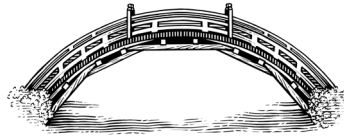


## ROUNDTABLE

### Navigating Contested Waters: U.S.-Japan Alliance Coordination in the East China Sea



*Jonathan W. Greenert*

*Tetsuo Kotani*

*Tomohisa Takei*

*John P. Niemeyer*

*Kristine Schenck*

## Introduction

*Jonathan W. Greenert*

Events in the South China Sea have attracted the attention of the media, think tanks, and national policy leaders, and rightfully so. The South China Sea is a global economic maritime crossroad with islands and reefs that are the subject of territorial disputes between seven nations and an important regional concern for many more. As such, the sea is of vital interest to the United States. However, in the East China Sea the Senkaku Islands (known as the Diaoyu Islands in China) pose just as salient a security issue. Although Taiwan also officially claims the islands, disputes over the islands primarily involve China and Japan, two of the largest economies and militaries in Asia. Moreover, the proximity of these islands to China and Japan heighten the risk of rapid and unpredictable escalation of crises. Finally, the United States is bound by treaty to support Japan in case of conflict with China, a commitment unlike any it has in the South China Sea.

With these challenges in mind, the National Bureau of Asian Research (NBR) convened a workshop to evaluate the genesis of the territorial disputes in the East China Sea, to review China's recent strategic and tactical approach to alter the status quo there in its favor, to assess the effectiveness of the U.S.-Japan security alliance and its relevant forces and organizations to deal with the evolving nature of potential crises, and to suggest changes in these organizations' alignment and cooperation to better prepare the alliance to contain and control provocations and confrontations by China.

To date, Japan has managed the difficult act of navigating increasing tensions between the United States and China. While the alliance with the United States provides security to Japan, China offers Japan considerable economic benefits. The Abe administration has thus far successfully balanced relations between the two great powers, securing the alliance with Washington and engaging with Beijing in multilateral arenas such as trade negotiations and infrastructure development.<sup>1</sup> There have also been several high-level

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<sup>1</sup> Takashi Shiraishi, "Shinzo Abe Is Redefining Japan's China Policy for a Generation," *Nikkei Asian Review*, February 12, 2020 ~ <https://asia.nikkei.com/Opinion/Shinzo-Abe-is-redefining-japan-s-china-policy-for-a-generation>.

visits between Japan and China since 2018, and before Covid-19 postponed the trip, President Xi Jinping had been scheduled to visit Japan in early 2020.<sup>2</sup> Yet, despite these efforts, tensions in the East China Sea continue to rise.

As a matter of U.S. policy, the Senkaku Islands are covered by the U.S.-Japan Security Treaty because they are under the administrative control of Tokyo. Both China and Japan claim historical sovereignty over the islands, and these claims intersect with nationalist sentiments in both countries. In China, the islands symbolize national pride and historical grievances with Japan; in Japan, citizens fear that China will seize the islands for its own purposes.<sup>3</sup> China reasserted its claim to the Senkaku Islands in the 1970s following reports of abundant natural resources in the East China Sea. Tensions began to simmer in 2012 when the Japanese government purchased three of the disputed islands from a private Japanese owner. Thereafter, China and Japan experienced a wave of nationalist protests, stoked by both governments for domestic political reasons. The protests had the effect of simultaneously elevating tensions in the East China Sea and increasing the political importance of the territorial dispute.<sup>4</sup>

Since 2012, both China and Japan have augmented their military capabilities in the East China Sea. In the last five years, there has been a surge in Chinese incursions into Japanese territorial waters surrounding the islands and the airspace above them. China has also increased the frequency of its air-defense and anti-missile exercises in the East China Sea, as well as conducted regular naval, coast guard, and maritime militia incursions into the waters near the Senkaku Islands. From 2015 to 2019, 65%–70% of China's incursions sparked a Japanese scramble, and in 2019, over one thousand Chinese vessels entered Japan's territorial waters or contiguous zone, indicating daily infiltration.<sup>5</sup>

The East China Sea poses a unique set of economic and strategic benefits and challenges. According to the United Nations Convention

<sup>2</sup> "China's Xi Jinping Postpones State Visit to Japan Due to Coronavirus," *Japan Times*, March 5, 2020 ~ [https://www.japantimes.co.jp/news/2020/03/05/national/chinas-xi-jinping-postpones-japan-visit-covid-19/#.Xs\\_xi55Kgb0](https://www.japantimes.co.jp/news/2020/03/05/national/chinas-xi-jinping-postpones-japan-visit-covid-19/#.Xs_xi55Kgb0); and He Zijia, "A Friend of a Friend: How Better China-Japan Relations Benefit the United States," Center for Strategic and International Studies, New Perspectives in Foreign Policy, no. 17, April 2019 ~ <https://www.csis.org/friend-friend-how-better-china-japan-relations-benefit-united-states>.

<sup>3</sup> Michael Lipin, "Nationalism Fuels Japan-China Island Dispute," *Voice of America*, August 22, 2012 ~ <https://www.voanews.com/east-asia-pacific/nationalism-fuels-japan-china-island-dispute>.

<sup>4</sup> Ibid.; and Sheila A. Smith, "The History Behind China and Japan's Anger over a Few Empty Islands," *Atlantic*, September 22, 2012 ~ <https://www.theatlantic.com/international/archive/2012/09/the-history-behind-china-and-japans-anger-over-a-few-empty-islands/262702>.

<sup>5</sup> "U.S.-Japan Coordination and the Challenges Posed by China's Maritime Activities in the East China Sea," National Bureau of Asian Research, Workshop, February 19, 2020.

on the Law of the Sea, a state can claim an exclusive economic zone (EEZ) two hundred nautical miles from its coast.<sup>6</sup> China and Japan have competing and overlapping EEZ claims near the Senkaku Islands, where there are rich fishing grounds and possibly abundant oil and natural gas reserves. The U.S. Energy Information Administration estimates that there are roughly 200 million barrels of oil and 1–2 trillion cubic feet of natural gas in the East China Sea.<sup>7</sup> Additionally, Japan's Ministry of Land, Infrastructure, Transport and Tourism estimates that the East China Sea holds enough manganese, cobalt, nickel, and natural gas to meet Japan's needs for hundreds of years.<sup>8</sup> Access to these natural resources is critical for both countries, making it unlikely that either side will acquiesce to the other. Beyond these economic interests, China seeks to restrict access to its EEZ and air defense identification zone, both of which intersect with those of Japan in the East China Sea.

Through facilitating discussions among U.S. and Japanese experts and officials, the NBR workshop explored potential frameworks and concepts to improve bilateral response mechanisms in the East China Sea. One promising option for a new structure to improve coordination emerged from this dialogue: a U.S.-Japan Standing Bilateral Joint Task Force. Such a mechanism would be instrumental for expanding pre-crisis planning between the allies.

This *Asia Policy* roundtable comprises essays addressing key themes discussed in the workshop. In the first essay, Tetsuo Kotani assesses Chinese military and paramilitary activity in the East China Sea and discusses China's assertive attempts to disrupt the status quo and establish a new normal in the region. The second essay, written by Admiral (ret.) Tomohisa Takei, evaluates U.S. and Japanese policies in gray-zone scenarios, including a potential conflict around the Senkaku Islands, and provides recommendations to improve joint effectiveness. Building on this analysis of Chinese activity in the East China Sea and the recommendation for a Standing Bilateral Joint Task Force, the third essay by John P. Niemeyer examines the actors involved in a hypothetical gray-zone contingency in the Senkaku Islands and expands on how a joint task force would need to be composed and operate. The roundtable concludes with an essay by Kristine Schenck that addresses the

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<sup>6</sup> United Nations, "United Nations Convention on the Law of the Sea," Part 5 ~ [https://www.un.org/depts/los/convention\\_agreements/texts/unclos/part5.htm](https://www.un.org/depts/los/convention_agreements/texts/unclos/part5.htm).

<sup>7</sup> U.S. Energy Information Association, "East China Sea," September 17, 2014 ~ [https://www.eia.gov/international/analysis/regions-of-interest/East\\_China\\_Sea](https://www.eia.gov/international/analysis/regions-of-interest/East_China_Sea).

<sup>8</sup> Cary Huang, "Diaoyu Islands Dispute about Resources Not Land" *South China Morning Post*, December 4, 2012 ~ <https://www.scmp.com/news/china/article/1096774/diaoyu-islands-dispute-about-resources-not-land>.

importance of considering China's response to the creation and existence of such a security structure.

There is much debate within the policy and defense communities regarding the proper solution to improving alliance-led responses in the East China Sea. Against the backdrop of the Abe administration's unprecedented steps to enhance Japan's military posture, China's rapid military advancements, and a renewed U.S. commitment to the security treaty, this series of essays addresses a critical international security challenge and identifies new opportunities for improved coordination in this theater. ◆

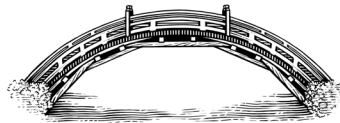


ROUNDTABLE ESSAY

# China's Military and Paramilitary Activities in the East China Sea: Trends and Assessments for the U.S.-Japan Alliance

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*Tetsuo Kotani*



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**KEYWORDS:** U.S.-JAPAN ALLIANCE; CHINA; EAST CHINA SEA; PARAMILITARY ACTIVITIES; SENKAKU ISLANDS; GRAY-ZONE SCENARIO

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## EXECUTIVE SUMMARY

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This essay examines China's paramilitary and military activities in the East China Sea, draws implications for the security of Japan and the broader region, and assesses crisis scenarios in the troubled waters around the Senkaku Islands and Taiwan.

### MAIN ARGUMENT

Assessments of China's paramilitary and military activities in the East China Sea indicate that Beijing is less likely to seek to physically seize the Senkaku Islands in the near future. The China Coast Guard's daily presence in the vicinity of the islands and occasional intrusions into Japan's territorial waters ably demonstrate Beijing's opposition to Japanese control of the Senkaku Islands. Such displays of opposition appeal to the Chinese people. However, should Taiwan eventually be reunified with mainland through either peaceful or coercive means, the Senkaku Islands would remain a "lost territory." Furthermore, reunification would shift the military balance in the East China Sea dramatically in favor China. In such a scenario, armed conflict over the Senkaku Islands would become more likely.

### POLICY IMPLICATIONS

- Tokyo and Washington should begin bilateral planning for Taiwan contingency scenarios based on the 2015 U.S.-Japan defense guidelines. Without sufficient joint planning, the two allies will be at a disadvantage to respond to such a scenario.
- Given China's massive theater missile capabilities, Tokyo and Washington need to fill the missile gap in the Pacific by co-developing intermediate-range missiles and deploying these in Japanese territory.
- There is a need to further integrate Japanese and U.S. forces. The former is a resident force, while the latter is an expeditionary force, and Beijing could exploit this gap by a *fait accompli* in Taiwan or the Senkaku Islands. To avoid this scenario, Tokyo and Washington should establish a Standing Bilateral Joint Task Force in Japan's southwestern region with multi-domain operational capabilities.



Although Tokyo and Beijing are attempting to stabilize and improve their bilateral relations, China continues to establish a “new normal” in the East China Sea. China now maintains a daily paramilitary presence around the Senkaku Islands (known as the Diaoyu Islands in China) to demonstrate its contested territorial claims, while the People’s Liberation Army (PLA) expands military activities in the East China Sea and beyond to enhance its anti-access/area-denial (A2/AD) capabilities. In the short term, armed conflict in the troubled waters is unlikely as enhanced U.S.-Japan alliance cooperation and Japan’s own efforts make a war costly to China. But in the long term, such a possibility cannot be ruled out. China aims to complete the modernization of its military by 2035 and become a world-class military power by the middle of this century.

This essay provides an assessment of the current and future situation in the East China Sea and is divided into three sections:

- ≈ pp. 9–11 detail China’s paramilitary activities around the Senkaku Islands.
- ≈ pp. 12–15 expound on the PLA’s operations in the region and beyond.
- ≈ pp. 15–17 provide a conclusion and address the prospects for future conflicts in these waters.

#### CHINESE PARAMILITARY ACTIVITIES IN THE EAST CHINA SEA

Tokyo incorporated the Senkaku Islands as Japanese territory in 1895 during the First Sino-Japanese War. Following a period of U.S. control of the islands after World War II, administration of the islands was returned to Japan in 1972. Six months after Taipei first claimed the islands in 1971, Beijing followed by claiming them as part of Taiwan, despite the fact that several Chinese documents and maps recognized the islands as part of Japanese territory.<sup>1</sup> In 1992, China’s National People’s Congress passed the “Law on the Territorial Sea and Contiguous Zone,” which claimed the Senkaku Islands, as well as the Paracel and Spratly Islands in the South China Sea, as Chinese territory.

Beijing physically challenged Japanese administration of the Senkaku Islands in 2008 when two Chinese paramilitary ships sailed into the twelve nautical miles (nm) of territorial waters around the islands. Beijing had been

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<sup>1</sup> “Sovereignty: Legal and Historical Aspects,” Sasakawa Peace Foundation, February 17, 2015 ≈ [https://www.spf.org/islandstudies/info\\_library/senkaku-islands-01-history--index.html](https://www.spf.org/islandstudies/info_library/senkaku-islands-01-history--index.html).

preparing the intrusion since 2006 to “break down Japanese effective control.”<sup>2</sup> The frequency of intrusions by paramilitary ships increased dramatically after September 2012 when Tokyo purchased three of the islands from a private owner in response to Beijing’s assertions, and they became routine in the latter half of 2013. Today, China Coast Guard (CCG) ships, including armed vessels converted from naval warships, maintain a daily presence around the Senkaku Islands.<sup>3</sup>

According to former Japan Coast Guard (JCG) vice commandant for operations Shigeo Akimoto, the CCG, on average, intrudes into Japanese territorial waters around the Senkaku Islands three times per month with four ships (one of them armed) for an hour and a half per incident. The average size of CCG ships has become larger (up to 3,000 tons) since around 2016, and some 5,000-ton ships have been confirmed on-site. These larger ships combined with enhanced maneuvering skills have made it possible for the CCG to maintain a permanent presence in the 24 nm contiguous zone off the Senkaku Islands every day, even in rough weather, since the spring of 2019.<sup>4</sup>

The paramilitary balance favors China. For example, in August 2016, as many as fifteen CCG ships escorted more than two hundred Chinese fishing boats around the Senkaku Islands, demonstrating Beijing’s capability at any time to outnumber the JCG.<sup>5</sup> In May 2020, while Tokyo was focused on responding to the Covid-19 outbreak, the CCG stepped up its offensive by pursuing a Japanese fishing boat in the territorial waters around the islands for three days. For the first time, Beijing claimed that Japanese fishing activities in the area are “illegal.”<sup>6</sup> The CCG has also communicated with Russian naval vessels over radio in the contiguous zone surrounding the Senkaku Islands several times in 2020 in an apparent move to strengthen Beijing’s

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<sup>2</sup> “Chugoku Senkaku shinnyu o 06nen kara keikaku shidobu shiji kosen shikikanga shogen” [China Prepared Senkaku Incursion since 2006 Instructed by Leadership, First Testimony by Government Vessel Skipper], *Kyodo News*, December 30, 2019 ~ <https://headlines.yahoo.co.jp/hl?a=20191230-00000011-kyodonews-int>. Foreign ships have the right to innocent passage in territorial waters, but paramilitary ships challenging a coastal state’s sovereignty is not regarded as innocent.

