



CAGS FAIRGAZE
MODEL UNITED NATION
2023



UNITED NATIONS SECURITY
COUNCIL
AGENDA: THE KURIL
ISLANDS DISPUTE



LETTER FROM THE EXECUTIVE BOARD

Welcome to the United Nations Security Council being simulated at CAGS Fairgaze Model United Nations conference 2023, where we shall be discussing the agenda 'Kuril Islands Dispute'. The success of the United Nations Security Council as a committee will depend on each delegate.

A committee is defined by its delegates more than by its executive board. It is you, the participating delegates, which shape the outcome. You must therefore be prepared to participate in an enriching experience. Apart from the research on the agenda, Delegates should be aware of their country's historical background and current situation in global politics and international relations. Delegates should come into the committee with a clear foreign policy and the representatives of the governments of their countries.

We are unaware of your individual credentials/experience with Model United Nations, however, no matter what that may amount to, it is a given that there can be no productive simulation in the absence of substantial research. There are multiple approaches to preparing for a simulation such as this and we shall not dictate to you which of these you must adopt, that is upon you to decide, however, we can assert with confidence that the commonality among all these approaches is that research constitutes their first step. So once the research process is initiated it needs to be coupled with proactive attempts to understand. The application of the information acquired through research always requires understanding. There is no particular point at which research concludes and analysis thereof begins, these are two intermittent processes that may continue till the last minute of the simulation.

Besides research, both on the agenda and the committee's mandate, the participants are required to have a firm grasp of diplomatic conduct. Diplomatic conduct can be general and country-specific, what constitutes general diplomatic conduct (which includes language, gestures, and any other kind of expression) can be gauged from the definition of the term diplomacy. There is no precise definition of the term but an appraisal of various definitions shall help formulate a reasonably accurate notion thereof.

Country-specific diplomatic conduct can be determined by studying past actions of your country (the country allotted to which a participant is called the delegate) in the international fora. Speeches, statements, voting records, instances of walk-outs, boycotting of meetings et cetera can contribute to building an understanding of the same, apart from these sources, video graphic recordings of these sessions and meetings can greatly help this understanding.

It is expected of all participants to conduct themselves impeccably, the concept of MUNs wasn't created simply to get students to talk about things diplomats would usually talk about, but to also hone their conduct, their reasoning, logic, negotiation, and lobbying skills, all of which can be referred to as 'soft skills'. Diplomatic conduct harmoniously links speech and body language, it is a bridge between verbal and nonverbal communication thereby making it an important criterion for us to assess your performance and effectiveness. Manipulation of the procedure of the committee to gain extra floor time to stall the statement/ comment/speech of another delegate or to cause disruption therein shall not be tolerated. In order to ensure that the procedure is not misused, it is necessary for delegates to be aware of the procedure of the UNSC.

Having stated the above, it is now prudent to explain the purpose and nature of the background guide summarily. The background guide is a preliminary research brief pertaining to the committee and the agenda. It is NOT meant to provide participants with exhaustive information. The primary purpose of a background guide is to ensure that all participants are on a level playing field, thus it ensures that every participant possesses a modicum of information from which further information can be drawn. It serves as a base upon which the research is built. Nothing in the background guide has any evidentiary value, it can never be used as conclusive proof in the committee.

It is necessary for delegates to dig deeper from where the background guide leaves them. Research may commence well before the background guide is released, delegates are free to read up on the agenda which has been made public and formulate a structure of research. It is not important for your structure to match the one that the background guide presents as long as you have a solid understanding of what you are going to be discussing in the committee. That being said, we wish you the best of preparations and hope that this simulation shall mutually benefit all those involved in it. We hope we can learn from you and impart our knowledge to you in the process. For any doubts that you may have, you may contact any member of the executive board. The email address and contact of your committee's executive board will be given in this guide.

Looking forward to seeing you all!

Regards

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EVIDENCE IN COMMITTEE

Evidence or proof is from the following sources will be accepted as credible in the committee:

1. News Sources:

- a) Reuters (<http://www.reuters.com/>) – Any Reuters' article which clearly makes mention of the fact stated or is in contradiction of the fact being stated by another delegate in council can be used to substantiate arguments in the committee.
- b) State-operated News Agencies – These reports can be used in support of or against the State that owns the News Agency. These reports, if credible or substantial enough, can be used in support of or against any country as such but in that situation, they can be denied by any other country in the council.

Some examples are:

- i. Russia: RIA Novosti (<http://en.rian.ru/>)
- ii. Iran: RNAI (<http://www.irna.ir/ENIndex.htm>)
- iii. China: Xinhua News Agency and CCTV (<http://cctvnews.cntv.cn/>)

2. Government Reports: These reports can be used in a similar way as the State Operated News Agencies reports and can, in all circumstances, be denied by another country. However, a nuance is that a report that is being denied by a certain country can still be accepted by the Executive Board as credible information.

