

# Security and Peace in an Uncertain World

## Case Study 3: The South China Sea Dispute

### The Method and the Platform

The course employs a mixed learning approach, with online preparation (colored items) and offline classroom seminar (grey item) utilizing digital solutions, employing the flipped classroom concept. The online solutions are hosted on the Moodle LMS supplied by the University.



### Theoretical Background

Territorial disputes.

Forsberg argues, that by the end of the 20th century explanations using rational (strategic, economic) reasons are misleading.

Many of today's territorial disputes can be better explained from a normative perspective, by referring to subjective conceptions of justice and international norms. As an emotive issue, territory is loaded with a number of emotional and normative elements which today are likely to surpass its 'rational' economic or strategic value.

Therefore attempts to resolve territorial disputes which do not take into account the normative dimension underlying such disputes are likely to fail.

**Task 1.**  
Read the attached paper and answer the following questions on Moodle:

- What is the normative perspective?
- How many possible outcomes are there for territorial disputes?

#### Reading:

Forsberg, Tuomas (1996): *Explaining Territorial Disputes: From Power Politics to Normative Reasons*. *Journal of Peace Research* Vol. 33, No. 4 (Nov., 1996), pp. 433-449.

**Task 2.**  
Which Convention is this, why is it connected to this topic?

Article 1 of this Convention on the Rights and Duties of States declares that „a person of international law should possess the following qualifications:

- (a) a permanent population;
- (b) a defined territory;
- (c) government; and
- (d) capacity to enter into relations with other States”

### The Conflicting Claims



### Legal Background

LEGAL SOLUTION:  
UNCLOS III.

The Convention on the Law of the Sea was concluded under the aegis of the UN in 1982, superseding the previous treaties and documents on sea laws.

I. Out to 12 nautical miles (22 kilometres) from the baseline, the coastal state is free to set laws.

II. 200 sea miles: Exclusive Economic Zone – EEZ  
These extend from the edge of the territorial sea out to 200 nautical miles (370 kilometres) from the baseline. Within this area, the coastal nation has sole exploitation rights over all natural resources.

The problem at the South China Sea is visible on the map above.

**Task 3.**  
Why is this legislation unable to resolve the issue?

### Islands on the Sea: Artificial or Natural?

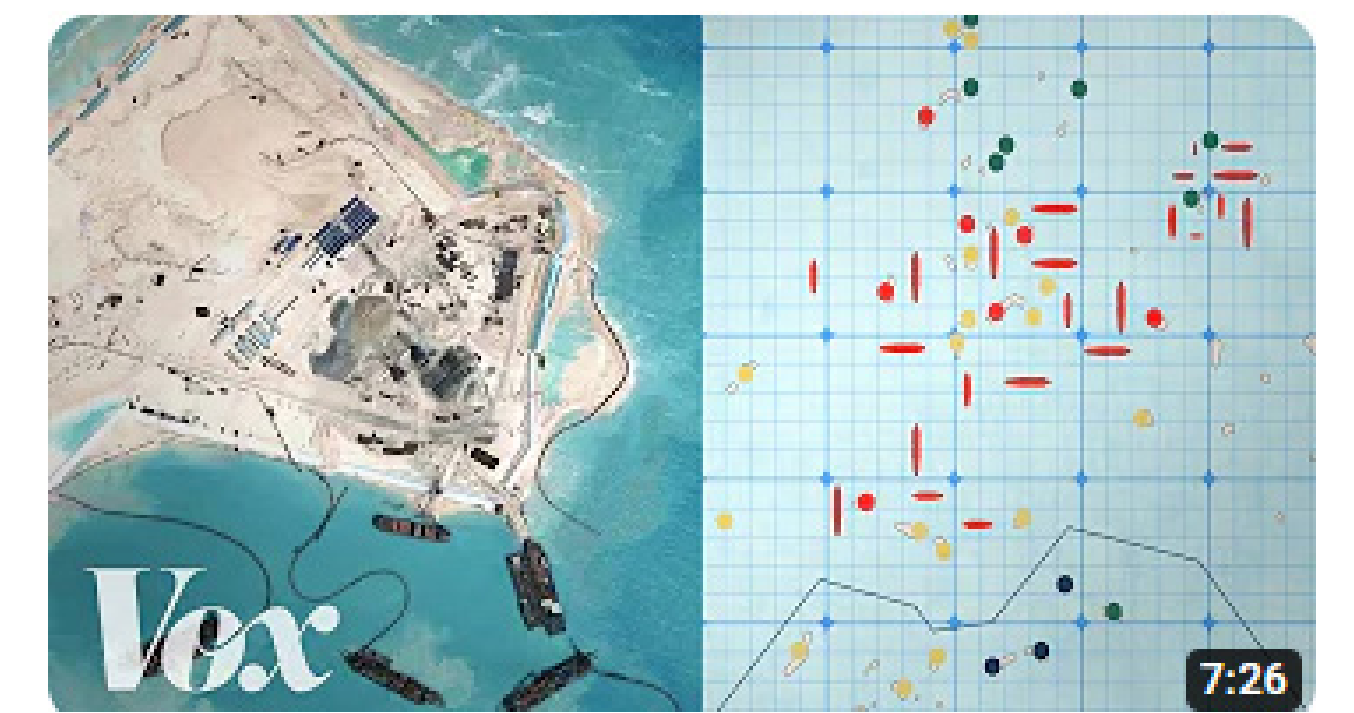


### Understanding the Island buildings

**Task 4.**  
Watch this H5P video and answer the 3 questions within the video.

#### Video:

*Why China is building islands in the South China Sea, Vox - Youtube*



### Claims and Debates

**Task 5.**  
Read this online article to understand the legal dispute between the Philippines and China.

#### Reading:

<https://globalchallenges.ch/issue/1/legal-victory-for-the-philippines-against-china-a-case-study/>

**Task 6.**  
What can you see on this image?  
Why is it important to talk about?



### Class Discussion Topics and Tasks

- The claims and the actual ownership of the islands
- The oil and gas reserves
- Importance of the trade route
- China's interest – and all the other interests
- The US' presence
- Military buildup
- Possible reason for a global conflict?
- Conflicts among the states
- Island buildings
- The Court's decision and why it doesn't matter
- The Passport case
- A possible solution for the dispute
- The East China Sea

The European Commission's support for the production of this publication does not constitute an endorsement of the contents, which reflect the views only of the authors, and the Commission cannot be held responsible for any use which may be made of the information contained therein.

Co-funded by the  
Erasmus+ Programme  
of the European Union

