be> (Explains US Territories)

² An Act of the United States Congress that establishes a territory of the United States or an agency to manage certain federal lands, it establishes governing structures in unincorporated territories.

island is not too expansive area wise; however, military purposes account for 28% of the total area. The economy of Guam is now heavily reliant on the military presence, which is the second biggest contributor to revenue there, after tourism. The United States has repeatedly used Guam as a base for its military through various wars and as a means to put pressure on countries in the region.³

Guam's importance to the military was shown in 2010 when testifying before Congress, in a moment of candour, the then- US Pacific Command Admiral Robert F. Willard described Guam as "the farthest west US territory that we own." Therein lies the conflict of ideals as to Guam's status. For while the US military sees Guam as an indispensable asset, something it owns, many on Guam see the military as a symptom of a greater problem — colonialism. Many polls conducted in the 20th century showed that Guam residents wanted to stay with US, for they view the US as liberators who freed them from Japanese rule and gave them authority to govern themselves.

Currently the United Nations classification for it is that of non-self-governing territory. There is a system for governance in place. Herein Guam residents elect their representatives to make decisions on their behalf. However, the Congress of the United States can overrule or override any decision of the Guam administration. Guam has no vote in the Congress, however, it does have a seat for itself there as an observer. The only major influencing policy decision made by the mainland government so far regarding Guam is the placement of troops there.

*Figure 1: Map of Guam
Red Represents Military Areas*

The United States has gradually increased its military strength in Asia-Pacific through territories such as Guam, and the Mariana Islands; and through bases in foreign countries such as the one

³ Guam Importance to US- <https://fas.org/sgp/crs/row/RS22570.pdf>

in Okinawa, Japan. It faced a lot of resistance and dissension from the Japanese society and locals in Okinawa, to the extent that the issue became an important factor in the resignation of Yukio Hatoyama from Prime Ministership after 65,000 people joined a protest calling for shut down of the US base in Okinawa. This resistance led to the United States reaching a deal with Japan to recede its military presence in Okinawa, starting with a deal to shift 8,000 troops from the base there to Guam.

US Navy's Joint Guam Program Office issued an Environmental Impact Statement (EIS) on implications of the build-up on Guam. The report suggested a possible total increase of 79,000 in the number of people on the island, a 50% increase in population. This move faced a lot of dissent from many sections of Guam's society who felt that it would undermine the island's culture and degrade its status to just another military base. The environmental consequences of the move were also quite severe.

The United States, under pressure from various groups revised its deal and reduced number of troops that were to be shifted to Guam to 5,000. The status of the deal is that a roadmap is ready to begin transferring these troops from 2024⁴. This move will still end up almost doubling the current military presence in Guam. Currently, the US military makes up for about 4% of the population and occupies 28% of the area. Guam is home to naval bases holding fast attack nuclear submarines, military testing areas, live fire-training areas, an air force base with a continuous bomber presence, which the air force says, provide "strategic global strike capability [to] deter potential adversaries and provide reassurance to allies".

There are many who revere the army and have accepted military as an integral part of the island.⁵ The military's respect is also evident by the fact that many in Guam believe it is essential for Guam's economy and the recruitment rate in the island is among the highest in America. In a statement on the proposed transfer of Marines from Okinawa, Guam's lone representative in the U.S. House of Representatives, Congresswoman Madeleine Bordallo, said, "Guam, which has a historically symbiotic relationship with the military, will benefit significantly from the associated investments [from the U.S. Marine realignment] in our community." Many Guam residents take their US citizenship seriously and want to make claims to full citizenship on the foundation of the limited citizenship they now have and are not explicitly opposed to the current set up and military escalation

On the other hand are the sections of people who are opposed to the continually increasing military presence of US in Guam. They include groups such as 'We Are Guahan', which compelled the Pentagon to scale down its original plan for Guam, one that would have sent far more Marines to the island on a much faster time line. The military expansion plan carries a too heavy footprint for some islanders, who want to see a smaller military presence on territories

⁴<http://www.japantimes.co.jp/news/2017/04/27/national/politics-diplomacy/u-s-start-moving-okinawa-based-marines-guam-2024/#.WTf4EcYIHv9>

⁵ <http://thediplomat.com/2016/08/guam-where-the-us-military-is-revered-and-reviled/>

the U.S. has held since it seized them from Japan in World War II. The military controls more than a quarter of the land on Guam's 212 square miles.⁶ Adding the new training areas would mean that three of the 15 islands in the Commonwealth of the Northern Mariana Islands north of Guam would be used mostly for the military. The U.S. already uses one for aircraft bombing practice.

