

Japan's National Interests in the South China Sea: FON, the Rule of Law, and Nuclear Deterrence

The great geostrategist Nicholas Spykman once described the South China Sea as the 'Asiatic Mediterranean' to emphasise its importance in Asian geopolitics. Just as the Roman Empire sought control over the Mediterranean and the United States over the Caribbean in pursuit of regional dominance, China seeks dominance over the South China Sea, making it a 'Chinese Caribbean.'

The great geostrategist Nicholas Spykman once described the South China Sea as the 'Asiatic Mediterranean' to emphasise its importance in Asian geopolitics. Just as the Roman Empire sought control over the Mediterranean and the United States over the Caribbean in pursuit of regional dominance, China seeks dominance over the South China Sea, making it a 'Chinese Caribbean.' Imperial Japan attempted to dominate the South China Sea but failed, inviting hostility from other maritime powers. One of the lessons from the Asia-Pacific War is that the South China Sea should be kept open.

Under the 1951 San Francisco Peace Treaty, Japan gave up all title and claims to the Paracel and Spratly Islands. Therefore Japan takes no position on the territorial disputes among the claimants.

Nonetheless, the South China Sea is a critical shipping lane for Japan. Every day, 14 million barrels of crude oil and six trillion cubic feet of natural gas pass through the South China Sea. Among them, 23 per cent of the crude oil and 57 per cent of the natural gas go to Japan. As a trading nation, Japan has a significant interest in freedom and safety of navigation and overflight in the South China Sea. In this sense, although it is not a claimant, Japan is a stakeholder in the

South China Sea.

The South China Sea is important for Japan's security in two ways.

First, preservation of the rules-based maritime order in the South China Sea is crucial to Japan's interests. The UN Convention on the Law of the Sea (UNCLOS), which defines states' rights and obligations in the maritime domain, provides the legal basis for the global maritime order.

Peaceful dispute resolution is also a critical element of the UNCLOS regime. Excessive maritime claims by littoral states in the South China Sea – in particular China's maritime claims based on the 'nine-dash line' – endanger freedom of the seas. China's neglect of the South China Sea arbitration undermines the entire UNCLOS regime. Any effort to undermine the rules-based maritime order in the South China Sea will have negative implications for other regional waters such as the East China Sea, where China continues to challenge Japanese administration of the Senkaku Islands.

Second, the South China Sea is important for Japan from the perspective of nuclear deterrence. China has deployed four Jin-class strategic nuclear-powered ballistic missile submarines (SSBNs) in Hainan Island and another is on the way. Those SSBNs will be equipped with JL-2 SLBMs, whose range is 7,200 km. The Pentagon's annual Chinese Military Power Report expects the Chinese SSBNs to commence nuclear deterrence patrols in 2016. China is making the South China Sea a strategic bastion, or a Chinese 'Okhotsk.'

Even if Chinese SSBNs initiate nuclear deterrence patrols, that would not change the US–China strategic balance dramatically, as overall US strategic and conventional military power remains dominant. China will continue to face challenges for SSBN operations as well, including the relatively shorter SLBM range, command and control, and strategic ASW by the US Navy. That said, China's SSBN program would pose a challenge for the credibility of extended US

deterrence over the longer term.

China's massive land reclamation project in the Spratly Islands enhances China's control over the areas within its 'nine-dash line.' The 3,000-meter runways in the Fiery Cross Reef and Mischief Reef, coupled with one on Woody Island, provide China with improved interception capability vis-à-vis US surveillance and anti-submarine warfare operations. The land reclamation of the Scarborough Shoal will provide China with further interception capability.

The National Security Strategy adopted by the Japanese government in December 2013 emphasised the maintenance of 'open and stable seas' in accordance with international laws and rules. In view of rising territorial and maritime tensions in the Asia-Pacific region, Prime Minister Shinzo Abe (May 2014 Shangri-La Dialogue) proposed 'three principles for the rule of law' that called for countries to make and clarify claims based on international law, to avoid using force or coercion in resolving conflicts, and to seek to settle disputes by peaceful means.

These three principles for the rule of law provide basic guidance to Japan's South China Sea policy. Japan has emphasised the importance of the rule of law at international conferences such as G-7 and the East Asia Summit, and has supported the Philippines' efforts in arbitration and ASEAN's talks with China on a Code of Conduct. Japan encourages ASEAN to uphold the rule of law while respecting ASEAN centrality and unity. Japan also supports US freedom of navigation operations within 12 nautical miles of Chinese reefs.

Japan has also provided capacity building assistance to the South China Sea claimants so that they can maintain the rules-based maritime order. Not only providing patrol vessels and aircraft, Japan also provides education and training to law enforcement. Military capacity building is also underway, such as PKO training and medical support for submarine crews.

In addition, Japan has increased its military engagement in the South China Sea. The Japan

Maritime Self-Defense Force has conducted port calls and bilateral and multilateral training and exercises. Every four months JMSDF displays its flag in the South China Sea, rotating its destroyer and patrol aircraft dispatched for counter-piracy operations in the Gulf of Aden.

A crucial question for Japan's South China Sea policy is how far Japan can engage in the South China Sea dispute when China challenges Japan in the East China Sea. There is concern in Japan that as Japan increases its engagement in the South China Sea, China may become more assertive in the East China Sea. But China has increased the tension in the East China Sea step by step no matter what Japan does in the South China Sea. China is irritated by Japan's engagement in the South China Sea. So Japan should increase engagement in the South China Sea to send a signal to China not to raise the tension in the East China Sea.

On the other hand, Japan has limited resources to allocate to the South China Sea as it is preoccupied with the East China Sea. Under the current situation, regular surveillance and patrol in the South China Sea is difficult. Nonetheless, Japan's surveillance in the East China Sea allows the US to focus on surveillance in the South China Sea. Japan can also show its flag in the South China Sea more frequently. Defense Minister Tomomi Inada recently referred to Japan-US bilateral 'joint-training cruise' in the South China Sea. Japan, the US, and other like-minded states should exercise navigational rights anywhere in the South China Sea to discourage China's attempts to dominate these waters.

In addition, Japan can play a greater role under the new security legislation, which allows it to contribute logistical support to the US and other forces if a serious contingency occurs in the South China Sea. Japan can also upgrade its military capacity building assistance, equipping the littoral states with anti-air and anti-ship capabilities as a means of neutralising China's militarisation of territorial features in the South China Sea.

Tetsuo Kotani is a senior fellow at the Japan Institute of International Affairs (JIIA) and also a lecturer at Hosei University.

The paper was presented at the Conference: "The South China Sea in the Broader Maritime Security of the Indo-Pacific Conference", 28-30 September 2016, Canberra, Australia. This conference is co-organized by UNSW Canberra at the Australian Defence Force Academy (ADFA), the Diplomatic Academy of Vietnam (DAV), and the Japan Institute of International Affairs (JIIA).