<sup>3</sup> For data on Chinese intrusions, see Ministry of Foreign Affairs (Japan), “Trends in Chinese Government and Other Vessels in the Waters Surrounding the Senkaku Islands, and Japan’s Response,” June 2, 2020 ~ [http://www.mofa.go.jp/region/page23e\\_000021.html](http://www.mofa.go.jp/region/page23e_000021.html).

<sup>4</sup> Shigeo Akimoto, “2019nen Senkaku shuhen kaiiki Chugoku kosen dosei bubseki” [2019 Analysis of Chinese Government Vessels in Waters Surrounding Senkaku], *Kaijo hoan shimbin*, January 30, 2020.

<sup>5</sup> Ministry of Foreign Affairs (Japan), “Status of Activities by Chinese Government Vessels and Chinese Fishing Vessels in Waters Surrounding the Senkaku Islands,” August 26, 2016 ~ <http://www.mofa.go.jp/files/000180283.pdf>.

<sup>6</sup> Tetsuo Kotani, “China Steps Up Its Offensive against the Senkaku Islands,” *Japan Times*, June 2, 2020 ~ <https://www.japantimes.co.jp/opinion/2020/06/02/commentary/world-commentary/china-steps-offensive-senkaku-islands/#.XujoPEVKiUk>.

territorial claim.<sup>7</sup> CCG aircraft have participated in territorial violations as well. In December 2013 a Chinese law-enforcement aircraft violated the territorial airspace of the Senkaku Islands, and in 2017 a CCG ship operated a drone within twelve nm of the islands.<sup>8</sup> Japan Air Self-Defense Force fighters scrambled in both instances.

Possible cooperation between the CCG and PLA is another concern for Japan. Reportedly, the PLA Navy has provided decommissioned warships to the CCG; the two maritime forces also conduct coordinated drills.<sup>9</sup> In July 2018 the CCG was placed under the command of the People's Armed Police, a paramilitary body that reports to the Central Military Commission.<sup>10</sup> This is an apparent move to further coordinate operations of the CCG with those of the PLA. The CCG's main mission will likely continue to be law enforcement, but after an active-duty PLA Navy flag officer, Rear Admiral Wang Zhongcai, assumed leadership of the force in 2019, greater militarization of the coast guard could develop in the future.<sup>11</sup>

How would greater reinforcement and militarization of the CCG affect Japan? The JCG has established a special unit to defend the Senkaku Islands by increasing the number of patrol ships and aircraft, while also reinforcing its ability to react to incursions into territorial waters, prevent disembarkations, and monitor Chinese fishing boats. Unless Beijing decides to overwhelm the Japanese paramilitary presence, the JCG will be able to exercise Japan's administrative control of the Senkaku Islands. But if China does decide to outnumber and overwhelm the JCG, the Japan Maritime Self-Defense Force will intervene and conduct law enforcement, which could invite PLA Navy involvement. Therefore, the paramilitary imbalance near the Senkaku Islands could lead to armed conflict. To prevent escalation from paramilitary confrontation to military conflict, military balance and deterrence is required.

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<sup>7</sup> “Chugoku Rokanteieno Senkaku ryoyuken no shucho aitsugu: Renkei kyokade kyochoka” [China Repeats Territorial Claim of Senkaku to Russian Warships: Cooperating with Enhanced Coordination?] *Sankei shimbun*, June 17, 2020 ~ <https://special.sankei.com/a/international/article/20200617/0001.html>.

<sup>8</sup> Ministry of Defense (Japan), *Defense of Japan 2019*, 72, 74.

<sup>9</sup> *Ibid.*, 75.

<sup>10</sup> *Ibid.*

<sup>11</sup> Hitoshi Ochi, “Chugoku Kaikeikyoku no Kaihen ni tsuite” [Reform of the China Coast Guard] in *Kaihodai Kenkyu Hokoku* [Japan Coast Guard Academy Research Report] 64, no. 1, December 2019; and Tsukasa Hadano, “China Packs Coast Guard with Navy Personnel,” *Nikkei Asian Review*, September 25, 2019 ~ <https://asia.nikkei.com/Politics/International-relations/China-packs-coast-guard-with-navy-personnel>.

## PLA OPERATIONS IN THE EAST CHINA SEA AND BEYOND

Generally speaking, PLA operations in the East China Sea have become regular, intense, and southward-oriented but are still keeping some distance from the Senkaku Islands. The PLA Navy usually operates along the median line of the East China Sea and rarely approaches the islands. Exceptions have included PLA intelligence-gathering vessels in November 2015 and June 2016, and the passage of a PLA frigate and submerged submarine through the contiguous zone in June 2016.<sup>12</sup> PLA aircraft regularly conduct surveillance, combat air patrol, and training in the East China Sea, most likely to operationalize the air defense identification zone that China declared over the sea in 2013. They now operate in airspace closer to Okinawa and the rest of the Ryukyu Islands, with some flights closer to the Senkaku Islands.<sup>13</sup> As a result, the Japan Air Self-Defense Force scrambled against PLA incursions 571 times in fiscal year 2015, 851 times in fiscal year 2016, 500 times in fiscal year 2017, 638 times in fiscal year 2018, and 675 times in fiscal year 2019.<sup>14</sup> As of yet, however, there has been no violation of territorial airspace by the PLA around the Senkaku Islands.

Activities in the East China Sea suggest that Beijing is more interested in enhancing its A2/AD capabilities and securing and diversifying access to the open ocean than in pressuring Japan on the Senkaku Islands, given that the PLA has increased its operations beyond the East China Sea in recent years. The route most frequently used by the PLA is the Miyako Strait between the islands of Okinawa and Miyako. This is the widest channel along the first island chain. A fleet of PLA Navy ships passed through the strait for the first time in April 2010, and the *Liaoning* aircraft carrier strike group has used it to access the Pacific since December 2016. PLA naval vessels, including submarines, now use all major Japanese straits along the Ryukyu island chain, including the Osumi Strait, on a regular basis.<sup>15</sup>

PLA Navy early-warning aircraft started to fly over the Miyako Strait in 2013, followed by planes from the PLA Air Force in 2015. PLA bombers and fighters now frequently fly through the strait. In August 2017, for instance, six Chinese H-6K bombers flew from the East China Sea to the Pacific over the Miyako Strait and for the first time approached the Kii Peninsula on the

<sup>12</sup> Ministry of Defense (Japan), *Defense of Japan 2019*, 71–72.

<sup>13</sup> *Ibid.*, 72.

<sup>14</sup> “Statistics on Scrambles through FY2019,” Ministry of Defense (Japan), Joint Staff Press Release, April 9, 2020 ≈ [https://www.mod.go.jp/js/Press/press2020/press\\_pdf/p20200409\\_02.pdf](https://www.mod.go.jp/js/Press/press2020/press_pdf/p20200409_02.pdf).

<sup>15</sup> Ministry of Defense (Japan), *Defense of Japan 2019*, 72–73.

southern side of Honshu, Japan's main island.<sup>16</sup> The Pentagon interpreted this action as the PLA Air Force demonstrating its capability to strike U.S. and Japanese military facilities such as Yokota Air Base and the U.S. naval base at Yokosuka.<sup>17</sup> The PLA Navy and Air Force are also enhancing joint operational capabilities by conducting joint drills, such as air-to-ship strikes, in the Pacific.<sup>18</sup>

It is important to note that the increase of PLA activities in the East China Sea and Pacific is related in part to Beijing's pressure campaign against Taiwan's Democratic Progressive Party (DPP) government, which refuses to accept the "one China" principle or the 1992 Consensus. After the election of President Tsai Ing-wen in 2016, the PLA increased its operations in the area east of Taiwan through the Miyako Strait and the Bashi Channel in an obvious move to pressure the DPP president. For instance, in December 2016 a PLA aircraft carrier strike group entered the Pacific from the East China Sea through the Miyako Strait and then circumnavigated Taiwan through the Bashi Channel heading to the South China Sea.<sup>19</sup> An aircraft carrier group again circumnavigated Taiwan in April 2018 heading eastbound and in June 2019 sailing westbound.<sup>20</sup> In April 2020 the group made a round trip to the South China Sea from the East China Sea through the two straits. PLA bombers and other aircraft also conduct circumnavigation flights around Taiwan, both eastbound and westbound.<sup>21</sup> Public information indicates that the PLA will continue intensifying these operations surrounding Taiwan in 2020.<sup>22</sup>

The Pentagon assumes that the primary objective of China's military buildup is to prevent U.S. intervention in an armed conflict across the Taiwan Strait. Recent PLA reforms, including the establishment of the Eastern Theater Command and the Strategic Support Force, have a huge impact on the

<sup>16</sup> "Statistics on Scrambles through Fiscal Year 2017," Ministry of Defense (Japan), Joint Staff Press Release, April 13, 2018 ~ [https://www.mod.go.jp/js/Press/press2018/press\\_pdf/p20180413\\_07.pdf](https://www.mod.go.jp/js/Press/press2018/press_pdf/p20180413_07.pdf).

<sup>17</sup> U.S. Office of the Secretary of Defense, *Annual Report to Congress: Military and Security Developments Involving the People's Republic of China 2018* (Washington D.C., May 2018), 118–19 ~ <https://media.defense.gov/2018/Aug/16/2001955282/-1/-1/1/2018-CHINA-MILITARY-POWER-REPORT.PDF>.

<sup>18</sup> Ministry of Defense (Japan), *Defense of Japan 2019*, 73.

<sup>19</sup> Ministry of National Defense (Taiwan), *National Defense Report 2017* (Taipei, December 2017), 44 ~ <https://www.ustaiwandefense.com/tdnswp/wp-content/uploads/2020/02/Taiwan-National-Defense-Report-2017.pdf>.

<sup>20</sup> Ministry of Defense (Japan), *Defense of Japan 2019*, 73.

<sup>21</sup> Ibid.

<sup>22</sup> Rira Monma, "Kimpakukasuru Taiwan honto shuhen josei (1): Chugokugun oyobi Beigun no katsudo jittai" [Tense Situation Surrounding Taiwan (1): Activities by Chinese and U.S. Militaries], National Institute for Defense Studies, NIDS Commentary, no. 119, June 4, 2020 ~ <http://www.nids.mod.go.jp/publication/commentary/pdf/commentary119.pdf>.

security of Taiwan, since they enhance the PLA's joint operation capabilities on the cyber, space, and electro-magnetic spectrums as well as on land, at sea, and in the air.<sup>23</sup> Beijing has made it clear that it would not refrain from using force to prevent Taiwan's independence. Enhanced PLA capabilities and operations in the East China Sea need to be understood in the context of a Taiwan contingency rather than necessarily as a Senkaku Islands crisis.

The PLA now also operates in the Sea of Japan from the East China Sea through the Tsushima Strait. PLA Navy vessels and aircraft conducted exercises in the Sea of Japan for the first time in August 2016, followed by a similar drill in January 2017.<sup>24</sup> Likewise, the PLA Air Force flew over the Sea of Japan for the first time in December 2017 and is rapidly increasing its activities.<sup>25</sup> These PLA activities might have been triggered by the heightened tensions between the United States and North Korea during that period, but they could also disrupt Japanese and U.S. reinforcements from Honshu to Japan's southwestern region.

In addition, the PLA is increasing operations with the Russian military in the East China Sea and beyond. China and Russia launched an annual bilateral naval exercise in 2012 that they have conducted in the East China Sea, the Sea of Japan, and the South China Sea.<sup>26</sup> In addition, the PLA and the Russian military have operated jointly in the East China Sea and the areas surrounding Japan. For instance, in June 2016, Chinese and Russian warships together entered the contiguous zone around the Senkaku Islands.<sup>27</sup> Another possible instance of collaboration occurred on February 27, 2018, when a Russian Su-24 and a Chinese Y-9 met in the Sea of Japan before returning to their respective bases.<sup>28</sup> Chinese and Russian strategic bombers conducted the first joint strategic flight from the Sea of Japan to the East China Sea in July 2019.<sup>29</sup> The increased operational cooperation between China and

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<sup>23</sup> Monma, "Kimpakukasuru Taiwan honto shuhen josei," 86.

<sup>24</sup> Ibid., 73–74.

<sup>25</sup> Ibid., 74.

<sup>26</sup> U.S.-China Economic and Security Review Commission, "China-Russia Military-to-Military Relations: Moving toward a Higher Level of Cooperation," March 20, 2017, 6–10 ≈ <https://www.uscc.gov/sites/default/files/Research/China-Russia%20Mil-Mil%20Relations%20Moving%20Toward%20Higher%20Level%20of%20Cooperation.pdf>.

<sup>27</sup> "Chinese, Russian Vessels' Foray into Senkaku Waters Was Planned: Japanese Gov't," *Mainichi*, June 11, 2016 ≈ <https://mainichi.jp/english/articles/20160611/p2a/00m/0na/014000c>.

