

China-Japan Maritime Relations: The Case for Cautious Optimism by James Manicom

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There has recently been a flurry of diplomatic activity between China and Japan that reflects the first positive turn in the maritime relationship since Japan nationalized the disputed Senkaku/Diaoyu islands in September 2012. In late January, New Komeito leader Yamaguchi Natsuo was dispatched to Beijing carrying a letter to Chinese leaders from Abe Shinzo, Japan's recently elected prime minister. Former Chinese Foreign Minister Tang Jiaxuan, current head of the China-Japan Friendship Association, used that opportunity to invite a Japanese delegation to Beijing, led by former Prime Minister Murayama Tomiichi, which included current LDP Deputy Secretary General Gen Nakatani. These visits have led to speculation that both Abe Shinzo and Xi Jinping have expressed interest in a leadership summit.

While it is premature to suggest that these signs indicate a meaningful effort to cooperate, particularly as both parties continue to engage in brinksmanship at sea, these overtures are not unprecedented nor unexpected. It has long been a fact that cooperation follows confrontation in Sino-Japanese maritime relations. Although this positive turn will not yield a lasting settlement to the simmering Senkaku/Diaoyu Islands dispute, nor will it yield delimitation of the contested boundary in the East China Sea, observers should recognize efforts to manage tensions when they see it. Indeed, Sino-Japanese maritime relations reflect a pattern of confrontation and cooperation that follows perceived shifts in the maritime status quo between China and Japan and speaks to the capacity of both countries to maintain the peace between them.

Recurrent crises over the Senkaku/Diaoyu Islands and the surrounding maritime area have been managed with quiet working-level diplomacy that set the stage for higher profile exchanges of views. Consistent with this pattern, January's exchanges were preceded by working-level discussion that occurred a month after Japan nationalized the islands and included a purportedly "secret" meeting between Vice Foreign Ministers Kawai Chikao and Zhang Zhijun.

The most prominent example of this pattern is the negotiations that led to the 2008 consensus on resource development in the East China Sea. The two sides held 11 rounds of director-general level discussions over three years and held working group meetings that included a dialogue between the Japan Coast Guard and China's State Oceanic Administration, which oversees the China Maritime Surveillance fleet that has taken up residence in the disputed islands' territorial sea.

There is no doubt that these talks contributed to China's decision to accept a joint development zone that straddles the median line, which paved the way for high-level dialogues between foreign ministers and finally between leaders during reciprocal state visits in December 2007 and May 2008. The fact that the agreement remains in limbo is arguably immaterial to the fact that tension over the issue of resource development in the East China Sea has abated and neither party is engaged in the kind of brinkmanship near the Chunxiao gas field that was witnessed in 2004 and 2005.

Likewise the Sino-Japanese fisheries relationship is built on over 50 years of dialogue on fisheries issues that preceded the establishment of formal diplomatic relations. This relationship is extremely well managed despite the current climate. Numerous Chinese fishermen have been detained in Japanese waters since the downturn in relations that followed the collision incident in September 2010. Yet, these incidents have not led to an escalation of tensions, likely because China recognizes that its fishermen have been detained in undisputed Japanese waters and because Japan has refrained from dealing out harsh penalties. This speaks to the capacity of both Beijing and Tokyo to be pragmatic.

However, these conflict management efforts have become more difficult as Sino-Japanese relations have worsened. Gone is the time when Japanese people were prepared to turn the other cheek when faced with Chinese excesses, like nuclear tests or missile diplomacy across the Taiwan Strait. Likewise, there is no sign that when confronted with leadership crises and an increasingly dire domestic situation that Beijing is prepared to detach itself from its anti-Japan legitimizing narrative. As a consequence of these negative popular perceptions future efforts at dispute management will necessarily continue to be informal, ad hoc and fragile. Importantly, however, they will occur.

Furthermore, even if the recent positive turn is the beginning of the latest effort to manage bilateral maritime relations, a number of challenges remain. First, what will define the new status quo? It is unlikely that Chinese enforcement ships will cease entering the territorial sea. China is developing a maritime policy that includes the fullest exploitation of its maritime jurisdiction, much of it contested with its neighbors. Will Japan be prepared to accept the routine presence of Chinese in its claimed territorial sea?

Second, if Japan does accept China's 'new normal' in practice, how can inadvertent escalation be prevented? There have been numerous confrontations and close calls between Chinese and Japanese vessels of all stripes in the past. If Japan and China are incapable of managing the interaction between their naval vessels on the high seas, how can they be expected to manage the interaction between coast guard vessels operating in contested waters?

On balance, the recent cooperative turn in Sino-Japanese maritime relations is not unexpected; it is perfectly consistent with their track record. However, as in previous cases, the post crisis status quo will be different than that which preceded it and will likely lead to more crises. Perhaps the best that can be expected is continued management and deepening maritime cooperation, defined by the construction of an order in which two rich, powerful maritime states can co-exist in the close and contested confines of the East China Sea.

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