"We're going to become this island with only one purpose, and that will be for the military," said Victoria-Lola Leon Guerrero, 33, who has been protesting the military plans for the past five years.

The notion that the U.S. military is what keeps Guam safe is "very low-level, colonized thinking," according to Dr Lisa Natividad, an assistant professor of social work at the University of Guam. Reflecting on being a military colony, Natividad says, "America justifies its military might as the spread of democracy whereas here in Guam, which is currently still U.S. soil, democracy doesn't exist. How can you justify doing that all over the world when in your own backyard you are doing just the opposite?"

There is no consensus among Guam residents with respect to the military escalation looming in the near future. America, meanwhile, continues to benefit from this outpost it has almost half a world away from its mainland, by using it to further its foreign policy and influence the Asia-Pacific.

Links for Further Research-

- [Guam's Importance to America](#)
- [American Bases on Guam](#)
- [Military Build-up in Guam](#)

Questions to Consider-

- Is the militarisation of a non-self-governing territory legal?
- Is the United States' treatment of the people of Guam unfair or exploitative in nature? Further, does it violate any international law?
- Do international laws and conventions ratified by the US apply in its unincorporated territories?

South China Sea Dispute

What is the dispute about?

⁶ <https://www.theguardian.com/us-news/2016/aug/01/guam-us-military-marines-deployment>

At its most basic level, this is a contest between China and several Southeast Asian nations over territorial control in the South China Sea, which includes some of the most strategically important maritime territory on earth. China, for the past few years, has been asserting ever greater control over faraway waters that were previously considered international or were claimed by other countries. For example, it has seized small land formations or reefs, sometimes dredging up underwater sediment to make the islands large enough to support small military installations.

China's naval forces have also grown more aggressive in patrolling these claims and chasing off non-Chinese ships. That is part of why its neighbours see this as an effort by China to dominate the region. This is also about whether China will comply with international laws and norms, which Beijing sometimes views as a plot to constrain the country's rise.

The United States has gotten involved, sending the Navy to patrol waters it insists are international and backing international mediation efforts. Washington says it wants to maintain free movement and rule by international law. The risk of outright conflict is extremely low, but the militarization of these heavily trafficked and heavily fished waters is still dangerous.

In January 2013, the Philippines formally initiated arbitration proceedings against China's claim on the territories within the "nine-dash line" that includes the Spratly Islands, which it said is unlawful under the United Nations Convention on the Law of the Sea (UNCLOS). On July 12, 2016, the arbitral tribunal backed the Philippines, saying that there was no evidence that China had historically exercised exclusive control over the waters or resources, hence there was "no legal basis for China to claim historic rights" over the nine-dash line. The tribunal also criticized China's land reclamation projects and its construction of artificial islands in the Spratly Islands, saying that it had caused "severe harm to the coral reef environment".

For Further Research-

- [South China Sea Conflict Dossier](#)
- [Reasons for Contentions](#)

Questions to Consider-

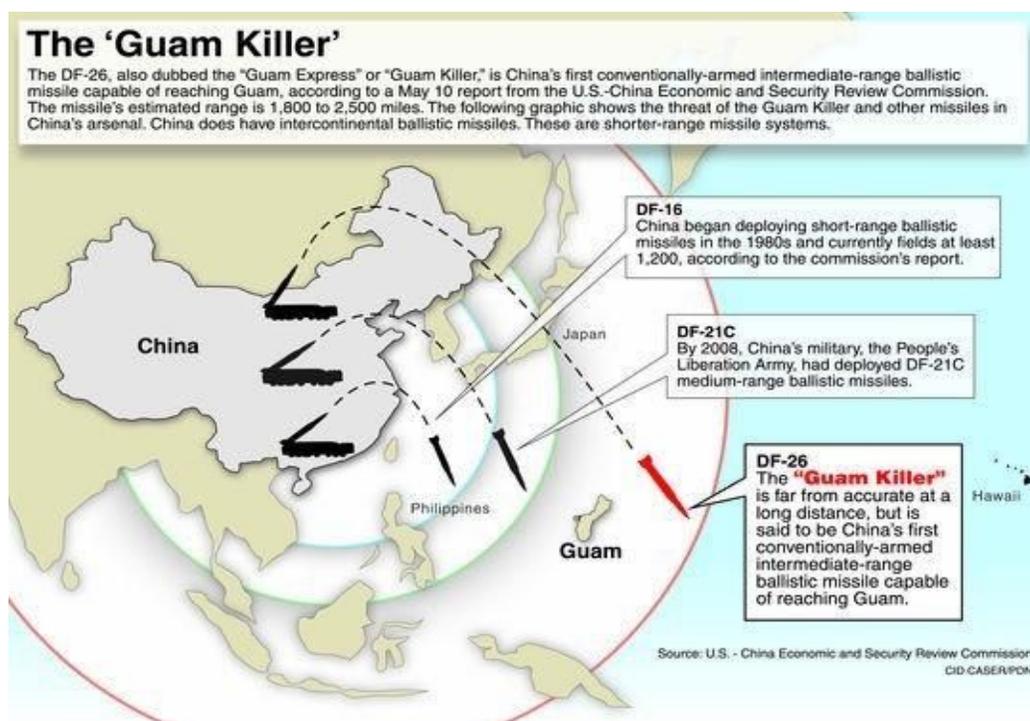
- Where does your country stand on the South China Sea Dispute?
- How can the escalation of the concerned disputes into a conflict or war be avoided?
- How has your country responded to China's rejection of the judgement passed by the International Court of Justice?

