East China Sea: Preventing Clashes from Becoming Crises

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Table of Contents

Executive Summary ................................................................................................................... i
Recommendations .................................................................................................................... ii
I. Introduction .................................................................................................................. ... 1
II. Outline of the Mechanism and Chronology of Discussions ............................................ 4
   A. Heightened Risks ....................................................................................................... 4
   B. Mechanism Structure ............................................................................................ 6
   C. Timeline ..................................................................................................................... 7
      1. A long voyage ........................................................................................................ 7
      2. Turning point ....................................................................................................... 8
III. Divergences ................................................................................................................... ... 11
   A. Different Approaches ................................................................................................. 11
   B. Other Irritants ............................................................................................................ 12
      1. East China Sea resource development ................................................................... 12
      2. The South China Sea ............................................................................................ 13
      3. Japan’s security reforms ...................................................................................... 14
      4. History, nationalism and political risks ............................................................... 16
IV. Potential Implementation Challenges .............................................................................. 18
   A. Mistrust ...................................................................................................................... 18
   B. Systemic Differences ............................................................................................... 19
   C. Internal Coherence .................................................................................................... 20
V. Conclusion .................................................................................................................... .... 21

APPENDICES
   A. ADIZs of China, Japan and South Korea ................................................................. 22
   B. Close Encounters between the PLA and SDF in Recent Years ................................... 23
   C. Glossary of Terms ..................................................................................................... 24
Executive Summary

As China–Japan relations oscillate between hostility and détente, a credible crisis management protocol is urgently needed to manage the increasing, unplanned contacts between their military aircraft and ships. Despite intermittent negotiations, the two have been unable to agree on a maritime and air communication mechanism to help fill this gap. After suspension due to the 2012 Diaoyu/Senkaku dispute, China agreed to resume talks on the mechanism, comprising a hotline, meetings between defence authorities and communication protocols between forward military units in 2014. Dangerously close military aerial encounters appear to have played a fundamental role in the decision, but negotiations soon stalled over the area the mechanism would cover, an issue with implications for the dispute over the islands’ sovereignty. Resentment arising from other aspects of the relationship hardened China against compromise. With a prickly bilateral détente now in place, however, the two governments should prioritise crisis management and insulate the negotiations from their broader rivalry.

The need for crisis management is growing. The air forces are coming into contact more frequently, as each attempts to administer the overlapping Air Defence Identification Zones (ADIZ). Several close calls have already occurred. The navies are also increasingly in contact, as China sends ships further from its shores with greater regularity. Encounters around the Diaoyu/Senkaku islands, East China Sea and Western Pacific will continue. Different national operating guidelines, applied in an atmosphere of mutual mistrust, exacerbate the risks of miscalculation. Nationalism, increasingly institutionalised distrust on both sides and limited opportunities to build trust through military exchanges make it harder to prevent rapid escalation of hostilities should a deadly incident transpire.

Meanwhile, both sides are enhancing their military capabilities in the East China Sea. China is expanding its naval and air operations further into open waters in a bid to extend its maritime footprint to the Western Pacific, and Japan is shoring up the defences of its south-western island chain in response. Bolstered by the Diaoyu/Senkaku dispute, the Abe administration pushed through more proactive security legislation – the most significant shift in Japan’s defence posture since the end of the Second World War.

Against this backdrop, China and Japan need to seize the opportunity proffered by their current fragile reconciliation to establish crisis management ties. China should delink the subject from the political relationship and sovereignty questions: an unplanned clash with Japan would neither benefit its goal of achieving peripheral stability nor safeguard its rights. Japan should continue to engage and avoid inflammatory remarks that increase political risks for moderates in China. Staged implementation of the proposed mechanism, beginning with the hotline, could be a near-term confidence-building measure. Fundamental mistrust makes true reconciliation unlikely in the near future, but there is common interest in preventing or limiting an accidental crisis that would harm the political, security and economic interests of both. China and Japan should thus launch the maritime and air communication mechanism as soon as possible.
Recommendations

To enable agreement on the Maritime and Air Communication Mechanism

To the governments of China and Japan:

1. Instruct front-line personnel, in the mechanism’s absence, to adhere to protocols in the Code for Unplanned Encounters at Sea (CUES), to which both are party.

2. Discuss concerns about risk of collision by fishing boats and/or coast guard vessels in waters around the disputed Diaoyu/Senkaku islands in the High-Level Consultations on Maritime Affairs, a multi-agency forum that includes the coast guard.

3. Restart vice-ministerial-level defence exchanges and resume exchanges between defence universities and research organisations.

4. China should delink Diaoyu/Senkaku sovereignty from the mechanism negotiations.

5. Japan should refrain from comments or actions which suggest revisionist views of history and a departure from the Murayama Statement, its 1995 official apology for wartime aggression, and immediately distance itself from provocative statements made by officials and politicians.

6. Japan should maintain an open dialogue with Beijing over the enhancement of its south-western defences and refrain from negatively publicising China’s lawful military activities, such as legitimate overflights and naval transits.

To ensure effective implementation

To the governments of China and Japan:

7. Keep the hotline open at all times and ensure responsible persons/units have authority to reach decision-makers and front-line personnel quickly in an emergency and to make decisions to contain and de-escalate the crisis; and utilise the hotline in case of an incident before resorting to public criticism.

8. Give front-line operators adequate training and hold those who violate the rules accountable.

9. Increase direct contact between front-line troops and personnel by:
   a) organising a second round of mutual naval visits; and
   b) stepping-up participation in multilateral training forums based on CUES, such as the Western Pacific Naval Symposium and others.

10. Agree to address violations first bilaterally, including in defence authority meetings, so as to maximise space for resolution, rather than arguing them in the media.

11. Consider incorporating guidelines for behaviour other than communications within the mechanism later, possibly based on those included within the 2014 U.S.-China defence memorandums or CUES.
To third-party governments and non-governmental institutions, such as research organisations, private groups and think-tanks with ties to both parties:

12. Host forums that bring the parties together for discussions on crisis management and mitigation, including by:
   a) organising workshops to review CUES and other international naval and air agreements containing guidelines on rules of behaviour;
   b) facilitating the sharing of best practices to avoid incidents at sea, whether in forums, symposiums or joint research projects; and
   c) encouraging participation by both coast guards and militaries, especially commanders in charge of front-line operations.

13. Organise multilateral naval exercises on CUES implementation involving both China’s People’s Liberation Army (PLA) and Japan’s Self-Defence Forces (SDF).

Beijing/Tokyo/Brussels, 30 June 2016
East China Sea: Preventing Clashes from Becoming Crises

I. Introduction

While China and Japan remain deadlocked over the Diaoyu/Senkaku territorial dispute, they have entered a tentative political reconciliation, with gradual resumption of regular diplomatic exchanges since 2014. This rapprochement was both driven by, and paved the way for, crisis management talks; notably, negotiations resumed in 2014 over a Maritime and Air Communication Mechanism designed to mitigate risks of an accident between military units, prevent escalation should an unplanned incident occur and help build confidence in the broader relationship. These have been held off and on since 2007. China suspended them in 2012, in response to what it perceived as Japan’s attempt to strengthen its claims over the islands. Since then, Beijing’s ambitious maritime policy and the ripple effects of Tokyo’s security reforms have increasingly brought the two militaries into close, including hostile, contact without mutually accepted operating protocols.

China began moderating its stance toward Japan in mid-2014, driven at least in part by increased awareness of the unfavourable balance of results from a policy of challenging it on, among other fronts, its de facto administration of the disputed islands. The risk of an unplanned clash escalating into open hostility had started to outweigh the benefits of “managed hostility” in which both sides appealed to powerful nationalist constituencies by playing up the threat of the other.

