



China & Japan Tensions in East China Sea

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China is involved in a maritime dispute in the East China Sea with Japan, which has become a potential hotspot in the Asia-Pacific region. Despite the fact that it does not involve multiple claimants like in the South China Sea dispute, this particular issue has drawn international attention and has become as complicated as the SCS dispute.

This essay aims to highlight the geo-strategic importance of the East China Sea and look into the reasons behind the dispute. Further, it contemplates whether both nations would go to war if necessary?

I WHY ARE THE TWO ASIAN GIANTS FIGHTING OVER THE UNINHABITED ISLANDS?

The East China Sea is marginal east of China and is a part of the Pacific Ocean. The island chain is made up of five islands and three reefs. The sea has a total area of approximately 482,000 square miles, consisting mostly of the continental shelf and Xihu/Okinawa trough. It has abundant oil and natural gas resources. The US Energy Information Administration estimates that the East China Sea has between 60 and 100 million barrels of oil. Whereas, Chinese sources claim that undiscovered resources could run as high as 70 to 160 billion barrel (EIA,2012). These islands are rich fishing grounds and lie on the key shipping lanes.

China and Japan claim indisputable sovereignty over these islands known as Senkaku in Japan and Diaoyu in China (Tiaoyutai in Taiwan). Considering the geostrategic and geopolitical importance of the region, the issue has pulled other players like

the US and Taiwan into the dispute.

Historical Claims

China claims the disputed island on historical grounds - it asserts that the Ming Dynasty annexed these islands as early as 1403 as part of its maritime territory. Qing dynasty went further and placed it under the jurisdiction of Taiwan which was a part of the Chinese Empire. Japan argues that the islands were uninhabited and hence incorporated them as a vacant territory (*terra nullius*) in 1895 claiming them as a part of Nansei Shoto southwestern island group. The islands were annexed by Japan under the treaty of Shimonoseki ending the Sino Japanese war in 1895. China considers this treaty as one of the many "unequal treaties" forced on it by foreign powers, in the same way as it was made to cede Taiwan to Japan (White Paper, 2012).

According to China, the islands together with Taiwan were taken from it during the war. Referring to the return of territories as per the Cairo Declaration of 1943, Diaoyu islands were to be returned to China by 1945. Beijing considers the islands as having been "illegally" put under US control after the 1951 San Francisco Treaty and the US-Japan alliance, as the US also took full control over the Diaoyu/Senkaku islands without taking a stance on their ultimate sovereignty (George 2012).

China State Council Information Office, in its recent White Paper, refers to the treaty of San Francisco, as a "backroom deal" between the US and Japan that was "illegal and invalid". The US returned the islands to Japan in 1971 along with

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Okinawa. The Okinawa Reversion treaty is a security treaty that applies to the Senkaku islands as well. In December of the same year, China's Ministry of Foreign Affairs denounced the agreement as "utterly illegal".

Complicating matters further, there are no common grounds between the interpretations of the facts leading to the dispute. There are many gaps in interpretations from both sides; China asserts that it has strong historical claims while Japan claims a de facto occupation between 1895 and 1945 and since 1971.

Legal Claims

The issue is further complicated by the different approaches to demarcate the sea boundary and different interpretation of UNCLOS in the East China Sea. Japan defines its boundaries as the EEZ extending westward from its southern Kyushu and Ryukyu Islands. On the other side, China defines its boundaries using the UNCLOS principle of the natural extension of its continental shelf. China has not taken an official position on the status of the Diaoyu/Senkakus as rocks or islands. This has created overlapping claims of nearly 81,000 square miles (EIA, 2012).

According to China's position, the continental shelf in the East China Sea, which 'stretches from China's coasts right up to Japan, should be regarded as the natural prolongation of the continental territory of China and therefore belong to it'. According to Japan's position, however, the continental shelf should be divided along the median line between the baselines for measuring the territorial seas of the two countries (Chi, 170).

Needless to mention these islands are important from economic benefits and the strategic location. As far as the economic benefits are concerned, both would like to extract the huge reserves of minerals, oil and natural gas from underneath the islands. As far as the strategic position is concerned, if the Japanese retain the

islands, they can set up air and sea surveillance reconnaissance systems, shore-based anti-ship-to-air missiles on the islands. By doing so, Japan could put a blockade to all the ports and air routes emanating from northern Taiwan, and also put areas such as Fuzhou, Wenzhou and Ningbo in mainland China under its radar. China would be very apprehensive of every move of the Japanese if they decide to do go ahead with this plan. Therefore, the establishment of the military bases and the deployment of heavy weaponry on the island will pose a serious threat to China's national defense and security, argues China (Deepak, 2012)..

II RECENT DEVELOPMENTS: AN ANALYSIS

Though the dispute has been brewing for some time now, it was ignited by two related incidents; first, the detention of seven Chinese Nationals on 24 March 2012 on the islands. Second, the Japanese move to purchase and nationalize three of the five islands on 11 September 2012, from Kunioko Kurihara who claims he is the private owner of the islands. As a response, China dispatched two marine surveillance ships in the area and "asserted the country's sovereignty" over the territory. Further complicating the issue is the Taiwanese claim to the "Tiaoyutai" islands in the region. The current development makes it imperative to revisit the historical claims on these islands by both the sides.

