

## Crossing the line – A new *status quo* in the East China Sea?

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*The opinions and remaining errors are the responsibility of the authors alone.*

The decision of the Japanese Government to purchase a number of the Senkaku/Diaoyu islands from their private owner sparked fury in Beijing. While condemning the initiative in very harsh terms, China's authorities have allowed some particularly violent anti-Japanese demonstrations and continue to use a battery of economic and diplomatic sanctions to keep the pressure on Japan. Beijing accuses Tokyo of breaking the *status quo* set in 1972, when leaders of the two countries agreed to set aside the issue of disputed islands to normalize their diplomatic relations and develop their cooperation. However, on the Japanese side, the national government's decision to purchase the islands was meant to thwart the projects of the ultra-nationalist mayor of Tokyo, who was raising public donations in order to acquire and develop the Senkaku/Diaoyu. The ultimate goal of the Japanese government was therefore to reduce the risk of angering China. This "nationalization" has also not led to any beefing-up of the Japanese presence on the islands.

Such spikes of fever between China and Japan are not without precedent. However, the gravity of this latest episode raises the question of whether a point of no return has been reached in the Sino-Japanese relationship.

Firstly, the repeated and increasingly serious frictions between China and Japan in recent years seem to have led to a certain radicalization of public opinion in both countries, which in vast majority feeds very negative feelings toward its neighbor. This trend is instrumentalised by politicians on both sides, but particularly by Chinese leaders who divert the public's attention away from growing social and political problems and direct it against Japan. In this context, excesses of "patriotism" from both sides are going to be more difficult to control.

Political authorities will also be more constrained to adopt an uncompromising attitude on issues related to national sovereignty. Therefore, a critical question becomes how to ease bilateral tensions without losing face, not only towards its Asian neighbor, but also toward its own public opinion. In this context we see the emergence of a vicious circle of fueling nationalism and provocation.

Another important and relatively new element is China's efforts to methodically deconstruct the legal grounds on which Japan bases its sovereignty over the Senkaku/Diaoyu. In particular, Beijing has launched a diplomatic and legal battle, submitting its claims to the UN to define the outer limits of its continental shelf in the East China Sea, and denying the validity of a number of legal<sup>1</sup> and historical arguments brought by Japan. In doing so, China's objective seems to be pushing Japan to recognize the reality of a territorial dispute around the Senkaku/Diaoyu. Consequently, Japan has adopted a rather uncomfortable public position: Tokyo has no choice but to justify its control over the Senkaku/Diaoyu, even if it does not admit any ambiguity regarding its sovereignty over the islets.

This "legalist" Chinese approach stops short of submitting the dispute to an international court. Rather, these arguments go along with a smear campaign against Japan, and are not likely to clarify the claims of the various parties and allow for a resolution of the quarrel. In his speech before the UN General Assembly, the Chinese Minister of Foreign Affairs Yang Jiechi used very strong terminology, when he accused Japan of "having stolen" the islets from China and "denying the outcomes of the victory of the World Anti-Fascist War".<sup>2</sup> This type of argument shows that the Senkaku/Diaoyu issue is not strictly of territorial nature, but is linked to the tumultuous history of the two neighbors. It is significant that the Chinese official discourse almost always bind the dispute over the islets with the inability of Japan to recognize its war crimes and the danger of a resurgent Japanese militarism. If this "revanchist" rhetoric is to continue, the prospects for reconciliation between Beijing and Tokyo are very grim.

This dispute can only be settled by strong political leadership in a more serene, less emotional atmosphere. Today, both the domestic context in China and Japan, and the fluid geopolitics in East Asia – which is dominated by an evolving balance of power and the Sino-American rivalry - do not offer the conditions for reconciliation between Tokyo and Beijing.

Finally, a third element to take into consideration is the recurrent use by Beijing of economic sanctions to bend Tokyo (delays in granting professional visas and in customs checking, cancellations of tourist trips to Japan, etc.). These measures, combined with the vandalism of factories and the boycott of Japanese products pushed some major Japanese companies to temporarily shut down

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<sup>1</sup> In particular, Beijing considers that it is not bound by the 1951 Treaty of San Francisco, which defines the legal setting of the international post-war Asia regime, arguing that only the Republic of China - Taiwan - ratified this text.