Beijing had become wary of inadvertently aiding Prime Minister Shinzo Abe’s security reform agenda by continuing to pressure Tokyo. Abe was able to leverage tensions to advance his goal of a more proactive security policy, including less constrained Self-Defence Forces (SDF), upgrading the U.S. alliance, strengthening defence ties with Beijing’s rivals in the South China Sea and greater latitude to project power abroad to contend for influence with China.

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1 This report gives the islands’ Chinese and Japanese names in alphabetical order. Taiwan calls the group Diaooyutai. For previous Crisis Group reporting on China-Japan relations, see Asia Reports N°s 258, Old Scores and New Grudges: Evolving Sino-Japanese Tensions, 24 July 2014; 245, Dangerous Waters: China-Japan Relations on the Rocks, 8 April 2013; and 108, North East Asia’s Undercurrents of Conflict, 15 December 2005. For other maritime territorial disputes, see the Stirring up the South China Sea series, N°s 223, (I), 23 April 2012; 229 (II), 24 July 2012; 267, (III), 7 May 2015; and 275, (IV), 26 January 2016.

2 Both countries also use other designations such as “maritime and air liaison mechanism”.


4 Since the outbreak of the Diaoyu/Senkaku crisis in 2012, China has sent law enforcement, later coast guard, ships into the contiguous and territorial waters, at its peak daily, but by February 2016 about three times a month. For a representation of such patrols, September 2012-June 2014, see Crisis Group Report, Old Scores, op. cit., Appendix B. Yasuyuki Sasaki, “Coast guard set to face off against China with Senkaku Islands patrol fleet”, Asahi Shimbun, 25 February 2016.

5 President Barack Obama’s statement, the first by a U.S. president, that Washington is obliged to defend “all territories under Japan’s administration including [the] Senkaku islands” under the U.S.-Japan security treaty, sent a clear warning to Beijing, “Obama Asia tour: US-Japan treaty ‘covers disputed islands’”, BBC, 24 April 2014.
The strong economic and trade ties that long served as a counterweight to political tensions had also weakened with decreased Japanese appetite for investment in China. While continuing to lay blame solely at Japan's door, Beijing nonetheless sent the message that it did not want declining political relations to affect economic collaboration.6

As the costs became apparent, some Chinese analysts argued the country had achieved its near-term goal of creating a new status quo around the Diaoyu/Senkaku. By establishing regular Chinese patrols, they said, it had persuaded the international community of the flaws in Japan's position that no territorial dispute existed and weakened Japan's de facto control.7

Finally, close and intensely risky encounters between military aircraft in May-June 2014 reinforced the arguments of those in China calling for crisis management talks. Beijing quietly conveyed that it was more amenable to the talks on managing potential crises that Tokyo had been pressing for, and within months, the two sides were exploring de-escalation strategies, including a first bilateral meeting between Chinese President Xi Jinping and Abe during the November 2014 APEC summit in Beijing, at which China was seeking to burnish its credentials as a global power player.8 In the run-up to APEC, and with the prospect of a tone-setting bilateral in the mix, China and Japan reached a series of agreements that set relations on a path to tentative recovery.

In September, they resumed a foreign-ministry led dialogue on maritime issues which agreed “in principle to restart the maritime liaison mechanism consultations between the two defence departments”.9 Within two months they had established a four-point agreement that addressed the controversial issues of history and the Diaoyu/Senkaku dispute. The intentionally vague wording did not resolve their underlying disputes, but rather allowed both in effect to sidestep them and resume regular exchanges. The document also stated, without detail, agreement to prevent aggravation of tensions “through dialogue and consultation and establish[ing] crisis management mechanisms”.10

6“商务部新闻发言人沈丹阳就若干经贸热点问题接受媒体联合采访”[“Ministry of Commerce spokesman Shen Danyang accepts joint media interview on hot trade issues”], commerce ministry press release, 21 January 2014. In September 2014, the commerce minister reportedly told a visiting Japanese business delegation that he did not “want to see the economies affected by cooling political relations”. “Chinese minister asks Japan to keep investing despite frosty political relations”, Kyodo, 24 September 2014. Japan's investment did decline significantly following the crisis, but other factors, including economic downturn and rising labour costs in China and a weak exports market also contributed. Crisis Group interview, scholar, Tokyo, December 2015.

7 Crisis Group interviews, Beijing, November 2015. China's basic foreign policy goal is to have a stable periphery and relations with Japan, one said, and the East China Sea issue had become a “headache point”.

8 In July, Xi met with ex-Japanese Prime Minister Yasuo Fukuda, allegedly sent secretly to Beijing to discuss rapprochement. In August, Foreign Ministers Wang Yi and Fumio Kishida met for the first time, on the margins of an ASEAN meeting.


The agreement cleared the way for the first official meeting between Xi and Abe, three days later on the margins of APEC. In a clear indication of the importance for China, it did not insist on Tokyo satisfying two longstanding preconditions: that Japan admit a territorial dispute exists over the Diaoyu/Senkaku; and Abe promise not to revisit the Yasukuni shrine as prime minister. In the meeting, Xi endorsed resumption of working-level talks on a maritime crisis management mechanism, clearing the way for working group consultations in January 2015 that expanded the mechanism to cover air force encounters.11

Based on interviews with scholars, analysts and officials in Beijing and Tokyo, this report presents an overview of the negotiations to create a mechanism to regulate contacts between the navies and air forces, analyses points of convergence and divergence and highlights dynamics that may hinder negotiations or implementation. It does not address directly mechanisms to manage contacts between paramilitary or civilian fleets or aircraft. Nor does it address Taiwan’s claims or take a position on the merits of either country’s Diaoyu/Senkaku claims.

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II. **Outline of the Mechanism and Chronology of Discussions**

A. **Heightened Risks**

The risk of an accidental clash between Chinese and Japanese military aircraft and ships has grown in recent years, as they come into more frequent contact without mutually accepted rules of conduct. Close and dangerous encounters over the East China Sea have increased alarmingly, particularly since China established an Air Defence Identification Zone (ADIZ) in November 2013. Its zone overlaps significantly with Japan’s, and both encompass Diaoyu/Senkaku airspace.\(^\text{12}\) In effect, both air forces are tasked with patrolling and identifying and monitoring approaching foreign aircraft within overlapping airspace.

By December 2013, China said it had identified nearly 800 entries by foreign military aircraft and dispatched 87 reconnaissance, early-warning and fighter planes 51 times in response. It has not released updated figures, though the air force has said it conducts “routine patrols” and taken “appropriate” measures when necessary. Japan says it scrambled jets 571 times against Chinese aircraft in 2015, 65 per cent of its total scrambles that year.\(^\text{13}\)

The sides’ differing views over operational rules in this overlapping area exacerbate the risks inherent in encounters. While, like any country, it reserves the right to create an ADIZ, China’s rules have raised regional concerns. It requires all entering aircraft to identify themselves by submitting flight plans, maintaining radio and transponder communications and marking nationalities, or “China’s armed forces will adopt defensive emergency measures to respond”.\(^\text{14}\) These rules depart from common international practice by making “no distinction between aircraft flying parallel with China’s coastline through the ADIZ and those flying toward China’s territorial airspace”. They raised alarm in Japan that China seeks to treat the area as “territorial airspace” and were seen as another unilateral attempt to change the status quo around Diaoyu/Senkaku.\(^\text{15}\) Consequently Tokyo does not recognise the zone, and its military aircraft do not comply with the identification demands.