Other Stakeholders

The primary stakeholders for the situation in Guam are America and Guam; however, the developments there concern many other nations as well. Many countries in the Asia-Pacific are resentful of prolonged American military presence in the region, be it through various bases in foreign nations or through its territories including Guam. Guam's strategic position, as explained earlier, makes it an invaluable asset for America and a major cause of disagreement for other countries. Discontentment rises from the fact that the United States is involving itself in and exerting influence over matters so far away from its mainland. Guam has allowed US to stay in track of events in the South China Sea, keep Chinese expansion works in check, and monitor them. Involvement and developments concerning other Asian-Pacific countries include-

China

China is itself busy in gaining traction in the Asia-Pacific region through its policy of island capturing and building in the South China Sea. Beijing's military has made advances in bolstering its ability to push U.S. forces farther away from Chinese shores.⁷ Those advances include new kinds of ballistic and cruise missiles, as well as ships, subs, and bombers that can



launch them. The weapons in the Chinese quiver, according to the report, can easily reach Guam.

Defence experts stress that rapidly improving Chinese strike capabilities pose a particular risk to the Guam garrison, which has been steadily expanded in recent years to give the U.S. military a

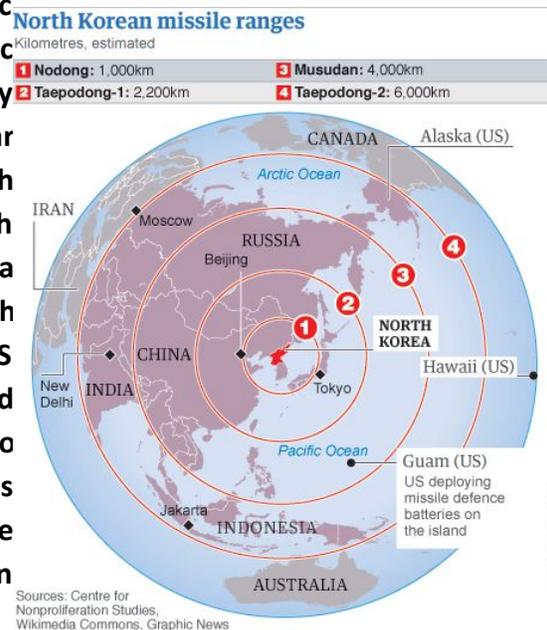
⁷ <http://foreignpolicy.com/2016/05/11/chinas-guam-killers-threaten-u-s-anchor-base-in-pacific/>

standoff base in the Pacific that would be less vulnerable than bases on Okinawa. One of the weapons is the DF-26, an intermediate-range ballistic missile publicly displayed last fall by Chinese leaders, the first conventional missile in Beijing's arsenal with the range to reach Guam. Chinese defence analysts have referred to the weapon as the "Guam killer."⁸

Tensions between Beijing and Washington continue to rise over China's land reclamation of reefs and atolls and deployment of military forces to disputed islets. Multiple times, the U.S. Navy deliberately sailed past many atolls that China has claimed, to defend freedom of navigation in the area. Airbases in Guam have played a role in pushing back against Chinese adventurism. In 2013, after China declared an air-defence identification zone over the disputed East China Sea, two B-52 bombers from Guam immediately challenged what amounted to a no-fly region imposed by Beijing. China and United States are at cross roads over many issues and Beijing finds American interference in the South China Sea dispute unacceptable.