<sup>2</sup> « FM: Japan stole Diaoyu Islands », China.org.cn, September 28, 2012.

their plants and / or significantly reduce their production. According to polls, several Japanese industrial companies intend to leave China in favor of more welcoming countries. These decisions could lead to a partial reorganization of industrial production chains in the region and eventually reduce the economic interdependence between China and Japan. Presumably, this trend would favor the pursuit of political frictions in the future, which would be less constrained by the need to protect the economic interests of the two countries.

### **Towards a new *status quo*?**

It is likely that the September episode and the events that have followed are creating a new *status quo* in the East China Sea.

Without crossing the threshold of armed conflict, we seem to be heading towards a situation of constant tension around the islands, with the regular presence of Chinese fishing boats and maritime agency vessels around (and sometimes in) Japanese territorial waters (a quite similar strategy has been applied by the Chinese authorities around Scarborough Shoal). The constant presence of Chinese vessels in the area would aim to set a *fait accompli* and stress the *de facto* expansion of Chinese influence around the islands. If this situation is to continue, provocative attitudes have to be dissuaded and more proactive mechanisms of crisis prevention and management have to be established between Tokyo and Beijing. The danger is real that an accidental collision could happen, which would lead to a military escalation that would be extremely difficult to control.

This new *status quo* in the East China Sea is therefore more dangerous and unstable. In response, Japan, which has already transformed its defense posture vis-à-vis China after the spat of September 2010, is likely to give more attention to its coast guard. Given its front-line nature, the Japanese Coast Guard would benefit from further investments in personnel and equipment. If the situation were to deteriorate, future Japanese administrations - which would likely be dominated by more conservative and nationalist politicians - may take bolder measures regarding national defense (participation in collective defense mechanisms) and the Senkaku/Diaoyu (stationing of troops, for example).

Several important factors will determine the evolution of the situation in the East China Sea.

Firstly, future developments in the Japan-China bilateral relationship largely depend on domestic factors - the political, economic and social context of both countries - and on strategic choices made by the next political leaders. In this perspective, the orientations adopted by the new team that will soon take power in China will be of utmost importance. For the moment, the tough statements made by the president-to-be Xi Jinping regarding the Senkaku/Diaoyu do not encourage optimism.

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Another crucial element is the Japan-US alliance and the role of the United States. If the U.S. does not have an interest in seeing Japan give in to China – such a scenario would open a breach in which Beijing would be reassured of its power and may rush to strengthen its maritime presence near Japan, but also more broadly in the South China Sea - Washington only insured a minimum level of support to its ally in the face of Chinese claims. The U.S. government has reaffirmed that the 1960 Security Treaty covers the Senkaku/Diaoyu, but without recognizing Japanese sovereignty on the islets. Moreover, Washington advised Tokyo to act “carefully, prudently, and effectively” in its relations with China. It is indeed not in Washington's interest to fan the flames either. An open conflict between Tokyo and Beijing would probably force the U.S. to intervene and would lead to a strong and lasting instability in Asia. So, in a way, China's repeated pressures towards Japan also serve to test the strength of the Japan-US alliance. Certainly, Washington has an important but difficult role to play in stabilizing the situation without creating anxiety in Beijing or Tokyo. To date, the line in Washington seems to be maintaining a low profile regarding the territorial issue while continuing to deepen the security alliance with Japan (for instance the deployment of Osprey aircraft and new antimissile capabilities in Japan, and joint training that simulates the retaking of remote islands).

Ultimately, the latest frictions between Japan and China in the East China Sea will have lasting consequences on the bilateral relations and the regional security environment in East Asia. Despite its geographic distance, this new, more dangerous *status quo* is a significant concern for Europe as well. As enduring tensions between the two Asian heavyweights stand to have negative repercussions on European stakes in the region, European leaders must and make clear their interest in a peaceful, long-term end to tensions and use whatever diplomatic means necessary to work towards this goal.