Several risky encounters have already taken place, with each side accusing the other of lying. For example, the Chinese defence ministry said, and Japan denied, that two SDF aircraft tracked and flew within ten metres of a patrolling PLA transport on...
23 November 2013.\textsuperscript{16} Investigation into the aerial encounters between 2014-2015 by independent researchers judged that lack of communication was a fundamental problem. The Chinese and Japanese scholars and retired military officials found aircraft sometimes ignored messages or failed to make “the intention and mode of execution” of their approach clear. Such risks are not limited to the East China Sea, as the PLA is increasing drills in the Western Pacific.\textsuperscript{17}

The navy is also increasing its presence in the East China Sea, coming into contact more frequently with SDF ships. China is reorganising its military posture from a primarily land-based force to one with greater focus on the seas.\textsuperscript{18} Its military doctrine emphasises free movement through and beyond the island chains that dominate the approaches to its eastern seaboard, so as to gain blue-water capability and challenge U.S. dominance in the Western Pacific. Since 2008, increasing numbers of its navy ships have been legally transiting the straits between Japanese islands to reach the open Pacific, carefully watched by Tokyo, which is responding by deploying anti-ship and anti-aircraft missile batteries on its south-western islands.\textsuperscript{19}

Different rules of engagement during military exercises add to the unpredictability. Japan views Chinese military exercises on the high seas as legitimate targets for intelligence gathering and says Beijing is wrong to close off the waters to non-participants during them. China meanwhile has undertaken dangerous manoeuvres to discourage surveillance.\textsuperscript{20} Disputes over proximity to exercises predate establishment

\textsuperscript{16} See Appendix B below for more details of recent close encounters.

\textsuperscript{17} Viewing unclassified video footage since May 2014, they concluded “good airmanship” was sometimes missing. “In such circumstances, it is highly likely that an unplanned contact or accidental collision may occur between military aircraft”, the report said. Crisis Group email correspondence, project participant, December 2015. “Report on the Japan-China Dialogue on the Safety of Airspace in the East China Sea”, Sasakawa Peace Foundation and China Centre for Collaborative Studies of South China Sea Studies, Nanjing University, July 2015. In March 2015, China announced its first PLA air drill in the Western Pacific and did at least three more that year. “PLA air force conducts first training in West Pacific”, China Military (online), 30 March 2015. “China air force again holds drills in Western Pacific”, Reuters, 27 November 2015.

\textsuperscript{18} Even before the the Diaoyu/Senkaku crisis, PLA ships were reportedly “becoming increasingly assertive in their patrols” and sometimes “demonstrated a willingness to take risks by shadowing and shouldering US and Japanese vessels”. Rory Medcalf, Raoul Heinrichs and Justin Jones, “Crisis and Confidence: Major Powers and Maritime Security in Indo-Pacific Asia”, Lowy Institute for International Policy, June 2011, p. 15. Crisis Group interview, diplomat, Beijing, November 2015. The maritime power concept dates to the Hu Jintao administration and has expanded under Xi. It is not limited to a military dimension, eg, calling for more use and protection of ocean resources. “China seeks maritime power, no hegemony: spokesman”, Xinhua, 29 November 2012. “Xi advocates efforts to boost China’s maritime power”, Xinhua, 31 July 2013.

\textsuperscript{19} Tetsuo Kotani, “Crisis Management in the East China Sea”, Policy Brief, Stockholm International Peace Research Institute (SIPRI), February 2015. Each new straits route traversed by China’s navy and aircraft is noted in its domestic media as a sign of growing military prowess; for example, Li Xiaokun, “China sails through ‘first island chain’”, Xinhua, 2 August 2013; “Japan’s far-flung island defence plan seeks to turn tables on China”, Reuters, 18 December 2015.

\textsuperscript{20} On 16 May 2014, for example, the China Maritime Safety Administration gave coordinates of a PLA exercise in international waters of the East China Sea, saying “all extraneous vessels are forbidden from entering”. “沪海航[2014]222号-东海部分水域举行军事演习” [“Shanghai Maritime Navigation Notice [2014] Number 222 – Military Exercises in part of the East China Sea”]. For more on China’s and Japan’s differing views of rules of engagement during military exercises see Crisis Group Report, \textit{Old Scores}, op. cit., p. 29.
of China’s ADIZ, but the risks increase with a greater military presence in the Japanese straits and Western Pacific.21

Frequent encounters by military vessels and aircraft are less dangerous if the parties understand each other’s intentions and adhere to clear rules of safe conduct. Japanese jets have scrambled many times against Russian jets in recent years, but a 1993 bilateral agreement similar to the planned Sino-Japanese mechanism regulates air and sea encounters. As a result, Russian and Japanese pilots have clear rules of interaction and have become “used to each other”, in a way that Chinese and Japanese pilots are not.22

B. Mechanism Structure

By June 2012, the two sides had agreed in principle that the mechanism would include annual meetings and experts sessions, high-level hotlines between defence authorities and a protocol for direct communications between naval vessels and aircraft. When talks resumed in January 2015, the mechanism was expanded to more explicitly cover aerial encounters – reflecting mutual concern with the rising number of close calls. The air forces reportedly joined the navies as lead negotiating parties, and the name of the project was changed from Maritime Communication Mechanism to Maritime and Air Communication Mechanism.23

Some details remain unclear. While the PLA reportedly insisted previously that the hotline be in the foreign affairs office of its defence ministry, it now appears it will be established between the chiefs of staff of each navy and air force, bringing the conversation into the heart of the command structure. The navies and air forces would reportedly hold regular working-level and as yet unspecified expert meetings.24 Direct communications between military ships and planes would be conducted in English on agreed radio frequencies.

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22 “Agreement ... on the Prevention of Incidents on and Over the High Seas”. Excluding territorial waters and airspace, it has guidelines for behaviour and communications between the navies and air forces, for example barring provocative actions like using fire-control radar. Under it, the countries meet annually to discuss maritime/air issues including accidents. It was signed despite the territorial dispute over the island chain Tokyo calls the Northern Territories and Moscow the Southern Kurils. Until 2012, Japanese scrambles were primarily against Russian aircraft. In 2014, there were 473 against Russian jets and 464 against Chinese (99 per cent of scrambles). “Statistics on scrambles through fiscal year 2014”, defence ministry press release, 22 May 2015. Crisis Group interview, diplomat, Beijing, November 2015.


24 Medcalf et al., “Crisis and Confidence”, op. cit. “Improving communication: Sino-Japanese military hotline set to go live”, Nikkei Asian Review, 26 June 2015. As negotiations resumed in January 2015, the sides were starting discussions based on “annual meetings”, as agreed by working groups. However, in December 2015, Japanese Defence Minister Nakatani said they “have agreed to hold
The mechanism as currently envisaged would only apply to military aircraft and ships, not the coast guards, which patrol around the disputed islands, including within their territorial waters, but are not part of the military command structure. However, elements of a successful military mechanism could serve as a template for an agreement that would cover law enforcement vessels and, potentially, civilian fishing vessels. The proposed mechanism does not prescribe a code for front-line conduct other than in communications, so would not prevent risky manoeuvres such as close fly-bys or bridge the different interpretations of operational rules. Nevertheless, if faithfully implemented, it would reduce risk of misunderstanding at the front line and be a clear platform by which to facilitate de-escalation of incidents. It would also bridge the trust gap between defence authorities which have had limited exchanges and vindicate a decade of talks.

C. **Timeline**

1. **A long voyage**

In 2007, during an upswing in China-Japan defence ties, Premier Wen Jiabao and Abe, then in his first term as prime minister, agreed to create “a communication mechanism between the two defence authorities” in order to prevent “the occurrence of unforeseen circumstances at sea”. It was originally envisioned as a hotline. The first round of talks was in Beijing in April 2008, with neither side publicising results. They convened again in July 2010, only to be stalled as tensions flared after a September collision involving a Chinese fishing boat and Japanese coast guard ships. The incident prompted a brief meeting between defence ministers the following month, at which despite agreement that a mechanism was needed, China was reportedly reluctant to discuss specifics.