North Korea

North Korea has conducted tests for ballistic missiles, which have put many Asia-Pacific countries, including Guam, under threat as they now fall under the range of North Korean nuclear capable missiles. The unstable nature of North Korean leadership furthers the threat of such military action being taken, which can result in a full-blown nuclear or conventional conflict. North Korea has expressed discontent over US involvement in the region. Due to its increased missile capability, it now poses a major threat to United States territories and US allies, such as Japan and South Korea. Despite the failure-prone nature of North Korean missiles and weapon systems, the threat posed by it is substantial.



Other Asia-Pacific Nations

There are many other nations involved in the two issues- North Korea and the South China Dispute that will be directly affected by the developments of the situation in Guam and the Asia Pacific as a whole. South Korea and Japan, as the most immediate countries in the line of fire, are deeply invested in the North Korean developments and tackling their threat. America backs

⁸ <https://assets.documentcloud.org/documents/2830374/Guam-Killer-Report.pdf>

them in these efforts and if the North Korean dispute escalates, these countries will be heavily involved and affected by it. South Korea and America conduct many joint military training operations in the region and America has defended South Korea in the past as well, i.e. the Korean War.

Many countries are involved in the South China Sea dispute. Competing interests include-

- Indonesia, China, and Taiwan over waters North East of the Natuna Islands
- The Philippines, China, and Taiwan over Scarborough Shoal.
- Vietnam, China, and Taiwan over waters west of the Spratly Islands. Some or all of the islands themselves are also disputed between Vietnam, China, Taiwan, Brunei, Malaysia, and the Philippines.
- The Paracel Islands are disputed between the PRC/ROC and Vietnam. Escalation of any dispute can be a trigger to full-fledged naval conflict. Such an escalation will severely affect all these countries.

Points to Consider

These are some points of contention and discussion that can be brought up in the discourse of the committee, and will help you formulate your stance. Additional contentions and discussion topics are most welcome, and any kind of problem identification is encouraged.

Escalation of Disputes

South China Sea

It is possible that the military build-up in the Asia-Pacific combined with the tensions in the South China Sea may end up causing a conflict- conventional or otherwise, in the region. On multiple occasions, United States has passed by many atolls claimed by China without Chinese permission and China has issued statements condemning these acts and claiming they violate its naval sovereignty. Beijing views American military escalation in the region as an aggressive stance against its interests. China and America have been at loggerheads over many issues in the recent past. China has always shown a doctrine of 'active defence', even against strong nuclear equipped adversaries that have the potential to cause serious harm to Chinese interests.⁹ Prime examples of that include the Korean War, when a newly stable China got involved against American forces led by General MacArthur, defying everyone's expectations. Similarly, in 1969, Soviet leaders could not imagine that China would react to a minor border dispute by launching a pre-emptive strike against a power with overwhelming nuclear superiority. However, that is precisely what Mao did when he started the Sino-Soviet border

⁹ <http://www.scout.com/military/warrior/story/1770556-how-the-us-china-will-go-to-war>

war. The gambit reinforced China's active defence policy. China has shown it will not cave into stronger nations, even if it means risking conflict with nations that are more powerful. Thus, if US takes a stronger stance regarding the South China Sea dispute, or some other event acts as a trigger, the possibility of escalation of the dispute into conflict or war exists.

North Korea

Many consider North Korea a rogue state. It has developed nuclear weapons technology and delivery systems that have the potential to reach American allies, territories and by some estimates, the mainland itself. It launched a ballistic missile that landed in the sea between South Korea and Japan, showing that it will not shy away from igniting conflict in the region. In addition to this, a leadership that has often stayed away from international diplomatic negotiations, and its leadership has taken an extreme stance over bilateral issues and shown hostility towards America. The possibility of North Korea causing a triggering event for a full blown conflict or war exists and the additional militarisation of Asia-Pacific will add to the risk posed by such an action.

Guam's Right to Self Determination

Developments in Guam

Guam's nascent pursuit of self-determination is in accordance with United Nations General Assembly Resolution 1514(XV). Under this resolution, a self-determination plebiscite can result in free association, independence, or statehood.¹⁰ However, many previous polls have indicated that Guam citizens desire to stay with the United States of America, even as many are discontent with it. In A 1976 poll, 51 percent of Guam's indigenous population supported the status quo; in 1982, similar polling found 73 percent in favour of commonwealth leading to statehood, with independence and free association garnering only 12 percent support each. Although there is no recent polling data to support a movement toward favouring any particular status for Guam, there has been a surge in the movement for greater autonomy post the proposal to escalate military involvement, as reflected in the U.S. having to delay the proposed military build-up.