The nationalisation of Diaoyu Island coincided with the anniversary of Sino-Japanese tension. Subsequently, it reminds China of the wounds of the 14 year long conflict it endured with Japan and the happenings thereafter. This move unleashed protests in China. Meanwhile, some Chinese protestors are calling for consumer boycotts of Japanese branded products (Parker, 2012). China decided not to send its representative to the IMF and World meetings. This indicates how the territorial dispute is beginning to damage the relationship between China and Japan (Martin, 2012).

Apparently, these protests were heightened on 18 September 2012, the anniversary of the 1931 "Mukden Incident" that became the pretext for the Japanese invasion of China. Thus, any development related to the Sino-Japanese war creates nationalist uproar. These protests have raised questions regarding the extent to which the CCP or local governments have been involved in facilitating some of the recent demonstrations. The Japanese government termed these events as senseless and irrational especially on the account

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that these factories hired and trained many local Chinese employees.

The aforementioned history explains that China is using historical evidences to substantiate its claim. The architect of China's reform, Deng Xiaoping, introduced a caveat where China accepted a status quo including postponing fundamental resolution of the dispute to the future generation, with both sides accepting not to take any move away from the status quo. Reinstating relations with Japan, he came out with a proposition in 1978 that 'let the next generation resolve this issue,' if both sides fail to reach an agreement. He pointed out that may be the future generations would have better wisdom and ways to resolve the issue in a way that would be mutually acceptable to both countries. The Japanese government refers to the same agreement as "tana-age-hoshiki" (shelving formula). It mentions an implicit political agreement between Japan and China since the 1970s to leave the Senkakus and its surrounding water under de facto Japanese control with each side refraining from any provocative moves: Japan would not erect permanent buildings on the islands, and China would not send any Chinese ships to cross the "Japanese" territorial water boundary surrounding the islands. (Kawasaki, 2012)

On 31 May 1979 during the visit of the Liberal Democratic Party Congressman, Zenko Suzuki Shiyou to China, Deng Xiaoping proposed common development of the Diaoyu. In June 1979, China formally pronounced publically that it is willing to put aside the issue and seek common development of the resources in the vicinity of the island without referring to the sovereignty. Both sides began exploring the concept of Joint Development Approach (JDA). The purpose of joint development is to enhance mutual understanding through cooperation and to create conditions for the eventful resolution of territorial ownership (Ministry of Foreign Affairs of PRC, 2000). It may be recalled that during the same period Zheng Bijian started emphasising on "development with peaceful rise".

Despite the shelving of the dispute over sovereignty of the Senkaku/Diaoyu, the question of the delimitation of the continental shelf in the East China Sea continued to be an irritant in Sino-Japanese relations. It is in this context that China has accused Japan of unnecessary raking the sovereignty issue, as well as the position taken by the US to take sides with Japan in any military conflict between China and Japan under the San Francisco Treaty.

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Domestic politics of both governments also play a role in the dispute. Both countries are undergoing leadership transitions. China has taken an assertive stand on its sovereignty issues of Taiwan, Tibet and the SCS. It has not compromised on any territorial disputes over offshore islands. Bolstering its claims amid rising tensions, China conducted a naval exercise in the East China Sea. The exercise involved eleven vessels from the Donghai Fleet of PLA ships and eight aircrafts, including vessels from marine surveillance and fisheries agencies (China Daily, 2012). Xinhua news agency stated that, "The exercises are aimed at sharpening response to emergencies in missions to safeguard territorial sovereignty".

The Japanese government's claim to the island was based on the right of discovery, and effective occupation of the islands since the late nineteenth century. Japan will go through a general election by 2013. All the major political parties and national dailies were united in support of the Japanese government – a rare event in the country's politics. They condemned the widespread protests and plunder and demanded the withdrawal of Chinese government ships from these islands. Thus, no matter which government comes to power, they will go slow on the issue. All these factors will cumulatively lead to a stand-off between the two Asian giants in the coming times (Q&A on the Senkaku Islands, 2012)..

III CONCLUSION

Neither China nor Japan can afford to go back on its claims because they are related to the country's historical and cultural linkages. Both nations would like to extract the economic benefits of the region. On the contrary, they cannot ignore the fact that today it is the economics between the nations that is most important. China is Japan's biggest trading

partner. Japan is now primarily dependent on China for its export growth. By the end of 2011, it sent twenty five percent of its exports to China (including Hong Kong) and only fifteen percent to the US. The Japanese economy is increasingly becoming dependent on China as its manufacturing base as well as a high-growth market for its goods. For China, political stakes are very high.

Global Times stated that, "Japan is nothing but a puppet of the U.S. From a strategic point of view, its territorial dispute with China does not mean much to the US." The US has taken a neutral position on the competing claims. During a 2010 worsening of Japan –PRC relations over the islands, Secretary of State Hillary Clinton summed up the US stance by stating "with respect to the Senkaku Island, the US has never taken a position on sovereignty, but we have made it very clear that the islands are part of our mutual treaty obligations, and the obligation to defend Japan."

Leon Panetta, warned that "provocative behaviour" by either side could lead to misjudgements, violence and, potentially, open warfare. "It is in everybody's interest ... for Japan and China to maintain good relations and to find a way to avoid further escalation". Further, this particular issue is a litmus test for China's peaceful rise theory.

Thus, war seems to be a bleak possibility. There may be turmoil in the Asia-Pacific waters for a while, especially in the wake of the US turn to the Asia-Pacific region.

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