Not until the third round, on 27 June 2012, did the sides reach in-principle agreement on the mechanism, including to expand it to cover meetings between defence authorities and a protocol for direct communications between naval aircraft and
ships. The mechanism was to have been launched by the end of the year, but was put on hold as the diplomatic temperature rose. China reacted furiously when Japan bought three of the disputed islands from a private Japanese owner in September 2012 to pre-empt purchase by the nationalist, confrontational governor of Tokyo. China suspended exchanges, including mechanism talks, and refused resumption for two years. It cited lack of the right political “atmosphere” – a vague but longstanding precondition it had set for defence dialogue. Some track 1.5 and 2 talks continued, but progress was in effect frozen.

Shortly after China announced its ADIZ in 2013, it indicated willingness to discuss related issues with Japan. Tokyo did not bite, fearing it would equate to recognition of the ADIZ. At the same time, Beijing continued to refuse mechanism talks. The sporadic nature of the mechanism negotiations and defence exchanges and their reliance on its appraisal of political conditions is an impediment to bilateral ties that China should correct. It is in the interests of both countries to ensure open lines of defence communication and regular contact to provide a degree of mutual trust between militaries that will interact more frequently around unresolved flashpoints such as the Diaoyu/Senkaku islands in the future.

2. Turning point

Close encounters in mid-2014 between military aircraft in the East China Sea appeared to change Beijing’s calculus. On 25 May, Japan lodged a protest, saying Chinese fighters “flew abnormally close”, at one point within 30 metres, to Japanese military aircraft in the overlapping ADIZs. China denied this and demanded Japan explain its “... provocative acts ... to the international community”.  

28 For background on the crisis, see Crisis Group Report, Dangerous Waters, op. cit. Asked about the mechanism, Chinese defence ministry spokesman Yang Yujun said, “bilateral defence exchanges have ... been inevitably affected” by the island dispute, press release, 25 October 2012.


31 Press releases, Japanese and Chinese defence ministries, 25, 29 May 2014, respectively.
On 11 June 2014, Japan said Chinese fighter jets had again flown too close to a military aircraft “carrying out regular warning and surveillance over the high seas in the East China Sea. The then defence minister, Itsunori Onodera, told visiting Australian Defence Minister David Johnston that they “flew so recklessly that the [SDF] pilot felt in danger”. This comment should be read as part of a broader strategy to promote what Japan calls a collective response, by convincing regional countries that Beijing’s behaviour in the East China Sea threatens international rules and norms.32 China’s defence ministry defended the pilots’ actions and accused Japan of attacking China “maliciously”. Beijing subsequently released video footage of what it said were two Japanese F-15 jets closely tailing a Chinese patrol craft earlier in the day. Japan disputed its authenticity.33

Despite the publicly expressed anger, China’s stance on the talks shifted significantly. After the May incident, the defence ministry repeated any dialogue on the mechanism required “a certain environment”. Summoned to the foreign ministry in Tokyo the day after the second encounter, however, Ambassador Cheng Yonghua reportedly indicated China was ready to talk. “It is important for us to seize this opportunity to immediately resume bilateral talks on a maritime communication mechanism”, Onodera said at the time.34

China’s change of heart likely resulted from growing awareness of the need for crisis management. It is a relatively unfamiliar field in China, and many in policy circles have seen talks on it, particularly with a rival, as a sign of weakness. However, there are proponents, notably within military and academic circles. The dangerous aerial encounters in 2014 probably tipped the scales. According to a diplomat, the Chinese military reportedly first sensed a potentially serious crisis in “late May and June”. Beijing’s overall increased presence in the South China Sea and East China Sea by itself demanded more consideration of risk management. This crucially coincided with belief that talks would no longer damage its political aims. A sense of success, after China began regularly sending coast guard ships into the territorial waters of the disputed islands, made former opponents think “it doesn’t hurt” to talk about crisis management.35

Beijing thus has recently shown greater willingness to discuss crisis management and military confidence building. In April 2014, it ended long opposition and adopted the Code for Unplanned Encounters at Sea (CUES).36 However, it makes a distinction...

37 The 23-24 September China-Japan High-Level Consultation on Maritime Affairs, second of its kind, included defence ministry, coast guard and civilian agency (including fisheries administration) participants. It was among the dialogues China suspended after 2012. Press releases, Japanese and Chinese foreign ministries, both 24 September 2014.

III. Divergences

A. Different Approaches

Both sides seemed to want quick implementation of the mechanism. Overall, too, relations continued to thaw, with Xi and Abe holding their second summit on the margins of an April 2015 conference in Jakarta.39 Behind the scenes, however, talks were beginning to stall over the scope of the mechanism, as China pressed to include the twelve nautical miles of territorial waters around and airspace above the islands and twice rejected Japan’s proposal to exclude them. This seemingly technical disagreement goes to the heart of sovereignty over the Diaoyu/Senkaku. Tokyo maintains there is no territorial dispute, and the islands are under its sole administration. It is concerned about Beijing using the mechanism to justify its presence around the islands or requesting Japan to reduce patrols. Beijing would see inclusion of the territorial waters and airspace as Tokyo’s tacit acceptance of a new status quo: joint control and management of the waters and airspace that would legitimise Chinese patrols and by extension admit a dispute. Aware of the implication, Japan is unwilling to compromise the issue.40

The standstill also illustrates a fundamental misalignment in the two sides’ priorities in the talks. Japan, for whom crisis management is a top defence priority, approaches the mechanism as a primarily technical agreement to mitigate risk of an accidental clash. Nevertheless, the refusal to compromise on scope indicates awareness of the political dimension. China, despite increasing appreciation of the need for crisis management among its policy analysts, has consistently linked negotiations with the political relationship and sees the mechanism as an opportunity to exert pressure on Japan or extract concessions. The relationship’s political tone still influences its calculation. During their second summit, while Abe hoped for early launch of the mechanism, Xi noted China would pay attention to other bilateral aspects, including “the issue of the recognition of history”, a stock reference to its pursuit of a more comprehensive apology from Japan for actions in the Second World War than the Murayama Statement issued in 1995.41

39 For example, following the January talks, Chinese defence ministry spokesman Geng Yansheng said both countries agreed the mechanism should start as soon as possible, as the necessary “technical conditions” were in place, press release, 29 January 2015. “Japan-China Summit Meeting”, press release, Japanese foreign ministry, 23 April 2015. Crisis Group interview, Chinese scholar at government-affiliated think-tank, Beijing, November 2015. The format symbolised the improvement in ties: as opposed to their first meeting, the leaders talked sitting, with national flags visible. Crisis Group interview, Chinese scholar at government-affiliated think-tank, Beijing, November 2015.


41 Crisis Group interview, Japanese defence experts, Tokyo, December 2015. China’s emphasis on political atmosphere as a prerequisite for crisis management talks is not limited to Japan. Its 2010 National Defence White Paper “emphasises that ‘political trust’ should be the ‘groundwork’ for [confidence-building measures], implying that this should be a precondition rather than their goal”. Medcalf et al., “Crisis and Confidence”, op. cit., p. 36. “Japan-China Summit Meeting”, press release, op. cit.
The political nature of the remaining areas of disagreement means the decision to close the gap is out of the hands of working-level participants of negotiations and must come from China’s “top political leadership”. The mechanism’s eventual launch would likely accompany a deeper political thaw and a stand-alone bilateral summit. To date, Xi and Abe have only met on the margins of multilateral meetings. The current state of the relationship is some distance away from meeting those conditions.

The mechanism cannot be stripped of its political aspect, but the sovereignty dispute might be sidestepped if China and Japan implemented it in phases, for example first launching the hotline between defence authorities or implementing the communications guidelines. This would also lay the foundation for regular defence contacts that over time could help stabilise bilateral relations and ensure continued communication between the militaries. Breaking the impasse that way, however, also requires a decision by China’s leadership that it reportedly has decided to withhold due to tensions over several key issues. With China waiting for Japan to blink first, the risk of a maritime or aerial clash continues to rise.