<sup>28</sup> "Statistics on Scrambles through FY 2017."

<sup>29</sup> Ministry of Defense (Japan), *Defense of Japan 2019*, 84.

Russia further complicates the strategic calculus and response by Tokyo and Washington in peacetime as well as during a possible contingency.<sup>30</sup>

To deal with the PLA's growing A2/AD threats, Tokyo revised its National Defense Program Guidelines in 2013 to call for a dynamic joint defense force. This force envisioned achieving air and maritime superiority with active and regular intelligence, surveillance, and reconnaissance; standoff missiles; and rapid deployment of amphibious troops, armored vehicles, air-defense units, and surface-to-ship missile launchers with hypersonic missiles in defense of the Ryukyu Islands. Given advancements in the PLA's missile forces and its capabilities in the cyber, space, and electro-magnetic domains, Tokyo revised the guidelines again in 2018 to promote a multi-domain joint force that can conduct cross-domain operations.<sup>31</sup>

Japan has also strengthened its alliance with the United States by revising the bilateral defense cooperation guidelines in 2015. The revised guidelines aim at upgrading bilateral operational cooperation in areas such as air defense, antisubmarine warfare, sea control, and island defense, while also establishing standing mechanisms for policy coordination and bilateral planning.<sup>32</sup> Moreover, the two allies agreed to enhance cooperation in new domains.<sup>33</sup> These measures bolster deterrence and continue to make an armed conflict in the East China Sea costly to China.

## PROSPECTS FOR THE FUTURE

Beijing aims to realize the “China dream,” or “the great rejuvenation of the Chinese nation” by 2049, the one-hundredth anniversary of the establishment of the People's Republic of China. The government has also announced its plan to complete PLA modernization by 2035 and elevate the country to the status of a “world-class military power” by the middle of this century. As China's economy slows, the Chinese Communist Party increasingly will rely on its nationalist agenda to maintain legitimacy. Taiwan is an important part

<sup>30</sup> Tetsuo Kotani, “China and Russia in the Western Pacific: Implications for Japan and the United States,” National Bureau of Asian Research, Maritime Awareness Project, April 18, 2019 ~ <https://www.nbr.org/publication/china-and-russia-in-the-western-pacific-implications-for-japan-and-the-united-states>.

<sup>31</sup> Tetsuo Kotani, “The Multi-Domain Defense Force: Assessment and Challenges,” Japan Institute of International Affairs, JIIA Strategic Comments, no. 6, December 28, 2018 ~ [http://www2.jiia.or.jp/en/article\\_page.php?id=15](http://www2.jiia.or.jp/en/article_page.php?id=15).

<sup>32</sup> Tetsuo Kotani, “The Maritime Security Implications of the New U.S.-Japan Defense Guidelines,” Center for Strategic and International Studies, Asia Maritime Transparency Initiative, April 30, 2015 ~ <https://amti.csis.org/the-maritime-security-implications-of-the-new-u-s-japan-guidelines>.

<sup>33</sup> Ministry of Foreign Affairs (Japan), “Japan-U.S. Security Consultative Committee (Japan-U.S. ‘2+2’),” April 19, 2019 ~ [https://www.mofa.go.jp/na/fa/page3e\\_001008.html](https://www.mofa.go.jp/na/fa/page3e_001008.html).

of the China dream, and reuniting the island with the mainland remains the primary objective of PLA modernization, making it unlikely that Beijing will abandon the possibility of using force against Taiwan.<sup>34</sup>

Thus, the question is whether Beijing intends to occupy the Senkaku Islands through either paramilitary or military means. So far, Beijing has not indicated that the islands are part of its national rejuvenation, despite the fact that it claims them as part of Taiwan. Although China could outnumber the JGC and occupy the islands by paramilitary means, this could escalate into an armed conflict and invite U.S. intervention, which is still too costly. Therefore, it is less likely that China will seek to physically seize the Senkaku Islands in the near future. With the CCG's daily presence in the vicinity of the islands as well as occasional intrusions into Japan's territorial waters, Beijing ably demonstrates its opposition to Japanese control of the Senkaku Islands, which appeals to the Chinese people. However, should Taiwan eventually be reunified through either peaceful or coercive means, the Senkaku Islands would remain a "lost territory." Furthermore, reunification would shift the military balance in the East China Sea dramatically in favor China. In such a scenario, armed conflict over the Senkaku Islands would become more likely.

Facing China's assertive attempts to establish a new normal in the East China Sea, Japan has reinforced its law-enforcement capabilities to deal with paramilitary challenges and bolstered both its own self-defense force and its alliance with the United States to deal with the PLA's counter-intervention capabilities. The ideal scenario is that Beijing will accept peaceful dispute resolution and the rule of law in the East China Sea, but such a scenario is unlikely as long as Beijing sticks to its nationalist ambitions. Even if time is on China's side, Japan and the United States need to maintain a military balance to make an armed conflict over Taiwan and the Senkaku Islands too costly to Beijing.

To this end, there are three urgent measures Tokyo and Washington should take. First, the two allies should begin bilateral planning for Taiwan contingency scenarios based on the 2015 U.S.-Japan defense guidelines.<sup>35</sup> An armed conflict in Taiwan would most likely involve U.S. forces with Japanese support, and a Chinese attack on U.S. bases in Japan would become

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<sup>34</sup> U.S. Office of the Secretary of Defense, *Annual Report to Congress: Military and Security Developments Involving the People's Republic of China 2019* (Washington D.C., May 2019), 14 ~ [https://media.defense.gov/2019/May/02/2002127082/-1/-1/1/2019\\_CHINA\\_MILITARY\\_POWER\\_REPORT.pdf](https://media.defense.gov/2019/May/02/2002127082/-1/-1/1/2019_CHINA_MILITARY_POWER_REPORT.pdf).

<sup>35</sup> Multiple Japanese and U.S. defense officials indicated to the author that there is no bilateral planning for a Taiwan contingency, while planning for a North Korean contingency was completed in 2017.



an attack on Japan as well. Without sufficient joint planning, the two allies will be at a disadvantage to respond to such a scenario. Second, given China's massive theater missile capabilities, Tokyo and Washington need to fill the missile gap in the Pacific. The two allies should consider co-development of intermediate-range (500–5,500 kilometers) ground-based missiles and plan to deploy these on Japanese territory. Third, there is a need to further integrate Japanese and U.S. forces. The former is a resident force, while the latter is an expeditionary force, and Beijing could exploit this gap by a *fait accompli* in Taiwan or the Senkaku Islands. To avoid this, Tokyo and Washington should establish a Standing Bilateral Joint Task Force in Japan's southwestern region with multi-domain operational capabilities. This requires Japan to first establish a joint task force centered on the Amphibious Rapid Deployment Brigade to defend the Ryukyu island chain, supported by the U.S. Forces Japan and Indo-Pacific Command. ◆

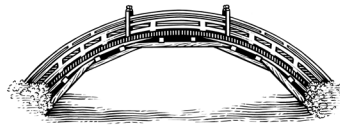


ROUNDTABLE ESSAY

# Gray Zones and Vulnerability in the U.S.-Japan Alliance: Operational and Legal Dimensions

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**NOTE** ≈ This paper is based on a Japanese article by Admiral (ret.) Tomohisa Takei and Commander Yusuke Saito, “Gray Zone ni okeru Nichibei doumeino senzaiteki zeijyaku sei” [Potential Vulnerability of the U.S.-Japan Alliance in Gray Zones], Maritime Self-Defense Force Command and Staff College, July 2019 ≈ <https://www.mod.go.jp/msdf/navcol/SSG/review/9-1-s.html>.

**KEYWORDS:** U.S.-JAPAN ALLIANCE; CHINA; EAST CHINA SEA; SENKAKU ISLANDS; GRAY-ZONE SCENARIO

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## EXECUTIVE SUMMARY

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This essay examines the gray-zone situation around the Senkaku Islands, assesses the vulnerabilities for the U.S.-Japan alliance, and proposes three measures to cope with the definitional and policy gaps between the two nations.

### MAIN ARGUMENT

The vulnerabilities of the U.S.-Japan alliance in a gray zone come from structural and internal gaps in domestic laws, interpretation of international law, and views on the operation of the military and law-enforcement agencies. While it is difficult to fix these issues in the short term, if these gaps are left unchallenged, managing gray-zone contingencies and close interoperability between the Japan Self-Defense Forces and the U.S. military will be affected. To avoid this outcome, three steps are recommended. The first is to deepen exchanges and promote shared understanding about the gaps among practitioners and legal advisers in Japan's National Security Secretariat and the U.S. National Security Council. The second is to create a Japanese version of the U.S. Department of Defense's *Law of War Manual*. The third is conducting various exercises that test the legal limits of a joint response.

### POLICY IMPLICATIONS

- While Japan and the U.S. agree that the gray-zone concept is characterized by both a situational aspect and a time-and-space aspect, their conceptions differ in terms of where a gray zone ends and war begins due to dissimilar domestic laws. This variance in definition could be a potential vulnerability in a joint U.S.-Japan military response.
- China seems to be working to achieve its political and territorial ambitions in five stages. Japan and the U.S. must agree on what stage in the process China is currently conducting operations and how to best counter it.
- A key vulnerability of the U.S.-Japan alliance is rooted in the difference of interpretations on the right of self-defense. As allies, they must be able to understand and manage these differences in the event of a gray-zone contingency.

In the last few years, the concept of gray-zone activity has attracted the attention of military planners. This is likely due to changes in the status quo to the balance of power that are taking place across the Indo-Pacific.

In the East China Sea, Chinese coast guard and fishing vessels have continuously invaded the territorial waters around the Senkaku Islands (known as the Diaoyu Islands in China) since 2008. The number of invasions significantly increased in 2012 after the Japanese government purchased the islands from private owners. Since then, the frequency of Chinese vessels invading territorial waters has remained fairly constant.<sup>1</sup> As China's more aggressive power play to change the status quo has happened in the South China Sea through land reclamation activities and militarization, it is unclear whether China would undertake the same types of changes in the East China Sea. The United States has assured Japan that the Senkaku Islands are under Japanese administration and will be defended under Article 5 of the U.S.-Japan Security Treaty.<sup>2</sup> But the question remains whether Article 5 would be executed if changes were made in a gray-zone situation that could not be clearly described as either peace or war.

This essay explores the gray-zone situation around the Senkaku Islands and assesses the vulnerabilities for the U.S.-Japan alliance. It is organized as follows:

- ≈ pp. 22–24 find that Japan and the United States share similar concepts of a gray zone but have different operational limitations for responding to gray-zone activities.
- ≈ pp. 24–27 examine the dispute between China and Japan over the Senkaku Islands and address four potential vulnerabilities to the alliance in gray-zone operations that arise from differing interpretations of international law and domestic legal systems.
- ≈ pp. 28–29 propose three measures to cope with the gaps between interpretation and policy in Japan and the United States: deepen mutual legal understanding in the Japanese National Security Secretariat and the U.S. National Security Council, promulgate a Japanese version of the U.S. Department of Defense's *Law of War Manual*, and conduct joint exercises that test the limitations of the U.S.-Japan Security Treaty.

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<sup>1</sup> “Trends in Chinese Government and Other Vessels in the Waters Surrounding the Senkaku Islands, and Japan's Response,” Ministry of Foreign Affairs (Japan), April 6, 2020 ≈ [https://www.mofa.go.jp/region/page23e\\_000021.html](https://www.mofa.go.jp/region/page23e_000021.html).

<sup>2</sup> For example, James Mattis, then secretary of defense, stated: “I want to make certain that Article 5 of our mutual defense treaty is understood to be as real to us today as it was a year ago, five years ago—and as it will be a year, and ten years, from now.” See Phil Stewart and Kiyoshi Takenaka, “In Japan, U.S. Defense Chief Reaffirms Commitment to Security Treaty,” Reuters, February 3, 2017 ≈ <https://www.reuters.com/article/us-japan-usa-mattis-idUSKBN15111K>.

## PERCEPTIONS OF GRAY ZONES IN JAPAN AND THE UNITED STATES

The concept of gray-zone activity in Japan is made up of two elements: situational aspects and perspectives on time and space. Regarding situational aspects, the 2018 Japanese defense white paper states that gray-zone situations are “neither pure peacetime nor contingencies over territory, sovereignty, and maritime economic interests.”<sup>3</sup> At a press conference about the report, Prime Minister Shinzo Abe described gray-zone activity as “an infringement that does not amount to an armed attack,” suggesting that, for example, “an armed group pretending to be fishermen may land on a remote Japanese island.”<sup>4</sup> In Japan’s domestic law, the term “armed attack” has a specific meaning and refers to an “organized and premeditated external attack on Japan.”<sup>5</sup> An armed attack situation refers to a situation in which an armed attack has occurred or is in obvious danger of occurring.<sup>6</sup> An infringement below the level of an armed attack can be difficult to recognize and respond to from the viewpoint of domestic legislation.<sup>7</sup> The Japan Self-Defense Forces (JSDF) can use force in the exercise of the right of self-defense only when the government determines that an armed attack on Japan satisfies the three principles for using force, the use of force in the armed attack situation is approved by the Diet, and the government activates the right to self-defense.<sup>8</sup> Therefore, gray-zone activity takes place in the time and space between peace and an armed attack situation.

<sup>3</sup> Ministry of Defense (Japan), *Defense of Japan 2018* (Tokyo, 2018), 45 ~ [https://www.mod.go.jp/e/publ/w\\_paper/2018.html](https://www.mod.go.jp/e/publ/w_paper/2018.html).

<sup>4</sup> Shinzo Abe, “Press Conference by Prime Minister Abe,” Prime Minister of Japan and His Cabinet, May 15, 2014 ~ [http://japan.kantei.go.jp/96\\_abe/statement/201405/0515kaiken.html](http://japan.kantei.go.jp/96_abe/statement/201405/0515kaiken.html).

<sup>5</sup> Junichiro Koizumi, “Shuugiin giin Kaneda Seiichi-kun teishutsu buryoku kougeki jitai ni kansuru shitumonsho ni taisuru toubensho” [Reply to the Questions Concerning an Armed Attack Submitted by Seiichi Kaneda, a Member of the House of Representatives], Prime Minister of Japan and His Cabinet, May 24, 2003.

