

The East China Sea: Chinese Efforts to Establish a “New Normal” and Prospects for Peaceful Management

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China has not sought to employ force directly in its maritime disputes with Japan, adopting an approach characterized by gray-zone coercion short of armed attack instead. These Chinese attempts to establish a “new normal” in the East China Sea pose unique challenges to Tokyo, which is still searching for an appropriate way to deal with China’s gray-zone coercion without escalating the situation into a military conflict.

The Chinese coast guard ships started intruding into the territorial waters around the Senkaku Islands (known as the Diaoyu Islands in China) in December 2008, and the frequency of intrusion [increased](#) dramatically after September 2012 when the Japanese government purchased three Senkaku Islands to defend themselves from Chinese provocations.

Beijing condemned the “nationalization” of the three islands by Tokyo as illegal and justified the dispatch of its law enforcement vessels to the Senkaku waters. However, the purchase of the islands was a response to the increasing Chinese intrusions into the territorial waters. China also

alleged that Washington encouraged Tokyo to “nationalize” the islands. However, in fact, Washington was [warning](#) Tokyo not to. In short, the crisis was a result of miscommunication, miscalculation, and misunderstanding among Tokyo, Beijing, and Washington.

By late 2013 the number of Chinese law enforcement vessels and the frequency of their intrusions gradually stabilized to a pattern known as “3-3-2,” by which three times every month three Chinese vessels enter Japanese territorial waters around the Senkaku Islands for two hours. These intrusions are not innocent passage as Chinese vessels declared that they were conducting law enforcement missions.

In August 2016, hundreds of Chinese fishing boats escorted by some 20 Chinese coast guard ships [appeared](#) in and around the territorial waters of the Senkaku Islands. After that, four Chinese coast guard ships maintained presence, [turning the “3-3-2” into “3-4-2.”](#) China possessed 120 large law enforcement vessels in 2015, and the number is expected to increase up to 135 by 2019. It is likely that China will increase the frequency of intrusion in the coming years.

Chinese military activities in the East China Sea and beyond remain a great concern for Japan as well. In June 2016, a Chinese frigate entered Japan’s contiguous zone near the Senkaku Islands. This was [the first time](#) a Chinese Navy combatant vessel entered the contiguous zone. Another Chinese warship entered Japanese territorial waters south of Kyushu and Beijing claimed the right of transit passage instead of innocent passage. If this were a Chinese version of freedom of navigation operation, then the purpose would be to turn territorial waters into a strait used for international navigation so that Chinese submarines can make submerged navigation from the East China Sea to the Pacific Ocean.

China’s power projection capabilities also expanded. In December 2016, China’s aircraft carrier passed through the Miyako Channel for the first time. Between April 2016 and March 2017, the

Japan Air Self-Defense Force (JASDF) conducted more than [800 scrambles](#) in response to Chinese aircraft intrusions. Chinese aircraft, including fighters and bombers, now [fly into the Pacific Ocean](#) through the Miyako Channel and into the Sea of Japan through the Tsushima Strait.

In the meantime, Beijing has [engaged in unilateral development](#), constructing offshore platforms in the middle of the East China Sea in recent years. Japan and China agreed on the joint development of gas fields in the East China Sea in June 2008 pending the maritime delimitation between the two neighboring countries. However, China ignored this agreement and constructed more platforms. Japan has [identified two of the 12 new platforms](#) already in operation and the latest one is equipped with a radar system. Japanese defense planners are worried about potential military use of those platforms, especially for the enhancement of situational awareness in the East China Sea.

Despite Japan's own efforts to defend the territories in the East China Sea under the concept of “dynamic joint defense force,” and the US' firm commitment to the defense of Japan under the Security Treaty, China has never stopped creating a gray zone situation. Since those Chinese activities do not constitute an armed attack, Japan cannot exercise the right to self-defense. Needless to say, the United States cannot exercise the right to collective self-defense under the 1960 US-Japan Security Treaty either. Therefore, Japan responds by law enforcement vis-à-vis Chinese illegitimate and dangerous activities.

The Japan Coast Guard (JGC) [established a special task force](#), consisting of 14 patrol vessels to conduct intensive patrols in the waters surrounding the Senkaku Islands. Indeed, these vessels are keeping watch over the waters on a 24-7 basis. The Japan Coast Guard not only serves as the first responder to a gray-zone coercion but also one that prevents escalation. As a result, Japan's control of the Senkaku Islands remains unshaken.

The Japan Self-Defense Force (JSDF) has also conducted intensive intelligence, reconnaissance, and surveillance (ISR) operations in the East China Sea to monitor Chinese gray-zone activities. The JSDF can [undertake law enforcement operations](#) to deal with a gray-zone situation if the government considers the situation is beyond JGC’s capacity and issues a maritime security order to the JSDF.

In the meantime, Tokyo is seeking ways to improve crisis management with China. The two countries tentatively reached an understanding on a military-to-military maritime and air communication mechanism in June 2012. Under the mechanism, defense officials would establish hotlines, regular consultations, and common communication methods between ships for risk mitigation.

While Tokyo and Beijing agreed on the structure of the mechanism, working-level meetings have not been able to bridge the division on the geographic area covered. For Tokyo the agreement should not apply to the 12 nautical mile territorial seas and skies around the Senkaku Islands; Beijing insists it should.ⁱⁱⁱ

Tokyo is also seeking confidence-building measures with Beijing. In response to Chinese unilateral energy development in the East China Sea, Tokyo called on Beijing to resume the talks on the 2008 joint development agreement. In September 2016, a working-level meeting was held to discuss the resumption of these talks, but the Chinese side remained unwilling to resume them.^[2]

In order to promote peaceful management of the East China Sea, Tokyo and Beijing need to promote crisis management and confidence building. In November 2014, Prime Minister Abe and President Xi Jinping [met for the first time](#) and agreed to disagree on territory and history issues, while agreeing to resume working-level talks. Since working-level talks have failed to produce

any substantive achievement, only top-down deals can now make a difference.

In May 2017, Prime Minister Shinzo Abe sent a letter to President Xi Jinping to request Xi’s visit to Japan and more frequent summit meetings, and Xi, reportedly, expressed his willingness to improve the bilateral relations.^[3] This is a reasonable step forward for any top-down management of the East China Sea situation. Although cautious optimism needs to be maintained, Tokyo and Beijing should make full use of this opportunity.

Tetsuo Kotani is a senior fellow at the Japan Institute of International Affairs. The views expressed in this articles are exclusively his own.

^[1][Mainichi Shimbun](#), November 25, 2016.

^[2][Mainichi Shimbun](#), September 16, 2016.

^[3][Asahi Shimbun](#), May 17, 2017.