B. Other Irritants

1. East China Sea resource development

Japan’s public protests at Chinese resource exploration in the East China Sea throughout 2015 likely irritated Beijing. Resource development was once the primary flashpoint there, tied to disagreement over demarcation of Exclusive Economic Zones (EEZs) pre-dating the Diaoyu/Senkaku crisis. About 40,000 overlapping km² are disputed, including those islands. In July 2015, Japan publicly protested more than a dozen structures China had built since 2013, rather than continue to raise the issue privately. The structures were on China’s side of the median line, in undisputed waters, but the defence ministry’s annual white paper called on China to stop its activities lest it siphon gas from Japan’s side. It is unclear whether that is technically possible, but the gas fields are close to the median line, and Japan has consistently voiced the concern.

Japan is also driven by domestic calculations. Its objections came as the legislature was debating two controversial security bills that would mark historic shifts in defence policy to allow the SDF to be more proactive. Abe appeared to calculate that worries over an assertive China would boost his argument for loosening military restrictions. Chief Cabinet Secretary Yoshihide Suga notably tied the release of infor-

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42 Crisis Group interview, Chinese analyst with military ties, Beijing, June 2016.
43 In fall 2015, Japan “concluded that China has no intention to improve relations”. Abe thinks the “ball is in China’s court”, an analyst said. Crisis Group interview, Tokyo, December 2015.
mation on possible Chinese resource development to “rising concerns ... over China's various attempts to change the status quo”.

Despite the fact that the drilling is in undisputed Chinese waters, Japanese officials continue to press China to halt it. At the same time, Suga said he hoped the issue would not impact bilateral ties. China’s defence ministry bluntly said the criticism exposed “the two-faced nature of Japan’s foreign policy”; the foreign ministry merely called it not conducive to improving relations.

2. The South China Sea

China is also angry at what it sees as Japanese meddling in the South China Sea, where Beijing and four other countries and Taiwan share overlapping territorial and maritime claims. Though Japan is not a claimant, it has been one of the most vocal critics of China’s actions there. Tokyo argues it has vital strategic, economic and political interests in the region, and partnerships with the U.S. and South East Asian countries are a key element of its “collective response” strategy to counter Beijing in the East China Sea. It compares its rival’s moves to alter the status quo in the South China Sea, with the Diaoyu/Senkaku dispute. By emphasising the importance of rule of law at bilateral and regional venues, Japan frames China’s role in that dispute as posing as great a risk to international norms as its South China Sea actions. Beijing, meanwhile, portrays its conflict with Japan as stemming from unresolved wartime inequities.

45 Information about China’s drilling was apparently a last-minute insert to the report demanded by Abe’s party’s national security panel. Mari Yamaguchi, “Japan defense report stresses China’s threat as Tokyo pushes to give its military greater role”, Associated Press, 21 July 2015.


48 South China Sea shipping routes are especially vital to Japan’s energy security. “Japan”, U.S. Energy Information Administration, 30 January 2015; “South China Sea”, ibid, 7 February 2013. “Energy White Paper 2014”, Japan’s economy, trade and industry ministry, 5 November 2014, pp.8-10; on “collective response”, see Crisis Group Report, Old Scores, op. cit., pp. 19-21. Foreign Minister Kishida called “recent unilateral attempts by China to change the status quo in the South China Sea and the East China Sea ... an issue of concern for the region and the international community”. ministry press release, 19 January 2016. On the South China Sea dispute, see Crisis Group Reports, Stirring up the South China Sea (III) and (IV), both op. cit.; on Beijing’s portrayal of conflict, see Crisis Group Report, Old Scores, op. cit., p. 4.
Tokyo is putting money behind this, increasing aid to Vietnam and the Philippines, which are far outstripped by China in maritime patrol capability. It also gives robust support to U.S. efforts to counter China in the South China Sea, including Washington’s Freedom of Navigation patrols past reefs China has turned into artificial islands. Beijing has made its displeasure clear. In December 2015, its fourth highest-ranking official reportedly warned a visiting delegation of Japanese lawmakers that Tokyo should not “over-react” to China’s activities in the South China Sea. But Japan shows no sign of letting up, ensuring the issue will continue to complicate bilateral ties.

3. Japan’s security reforms

China regards Japan’s new defence legislation as a security threat. Abe’s defence reform agenda includes loosening legal restraints on a more active SDF role abroad, a closer alliance with allies including the U.S. and continued reorientation to defence of the outlying south-western islands. He had been trying to change the pacifist interpretation of the constitution since his first term, but his second administration pursued the reforms with a determination and success that seriously worried Beijing.

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49 Vietnam welcomed Japanese Defence Minister Gen Nakatani in November 2015, as the Chinese president was ending his own state visit. Hanoi also invited SDF ships to visit its Cam Ranh Bay naval base and asked Tokyo for more patrol boats. Press release, Japanese defence ministry, 6 November 2015. “Japan-Vietnam Summit Meeting”, press release, Japanese foreign ministry, 20 November 2015. Yet, Vietnam balances efforts to strengthen ties with other countries with moves to limit China’s antagonism. In December 2015, for example, a hotline between the militaries came into operation. Wang Qingyun, “China opens defence hotline with Vietnam, ROK”, China Daily, 31 December 2015. Tokyo’s increased aid to the Philippines, one of China’s most vocal critics on the South China Sea, may be more significant. Philippine President Benigno Aquino compared his country’s situation with Czechoslovakia’s in 1938. Keith Bradsher, “Philippine leader sounds alarm on China”, The New York Times, 4 February 2014. A recent 2016 deal allows Japan to transfer defence equipment and technology to the Philippines, its first such agreement with a South East Asian country since it loosened arms export restrictions. “Signing of the Agreement between … Japan and ... the Philippines concerning the Transfer of Defence Equipment and Technology”, press release, Japanese embassy, Manila, 1 March 2016. Japan also reportedly offered a surveillance aircraft. “Philippines, Japan ink deal on defence equipment”, The Philippine Star, 1 March 2016.

50 Abe said, “in order to protect the free, open and peaceful sea, we will cooperate with the international community, including the United States, our ally”. “Abe backs U.S. operation in South China Sea; more sail-pasts expected”, The Japan Times, 28 October 2015.

51 Yu Zhengsheng is ranked fourth of seven in the Politburo Standing Committee. “Japanese, Chinese ruling parties resume talks after 6-yr hiatus”, Mainichi, 3 December 2015. Takuya Karube, “Senior Chinese figure urges Japan to hush over S. China Sea”, Kyodo, 4 December 2015. At the first bilateral defence ministers meeting in over four years, China’s Chang Wanquan said the South China Sea is not a bilateral issue, and Tokyo should not “complicate” the situation. However, ministers agreed on need for the maritime and air communication mechanism to prevent unexpected situations. “中日防长交锋现场 中方要求日本勿再干预南海” [“Confrontation between Chinese and Japanese defence ministers: China demands Japan not meddle in South China Sea”], Huanqiu Wang, 5 November 2015. “China demands Japan not to make any move to complicate South China Sea situation”, Xinhua, 4 November 2015. In August 2015, China’s foreign minister asked Japan to “stop deliberately criticising China”. Japanese foreign ministry summary of Japan–China Foreign Ministers’ Meeting”, press release, 7 August 2015.

52 Abe has not cited China in arguing for security reform, but supporters have been more candid. As the bills were being debated, a senior LDP figure pointed to its military growth and behaviour as reason for the initiatives to “rebuild Japan’s entire national security setup”. “Creating ‘seamless’ security legislation for Japan”, Nippon.com, 22 June 2015. “Prime Minister Abe highlights need for the peace and security legislation”, press release, LDP, 6 July 2015.
and was a significant factor in its decision to moderate policy toward Japan in mid-
2014. Arguably Beijing’s assertive maritime behaviour actually helped Abe push the
controversial reforms through.