<sup>6</sup> See Article 2 of the Law for Ensuring Peace and Independence of Japan and Security of the State and the People in Armed Attack Situations, etc., and Survival Threatening Situation.

<sup>7</sup> The Gray Zone Research Committee at the Nakasone Yasuhiro Peace Institute defines a gray-zone situation as a “situation which is neither pure peacetime nor contingency over territory, sovereignty, or maritime economic interests and thus difficult to recognize as an armed attack situation.” See Gray Zone Situation Research Committee, “Umito sorano Gray Zone jitaihen taisho” [Response to Gray Zone Situations at Sea and Air], Nakasone Yasuhiro Peace Institute, June 27, 2018, 2 ~ [http://www.iips.org/research/grayzone\\_teigen.pdf](http://www.iips.org/research/grayzone_teigen.pdf).

<sup>8</sup> The three principles for use of force are as follows. First, self-defense may be used when an armed attack against Japan occurs, or when an armed attack against a foreign country that is in a close relationship with Japan occurs, and as a result threatens Japan’s survival and poses a clear danger to fundamentally overturn the right to life, liberty, and pursuit of happiness of the Japanese people. Second, self-defense may be employed when there is no other appropriate means available to repel an attack and to ensure the survival of Japan and protect its people. Third, the use of force should be employed to the minimum extent necessary. See Ministry of Defense (Japan), *Defense of Japan 2016* (Tokyo, 2016) ~ [http://www.mod.go.jp/e/publ/w\\_paper/2016.html](http://www.mod.go.jp/e/publ/w_paper/2016.html).

While the interpretation of Article 51 of the UN Charter, which is the basis for activating the right to self-defense, varies from country to country, Japan's interpretation of an armed attack is unique because of the constraints of its constitution. Neither nonorganized nor sporadic use of force is deemed as an armed attack in this interpretation.

When “gray zone” emerged as a security term in the United States is not clear, but the first government organization to define gray-zone activity was the U.S. Special Operations Command in a white paper in September 2015.<sup>9</sup> This definition of gray zone has been widely used in the United States since then. The white paper describes gray-zone challenges as “competitive interactions among and within state and non-state actors that fall between the traditional war and peace duality” and are “characterized by ambiguity about the nature of the conflict, opacity of the parties involved, or uncertainty about the relevant policy and legal frameworks.”<sup>10</sup> Similar to Japan's definition, this concept of a gray zone is situational and emphasizes when and where an interaction occurs.


According to a report from the U.S. Department of State's International Security Advisory Board in 2015, the term “gray zone” itself is new, but it is not a new phenomenon. What are now called gray-zone methods in the past were conducted under such labels as “political warfare,” “covert operations,” “irregular or guerrilla warfare,” and “active measures.”<sup>11</sup>

There is no difference between Japan and the United States in the fact that the gray-zone concept has two dimensions: a situational aspect and a temporal and spatial perspective. However, their concepts do differ in how they draw the line between where a gray zone ends and war begins due to their domestic laws. While Japan employs a strict legal definition of an armed attack, the United States can be more flexible, especially in its response.<sup>12</sup> Japan cannot exercise the right of self-defense if a gray-zone situation does not meet the definition of armed attack and if the Diet fails to recognize it as such. The United States, by contrast, can operate inside the vagueness of the gray-zone

<sup>9</sup> U.S. Special Operations Command, *The Gray Zone* (Washington, D.C., September 9, 2015), 1.

<sup>10</sup> Ibid.

<sup>11</sup> International Security Advisory Board, “Report on Gray Zone Conflict,” January 3, 2017  <https://2009-2017.state.gov/documents/organization/266849.pdf>.

<sup>12</sup> The *Law of War Manual* states: “The United States has long taken the position that the inherent right of self-defense potentially applies against any illegal use of force. Others, however, would be inclined to draw more of a distinction between ‘armed attacks’ and uses of force that do not give rise to the right to use force in self-defense.” See U.S. Department of Defense, *Law of War Manual* (Washington D.C., December 2016), 47  <https://dod.defense.gov/Portals/1/Documents/pubs/DoD%20Law%20of%20War%20Manual%20-%20June%202015%20Updated%20Dec%202016.pdf?ver=2016-12-13-172036-190>.

concept, given its flexibility in exercising the use of force. This variance in definition could be a vulnerability in a joint U.S.-Japan military response to a gray-zone situation.

## THE GRAY-ZONE CHALLENGE AROUND THE SENKAKU ISLANDS

### *China's Strategy for Changing the Status Quo*

China has asserted sovereignty over the Senkaku Islands since the 1970s. Between April and May 1978, Chinese fishing fleets made a total of 357 incursions into territorial waters around the Senkaku Islands and conducted 123 illegal fishing operations.<sup>13</sup> After 1978, when the two sides agreed to the Treaty of Peace and Friendship, similar incidents ceased until December 2008, when two Chinese coast guard vessels roamed the territorial waters of the Senkaku Islands for about nine hours. Then, in September 2012 the Japanese government purchased the Senkaku Islands from private owners. Since then, groups of three or four Chinese coast guard vessels have sailed into territorial waters three times a month on average. Additionally, China has mobilized fishing vessels alongside government vessels for military purposes.

China seems to take five steps to achieve its territorial ambitions. First, it sets political goals. Second, it loudly appeals and spreads the claim that China is acting legitimately within the norms of international society, while enacting domestic laws that incorporate its claims, and waits for the opportunity to change the status quo.<sup>14</sup> Third, it uses “salami slicing” tactics, including nonmilitary or low-intensity force, to change step by step the status quo—for example, by constructing a small maritime observatory in the territory it disputes. In doing so, China acts slowly to avoid a rapid increase in tensions so that other states grow accustomed in small doses to the changes. Fourth, when the opportunity is ripe, the government deploys all available assets in a rush to change the status quo immediately. Fifth, China continues to work to make the current situation *de facto* and waits until the other state (or states) gives up.

<sup>13</sup> 11th Regional Coast Guard Headquarters (Japan), “Kaijyo hoan no genjyo” [Situation of Maritime Security], July 1979, 9. Japanese news media reported at the time that some of those fishing boats were armed. See *Mainichi shinbun*, April, 13, 1978; and *Yomiuri shinbun*, April, 13, 1978.

<sup>14</sup> For example, Article 2 of the Law of the People's Republic of China on the Territorial Sea and the Contiguous Zone states that the Diaoyu Islands (Senkaku Islands) belong to China. This article is available at [https://www.un.org/Depts/los/legislationandtreaties/pdffiles/chn\\_1992\\_law.pdf](https://www.un.org/Depts/los/legislationandtreaties/pdffiles/chn_1992_law.pdf).



This is a strategy that can only be implemented by China, where the Chinese Communist Party's one-party dictatorship unilaterally allocates time and national resources to achieve its aims. Because of this, it cannot be ruled out that China's international activities include political intent and are focused on changing the status quo. The current situation around the Senkaku Islands is an example of the third step in this process of gradually changing the status quo by using nonmilitary and low-strength force.

#### *Four Vulnerabilities in U.S.-Japan Responses to Gray-Zone Attacks*

When the situation escalates in the Senkaku Islands, the responsibility for defense will switch from law enforcement as a maritime security or public security operation to a defense operation with use of force if the Japanese government recognizes it as an armed attack situation. As mentioned above, an armed attack is considered organized and premeditated.

As a matter of fact, the Japan Maritime Self-Defense Force (JMSDF) can only conduct surveillance when a maritime security or public security order is issued, which requires cabinet approval.<sup>15</sup> If Japan does order the JSDF into a defense operation, it can additionally request the United States provide defense assistance under Article 5 of the U.S.-Japan Security Treaty. While Japan and the United States have made various efforts for seamless response through an alliance coordination mechanism, there are four uncertainties that develop in gray-zone situations. **Figure 1** shows an example.

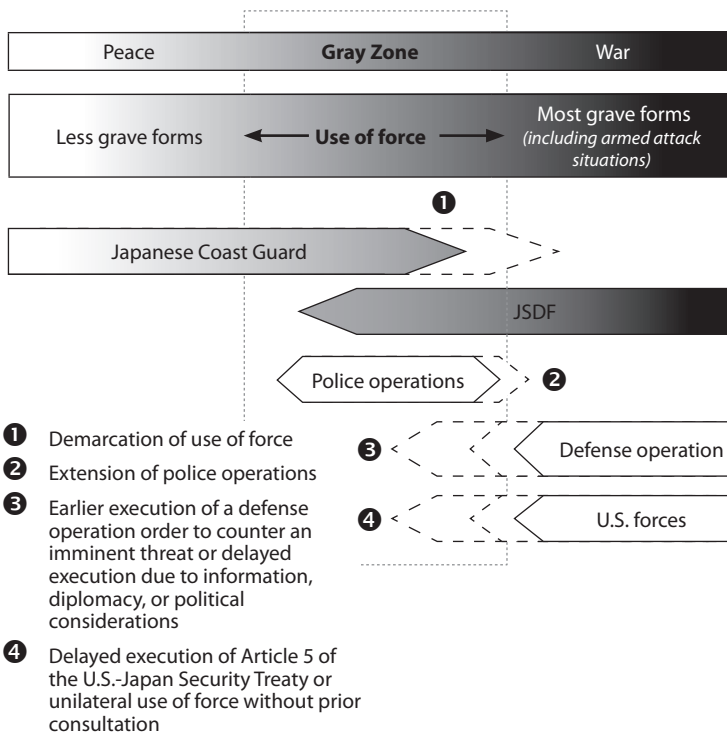
The first uncertainty is to determine whether the actions of another country constitute an armed attack. It is difficult for Japan and the United States to draw a clear red line between violence as law enforcement and violence as an armed attack, and the gray-zone lies between them. Even the aggression of a nation that could result in an armed attack is highly variable, as indicated by UN General Assembly Resolution 3314 in 1974.<sup>16</sup> If the intruding navy has a maritime law-enforcement mission, as does the People's Liberation Army Navy, it is difficult for the Japanese and U.S. governments to jointly determine whether the vessel's actions are a case of law enforcement or the use of force constituting an armed attack.

<sup>15</sup> Japan has a policy to issue a maritime security order to the JMSDF if a foreign warship navigates Japanese territorial waters, which does not constitute innocent passage under international law. See "Kakugi-kettei wagakuni no ryoukai oyobi naisui de kokusaihoujyou no mugaituukou ni gaitoushinai koukou wo okonau gaikokugunkan heno taisho ni tuite" [Cabinet Decision on Response to a Foreign Warship which Conducts Non-Innocent Passage within Japanese Territorial Waters], May 14, 2015 ~ <https://www.cas.go.jp/jp/gaiyou/jimu/pdf/gaikokugunkantaisho.pdf>.

<sup>16</sup> UN General Assembly, "Definition of Aggression," General Assembly Resolution 3314, December 14, 1974 ~ <http://ijilj.org/wp-content/uploads/2016/08/General-Assembly-Resolution-3314.pdf>.

FIGURE 1

*Four Gray Zones in a Gray-Zone Situation*



The second area of uncertainty is when to begin and end operations by the JSDF. To avoid escalation, Japan may not wish to switch from a maritime security operation (a law-enforcement operation by the JMSDF) to a defense operation (the exercise of the right of self-defense) even after it is determined that the situation constitutes an armed attack. This presents two major problems. The first is the possibility of putting JMSDF units on the scene at risk. Because, as a matter of Japan's domestic law, the JMSDF must conduct operations under the same conditions as police, it can only use weapons for self-defense or averting present danger—a condition that does not pertain to China's navy.<sup>17</sup> Second, Japan cannot request assistance from the United States if the JMSDF is still conducting a maritime security operation because

<sup>17</sup> Ministry of Justice (Japan), Police Official Duties Execution Act, July 2, 1948, Art. 7 ≈ [http://www.japaneselawtranslation.go.jp/law/detail\\_main?re=&vm=02&id=2229](http://www.japaneselawtranslation.go.jp/law/detail_main?re=&vm=02&id=2229).

triggering Article 5 is limited to an armed attack.<sup>18</sup> Therefore, if Japan does not declare an armed attack situation, and if JMSDF units are only engaged in a maritime security operation, it is impossible to initiate alliance assistance under Article 5.

The third area of uncertainty is in the timing of recognizing an armed attack situation. In a gray-zone situation, the party who changes the status quo always gains the initiative, while the victim must be reactive. In a contingency, political leaders frequently delay decision-making because of conflicting information and bureaucratic constraints. Unlike the response to a natural disaster, the decision to switch to war from peacetime is extremely tough, with many reasons for the delay of political decision-making.

The final area of uncertainty concerns a possible delay in U.S. military operations. Beyond the challenges noted above in identifying an armed attack, there is the possibility that the United States would not admit that “an armed attack against either party in the territories under the administration of Japan would be dangerous to its own peace and safety.”<sup>19</sup> In short, the U.S. government would also need to make a political decision to respond.<sup>20</sup>

Because of the ambiguity involved, U.S. allies are also likely to have difficulties in jointly responding to a gray-zone situation. This vulnerability was evident, for example, in the gap observed between Ukraine and the United States when Russia invaded Ukraine in 2014. While Ukraine claimed that the Russian operation was “well-planned armed aggression,” the United States failed to militarily respond to stop it.<sup>21</sup> The same situation could occur for the U.S.-Japan alliance in defense of the Senkaku Islands. For example, if China tries to enforce a change in the status quo around the islands, the United States may consider it a gray-near-white situation and therefore wait to deploy U.S. military units, while Japan considers it a gray-almost-black situation and takes steps to respond to an armed attack. China could take advantage of this divergence to employ more robust means against Japan’s response as long as the U.S.-Japan Security Treaty is not being exercised.

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<sup>18</sup> “Treaty of Mutual Cooperation and Security between Japan and the United States of America,” January 19, 1960 ~ <https://www.mofa.go.jp/region/n-america/us/q&a/ref/1.html>.

<sup>19</sup> *Ibid.*, Art. 5.

<sup>20</sup> In addition, Article 5 requires that the obligation of mutual defense will be executed “in accordance with its constitutional provisions and processes.”