Some examples are:

- i. Government Websites like the State Department of the United States of America (<http://www.state.gov/>) or the Ministry of Defense of the Russian Federation (<http://www.eng.mil.ru/>).
- ii. Ministry of Foreign Affairs of various nations like India (<http://www.mea.gov.in/>) or People's Republic of China (<http://www.fmprc.gov.cn/>).
- iii. Permanent Representatives to the United Nations Reports (<http://www.un.org/>).
- iv. Multilateral Organizations like the NATO (<http://www.nato.int/>), ASEAN (<http://www.aseansec.org/>), OPEC (<http://www.opec.org/>), etc.

3. UN Reports: All UN Reports are considered credible information or evidence for the Executive Board.

- i. **UN Bodies** like the UNSC (<http://www.un.org/>) or UNGA (<http://www.un.org/>).
- ii. **UN Affiliated bodies** like the International Atomic Energy Agency (<http://www.iaea.org/>), World Bank (<http://www.worldbank.org/>), International Monetary Fund (<http://www.imf.org/>), International Committee of the Red Cross (<http://www.icrc.org/>), etc.
- iii. **Treaty Based Bodies** like the Antarctic Treaty System (<http://www.ats.aq/>), the International Criminal Court (<http://www.icc-cpi.int/>).

NOTE: Under no circumstances will sources like Wikipedia, Amnesty International, Human Rights Watch or newspapers like the Guardian, the Times of India, etc. be accepted as PROOF/EVIDENCE. But they can be used for

better understanding of any issue or even be brought up in debate if the information given in such sources is in line with the beliefs of a Government.

COMMITTEE HISTORY AND MANDATE

The United Nations Security Council (UNSC) is one of the six principal organs of the United Nations and is charged with ensuring international peace and security, recommending the admission of new UN members to the General Assembly, and approving any changes to the UN Charter.

Its powers include establishing peacekeeping operations, enacting international sanctions, and authorizing military action. The UNSC is the only UN body with the authority to issue binding resolutions on member states.

The Security Council consists of fifteen members, of which five are permanent: China, France, Russia, the United Kingdom, and the United States.

Permanent members can veto (block) any substantive Security Council resolution, including those on the admission of new member states to the United Nations or nominees for the office of Secretary-General. This veto right does not carry over into any General Assembly or emergency special sessions of the General Assembly matters or votes. The other ten members are elected on a regional basis for a term of two years. The body's presidency rotates monthly among its members.

INTRODUCTION TO THE AGENDA

Justice is determined as a moral concept that has been an important part of the political and legal system of modern nation-states over the years. Justice refers to a specific moral judgement, particularly regarding the allocation of rewards and penalties. Giving each person what they are "due" is, in essence, what justice is all about, what we refer to as due here are rights and freedom that one deserves

as a human being vis-a-vis a citizen of the country. In a simple sense for your convenience, we shall focus on two main components of justice:

1. **Social Justice:** Humans have a social identity as well, this social identities born out of their existence within society. Our condition is determined by our social realities and how we are treated by society. Social justice here can mean the right to access all the institutions and features which the society shares with each other for example one being denied to go to school on the basis of their religious identity or caste or gender is a testament to the fact this person who has been denied their right to education faces exclusion in the society and because this person cannot acquire all the rights around their social condition, it means that they are not enjoying social justice.
2. **Legal justice:** In simple language, legal justice means the rule of law, it means that every person is equal before the law and that the legal apparatus and machinery of the state is equally accessible to all in a sense that this sense of legal justice is accessible to all without any kind of discrimination. The legal machinery shouldn't be unfair to any person and should be fair for all, the importance of a strong and fair legal machinery is very important for people when they are in a conflicting relationship with an authoritarian regime as the regime will always try to undermine the rights of a particular marginalized oppressed community and those who raise their voice against the authoritarian regimes.

To find a connection between the two terms: always remember that both kinds of justice are interdependent on each other and failing to provide one will leave the other endangered as well. For example, if I don't have social justice I will most certainly be excluded from society which means I will not have enough capital or resources to have legal help as well vice versa I can often be denied legal help or certain provisions of the law of the land can't be enjoyed by me because of my social exclusion because I do not have social justice on my end.

NOTE: Try to find the relationship between the two, it will be important for the scope of debate.

WHAT ARE THE KURIL ISLANDS?

The Kuril Islands are a chain of islands stretching from the Japanese island of Hokkaido to the southern tip of Russia's Kamchatka Peninsula. The islands separate the Okhotsk Sea from the North Pacific Ocean. It consists of 56 islands and minor rocks. The dispute is concerning four islands. The islands are part of the Ring of Fire belt of geologic instability circling the Pacific.