In April 2014, Japan had already further loosened a longstanding self-imposed
ban on weapons exports, and on 1 July 2014 the cabinet re-interpreted the constitu-
tion to lift the ban on “collective self-defence”. Japan may now use militarily force
to defend allies under attack, provided it is also under threat. Though seemingly mod-
est, and though Japan has been moving toward “normal country” status for decades,
this marked an historic shift away from a self-identity centred on the permanent disa-
vowal of use of force to settle disputes. Its forces can now fight abroad for the first time
since the Second World War.

In April 2015, Tokyo and Washington updated their Guidelines for Japan-U.S.
Defence Cooperation, to allow significantly closer security collaboration. Japan is
also shifting its geographic defence focus, seeking to offset Chinese power projection
by placing anti-ship and anti-aircraft missile batteries along the line of its 200 re-
 mote, south-western islands. This, separate from the broader defence reforms, would
force ships and aircraft travelling from China’s east coast to pass through the “cross-
hairs of Japanese missiles” to reach the Western Pacific. As China has the right to
access the open seas through international waters, however, Tokyo should maintain
an open dialogue with Beijing over enhancement of its south-western defences.

These moves alarmed China. In addition to concern for its regional security, it
worries that the loosened arms export rules will lead to an increase in military sup-
port to rival South China Sea claimants. However, it has found itself without credi-
bility to counter them. Attempts to frame the issue as Japan trying to disrupt the in-
ternational order are undermined by its own actions in the South and East China
Seas. Both countries are in effect reorienting defence posture with the other in mind.
In this environment of heightened sensibility and force projection, a mechanism to
offset increased risks of miscalculation is more relevant than ever.

53 Thomas S. Wilkins, “Japan’s Grand Strategy and New Strategic Partnerships”, The Tokyo Foun-
dation, 28 May 2014. For previous reporting on Japan’s defence posture, see Crisis Group Report,
Old Scores, op. cit., pp. 7-10.
54 Japan would now be allowed to destroy a missile North Korea fired at the U.S. “Three new condi-
tions on self-defence measures move Japan closer to seamless security”, press release, LDP, 1 July
dades-long ban on export of weapons”, The New York Times, 1 April 2014. For more on Abe’s push
for security reforms and domestic controversy, see Sheila A. Smith, “All he is saying is give war a
chance”, Foreign Policy (online), 18 September 2015.
55 Japan and the U.S. agreed to establish two new panels, the Alliance Coordination Mechanism
and Bilateral Planning Mechanism. Yukio Tajima, “Defence coordination extended to peacetime”,
Nikkei Asian Review, 4 November 2015. “Japan, US to boost grey zone security”, The Japan Times,
4 November 2015. In April 2014, Barack Obama’s statement, the first by a president, that the U.S. is
obliged to defend “all territories under Japan’s administration including [the] Senkaku islands”
under the U.S.-Japan security treaty, sent a clear warning to Beijing. “Obama Asia tour: US-Japan
treaty ‘covers disputed islands’”, BBC, 24 April 2014.
56 The Diaoyu/Senkaku crisis has arguably intensified this process, which began under the Dem-
ocratic Party (DPJ) administration in 2010. Przystup, et al., op. cit., p. 19. “Exclusive: Japan’s far-
flung island defence plan seeks to turn tables on China”, Reuters, 18 December 2015. Japan also
plans to increase SDF numbers on its East China Sea islands by about a fifth in coming years, and
the air force is to form its first new wing in some 50 years, stationed on Yonaguni island for coastal
4. History, nationalism and political risks

The frictions over the South China Sea, East China Sea resources and Japan’s security reforms weaken those who call for greater flexibility in discussing crisis management with Japan and strengthen the more hawkish voices, particularly in the military, of those who are against talks. The communist party often consolidates domestic support by using nationalism, much of which and its own basis for legitimacy derive from the “War of Resistance Against Japanese Aggression” (the Second World War). Memories of the brutal Japanese occupation are kept fresh by government-mandated education and propaganda campaigns.

Japan policy has thus always been sensitive, even before the Diaoyu/Senkaku crisis. The notching up of anti-Japan rhetoric in tense times discourages calls for moderation and incentivises populist, hawkish views. A Chinese scholar said he presents his analysis of the “real situation” when briefing government officials but adjusts it when giving speeches to students to avoid antagonising young nationalists. The result is a toxic environment for pragmatists, few of whom are willing to “test” new solutions for fear of domestic backlash.

Both China and Japan tried to contain sniping related to history and nationalism as relations thawed in the second half of 2014. Shortly after his first summit with Abe that year, Xi said at a Second World War commemoration, “we should not hate a people just because a small minority of militarists set off an invasion and war.” But the stakes being high, this has not been easy. Beijing’s gradual moderation toward Tokyo was based partly on its assessment that Abe had tried to avoid controversy on historical issues. His decision not to visit Yasukuni in 2014 was seen as a “big compromise”. In a key speech to mark the anniversary of Japan’s defeat, he included words Beijing was listening for, including “aggression” and “apology”. Yet, his core nationalist base constrained his ability to issue a personal apology or take any action that could be interpreted as capitulating to China’s (or South Korea’s) demands.

57 According to a Chinese analyst with military ties, while crisis management has proponents within the military’s policy circles, front-line personnel do not like to be “reined in” or forced to be respectful. “Rank-and-file officers hate Japan the most”, the analyst said. Crisis Group interview, Beijing, January 2016. Crisis Group interview, scholar, Tokyo, December 2015.


59 “Set aside hate, Xi’s says on Nanjing Massacre anniversary”, Reuters, 12 December 2014. For much of the preceding year, China waged a global public relations campaign via articles by its diplomats against Japan following Abe’s December 2013 visit to the Yasukuni shrine. The ambassador to the U.S. called Abe’s visit a “challenge” to the world. Cui Tiankai, “Shinzo Abe risks ties with China in tribute to war criminals”, The Washington Post, 9 January 2014.

60 Crisis Group interview, Chinese scholar, Beijing, November 2015. While it should not be read as a quid pro quo, the absence in late 2015 of Xi and other senior party officials at a Nanjing Massacre memorial for the the worst of the Japanese occupation was noted in Japan. “Xi, top officials absent as China holds Nanking Massacre ceremony”, Kyodo, 13 December 2015.

61 “In Japan, the post-war generations now exceed 80 per cent of its population”, Abe said. “We must not let our children, grandchildren, and even further generations to come, who have nothing to do with that war, be predestined to apologise”, government press release, 1 August 2015. Yanmei Xie and Rachel Vandenbrink, “Passive-aggressive rivalry deepens China-Japan tensions”, The
Still, signs point to Xi’s continued interest in tipping the scales toward moderation and limiting hyper-nationalistic voices. In limited interactions in late 2015, the leadership of both countries appeared to want to continue the drive for better relations. Prominent figures close to Xi have joined the effort, though it is unclear whether their interventions are part of a coherent broader strategy to bring various constituencies on board. In October 2015, Liu Yazhou, political commissar of the PLA National Defence University and believed close to Xi, wrote an editorial urging a change of tack. While praising actions that “broke Japan’s unilateral control” of the Diaoyu/Senkaku, he called focusing “on whether the aggressor has apologised or not a sign of psychological weakness.

In January 2016, an unusually frank article on Japan policy and the need for crisis management by a former defence ministry spokesman appeared aimed at convincing nationalists among the military. Geng Yansheng wrote that rules were necessary “to regulate the actions of both sides because neither hopes to see their overall diplomatic relation or fundamental interests undermined by minor conflicts. ... Not only Japan needs this mechanism, we need it too”. Whether or not a broader strategy is in place to desensitise crisis management talks with Japan, the appearance of Geng’s and Liu’s writings in a tightly controlled media that rarely debates foreign policy indicates that those in favour of repairing ties with Tokyo feel confident they have the backing of some senior leaders.