<sup>21</sup> Embassy of Ukraine in Japan, “10 Facts You Should Know about Russian Military Aggression against Ukraine,” January 15, 2018 ~ <https://japan.mfa.gov.ua/en/news/62845-10-faktiv-pro-zbrojnu-agresiju-rosiji-proti-ukrajini>.

## POLICY OPTIONS


The preceding discussion shows that the vulnerabilities of the U.S.-Japan alliance in a gray-zone situation come from structural and internal gaps between the allies' domestic laws, interpretations of international law, and views on the operation of the military and law-enforcement agencies. While it is difficult to fix those issues in a short period of time, if these gaps are left unaddressed, interoperability between the JSDF and the U.S. military will be affected during this politically sensitive stage. To avoid such a scenario, the following three measures are recommended.

The first is to deepen exchanges and promote shared understanding about the gaps among practitioners and legal advisers in Japan's National Security Secretariat and the U.S. National Security Council. These two bodies should interact to understand the differences between both their national laws and interpretations of international law and work to facilitate smooth cooperation. The two nations have already conducted military-to-military exchange on legal issues at the tactical level, but exchanges within the executive branches are also desirable because gray-zone cooperation requires coordination at the strategic level. In particular, given that there are currently no legal advisers assigned to the National Security Secretariat, it will be necessary to allocate JSDF legal advisers to the secretariat immediately.


The second step is to create a Japanese version of the *Law of War Manual*. For U.S. practitioners, it is easy to understand national security law by referring to this resource issued by the Department of Defense. However, Japan has no corresponding document, so the government's interpretation of Japanese law in domestic and international situations is dependent on government officials and politicians in the Diet. Therefore, it is extremely difficult for non-Japanese practitioners, especially those who do not know Japanese, to understand the country's complex security legislation. One reason that there is no such manual might come from Japanese culture, which often prefers to keep guidelines vague, especially related to national security. Talking about war has been taboo in Japan since World War II because of the country's pacifist constitution and the broad antimilitary sentiment among the populace. However, given that mutual understanding in the legal domain is key to joint U.S.-Japan operations, the promulgation of a Japanese version of the *Law of War Manual* is essential.

Third, with the preparation of the manual, various exercises that test the legal limits of a joint response should be conducted. In a new era of great-power competition, gray-zone situations have become the norm when

a state-on-state contingency occurs. There is a need for more practical and realistic military exercises between Japan and the United States based on actual operational plans for gray-zone scenarios. In December 2019, Admiral Michael Gilday stated in a fragmentary order that “the fleet commander will focus on full interoperability in high-end naval warfare” to strengthen partnerships with allies.<sup>22</sup> When it comes to improving the interoperability between Japan and the United States, understanding the security gaps in both politics and military operations is a crucial starting point.

The limitations of the U.S.-Japan alliance in responding to gray-zone situations are rooted in the allies’ differing interpretations of the right of self-defense. Other factors are differences in interpretation of international law as well as domestic law. Owing to their unique histories and security environments, Japan and the United States have never shared identical views on these issues, even though they have a close alliance. An alliance means that countries must conduct their relations on the assumption that there will be gaps in policy and practice that must be understood and managed. 

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<sup>22</sup> Mike M. Gilday, “FRAGO 01/2019: A Design for Maintaining Maritime Superiority,” U.S. Navy, December 4, 2019  <https://www.navy.mil/cno/docs/CNO%20FRAGO%20012019.pdf>.

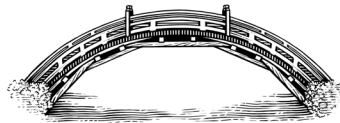


ROUNDTABLE ESSAY

# U.S.-Japan Coordination in an East China Sea Crisis

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**KEYWORDS:** U.S.-JAPAN ALLIANCE; CHINA; EAST CHINA SEA; SENKAKU ISLANDS; GRAY-ZONE SCENARIO

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## EXECUTIVE SUMMARY

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This essay examines Japan's crisis-management system and security-related coordination with the U.S. in the case of an East China Sea or Senkaku Islands gray-zone scenario and offers a recommendation for possible improvement.

### MAIN ARGUMENT

Provocative actions involving the Senkaku Islands could generate a quickly evolving and complex crisis that would require close and agile coordination between Japan and the U.S. Numerous and various government entities would become involved and events may occur dynamically, which in turn could challenge the effectiveness of the existing peacetime coordination mechanism between Japan's Self-Defense Forces and the U.S. military. This essay proposes the establishment of a Standing Bilateral Joint Task Force as a possible way to strengthen U.S.-Japan defense-related coordination and improve both sides' capabilities to respond and contribute to whole-of-government crisis management.

### POLICY IMPLICATIONS

- Opinions on China's real intentions for the East China Sea and Senkaku Islands range from possible invasion and occupation of the islands to a decades-long stand-off and waiting game. A related and key issue is how an East China Sea crisis might affect or involve Taiwan.
- In a Senkaku Islands crisis, it is important to determine whether there would be certain trigger events to cause Japan and the U.S. to initiate crisis-management coordination, and whether such events could be determined in advance.
- Given U.S. commitments in its security treaty with Japan, both governments and militaries should clearly define what governmental and political processes might be pursued to activate Article 5 in response to a defense scenario involving Japanese islands in the East China Sea.



The mutual security alliance between the United States and Japan exists within a challenging and threatening Northeast Asian environment. The Korean War, paused by an armistice, has left South Korea and a now nuclear-armed North Korea separated by a heavily militarized border. Meanwhile, in the East China Sea, overlapping territorial and exclusive economic zone claims between Japan and China have become a source of tension and potential conflict.

Most symbolic of the standoff between Japan and China in the East China Sea is the dispute over the Senkaku Islands, which were placed under the administrative control of the Japanese government in September 2012 after Tokyo purchased some of the islands from the Kurihara family. However, China (which refers to the islands as the Diaoyu Islands) does not recognize Japan's ownership and has continuously deployed China Coast Guard ships and fishing vessels to sail near the islands, with ships occasionally (and intentionally) entering Japan's claimed territorial waters. These provocative activities by Chinese vessels are monitored and countered by patrol ships from the Japan Coast Guard. China's persistent and active pressure to challenge Japan's territorial claim to the Senkaku Islands has the potential to cause incidents such as ship collisions or sinkings or an even more troublesome situation in which Chinese nationals go ashore onto one of the islands.

These types of confrontations that do not involve militaries but have the potential to escalate into armed conflict are sometimes referred to as occurring in a geopolitical and legal "gray zone," which exists between law-enforcement activities and military operations. A serious, complex, fast-evolving situation could emerge from a gray-zone confrontation around the Senkaku Islands that would challenge the ability of Japan—and its U.S. ally—to coordinate and respond effectively while mitigating potentially destabilizing and negative consequences.

This essay describes crisis management conducted by Japan and discusses how, in certain cases involving defense and security, the Japanese government coordinates with U.S. government and military forces. It also considers the existence of divisions, known as "stove-pipes," that separate the various involved organizations; the diverse composition of participants; and the effects on cooperative actions. Finally, the essay proposes the creation of a Standing Bilateral Joint Task Force to leverage the existing U.S.-Japan alliance relationship and better align processes and actions in a crisis situation. The essay is organized as follows:

≈ pp. 34–35 detail Japan's crisis-management system, improved after the Great East Japan Earthquake.

- ≈ pp. 35–38 examine the actors that would potentially be involved in a gray-zone conflict in the East China Sea and consider their possible roles.
- ≈ pp. 39–40 address the bilateral alliance coordination mechanism and identify the U.S. and Japanese actors involved, as well as the limitations of such a mechanism in a gray-zone crisis.
- ≈ pp. 40–42 conclude with a proposal to create a U.S.-Japan Standing Bilateral Joint Task Force that can prepare for and help coordinate crisis management in an East China Sea or other gray-zone scenario.

## JAPAN'S IMPROVED CRISIS-MANAGEMENT SYSTEM

Japan's government, especially under the leadership of Prime Minister Shinzo Abe since September 2012, has strengthened its ability to handle crises. The need for improvement became clear through lessons learned from the challenging aftermath of the Great East Japan Earthquake on March 11, 2011. The massive earthquake and tsunami resulted in a devastating loss of life. Other events occurring soon thereafter continued to make demands on Japan's crisis-management capabilities, including the following:

- Increased Chinese maritime pressure and challenges to territorial waters following Japan's nationalization of the Senkaku Islands<sup>1</sup>
- The recommencement of North Korean long-range ballistic missile tests in 2012<sup>2</sup>
- The January 2013 In Amenas hostage crisis in Algeria, in which ten Japanese citizens were eventually killed<sup>3</sup>

As a result of these incidents and developments, the Japanese government started to build a better crisis-management framework. The first step was to define what events would be considered crises; the following five categories were identified:

1. Large-scale natural disasters, such as earthquakes, typhoons, and volcanic eruptions

<sup>1</sup> Jane Perlez, "China Steps Up Pressure on Japan in Island Dispute," *New York Times*, December 15, 2012 ~ <https://www.nytimes.com/2012/12/16/world/asia/china-steps-up-pressure-on-japan-in-island-dispute.html>.

<sup>2</sup> Jack Kim and Mayumi Negishi, "North Korea Rocket Launch Raises Nuclear Stakes," Reuters, December 11, 2012 ~ <https://www.reuters.com/article/us-korea-north-rocket/north-korea-rocket-launch-raises-nuclear-stakes-idUSBRE8BB02K20121212>.


<sup>3</sup> Justin McCurry, "In Japan, Sadness and Frustration over Algeria Hostage Crisis," *World*, January 28, 2013 ~ <https://www.pri.org/stories/2013-01-28/japan-sadness-and-frustration-over-algeria-hostage-crisis>.

2. Serious man-made accidents, such as aircraft crashes, ship collisions or sinkings, road accidents, train derailments, hazardous material or large-structure fires, and nuclear incidents
3. Serious human-caused incidents, such as hijackings or hostage-takings; nuclear, biological, or chemical weapon attacks; terrorist attacks on critical facilities; cyber terrorism; foreign agent infiltration of ships; and missile attacks
4. Attacks by a foreign nation
5. Other events, such as the rescue and transportation of overseas Japanese citizens, a large influx of refugees, viral or influenza epidemics, nuclear weapons tests, and maritime piracy<sup>4</sup>

In late 2013 the Diet passed legislation to establish a National Security Council that reports directly to the prime minister. Within the council is the National Security Secretariat, staffed by elite bureaucrats seconded from various relevant ministries. The National Security Council and National Security Secretariat are together the Japanese government's "control tower." They wield the top-down authority of the prime minister and chief cabinet secretary to cut across organizational and bureaucratic boundaries for coordinating and preparing cooperative crisis-management actions. Much of Japan's crisis management is done in the buildings that house the Prime Minister's Official Residence and the Cabinet Office, located just behind the National Diet Building in central Tokyo. Within that nerve center are staff that follow and report on current events around the clock. Some of the staff at the National Security Council and the National Security Secretariat, as well as certain other key officials, are tethered to the complex and not allowed to leave the immediate area for the duration of their assignments.<sup>5</sup>

#### CRISIS MANAGEMENT IN ACTION: AN EAST CHINA SEA SCENARIO

The potential for a gray-zone crisis in which China attempts to physically challenge Japan's territorial claim to the Senkaku Islands in the East China Sea has drawn a lot of attention from policymakers and analysts in recent years. For example, several Chinese fishing vessels might beach themselves

<sup>4</sup> Prime Minister of Japan and His Cabinet, "Waga kuni no kiki-kanri ni tsuite" [Outline of Japan's Crisis Management]  [https://www.kantei.go.jp/jp/singi/ka\\_yusiki/dai2/siryoku2.pdf](https://www.kantei.go.jp/jp/singi/ka_yusiki/dai2/siryoku2.pdf).

<sup>5</sup> Based on author's conversation with knowledgeable Japanese officials.

on one of the islands and disembark civilian personnel carrying arms. Based on the National Security Council's crisis definitions, this event would likely be considered a serious human-caused incident. For this hypothetical gray-zone scenario, **Table 1** shows some of the independent (i.e., stove-piped) Japanese government divisions that would be involved in managing the crisis. It is beyond the scope of this essay to detail how these organizations would interact and cooperate in an illegal island-landing scenario, but it is clear that there would be an overabundance of actors. In general terms, however, several important considerations stand out.<sup>6</sup>

*On-scene law enforcement.* The Japan Coast Guard has maintained a continuous presence around the Senkaku Islands since the 2012 nationalization, and its patrol ships constantly monitor (and inhibit) Chinese government and fishing vessels that approach the islands. Japan Fisheries Agency patrol vessels are also active in the area to prevent illegal fishing.

TABLE 1

*Japanese Government Divisions for Managing a Scenario Involving Chinese Nationals Landing on One of the Senkaku Islands*

Ministry or office	Involved subdivisions
Cabinet Office	National Police Agency, National Information Security Center, and Public Relations Office
Ministry of Foreign Affairs	—
Ministry of Land, Infrastructure, Transport and Tourism	Japan Coast Guard
Ministry of Justice	Immigration Bureau and Public Security Intelligence Agency
Ministry of Agriculture, Forestry and Fisheries	Japan Fisheries Agency
Ministry of Finance	Customs Bureau
Ministry of Defense	Japan Self-Defense Forces—Japan Ground Self-Defense Force, Japan Air Self-Defense Force, and Japan Maritime Self-Defense Force branches
Okinawa Prefectural Government	Okinawa Prefectural Police
Ishigaki City Government	—

<sup>6</sup> Based on knowledge gained by author through work experience and interactions with Japanese government officials over the years.

