



## **Japan-China Maritime Confidence Building And Communications Mechanisms**

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Over the last five years, China and Japan have worked to develop several maritime confidence building and communication arrangements to reduce the chances of unintended escalation in the East China Sea and improve Sino-Japanese relations. These include the Japan-China Maritime Communications Mechanism (JCMCM), the Maritime Search and Rescue Cooperation Agreement (SAR Agreement), and the High-level Consultation on Maritime Affairs (High-Level Consultation). Despite considerable progress in reaching agreement in principle, none of the three agreements has been signed or implemented. (Details of discussions are available at:

[http://csis.org/files/publication/130808\\_Japan\\_China\\_Maritime\\_CBMs\\_Chart.pdf](http://csis.org/files/publication/130808_Japan_China_Maritime_CBMs_Chart.pdf).) If signed and properly implemented, the arrangements could be helpful in managing maritime interactions despite the heightened tensions surrounding the Senkaku/Diaoyu Islands sovereignty controversy.

Japanese documents generally refer to the JCMCM simply as a “maritime communication mechanism.” Originally envisioned as being somewhat analogous to the United States-China Military Maritime Consultative Agreement (MMCA), negotiations toward the JCMCM began with a joint working group meeting in Beijing on April 21, 2008. The Japanese delegation was led by the Ministry of Defense (MOD) director of the International Policy Section and included Self-Defense Force representatives from the Joint Staff Office, Maritime Staff Office, and Air Staff Office. The Chinese side was similarly comprised of Ministry of National Defense (MND), the Navy (PLAN), and the Air Force (PLAAF) representatives. The respective delegations were composed solely of defense officials, and, as a result, the mechanism is primarily a defense arrangement. This inherently limits its effectiveness, given that non-PLA vessels have been the source of most recent incidents involving dangerous maneuvers.

After the first meeting in 2008, work stalled until Japanese Defense Minister Kitazawa Toshimi and his counterpart Liang Guanglie agreed in November 2009 to move forward with consultations. A second working group conference took place in July 2010, and, following the third working group meeting in June 2012, the two sides agreed in principle that the JCMCM would include three elements: 1) annual meetings to include working-level discussions, 2) a hotline to enable crisis communications, and 3) in the case of unalerted encounters between PLAN and the Japan Maritime Self-Defense Force (JMSDF) ships, agreement to communicate in English via VHF radio channel 16 or, if within sight, by international signal flags. Specific issues pertaining to the hotline, including the physical location, the level (fleet, service headquarters, or ministry), and whether it would be encrypted, remained unresolved. Following the January 2013 incident in which a Chinese destroyer electronically targeted a Japanese destroyer, the Japanese government pressed for renewal of consultations, which took place on April 26, 2013 in Beijing. These meetings were chaired at the director-general level, two levels higher than previous sessions, and could reflect recognition that progress will require both higher-level bureaucratic attention as well as greater political space.

A second track of maritime consultations has taken place between the Japan Coast Guard and the Chinese Maritime Safety Administration (MSA). In a March 2009 meeting in Beijing, the Chinese and Japanese Foreign Ministers renewed a 30-year old effort to develop a bilateral Search and Rescue Agreement “as a concrete step to make the East China Sea a ‘Sea of Peace, Cooperation, and Friendship.’” Negotiations moved ahead, and in December 2011, shortly after the fourth negotiation session between the Japanese Coast Guard and the MSA, Prime Minister Noda Yoshihiko and Prime Minister Wen Jiabao confirmed that the two nations had reached an agreement in principle on the text of the “Japan-China Maritime Search & Rescue Cooperation” Agreement. Under the arrangement, the two countries are to share information regarding distress calls and planned emergency courses of action, and to coordinate effective SAR operations. This arrangement, therefore, serves operational outcomes and is more than a crisis management mechanism. However, it may also play an important confidence-building function and enhance opportunities for cooperation between the two maritime agencies. Regrettably, because the MSA was not included in the recent amalgamation of Chinese civilian maritime enforcement agencies, this agreement has limited capacity to contribute directly to broader bilateral mechanisms.

After a series of close encounters between Chinese coast guard assets and Japanese destroyers, Prime Minister Noda and Premier Wen agreed to establish the bilateral, multi-agency “High-Level Consultation on Maritime Affairs,” in

December 2011, during Noda's first trip to China as prime minister. The inaugural meeting of the "High-Level Consultation" took place in May 2012 and a second round was announced for late 2012. Ministry of Foreign Affairs (MOFA) Deputy Director General for Asian and Oceanic Affairs Yamanochi Kanji led the Japan delegation with nine other ministries and government agencies represented: Cabinet Security, headquarters for Ocean Policy; MOFA; Ministry of Education, Culture, Sports, Science and Technology; Fisheries Agency; Agency for Natural Resources and Energy; Ministry of Land, Infrastructure, Transport and Tourism; Japan Coast Guard; Ministry of Environment; and Ministry of Defense. The Chinese side reflected a similar make up, being led by Deputy Director of the Ministry of Foreign Affairs (MFA) Department of Boundary and Maritime Affairs Yi Xianliang and including representatives from China's MFA, Ministry of National Defense, Ministry of Public Security, Ministry of Transport, Ministry of Agriculture, National Energy Administrations, and PLA General Staff headquarters.

MOFA described the High-Level Consultation as a "platform" for increasing dialogue and communication, promoting cooperation, and managing disputes at sea. Japanese Foreign Minister Gemba explained that the "important point is the enhancement of mutual trust between the maritime authorities of the two countries;" he believed that "at the end of the day" the two nations should "create a multi-layered risk management mechanism." Despite such ambitious goals, the multiplicity of bureaucratic actors and attendant scheduling difficulties, suggests that consultations are not likely to move beyond confidence building to a full agreement in the near future.

Collectively, however, these three efforts suggest that Beijing and Tokyo both recognize that a poorly handled maritime incident could easily flash into a larger crisis. Unlike the 2001 Japan-China framework for mutual prior notification on marine research and the 2008 "Principled Consensus on the East China Sea Issue," both of which sought to remove potential sources of conflict, the confidence building and communication arrangements seek to mitigate escalation risks without directly addressing the root political disagreements. Their usefulness remains to be seen.

Similar mechanisms have not been particularly helpful in China's relationships with its Southeast Asian neighbors or the United States. At the MMCA, US and Chinese delegations have largely talked past each other, with the Americans focused on tactical-level mechanisms to ensure the safety of navigation for vessels operating in close proximity and Chinese representatives making political and legal arguments pushing for the cessation of US military operations in the Chinese EEZ. Meetings between China and ASEAN nations, both bilateral and multilateral, have failed to prevent the reoccurrence of incidents in the South China Sea. Japanese experts have appropriately limited expectations for the real-world value of these mechanisms.

Yet, elements of Beijing's policy calculus regarding the China-Japan maritime relationship may differ from those governing China's behavior toward other maritime states. The stakes involved in managing escalation risks of a maritime incident are greater when Japan is involved. Japan's control of

the northern portion of the strategic sea lanes of the first island chain, the relatively strong capabilities of Japan's Navy and Coast Guard, and rapidly growing anti-Chinese sentiment in the Japanese population may make China more cautious with regard to escalation risks with Japan. The strength of the US-Japan alliance and the potency of the US Seventh Fleet forces forward-deployed to Japan sharpen these factors. On balance, these confidence building and communications mechanisms may yet play valuable roles in managing bilateral tensions at sea.

*PacNet commentaries and responses represent the views of the respective authors. Alternative viewpoints are always welcomed.*