Interpreter, 2 September 2015. China said Japan was being “evasive”. “Foreign Ministry Spokesperson Hua Chunying’s Remarks on ... Abe’s Statement on the 70th anniversary of the End of the War”, foreign ministry press release, 15 August 2015.

“Japan’s Abe, China’s Xi chat on margin of Paris climate meeting”, Kyodo, 1 December 2015. On 1 November 2015, the China-Japan-South Korea summit was held for the first time in more than three years. Abe and Chinese Premier Li Keqiang agreed to “reinforce mutual efforts to achieve the early commencement” of the mechanism. “Japan-China Summit Meeting and Foreign Ministers Meeting”, Japanese foreign ministry press release, 1 November 2015.

“Chinese General Liu Yazhou: Diaoyu islands and Sino-Japanese relations”, China Military (online), 14 October 2015. Liu’s spouse Li Xiaolin, daughter of former President Li Xiannian and a childhood friend of Xi’s, went to Japan in October 2014, ostensibly to attend a cultural performance. The prime minister was also in attendance, and Abe and Li met briefly. Both moves were interpreted in Japan as signalling China’s desire for improved ties. Crisis Group interview, Tsuneo Watanabe, director, policy research, Tokyo Foundation, Tokyo, December 2015. “Japan sees growing chance of Abe holding talks with China’s Xi”, Reuters, 8 October 2014. “Sino-Japanese Friendship Dance Drama ‘Crested Ibis’ Premieres in Tokyo”, Min-On Concert Association, 25 December 2014.

Originally published in the magazine National Defense Reference, the article was translated on the front page of the defence ministry’s English website. “Former DM spokesman: fight in Japan-related public opinion deserves close attention”, China Military (online), 7 January 2016.
IV. Potential Implementation Challenges

A. Mistrust

Mutual mistrust, which has widened in the wake of the Diaoyu/Senkaku crisis, could undermine negotiation and eventual implementation of the mechanism. Two previous efforts to establish a hotline were derailed by political tensions. Existing hotlines between China and other countries have played limited, if any, role in mitigating crises, but there are signs Beijing has come to judge crisis-management measures as useful in recent years. This is visible in more resilient China-U.S. defence exchanges and the defence hotlines launched in 2015 with South Korea and Vietnam.

Japanese analysts point to assertive behaviour in the South China Sea as evidence that, given an opportunity, Beijing discards its commitments in favour of a strength-based approach. Though they agree it would be better to have an agreement than not, some worry that Beijing would not abide by the mechanism. “From our point of view, China ignored those kinds of agreements too many times”, said retired Vice Admiral Yoji Koda. Such scepticism may be warranted but could also become self-fulfilling. The Abe administration should thus refrain from conflating Beijing’s legitimate exercise of its rights, such as sailing through international waters near Japan, with actions that contravene international laws and norms. This would also create political space for those in China calling for more conciliatory policies toward Tokyo.

In order to assuage scepticism as negotiations continue, China should fully abide by the maritime code of conduct agreements it has already signed. Once the

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66 For example, China and the U.S. established a defence telephone link in 2008, but it was not used in the wake of a dispute over U.S. surveillance the next year. Shirley A. Kan, “U.S.-China Military Contacts: Issues for Congress”, Congressional Research Service, 27 October 2014. China and Vietnam established hotlines between their navies and agriculture ministries (for fishing incidents) in 2013, but they were not used as bilateral tensions spiked after China deployed an oil-drilling platform in a South China Sea area claimed by Vietnam. Crisis Group Report, Stirring up the South China Sea (III), op. cit., pp. 3, 20. Following the U.S. challenge to China’s land reclamation on disputed South China Sea islands in 2015, the two naval chiefs held a video conference to discuss the incident, and exchanges were not suspended. “Top US, Chinese naval officers hold video talks”, Agence France-Presse, 29 October 2015; press release, Chinese defence ministry, 31 December 2015.

67 A Japanese security analyst said that while China abides by CUES guidelines in encounters with the U.S., it is unclear whether it would do so with neighbours’ navies. Crisis Group interview, Tokyo, December 2015. Crisis Group interview, Koda, Tokyo, December 2015.
mechanism is launched, both sides should commit to regular defence exchanges, particularly among front-line naval and air personnel. In 2007-2008, the two exchanged first-ever port visits; another round would help bridge the trust deficit. To maximise their effectiveness, China should send operational officers, not just political officers, to participate in port visits and exchanges. Security experts note that regular hotline use, even in quiet periods, is vital to building trust and enhancing the channel’s efficacy in a crisis. Once the mechanism is in place, China and Japan should consider expanding its scope, formally or tacitly, to include the international waters of the Western Pacific.68

B. Systemic Differences

The two countries should seek ways to reconcile systemic differences that could affect the mechanism’s negotiation, structure and use. In China, decisions on sensitive topics such as Japan policy flow from the top. “Whatever they say, it’s what they have already decided, so there is no room for negotiation”, a former diplomat complained. That rigidity and general sensitivity about Japan policy make effective discussion at even unofficial meetings difficult.69 Both sides must give negotiators more latitude to explore options, and negotiators need to understand that readiness to explore them does not indicate weakness.

In Tokyo, there are ever fewer people with long experience, deep knowledge and an open attitude toward China. The foreign ministry’s “China school” that once strongly influenced policymaking went into decline in the late 1990s, due to hardening nationalist positions in society and poor bilateral relations under the Koizumi administration. China hands “are almost all gone”, a retired senior diplomat said.70 The problems these systemic imbalances create threaten to be reflected in the mechanism itself and must be bridged for it to be effective. The hotline needs to

68 Such confidence-building measures will help “lay a firm foundation for the military communities to nurture a specific culture of preventing competitive irrationality among young and inexperienced front-line soldiers”, thus enhancing predictability of conduct and reducing chance of an accident. Crisis Group correspondence, Jun Kurihara, research director, Canon Institute for Global Studies; Toshimichi Nagaiwa, Nagaiwa Associates and retired lt. general, Japanese ASDF, 18 December 2015. An agreement would not affect others in the Western Pacific. China and Japan already have similar bilaterals, and all actors are supposed to follow CUES and the International Regulations for Preventing Collisions at Sea (COLREGS).

69 “Whether policy is tough or moderating, it’s all down to Xi”, said an influential Chinese scholar. Crisis Group interview, Beijing, November 2015. Crisis Group interviews, Chinese scholar at government-affiliated think-tank, Beijing, November 2015; ex-senior diplomat, Tokyo, December 2015. “In the past 3-4 years they are like automatic answering machines”, said retired Vice Admiral Koda of his unofficial meetings with Chinese counterparts. “They just repeat the propaganda”, though the “atmosphere clearly changed” between 2014 and 2015. Crisis Group interview, Tokyo, December 2015. These barriers to dialogue are independent of and pre-date the Diaoyu/Senkaku crisis. The chairman of The Nippon Foundation, an NGO with long experience in China, including sponsorship of officer exchanges, 2001-2010, described meetings in China: “… the seating arrangement is such that although we are all next to each other, our … hosts pick up the microphone and speak non-stop for easily 15 or 20 minutes. We are left to listen to their speeches and then respond to them, that’s all. It never becomes a discussion …. They may make it look as if they are talking to a Japanese prime minister but in fact they are saying to their own people, ‘look at me; I am being tough to our visitor’”. “Ten Continuous Years of Japan-China Defence Exchange”, Yohei Sasakawa Blog, 27 April 2011.

connect the right people: the operating offices must be empowered to reach key
decision-makers and, ideally, take immediate steps to stop escalation, such as con-
tacting the relevant military branch directly. The PLA reportedly insisted previously
the hotline be in the defence ministry’s foreign affairs office, which does not directly
command military units, so is of doubtful usefulness in a crisis.71