In this hypothetical gray-zone scenario, Chinese vessels were apparently able to evade or force their way past these agencies to land on the island. Once Chinese nationals alight, they become the responsibility of Japanese police (the National Police Agency), immigration control, and customs officials. Therefore, during the important initial stages of the crisis, on-scene law enforcement would be the main players, with the Japan Self-Defense Forces (JSDF) and others offstage and maintaining situational awareness. Of note, during peacetime, by law the JSDF is hindered from taking control of the Japan Coast Guard or National Police Agency, which reinforces the stove-pipe effect and keeps the JSDF separate from the action.<sup>7</sup>

*Local government concerns.* Administratively, the Senkaku Islands fall under the municipal jurisdiction of the city of Ishigaki, which in turn is part of Okinawa Prefecture. These local governments are responsible for the safety of their citizens, would want to know if any local fishermen have been affected, and would certainly participate in any kind of operation to relocate or evacuate civilians. They would be closely connected to law enforcement and aware of its activities. Also, if logistical preparations began for defense operations, they would be involved in the processes to select and provide warehouses, harbor piers, laydown areas, ramp space, support facilities, airfields, and medical services, among other resources. The Ministry of Defense maintains a large, well-staffed regional office in Okinawa, which would be a key liaison with local governments to procure support services and facilities.

*JSDF held in reserve.* A main concern over the use or deployment of the JSDF would be to avoid an escalation of the gray-zone situation. For example, if a JSDF destroyer were to arrive in the vicinity of the islands, China may feel compelled to deploy one of its own warships to the area. In this regard, JSDF units will likely remain over-the-horizon and marshal areas near Ishigaki, Okinawa, and elsewhere. One exception will be continued routine peacetime operations in the East China Sea by the Japan Maritime Self-Defense Force maritime patrol and reconnaissance aircraft and other Japanese information collection assets, contributing a stream of nearly real-time data to Tokyo's situational awareness. Of note, under Japan's constitution and Self-Defense Law, the JSDF is limited to an "exclusively defense-oriented policy" and the minimum use of force.<sup>8</sup>

<sup>7</sup> Ministry of Defense (Japan), "Chi-an shutsudo/kaijo keibi kodo nado no hatsurei tetsuzuki no jinsoku-ka" [Speeding-up Procedures for Issuance of Public Security Order and Maritime Security Order]  $\approx$  <https://www.mod.go.jp/j/publication/wp/wp2018/html/nc010000.html>.

<sup>8</sup> Ministry of Defense (Japan), "Constitution and the Basis of Defense Policy," in *Defense of Japan 2016* (Tokyo, 2016), 165–68  $\approx$  [https://www.mod.go.jp/e/publ/w\\_paper/pdf/2016/DOJ2016\\_2-1-2\\_web.pdf](https://www.mod.go.jp/e/publ/w_paper/pdf/2016/DOJ2016_2-1-2_web.pdf).

*Public affairs and messaging.* This type of crisis would unfold before the court of world opinion, with competing government statements, press releases, and independent news reporting all disseminated via traditional and social media networks from all involved government and nongovernment entities. Japan's centralized and improved National Security Council and National Security Secretariat posture was created to better manage this complex challenge. The public messaging by Tokyo, as well as by Beijing, would influence the flow and development of events. The space to maneuver information, in particular, is liable to miscues and conflicting reports due to organizational gaps and stove-pipes. An example of complex factors involved in messaging was seen after a Chinese fishing vessel collided with a Japan Coast Guard ship in September 2010. During the aftermath, while diplomatic actions were still being pursued, a video taken by the Japan Coast Guard was leaked onto YouTube.<sup>9</sup>

*Where is the United States?* The U.S. government recognizes the Senkaku Islands as territory under the administration of Japan. As such, they are subject to Article 5 of the U.S.-Japan Treaty of Mutual Cooperation and Security. Article 5 reads as follows:

Each Party recognizes that an armed attack against either Party in the territories under the administration of Japan would be dangerous to its own peace and safety and declares that it would act to meet the common danger in accordance with its constitutional provisions and processes. Any such armed attack and all measures taken as a result thereof shall be immediately reported to the Security Council of the United Nations in accordance with the provisions of Article 51 of the Charter. Such measures shall be terminated when the Security Council has taken the measures necessary to restore and maintain international peace and security.<sup>10</sup>

Therefore, in a gray-zone crisis involving a Senkaku landing, the U.S. leadership and the United States Forces Japan (USFJ) would closely follow developments to see whether a state-backed armed attack materializes that would in turn lead Japan's government to activate Article 5. Needless to say, U.S. decision-making would also largely rely on information received from the Japanese government. This information flow and other crisis communications between the United States and Japan would be conducted via the alliance coordination mechanism.<sup>11</sup>

<sup>9</sup> "Japanese Coast Guard Member Admits to Leaking Collision Video," CNN, November 10, 2010 ~ <https://edition.cnn.com/2010/WORLD/asiapcf/11/10/japan.china.boat.video/index.html>.

<sup>10</sup> Ministry of Foreign Affairs (Japan), "Treaty of Mutual Cooperation and Security between Japan and the United States of America," January 19, 1960 ~ <https://www.mofa.go.jp/region/n-america/us/q&a/ref/1.html>.

<sup>11</sup> Emma Chanlett-Avery, Caitlin Campbell, and Joshua A. Williams, "The U.S. Japan Alliance," Congressional Research Service, CRS Report for Congress, RL33740, June 13, 2019, 27–28 ~ <https://fas.org/sgp/crs/row/RL33740.pdf>.

## THE ALLIANCE COORDINATION MECHANISM

The best way to envision the alliance coordination mechanism (ACM) is as a series of point-to-point lines connecting the Japanese and U.S. governments. It is a virtual framework that allows existing government and military commands to exchange information via telephone, email, electronic chat, text messages, face-to-face liaison meetings, and video teleconferencing. The ACM can function at the highest level (e.g., direct conversations between the top leaders of both states), but it also offers lower levels of coordination that could be activated depending on the situation. Below the executive stratum, the ACM is organized as follows in **Table 2**.<sup>12</sup>

The ACM is thus a complex set of point-to-point coordination channels and organizational relationships activated on a situational basis. Its virtual nature makes efficient and temporary use of personnel and resources from various commands and organizations already engaged in executing other assigned missions and tasks. In addition to occasional real-world activation of the ACM (for example, during recent North Korean missile launches), training is regularly included in bilateral joint exercises like Keen Edge and Keen Sword.<sup>13</sup>

Although the ACM is a powerful and comprehensive network, it faces some realities that challenge its effectiveness. Like many peacetime organizations, the ACM is not always active and, therefore, would require time to ramp up for a crisis operation involving the Senkaku Islands. Additionally, the ACM's strength is in its local connections between USFJ and JSDF service counterparts. However, there will be an unfamiliarity factor involved in working with U.S. joint commands and organizations in distant locations and time zones like Hawaii and Washington, D.C. Finally, and especially on the Japanese side, the ACM mainly brings together defense-related organizations and does not directly involve the law-enforcement units that would conduct on-scene operations. It can be argued, therefore, that a more permanent (i.e., standing and operational) crisis-management posture would improve and strengthen USFJ and JSDF abilities to successfully deal with complex problems as part of an overall governmental response to gray-zone scenarios.

<sup>12</sup> Ministry of Defense (Japan), "Domei chousei mekanizumu (ACM) no kosei" [The Structure of the Alliance Coordination Mechanism] ~ <https://www.mod.go.jp/j/approach/anpo/shishin/pdf/ACMandBPM.pdf>.

<sup>13</sup> "USFJ, JSDF Wrap Successful Keen Edge 2016," U.S. Forces Japan, Press Release, January 29, 2016 ~ <https://www.usfj.mil/Media/Press-Releases/Article-View/Article/648137/usfj-jsdf-wrap-successful-keen-edge-2016>.

TABLE 2

*The Alliance Coordination Mechanism*

Main actor	Sub-actors
Alliance Coordination Group	<i>Japan:</i> Cabinet Office (National Security Council/National Security Secretariat), Ministry of Foreign Affairs, Ministry of Defense, JSDF, and others as needed
	<i>United States:</i> National Security Council, Department of State, Department of Defense, Joint Chiefs of Staff, Indo-Pacific Command, USFJ, and others as needed
Bilateral Operations Coordination Center	<i>Japan:</i> JSDF Joint Staff, Japan Ground Self-Defence Force (JGSDF) ground staff office, Japan Air Self-Defence Force (JASDF) air staff office, Japan Maritime Self-Defence Force (JMSDF) maritime staff office, and others as needed
	<i>United States:</i> Indo-Pacific Command, USFJ
Component Coordination Centers	Various command, watch-stander, and emergency operations centers that coordinate within the USFJ and JSDF uniformed service-to-service lanes, mainly (but not limited to) the JASDF with a joint U.S. Air Force component commander at Yokota Air Base, the JGSDF with a joint U.S. Army land component commander at Camp Zama, and the JMSDF with a U.S. Navy joint force maritime component commander at Fleet Activities Yokosuka
	Bilateral coordination lines between the USFJ and JSDF, built during 75 years of U.S. force presence at various operational levels, for example, between the U.S. Seventh Fleet and JMSDF fleet staffs, the Seventh Fleet Task Force Commanders and JMSDF operational counterparts, and U.S. Navy region and base commanders and local JMSDF regional district headquarters

## THE CASE FOR A STANDING BILATERAL JOINT TASK FORCE

One option to avoid the pitfalls involved in kickstarting a security crisis response and bringing diverse military commands together into an action team on short notice would be to form a permanent organization or staff structure. A case can be made to establish a Standing Bilateral Joint Task Force. Joint task forces are well-known to both the JSDF and USFJ, and could initially be activated to practice during wargames, command post drills, and Japan's regular series of large natural disaster exercises. A Standing Bilateral Joint Task Force would alleviate USFJ and JSDF responders from having to start from scratch every time a crisis develops, providing participants with a familiar operational framework that straddles the service-specific stove-pipes within which they have already



been trained. Ideally, training for the task force would take advantage of better information technologies and communications systems to connect mainland Japan units with their counterparts in Hawaii or the continental United States and deepen relations.

Japan constantly experiences natural disasters, with earthquakes, in particular, occurring with no advance notice. A well-exercised Standing Bilateral Joint Task Force would allow USFJ and JSDF responders to more effectively and efficiently conduct rescue and relief operations. During normal peacetime operations, the task force could exist as a non-scenario-specific staff organization, drawing participants from various USFJ and JSDF headquarters. A key formulative requirement would be including the task force in larger Japanese intergovernmental crisis-response drills where command and control; logistics; intelligence, surveillance, and reconnaissance; search and rescue; interagency coordination; security; and public and strategic communications can be studied and exercised.

In recent years, the JSDF has formed an amphibious brigade and started deploying Japan Ground Self-Defence Force missile units to several of the Ryukyu Islands.<sup>14</sup> The U.S. Navy's Seventh Fleet has amphibious ships based in Sasebo, Nagasaki, and, of course, there are the highly capable U.S. Marine Corps expeditionary forces based in Okinawa. These are examples of JSDF and USFJ units that could form the tactical core of a Standing Bilateral Joint Task Force.

Such a task force could add rigor and improve JSDF and USFJ roles and participation in managing a gray-zone crisis in the East China Sea, which will require a whole-of-government approach. Though not the only possible solution, it has the potential to add value to and increase the effectiveness of the current ACM. A well-organized and exercised task force could attach an operational and more joint framework to the ACM, thereby enabling the U.S.-Japan peacetime point-to-point defense liaison network to function in a more agile and concrete manner.

A gray-zone crisis in the East China Sea would be complex and dynamic, and therefore an experienced Standing Bilateral Joint Task Force must be postured to act quickly and as part of the overall national responses. It is worth noting that the task force itself could also play a role in strategic communications related to deterrence or de-escalation: publicly announcing its existence or activation would be noticed by China and other

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<sup>14</sup> "Japan Activates First Marines since WWII to Bolster Defenses against China," *Japan Times*, April 7, 2018 ~ <https://www.japantimes.co.jp/news/2018/04/07/national/japan-holds-kickoff-ceremony-nations-first-full-fledged-rapid-deployment-amphibious-force/#.XuRKKhUzaUk>.

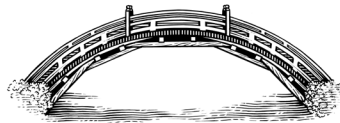
regional actors. Finally, while the compositional details of a task force and its leadership, command, and control are undetermined here, such a task force has the potential to synthesize and focus the results of the ACM. It could thereby serve as a more effective and responsive player on Japan's gray-zone crisis-management team for the Senkaku Islands. ◆

ROUNDTABLE ESSAY

# China's Response to U.S.-Japan Coordination in the East China Sea

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**NOTE** ≈ *The views expressed are those of the author and do not reflect the official policy, position, or assessment of the Joint Staff, U.S. Department of Defense, or the U.S. government. The appearance of hyperlinks does not constitute endorsement by the Department of Defense of the linked websites, or the information, products, or services contained therein.*

**KEYWORDS:** U.S.-JAPAN ALLIANCE; CHINA; EAST CHINA SEA; SENKAKU ISLANDS; GRAY-ZONE SCENARIO

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## EXECUTIVE SUMMARY

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This essay examines China's interests, claims, and activity around the Senkaku Islands and assesses how Beijing might react to the U.S.-Japan alliance establishing a Standing Bilateral Joint Task Force in the East China Sea.

### MAIN ARGUMENT

Beijing's claims to the Senkaku Islands (known as the Diaoyu Islands in China), along with its maritime entitlements, support the "China dream" of a great rejuvenation—China's goal to restore its national power and regional dominance. China closely monitors Japanese and U.S. actions in the East China Sea and has deployed instruments of national power such as military, paramilitary, diplomatic, information, legal, and economic measures to stake its claims. China's response to increased U.S.-Japan coordination—for example, with the creation of a Standing Bilateral Joint Task Force—would hinge on several considerations, including political context, the scope of the charter, and how Beijing perceives changes to the status quo. Responses could range from diplomatic protest to economic retribution to dangerous military maneuvering. Increased U.S.-Japan military coordination would certainly continue to drive China's long-term military buildup and modernization. As new technologies are introduced into its military service, China's expanded options for responding to U.S.-Japan operations in the East China Sea will present new challenges for alliance management.

### POLICY IMPLICATIONS

- As China continues to invest in naval power to protect its increasingly global interests, the prospect of maritime disputes will intensify. The U.S.-Japan alliance should prepare for a future of heightened tensions and look for ways to mitigate risk.
- China uses its maritime militia to increase pressure on Japan, in some cases leading to political negotiations. It uses provocative military operations to signal antipathy to larger strategic issues.
- The broader strategic context should shape how the U.S.-Japan alliance pursues increased military coordination. China's claim to the Senkaku Islands supports the Chinese Communist Party's pursuit of the China dream. A U.S.-Japan Standing Bilateral Joint Task Force may not deter China from continuing to use its many resources to assert its claims, but it may be necessary to bolster conventional military deterrence.

