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Conflict Prevention Urgent for the Senkaku Conundrum

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Masako Ikegami, Professor of Political Science at Stockholm University, explains that “Future peace and prosperity in East Asia rests upon a peaceful and constructive resolution to the Senkaku conundrum by overcoming the negative legacy of war and imperialism in Asia.”

Tensions over the Senkaku Islands—Diaoyutai Islands to the Chinese—have continued to escalate in action-reaction dynamics ever since the Japanese government nationalized three of the islands last September, resulting in unprecedented violent anti-Japanese demonstrations throughout China. Indeed, the islands have consistently been in the news ever since an intoxicated Chinese captain rammed his fishing trawler into Japanese coastguard ships in September 2010 in waters around the islands. Recent military tensions in the area are in serious danger of escalation as Chinese vessels continue to impinge upon Japanese sovereign waters. Concerns have been further heightened ever since a Chinese frigate locked its weapons-targeting radar onto a Japanese destroyer and helicopter on two separate occasions in January. Media attention remains fixated on the on-going cat-and-mouse game between Japan and China and there is a possibility of an “incident” between Japanese and Chinese vessels. Few doubt that there is an urgent requirement for conflict prevention and de-escalation of tensions over this issue.

It is true that ongoing tensions over the islands can, in part, be attributed to a recent surge in nationalism in both China and Japan; however, China’s real agenda behind the Senkaku Islands concerns Taiwan. Consider the precedent already established by China’s aggressive actions in the South China Sea and a pattern emerges. Last year China effectively wrestled control of Scarborough Shoal from the Philippines, and has already taken the Paracel Islands from Vietnam. If China were to gain control of the Senkaku Islands, then Taiwan’s territorial waters—including the Pratas Islands which are effectively under Taiwan’s control—would be completely under China’s sphere of influence, putting Taiwan in a precarious and vulnerable position from a military perspective. With control of those surrounding islands, including the Senkakus, China’s military hold over Taiwan would be significantly enhanced. Consider this scenario: the Chinese navy would have effective command of the waters around Taiwan within the so-called First Island Chain, which China views as its defense or counter-intervention line against the United States. This, in turn, would result in an end to US hegemony and military supremacy in the Asia-Pacific region. It is to this end that China has been so aggressive over the Senkaku and Spratly Islands since 2010.

The fact is that under international law China’s claim to the Senkaku Islands is dubious at the very least. China has cited the 1943 Cairo Communiqué and the subsequent Potsdam Declaration to back its sovereignty claims over the islands, but the party concerned in the documents was in fact the Republic of China (Taiwan). In addition, the documents contained no specific reference to the Senkaku Islands. Moreover, the British and US authorities added annotations stating that the Cairo Communiqué was



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“merely a statement of intent” and “there was no transfer of the sovereignty of Taiwan to China.” Namely, the Cairo Communiqué is void as a document on this issue as it by no means denotes any sovereignty issue. These documents therefore cannot be ground for China’s claim to the islands according to international law. Essentially, China’s assertion of sovereignty over the Senkakus is nothing more than a political claim that relies on the self-righteous premise that “Taiwan is part of China.”

The United States, on the other hand, has been consistent in treating the Senkaku Islands as part of Okinawa Prefecture ever since exercising administrative rights in the post-war period until the prefecture’s reversion to Japan in 1972. It was not until then that both Taiwan and China began to make their formal claims over the islands, and in spite of the fact that numerous government documents, atlases, newspaper articles, and textbooks issued in China and Taiwan until 1970 clearly denoted the Senkaku Islands as part of Japan. Presumably Beijing is aware that its claim over the Senkakus fails under the objective scrutiny of international law.

Therefore Beijing fueled intense anti-Japanese riots last September, trying to frame the Senkaku Islands as a political problem of nationalism rather than an international legal issue. Chinese patrol/naval vessels have repeatedly violated the waters around the islands in an attempt to slowly and cohesively wrestle control of them away from Japan, as was the case with Scarborough Shoal with the Philippines. Furthermore, China has devised a new logic of a continental shelf extension in an attempt to legally enforce its claim to the islands. Since the risk of an accidental military clash is high, the correct course of action is to refer the case to the International Court of Justice.

Nonetheless, even if Japan’s sovereignty over the Senkakus is evident under international law, the Senkaku problem will still remain a political issue. In the background of China’s remarks at the United Nations in 2012 that Japan “stole” the Senkaku Islands is Beijing’s perception that “in the past, Imperial Japan made the islands its territory by taking advantage of its strength.” In turn, Japan views Chinese attempts to snatch the islands away as an increasingly belligerent and dangerous enactment of Chinese “neo-imperialism.” Consequently, a political resolution to the dispute is necessary for all three parties—Japan, China and Taiwan. Collectively, they should discuss issues such as the sharing of fishing resources and joint development of natural resources, using the “East China Sea Peace Initiative” proposed by Taiwanese President Ma Ying-jeou as a springboard for discussions. Indeed, just recently, Japan and Taiwan concluded negotiations that will allow Taiwanese fishing vessels to operate in part of Japan’s exclusive economic zone around the islands.

Moreover, in order to avoid accidental clashes, confidence-building measures should be realized as quickly as possible through bilateral dialogue between Japan and China. These negotiations should include confidence building measures such as advance mutual-notification of shipping routes from vessels entering waters around the islands and agreeing on a no-use of force policy—including the unconventional use of forces such as mass landings of militia disguised as fishermen. Eventually, a demilitarized zone around the islands should be implemented. Graham Allison in his 1971 master piece, *Essence of Decision: Explaining the Cuban Missile Crisis*, prudently reminds readers that despite the fact that no one wanted war, the First World War started when both Russia and Germany mobilized their forces. Both Japan and China must restrain from deployment of forces or any actions which could prompt an accidental conflict in the Senkaku waters, the outcome of which is far from certain. Furthermore, these confidence-building measures would also be effective for preventing a contingency over the Taiwan Strait. Future peace and prosperity in East Asia rests upon a peaceful and constructive resolution to the Senkaku conundrum by overcoming the negative legacy of war and imperialism in Asia.