C. Internal Coherence

Effective implementation also relies on each party’s internal coherence, both between
and within departments, in order to respond efficiently to incidents flagged by the
mechanism. This may be a particular challenge for China, which has little crisis man-
agement experience. Establishment in 2013 of the Central National Security Commis-
sion headed by Xi could mean stronger coordination between foreign, security and
military agencies, but this remains to be seen.72

The mechanism’s success in offsetting risks of an unplanned clash also rests
largely on front-line discipline. There are unanswered questions about whether pre-
vious dangerous encounters between Chinese and Japanese (or U.S.) aircraft and
vessels were due to individual decisions or pre-planned policy. Though the defence
ministry denies a ship locked fire-control radar on a Japanese vessel in 2013, senior
Chinese defence officials reportedly admitted privately that the Chinese commander
had made an “emergency decision”. The same pilot is said to have flown his aircraft
within 50 and 30 metres of Japanese aircraft in the overlapping ADIZs during the 24
May 2014 incidents, while the other Chinese jet present kept greater distance, leading
to speculation of an individual action.73 Both sides should ensure front-line person-
nel know and abide by all relevant international rules-of-conduct agreements and
increase both military and, in China’s case, political training if needed. Neither side,
but particularly China’s state-controlled press, should encourage celebrity status for
violators of these rules.74

71 Medcalf et al., “Crisis and Confidence”, op. cit. Masayuki Masuda, “Beyond Confidence Building:
Japan-China Security Relations in the Era of Power Shift”, The Tokyo Foundation, 6 November
2012.

72 Crisis Group interview, Chinese scholar, Beijing, November 2015. For more on China’s crisis
management frameworks, see, for example, Andrew S. Erickson and Adam P. Liff, “Installing a
Safety on the ‘Loaded Gun’?, China’s Institutional Reforms, National Security Commission and

73 “The communication system used by the Chinese navy is not as advanced as those of Japan and
the United States”, Kyodo cited a senior Chinese official as saying. “Chinese officials admit to MSDF
radar lock allegations”, 18 March 2013. Hiroyuki Akita, “The truth about military aircraft encoun-
ters in the East China Sea”, Nikkei Asian Review, 10 June 2014.

74 CUES, COLREGS and any applicable bilateral agreements are particularly important. An article
from an official news agency seems to implicitly support dangerous risk-taking. In it a Chinese pilot
described a patrol in the East China Sea to “monitor and expel foreign aircraft” (unidentified but
possibly Japanese): “... my jet and a foreign aircraft were on course for a head-on collision .... I
thought, ‘if you don’t turn around then I won’t back down either. I dare you to fight a mid-air bayo-
et battle’.” “中国飞行员东海与外军飞机迎面对突 谁都不转向” [“Chinese pilot and foreign military
aircraft on collision course in East Sea, neither turning around”], China News Service, 20 January
2016.
V. Conclusion

Growing military activity of both China and Japan in the East China Sea make it more urgent than ever that they agree on a technical mechanism to minimise the danger of unintended clashes. Its key element should be improved communications, both to decrease the likelihood of such confrontations and to de-escalate those that occur. Though tensions have subsided since mid-2014, potential flashpoints, particularly over the Diaoyu/Senkaku islands, remain. The PLA and SDF are increasingly in contact in the air and seas around the disputed islands, the East China Sea and Western Pacific. This will likely persist, as each strengthens its military capability in the East China Sea and adopts a more active maritime policy. Conflicting views and practices over rules of conduct exacerbate the risks. Without institutionalised communications links at front-line, mid- and headquarters levels, an inadvertent clash could easily become a full-blown crisis.

The four-point agreement and subsequent Xi-Abe summit in November 2014 laid the foundation to improve ties, including commitment to negotiate and use a mechanism essential to avert a crisis. The resumption of negotiation over the Maritime and Air Communication Mechanism is encouraging, but progress has stalled. Leaders need to prioritise crisis management and continue to push for a functioning agreement. Beijing should de-link the Diaoyu/Senkaku sovereignty question and focus on the more technical challenge of establishing a workable crisis management mechanism. Both countries should insulate this negotiation from bilateral frictions so as to provide the political space needed for success. Early launch of the hotline or communications guidelines of the mechanism could build trust and bridge remaining differences. Implementation should also be considered of a maritime and air code of conduct, possibly based on CUES, which both have signed. Regular exchanges of military personnel, particularly those at working and front-line levels, should be organised to decrease mistrust.

Beijing/Tokyo/Brussels, 30 June 2016
Appendix A: ADIZs of China, Japan and South Korea

South Korea extended its ADIZ in December 2013, two weeks after China established its ADIZ, to also cover the Ieodo/Suyan Rock that both countries claim.
## Appendix B: Close Encounters between the PLA and SDF in Recent Years

<table>
<thead>
<tr>
<th>Date</th>
<th>Location</th>
<th>Incident</th>
<th>Chinese statement</th>
<th>Japanese statement</th>
</tr>
</thead>
<tbody>
<tr>
<td>April 2010</td>
<td>High seas within the East China Sea</td>
<td>Japan said PLA helicopters twice flew within 90 metres of SDF destroyers.</td>
<td>“China conducts normal military exercises on the high seas in accordance with international laws and norms”. [2]</td>
<td>“The Japanese were conducting necessary monitoring… actions were not particularly dangerous, nor were they illegal”. [3]</td>
</tr>
<tr>
<td>January 2013</td>
<td>High seas within the East China Sea</td>
<td>Japan said SDF frigates twice locked fire-control radars onto a SDF helicopter and a destroyer.</td>
<td>“Fire control radar was not used… Japan has repeatedly spread false accusation[s]”. [5]</td>
<td>“It could have put us in a very grave situation if things went wrong”. [6]</td>
</tr>
<tr>
<td>23 November 2013</td>
<td>In China’s newly announced ADIZ, which overlaps Japan’s.</td>
<td>China said two SDF fighters tracked a patrolling PLA transport aircraft and flew within 10 metres of it.</td>
<td>“Japanese military aircraft made dangerous close-in flight[s]”. [9]</td>
<td>“China’s claim is untrue as we always make sure to take strict safety measures”. [10]</td>
</tr>
<tr>
<td>24 May 2014</td>
<td>Overlapping portion of China and Japan’s ADIZs.</td>
<td>Japan said Chinese fighters flew “abnormally close” to SDF reconnaissance aircraft.</td>
<td>“Japan’s military airplanes… [were] intruding into the airspace of China-Russia naval drill and making dangerous movements”. [12]</td>
<td>“We perform ordinary surveillance operations… incidents did not occur in the area where China and Russia were conducting exercises”. [13]</td>
</tr>
<tr>
<td>11 June 2014</td>
<td>Likely overlapping portion of China and Japan’s ADIZs.</td>
<td>China revealed footage of a pair of Japanese F-15 fighters closely tailing a Chinese Tu-154.</td>
<td>“What Japanese pilots had done was dangerous and provocative”. [16]</td>
<td>“Japan’s SDF aircraft [were] making scrambles appropriately in line with international rules”. [17]</td>
</tr>
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## Appendix C: Glossary of Terms

<table>
<thead>
<tr>
<th>Term</th>
<th>Description</th>
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<tbody>
<tr>
<td>ADIZ</td>
<td>Air Defence Identification Zone</td>
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<tr>
<td>APEC</td>
<td>Asia Pacific Economic Cooperation forum</td>
</tr>
<tr>
<td>CUES</td>
<td>Code for Unplanned Encounters at Sea</td>
</tr>
<tr>
<td>EEZ</td>
<td>Exclusive Economic Zone</td>
</tr>
<tr>
<td>Murayama Statement</td>
<td>Japan’s formal statement of remorse for its actions in the Second World War</td>
</tr>
<tr>
<td>PLA</td>
<td>People’s Liberation Army (China’s armed forces)</td>
</tr>
<tr>
<td>SDF</td>
<td>Self-defence Force (Japan’s armed forces)</td>
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