United Nations Viewpoint

Many in the United Nations have spoken out against the militarization of Guam by the US, with many urging the Special Committee on Decolonization to visit the territory and assess ground conditions.¹¹ Activists called attention to the release of an 11,000-page draft environmental

¹⁰ Details on possibilities for Guam- <http://www.dtic.mil/dtic/tr/fulltext/u2/a589132.pdf>

¹¹ Concerned UN Report- <https://www.un.org/press/en/2010/gacol3210.doc.htm>

impact statement by the United States in 2009¹², which the people of Guam had been given 90 days to study and comment on. Hope Antoinette Cristobal urged the Special Committee to study the document, which was “in direct violation of various international human rights instruments, including United Nations resolutions and declarations”. Asserting that the United Nations must not allow negative impacts to block the process of decolonization, many petitioners requested that the Special Committee declare the militarization of Guam to be a major impediment to Guam’s exercise of its right to self-determination. In light of US using Guam as a military base to fulfil its interests and ignoring environmental deterioration, population booms, and suffering of indigenous people, the right to self-determination of Guam has become an important question.

Petitioners asked the Special Committee to declare, unequivocally, that the militarization of Guam was a major impediment to the Decolonization Declaration, and that Guam’s separate and distinct status under the United Nations Charter should exist until the Chamorro people had exercised their right to self-determination, without external interference.

Effect of Militarisation on Guam

Guam has a sensitive economy, which has become dependent on military spending through the years. However, it still massively depends on tourism and the environment is a very important asset for people of Guam. The military already controls a third of the island’s area and further expansion will adversely affect the capacity of the indigenous people to sustain. At the same time, many feel that the increased spending on the island will add to its GDP and improve the standard of living. The adverse impact on the environment cannot be ignored and as the military escalates its operations and presence in Guam, it will require more land as well. As 28% of the land is already controlled by military, increase in this number, will leave the indigenous population with little living area and will hamper their economic productivity as well.

There are legal questions in the Guam military build-up as well. In her testimony before the UN Committee of 24 (Decolonization Special Committee) in 2008, Sabina Flores Peres referred to the extremity of “the level and grossness of the infraction” of the UN Charter by the US in its further militarization of the island. The questions over the legality and the effect of the military build-up in Guam are important to address.

Questions to Consider-

- **What is the stance of your country on Guam’s status?**

¹² U.S. Navy’s Joint Guam Program Office issued an Environmental Impact Statement (EIS) on implications of the build-up on Guam.

- Has the US upheld the right to self-determination in its handling of Guam?
 - What are the effects of the militarisation of Guam on its economy, environment and social structures?
 - How does the escalation of military by the US in Guam relate to developments in the Asia-Pacific regarding the South China dispute and North Korean actions?
 - If the United Nations does not mediate military build-up and developments in the Asia-Pacific, what can be the consequences?
 - How can China be persuaded to accept the judgement of the International Court of Justice in the Philippines vs China case over the South China Sea Dispute?
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Conclusion

Out of the four purposes stated in the United Nations charter, the situation in Guam concerns at least three-

- to maintain international peace and security;
 - The possibility for escalation of the dispute into a full-blown conflict or war, along with the presence of North Korea as an unstable state that can trigger a conflict among much more powerful nations, i.e. US and China mean that discussing the issue is important to maintain international peace and security.
- to develop friendly relations among nations;
 - The military escalation in Guam serves the purpose of quick response by the US to events in the Asia-Pacific, and America and China are at loggerheads in South China Sea dispute, hence developing friendly or at the least non-hostile conditions between these two nations is important for world peace.
- to cooperate in solving international problems and in promoting respect for human rights;
 - The rights of people in any non-self-governing territory are often questionable and Guam is no different. The right to self-determination is the very first right that comes into question given the situation there. Apart from that, other rights over their land and incessant American use of Guam land as military bases pose other questions regarding who is really taking decisions for the people of Guam.

The situation in Guam is a very sensitive issue, and its urgency is evident by the fact that it covers three of the four purposes of the United Nations itself and the Security Council, as the

UN's most powerful body must act and uphold UN values. The major themes for the debate will be-

- The status and rights accorded to non-self-governing territories across the world with special emphasis on Guam's status
- The aversion of any escalation of disputes in the Asia-Pacific
- The legality of American actions in Guam and possible recourses to protect the rights of Guam residents without taking away the power to take sovereign decisions from America.
- The status of Guam residents and upholding their rights and interests.

With these themes in mind, the information given in the background guide is enough to get you started with the direction and idea of debate. Delegates are encouraged to go beyond what is written in the background guide and find new perspectives, identify any other relevant themes and bring them up during the discourse of the committee.

ENDS HERE