On November 29, 2012, Xi Jinping gave a speech at Tiananmen Square two weeks after assuming duties as general secretary of the Chinese Communist Party (CCP). The world closely watched, gauging where he would take China over the next decade. In the speech, he made his first public call for the “China dream,” stating “We believe that realizing the great rejuvenation of the Chinese nation is the greatest Chinese dream of the Chinese nation in modern times...It reflects the comprehensive interests of the Chinese nation and the Chinese people.”<sup>1</sup>

The notion of China overcoming a century of hardship and returning to regional or global preeminence is not new. For past leaders, the China dream has consistently reflected China’s priorities;<sup>2</sup> Xi just elevated it to an elegant national narrative and principal orientation guide for Chinese domestic and foreign policy. The framework might also be driving a more assertive approach to pursuing China’s national interests, including in the East China Sea.<sup>3</sup>

The CCP’s strategic objectives remain the same: to perpetuate party rule, maintain domestic stability, sustain economic growth and development, defend national sovereignty and territorial integrity, and secure China’s status as a great world power.<sup>4</sup> Its claim to the Senkaku Islands (known as the Diaoyu Islands in China) serves all these interests. Its persistent activities to assert this claim promote sentimental, nationalistic unity and domestic party support. The Chinese public dwells on the history of Japan’s brutal occupation and is hypersensitive to how the government handles relations with Tokyo. By using combative language, the regime earns public approval even if no actual aggression is taken.<sup>5</sup>

This essay examines China’s rationale, interests, and activities in the East China Sea and considers how Beijing would likely respond to greater U.S.-Japan cooperation there. The essay is organized into the following four sections:

<sup>1</sup> Xi Jinping, “Speech at ‘The Road to Rejuvenation,’” General Secretary of the Communist Party of China, November 29, 2012 ~ <https://chinacopyrightandmedia.wordpress.com/2012/11/29/speech-at-the-road-to-rejuvenation>.

<sup>2</sup> Zheng Wang, “The Chinese Dream: Concept and Context,” *Journal of Chinese Political Science* 19, no. 1 (2014): 1–13 ~ <https://www7.shu.edu/diplomacy/upload/The-Chinese-Dream-Concept-and-Context-JCPS-Zheng-Wang.pdf>.

<sup>3</sup> Ian Johnson, “Xi Jinping and China’s New Era of Glory,” *New York Times*, October 13, 2017 ~ <https://www.nytimes.com/2017/10/13/sunday-review/xi-jinping-china.html>.

<sup>4</sup> U.S. Department of Defense, *Annual Report to Congress: Military and Security Developments Involving the People’s Republic of China 2019* (Washington, D.C., May 2019) ~ [https://media.defense.gov/2019/May/02/2002127082/-1/-1/1/2019\\_CHINA\\_MILITARY\\_POWER\\_REPORT.pdf](https://media.defense.gov/2019/May/02/2002127082/-1/-1/1/2019_CHINA_MILITARY_POWER_REPORT.pdf).

<sup>5</sup> Jessica Chen Weiss and Allan Dafoe, “Authoritarian Audiences, Rhetoric, and Propaganda in International Crises: Evidence from China,” *International Studies Quarterly* 63, no. 4 (2019): 963–73.

- ≈ pp. 46–49 examine Chinese interests in and claims to the Senkaku Islands, as well as China’s views on the Japanese and U.S. positions regarding the islands.
- ≈ pp. 50–54 detail how China has used military and paramilitary forces to pursue its claims.
- ≈ pp. 54–57 consider how China might react to a U.S.-Japan Standing Bilateral Joint Task Force.
- ≈ pp. 57 concludes by addressing whether a task force would be a greater deterrent to Chinese provocations in the East China Sea.

### CHINA’S THINKING AND INTERACTIONS IN THE EAST CHINA SEA

Sea power and the blue economy are major components of China’s current and future economic growth, and its centrally planned economy began to focus on building maritime industries at the beginning of the 21st century. The shipbuilding industry grew rapidly with an average annual growth of 29% from 2000 to 2010, with China overtaking South Korea as the world’s top shipbuilder.<sup>6</sup> In 2010 the State Council created three “regional ocean economic zones” to establish China’s blue economy.<sup>7</sup> By 2012, Hu Jintao stated, “We should enhance our capacity for exploiting marine resources, develop the marine economy, protect the marine ecological environment, resolutely safeguard China’s maritime rights and interests, and build China into a maritime power.”<sup>8</sup> The waters surrounding the Senkaku Islands are a significant swath of China’s (and Japan’s) claimed exclusive economic zone (EEZ). The potential oil and natural gas deposits in the area, as well as fish stocks, would contribute to sustaining China’s economic growth and development well into the future.<sup>9</sup>

In addition to the political and economic benefits, China values the Senkaku Islands for their strategic importance. Despite a long history of overland invasions, China has recently nurtured the perception that its

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<sup>6</sup> “Chinese Shipbuilding,” GlobalSecurity.org ≈ <https://www.globalsecurity.org/military/world/china/shipbuilding.htm>.

<sup>7</sup> “China Launches First Ocean Economic Zone,” *China Daily*, February 19, 2011 ≈ [http://www.chinadaily.com.cn/china/2011-02/19/content\\_12044119.htm](http://www.chinadaily.com.cn/china/2011-02/19/content_12044119.htm).

<sup>8</sup> Embassy of the People’s Republic of China in the United States of America, “Full Text of Hu Jintao’s Report at 18th Party Congress,” November 27, 2012 ≈ [http://www.china-embassy.org/eng/zt/18th\\_CPC\\_National\\_Congress\\_Eng/t992917.htm](http://www.china-embassy.org/eng/zt/18th_CPC_National_Congress_Eng/t992917.htm).

<sup>9</sup> Cary Huang, “Diaoyu Islands Dispute about Resources Not Land,” *South China Morning Post*, December 4, 2012 ≈ <https://www.scmp.com/news/china/article/1096774/diaoyu-islands-dispute-about-resources-not-land>.

greatest threat comes from the sea.<sup>10</sup> Beginning with the First Opium War in 1839 and ending with the Second Sino-Japanese War in 1945 (China's "century of humiliation"), foreign powers invaded and colonized China from the sea. Securing control of the Senkaku Islands could contribute to defense of the mainland. China has already demonstrated in the South China Sea how it can employ islands for administrative control, deploy anti-access and area-denial capabilities, and support coercive military and nonmilitary operations, as well as intimidate neighboring nations.

China's uncompromising claim to the Senkaku Islands is based largely on historic premises—the islands were traditionally fishing grounds for Chinese and Taiwanese fishermen. China points to evidence of Ming and Qing dynasty navigation manuals, official records, and maps produced by Chinese and Western cartographers showing the islands as part of Chinese territory as early as the fifteenth century. Furthermore, Qing court documents declared governance of "Diaoyu Dao" and other nearby islands under Taiwan in 1871.<sup>11</sup> In 1895, when Japan defeated China in the First Sino-Japanese War, the Treaty of Shimonoseki required the Qing Dynasty to cede Taiwan and its offshore islands to Japan. In China's view, the islands should have been returned to China when World War II ended, in accordance with other negotiated agreements: the Cairo Declaration, the Potsdam Declaration, and the Japanese Instrument of Surrender.

The CCP views the United States as complicit in wresting control of the Senkaku Islands from China given that the 1951 Treaty of San Francisco was signed without Chinese participation. Although the treaty did not explicitly make any determination on the Senkaku Islands, the United States took trusteeship of the islands and used them for bombing practice. In 1971, in consultation with Japan, the United States relinquished control of the Ryukyu Islands and declared that the Senkaku Islands would be transferred over to Japanese administration. Since then, the United States has remained neutral on the question of sovereignty, though Washington has publicly stated at

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<sup>10</sup> China's 2015 defense white paper states that the "traditional mentality that land outweighs sea must be abandoned, and great importance has to be attached to managing the seas and oceans and protecting maritime rights and interests. It is necessary for China to develop a modern maritime military force structure commensurate with its national security and 14 development interests, safeguard its national sovereignty and maritime rights and interests, protect the security of strategic SLOCs [sea lanes of communication] and overseas interests, and participate in international maritime cooperation, so as to provide strategic support for building itself into a maritime power." See State Council Information Office of the People's Republic of China, *China's Military Strategy* (Beijing, May 2015) [http://www.china.org.cn/china/2015-05/26/content\\_35661433.htm](http://www.china.org.cn/china/2015-05/26/content_35661433.htm).

<sup>11</sup> State Council Information Office of the People's Republic of China (PRC), "Diaoyu Dao, an Inherent Territory of China," September 26, 2012 [https://www.fmprc.gov.cn/mfa\\_eng/topics\\_665678/diaodao\\_665718/t973774.shtml](https://www.fmprc.gov.cn/mfa_eng/topics_665678/diaodao_665718/t973774.shtml).

times of heightened tension—in 1996, 2004, and 2009—that the islands fall under Article 5 of the U.S.-Japan Mutual Security Treaty.<sup>12</sup> In 2010, as tensions escalated again, Secretary of State Hillary Clinton assured her Japanese counterpart that the islands were covered by the defense treaty;<sup>13</sup> and in 2014 President Barack Obama, standing next to Prime Minister Shinzo Abe in Tokyo, explicitly reiterated this position:

We don't take a position on final sovereignty determinations with respect to Senkakus, but historically they have been administered by Japan and we do not believe that they should be subject to change unilaterally. And what is a consistent part of the alliance is that the treaty covers all territories administered by Japan.<sup>14</sup>

In pursuit of its claim, the Chinese government has employed a dual-track approach of diplomacy and military pressure.<sup>15</sup> It compartmentalizes and pursues cooperative relations through economy and trade while challenging Japan with military and quasi-military pressure. For example, in 1978, prior to negotiating the Treaty of Peace and Friendship between Japan and China, a large group of armed Chinese fishing boats swarmed the Senkaku Island territorial seas. The treaty itself agreed to “settle all disputes by peaceful means and shall refrain from the use or threat of force.”<sup>16</sup> Chinese and Japanese accounts differ on how the Senkaku Islands issue was handled during the treaty negotiations, however, it was more or less at the time shelved for future discussion in favor of broader cooperation.<sup>17</sup>

As an example of this approach, after a series of positive exchanges in 2006 and 2007, Beijing and Tokyo agreed to jointly explore hydrocarbon

<sup>12</sup> M. Taylor Fravel, “Explaining Stability in the Senkaku (Diaoyu) Islands Dispute,” in *Getting the Triangle Straight: Managing China-Japan-U.S. Relations*, ed. Gerald Curtis, Ryosei Kokubun, and Wang Jisi (Tokyo: Japan Center for International Exchange, 2010), 144–64.

<sup>13</sup> “Clinton: Senkakus Subject to Security Pact,” *Japan Times*, September 25, 2010 ~ <https://www.japantimes.co.jp/news/2010/09/25/national/clinton-senkakus-subject-to-security-pact/#.XqXgDJNKgU0>.

<sup>14</sup> “Joint Press Conference with President Obama and Prime Minister Abe of Japan,” White House, Office of the Press Secretary, Press Release, April 24, 2014 ~ <https://obamawhitehouse.archives.gov/the-press-office/2014/04/24/joint-press-conference-president-obama-and-prime-minister-abe-japan>.

<sup>15</sup> Michael D. Swaine “Chinese Views Regarding the Senkaku/Diaoyu Islands Dispute,” Hoover Institution, China Leadership Monitor, no. 41, 2013 ~ <https://carnegieendowment.org/files/CLM41MS.pdf>.

<sup>16</sup> “Treaty of Peace and Friendship between Japan and the People’s Republic of China,” Ministry of Foreign Affairs (Japan), August 12, 1978 ~ <https://www.mofa.go.jp/region/asia-paci/china/treaty78.html>.

<sup>17</sup> Daqing Yang, “Was There a ‘Tacit Agreement’ between China and Japan in 1972?” Wilson Center, Sources and Methods, March 27, 2017 ~ <https://www.wilsoncenter.org/blog-post/was-there-tacit-agreement-between-china-and-japan-1972>.



developments in the East China Sea in June 2008.<sup>18</sup> At the same time, the Chinese government apparently decided in 2006 to begin sending China Coast Guard (CCG) vessels to patrol the waters around the Senkaku Islands.<sup>19</sup> Patrols commenced in December 2008, perhaps to begin establishing a record of administrative control.

The Chinese government blames Japan for the last decade of elevated tensions over the Senkaku Islands, beginning with the 2010 arrest of a Chinese trawler captain after a collision with Japan Coast Guard (JCG) vessels, and culminating in the Japanese government's purchase of the Senkaku Islands in 2012 from a private owner. These events took place amid Beijing's perception that, emboldened by the United States, Japan was remilitarizing. In 2006, China's defense white paper for the first time explicitly registered this concern:

The United States is accelerating its realignment of military deployment to enhance its military capability in the Asia-Pacific region. The United States and Japan are strengthening their military alliance in pursuit of operational integration. Japan seeks to revise its constitution and exercise collective self-defense. Its military posture is becoming more external-oriented.<sup>20</sup>

China's 2015 defense strategy assessed that "such development has caused grave concerns," and, in an oblique reference to the islands, it added that "offshore neighbors take provocative actions and reinforce their military presence on China's reefs and islands that they have illegally occupied."<sup>21</sup> Congruent with this threat assessment and China's vision for its future, Beijing invested heavily in military capabilities, particularly maritime capacities. These maturing investments have allowed the CCP to deploy more coast guard, navy, and maritime militia vessels and aircraft to contest Japan's exclusive presence in the East China Sea.

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<sup>18</sup> "Japan-China Joint Press Statement Cooperation between Japan and China in the East China Sea," Ministry of Foreign Affairs (Japan), Press Release, June 18, 2008 ~ <https://www.mofa.go.jp/files/000091726.pdf>.