The Kuril Island chain was annexed by the soviet union during the Kuril island landing operation at the end of World War II. The Kuril Islands dispute between Japan and Russia is over the sovereignty of the South Kuril Islands.

The islands in dispute are:

- Iturup or Etorofu Island
- Kunashir or Kunashiri Island
- Shikotan Island
- Habomai Island

These islands are known as Southern Kurils by Russia whereas Japan calls them the Northern Territories. The Kurils were originally inhabited by the Ainu people. Later after several explorations in the 17th and 18th centuries, they were later settled by the Russians and Japanese.

AGREEMENTS BETWEEN JAPAN AND RUSSIA **OVER THE KURIL ISLANDS**

The first Russo-Japanese agreement to deal with the status of Sakhalin and the Kuril Islands was the 1855 Treaty of Shimoda, which first established official relations between Russia and Japan.

Treaty of Shimoda (1855):

In 1855, Japan and Russia concluded the Treaty of Shimoda, which gave control of the four southernmost islands to Japan and the remainder of the chain to Russia.

Treaty of Saint Petersburg (1875):

In the Treaty of Saint Petersburg, signed between the two countries in 1875, Russia ceded possession of the Kurils to Japan in exchange for uncontested control of Sakhalin Island.

The Russo-Japanese War of 1904–5 was a military disaster for Russia. The 1905 Treaty of Portsmouth, which concluded at the end of this war, gave the southern half of Sakhalin Island to Japan.

During World War II Japan was an ally of Germany and USSR had an understanding of it. But later on, Soviet and Japanese soldiers were on opposite sides.

Yalta Agreement (1945):

In 1945, as part of the Yalta agreements (formalized in the 1951 Treaty of Peace with Japan), the islands were ceded to the Soviet Union, and the Japanese population was repatriated and replaced by the Soviets.

San Francisco Peace Treaty, 1951

This treaty was signed between the Allies and Japan in 1951 and stated that Japan must give up all right, title, and claim to the Kuril Islands, but it also does not recognize the Soviet Union's sovereignty over them.

The above two treaties after World war complicated the issues further leading to modern-day disputes over the Kuril Islands.

Japan-Soviet Joint Declaration (1956):

In 1956, diplomatic ties were restored between Japan and Russia by Japan-Soviet Joint Declaration.

During the 1956 peace talks between Japan and the Soviet Union, the Soviet side proposed to settle the dispute by returning Shikotan and Habomai to Japan.

Japan agreed to this and the declaration ended the state of war between the two countries. But the Kuril Islands dispute persisted in the form of interpretation of territorial provisions.

WHY THE DISPUTE?

Despite a series of agreements, the dispute continues and Japan still claims historical rights to the southernmost islands and has tried repeatedly to persuade the Soviet Union and, from 1991, Russia to return those islands to Japanese sovereignty.

In 2018, the Russian President and the Japanese Prime Minister met on the sidelines of the **East Asia Summit** and decided to end the territorial dispute with the Japanese PM agreeing to negotiate based on the 1956 declaration.

This showed that Japan has given up the two islands to maintain peace with Russia.

However, Russia indicated that the joint declaration signed by Japan and the Soviet Union in 1956 neither mentions a basis for returning Habomai and Shikotan nor clarifies which country has sovereignty over the islands.

In 2019, the Japanese PM made it clear that the country is not in the favour of withdrawing control over the Islands. Japan also believes that the islands are an inherent part of the nation's territory, therefore, it aims to sign the peace treaty after the territorial issue is resolved.

IMPORTANCE OF THE ISLANDS

Why are the Kuril Islands been contested so aggressively by two developed nations? The major reason is resources.

Natural resources:

- The islands are surrounded by rich fishing grounds and are thought to have offshore reserves of oil and gas.
- Also, rare rhenium deposits have been found on the Kudriavy volcano on Iturup.
- Nickel-based superalloys of rhenium are used in the combustion chambers, turbine blades, and exhaust nozzles of jet engines.

Tourism:

Tourism is also a potential source of huge income, as the islands have several volcanoes and a variety of birdlife that can be utilized for adventure activities.

Strategic Importance:

In 2020, Russia deployed missile systems in the region and also plans a submarine project, and intends to prevent any American military use of the islands.

Cultural Importance:

The Japanese people, especially conservatives in Hokkaido, are emotionally attached to the islands.

QUESTIONS TO CONSIDER

- What is de-facto and the de-jure status of the region?
- The implementation of the UN CHARTER Chapters VI or VII?
- The legality of the claims of the sovereignty over the islands?

UNITED NATIONS SECURITY COUNCIL