<sup>19</sup> "China's Patrols around Japan-Held Senkakus Planned Years Earlier, Ex-Coast Guard Chief Says," Japan Times, December 30, 2019 ~ <https://www.japantimes.co.jp/news/2019/12/30/national/china-planned-sending-patrol-ships-near-senkakus-2006/#.XqXbxpNKgU0>.

<sup>20</sup> State Council Information Office (PRC), *China's National Defense in 2006*, December 2006 ~ <http://en.people.cn/whitepaper/defense2006/defense2006.html>.

<sup>21</sup> Ibid.

## HOW DO CHINA'S MILITARY, COAST GUARD, AND MARITIME MILITIA PLAY A ROLE?

Since 2012, Beijing's approach has been to maintain steady pressure on Tokyo's control of the Senkaku Islands. Its 2015 defense strategy emphasized the concept of "active defense in the new situation." As it pertains to issues of "territorial sovereignty" and "maritime rights and interests," the armed forces are directed to "strike a balance between rights protection and stability maintenance."<sup>22</sup> Thus, the military employs tactics that are designed over the long run to build China's legal claim but not in an overly provocative manner that could trigger a military conflict. In the East China Sea, this strategy is primarily carried out by the People's Armed Forces Maritime Militia (PAFMM), the CCG, and the People's Liberation Army (PLA) Navy. These three forces train together, are interoperable,<sup>23</sup> and conduct coordinated presence patrols, sometimes within the twelve nautical miles of the Senkaku Islands' territorial waters. Chinese military aircraft also engage in surveillance and combat air patrols in the East China Sea, sometimes in the vicinity of the Senkaku Islands.<sup>24</sup> These operations challenge the JCG and Japan Air Self-Defense Force (JASDF), establish a history of presence and administrative control, and improve the Chinese military's operational experience. However, they also raise the risk of accidents, and their pace wears on Japan's ability to maintain ready forces. As part of its active defense strategy, these operations leverage China's advantages in capacity to challenge, harass, and wear away at an adversary as it continues to build its own strengths.<sup>25</sup>

### *The People's Armed Forces Maritime Militia*

The PAFMM is government-supported and employs full- and part-time reservists and militia fishermen that train with the CCG and the PLA Navy. Originally organized for coastal defense, it has been involved in sealift and

<sup>22</sup> State Council Information Office (PRC), "China's Military Strategy."

<sup>23</sup> U.S. Department of Defense, *Annual Report to Congress*.

<sup>24</sup> Edmund J. Burke et al., *China's Military Activities in the East China Sea: Implications for Japan's Air Self-Defense Force* (Santa Monica: RAND Corporation, 2018) ~ [https://www.rand.org/pubs/research\\_reports/RR2574.html](https://www.rand.org/pubs/research_reports/RR2574.html).

<sup>25</sup> James R. Holmes, "The Two Words That Explain China's Assertive Naval Strategy," *Foreign Policy*, June 3, 2015 ~ <https://foreignpolicy.com/2015/06/03/the-two-words-that-explain-chinas-naval-strategy-active-defense>.

island seizures, and is now commonly used to assert China's maritime claims.<sup>26</sup> Under direct command and control of the PLA, PAFMM ships mostly engage in presence operations but also sometimes harass other ships and may be armed.<sup>27</sup> To challenge the control of other claimants in the East and South China Seas, the fishing vessels can operate in a large swarm to overwhelm another claimant's capabilities with CCG and PLA Navy units nearby should the situation escalate.

As mentioned earlier, China swarmed PAFMM fishing boats to flood the Senkaku Islands area and exert pressure on Japan prior to the 1978 negotiations. Over a hundred fishing vessels, some armed with machine guns and displaying signs asserting China's claim, overran the area and entered the territorial seas. They were in radio contact with PLA naval bases.<sup>28</sup> In the summer of 2016, between two hundred and three hundred fishing boats swarmed the Senkaku Islands' contiguous zone (12 to 24 nautical miles from the coast), escorted by CCG, Marine Surveillance, and Fisheries Enforcement ships, with many sailing into the islands' territorial waters.<sup>29</sup> While some were trawling for fish, others were on hand solely for presence. Since China asserts that the islands are historic fishing grounds for Chinese fishermen, continued fishing vessel presence is a way to demonstrate that claim.

### *The China Coast Guard and PLA Navy*

In line with China's ambition to become a maritime power, it has heavily invested in the CCG. Over the last decade, the CCG has more than doubled in numbers and tonnage, making it the largest coast guard in the world.<sup>30</sup> China employs the CCG for more than just traditional missions of law enforcement and rescue; it is the vanguard for protecting China's sovereignty claims and maritime rights. Chinese leaders believe that using civilian law-enforcement ships demilitarizes maritime disputes and demonstrates administrative

<sup>26</sup> Andrew S. Erickson, "Exposed: Pentagon Report Spotlights China's Maritime Militia," *National Interest*, August 20, 2018 ~ <https://nationalinterest.org/feature/exposed-pentagon-report-spotlights-china%E2%80%99s-maritime-militia-29282>.

<sup>27</sup> Derek Grossman and Logan Ma, "A Short History of China's Fishing Militia and What It May Tell Us," *Maritime Issues*, April 6, 2020 ~ <http://www.maritimeissues.com/history/a-short-history-of-chinas-fishing-militia-and-what-it-may-tell-us.html>.

<sup>28</sup> Koichi Sato, "The Senkaku Islands Dispute: Four Reasons of the Chinese Offensive—A Japanese View," *Journal of Contemporary East Asia Studies* 8, no. 1 (2019): 50–82 ~ <https://www.tandfonline.com/doi/full/10.1080/24761028.2019.1626567>.

<sup>29</sup> Ministry of Foreign Affairs (Japan), "Status of Activities by Chinese Government Vessels and Chinese Fishing Vessels in Waters Surrounding the Senkaku Islands," August 26, 2016 ~ <https://www.mofa.go.jp/files/000180283.pdf>.

<sup>30</sup> U.S. Department of Defense, *Annual Report to Congress*.

control over Beijing's claims, providing enforcement of China's domestic maritime laws and regulations.<sup>31</sup> However, the CCG was recently reorganized under the People's Armed Police, which answers to the Central Military Commission, and it regularly exercises in coordinated operations with the PLA Navy.<sup>32</sup>

In the East China Sea, the CCG has dramatically increased its operations around the Senkaku Islands. In 2008 and 2010, only two ships entered the islands' territorial waters. After 2012, CCG ships began to patrol the contiguous zone daily and entered the territorial zone about three times a month in pairs.<sup>33</sup> In August 2019, though Beijing reportedly issued a fishing ban in hopes to improve relations with Tokyo, CCG vessels continued to patrol the waters around the Senkaku Islands regularly.<sup>34</sup> In total, the JCG reported that in 2019 1,097 Chinese government vessels sailed into the Senkaku Islands' contiguous zone and 126 vessels into territorial waters, setting a new record since 2013.<sup>35</sup>

While the CCG and PAFMM have established a routine presence in the East China Sea and around the Senkaku Islands, PLA Navy ships also contribute to pressuring Japan's ability to control and respond to threats. In addition to accompanying CCG operations to backstop any possible escalation, PLA Navy ships regularly transit the Miyako Strait, and the East Sea Fleet conducts exercises in the East China Sea. In June 2016 a PLA Navy frigate entered the contiguous zone for the first time.<sup>36</sup> In 2018 a submerged nuclear-powered attack submarine sailed through the contiguous zone.<sup>37</sup>

### *Air Power*

China has also used air power as part of its active defense strategy to pressure Japan. In 2013, China announced an air defense identification zone (ADIZ) in the East China Sea that overlapped with existing Japanese and Korean ADIZs and included the Senkaku Islands. This set a precedent for

<sup>31</sup> Lyle J. Morris, "Blunt Defenders of Sovereignty: The Rise of Coast Guards in East and Southeast Asia," *Naval War College Review* 70, no. 2 (2017): 75–112 ~ <https://digital-commons.usnwc.edu/cgi/viewcontent.cgi?article=1016&context=nwc-review>.

<sup>32</sup> U.S. Department of Defense, *Annual Report to Congress*.

<sup>33</sup> Ministry of Foreign Affairs (Japan), "Status of Activities by Chinese Government Vessels."

<sup>34</sup> "China Instructs Its Fishermen to Stay Away from Senkaku Islands," *Japan Times*, August 15, 2019 ~ <https://www.japantimes.co.jp/news/2019/08/15/national/politics-diplomacy/china-instructs-fishermen-stay-away-senkaku-islands/#.XuC3zUVKiUm>.

<sup>35</sup> Ministry of Foreign Affairs (Japan) ~ <https://www.mofa.go.jp/files/000465486.pdf>.

<sup>36</sup> Minnie Chan, "Japan Protests as China's PLA Navy Sails near Disputed Diaoyu Islands in East China Sea," *South China Morning Post*, June 9, 2016 ~ <https://www.scmp.com/news/china/diplomacy-defence/article/1970375/japan-protests-chinas-pla-navy-sails-near-disputed>.

<sup>37</sup> U.S. Department of Defense, *Annual Report to Congress*.

increased Chinese military aircraft sorties in the region to patrol and enforce the ADIZ, as well as for the JASDF to scramble jets to intercept them. In fiscal year 2019 the JASDF intercepted Chinese military aircraft approaching Japanese airspace 675 times, with 581 of these scrambles occurring in the area around the islands.<sup>38</sup> The record number came in fiscal year 2016 when the JASDF scrambled to intercept Chinese aircraft 851 times.<sup>39</sup>

As in the maritime domain, China is leveraging its advantages in capacity to provoke daily responses from Japan and stress JASDF readiness.<sup>40</sup> In the East China Sea, China operates a variety of PLA Air Force and PLA Naval Air Force aircraft, including H-6K long-range bombers, Y-8 and Y-9 reconnaissance and special mission aircraft, Su-30 fighters, and unmanned aerial vehicles.<sup>41</sup>

### *Other Instruments of Power*

China uses other instruments of national power beyond the military to exert pressure on Japan over the Senkaku Islands. In 2010, when Japan arrested the drunk captain of a fishing trawler that rammed two JCG ships, Beijing responded not only by facilitating massive anti-Japanese protests but also by retaliating economically through limiting the export of rare earth minerals to Japan. Following Tokyo's purchase of the islands, Chinese hackers attacked Japanese government and other websites, mostly with defacement or denial-of-service attacks.<sup>42</sup>

As new technologies emerge, China will have more tools to employ in challenging Japan's control of the Senkaku Islands. Beijing has been focusing substantial investments on developing unmanned systems in the air, surface, and underwater for maritime surveillance, communications relay, electronic warfare, mine warfare, and strike capability.<sup>43</sup> When an unmanned system appears, the uncertainty of its function, intent, and operation creates an engagement dilemma. Indeed, in 2013, after a mysterious Chinese drone

<sup>38</sup> Takahashi, Kosuke, "Number of Chinese Military Aircraft Approaching Japanese Airspace Rose by Nearly 6% in FY 2019," *Jane's Defense Weekly*, April 9, 2020.

<sup>39</sup> Burke et al., *China's Military Activities in the East China Sea*.

<sup>40</sup> Ibid.

<sup>41</sup> U.S. Department of Defense, *Annual Report to Congress: Military and Security Developments Involving the People's Republic of China 2014* (April 2014) [https://archive.defense.gov/pubs/2014\\_DoD\\_China\\_Report.pdf](https://archive.defense.gov/pubs/2014_DoD_China_Report.pdf).

<sup>42</sup> "Chinese Cyber Attacks Hit Japan over Islands Dispute," *Globe and Mail*, September 19, 2012 <https://www.theglobeandmail.com/news/world/chinese-cyber-attacks-hit-japan-over-islands-dispute/article4553048>.

<sup>43</sup> Michael S. Chase et al., "Emerging Trends in China's Development of Unmanned Systems," RAND Corporation, 2015 [https://www.rand.org/pubs/research\\_reports/RR990.html](https://www.rand.org/pubs/research_reports/RR990.html).

flew over the Senkaku Islands, Prime Minister Abe announced new rules of engagement that allowed the Japan Self-Defense Forces (JSDF) to shoot down drones in Japanese airspace. China responded that shooting down a Chinese drone would be “an act of war.”<sup>44</sup> In 2017, Japan scrambled two fighter jets and two early-warning and surveillance aircraft to intercept another drone reported over the islands that Beijing later claimed was a media drone.<sup>45</sup>

In 2018 the Center for a New American Security conducted a tabletop exercise to stress-test the U.S.-Japan alliance in response to potential scenarios over the islands. One scenario envisioned an unmanned ocean glider and a swarm of small drones within territorial waters; another looked at the potential corruption of GPS data causing military and civilian accidents; a third used information operations to drive a wedge into the alliance. While the exercise revealed impressive alliance cohesion, it also exposed a host of challenges that raised concerns about diverging perceptions, decision-making processes, and coordination of leadership and policy. A report on the exercise recommended deepening alliance coordination on intelligence, strategy, policy options, situational awareness, integrated capabilities, and exercises.<sup>46</sup>

The creation of a Standing Bilateral Joint Task Force might help the alliance address some of the identified issues and be better prepared to face contingencies going forward.

#### HOW WOULD CHINA REACT TO A U.S.-JAPAN STANDING BILATERAL JOINT TASK FORCE?

China’s reaction to the creation of a Standing Bilateral Joint Task Force would depend on several considerations. Beijing’s first consideration would likely be whether the task force changes the situation on the ground. For example, Beijing accused Tokyo of changing the status quo when it nationalized the Senkaku Islands in 2012. Song Tao, then vice foreign minister, stated that

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<sup>44</sup> Chase et al., “Emerging Trends in China’s Development of Unmanned Systems.”

<sup>45</sup> Nandini Krishnamoorthy, “Japan Scrambles Fighter Jets as China Flies Drone over Disputed East China Sea,” *International Business Times*, May 19, 2017 ~ <https://www.ibtimes.co.uk/japan-scrambles-fighter-jets-china-flies-unmanned-aircraft-near-disputed-east-china-sea-1622352>.

<sup>46</sup> Patrick M. Cronin, Daniel Kliman, and Harry Krejsa, “No Safe Harbor: Countering Aggression in the East China Sea,” Center for a New American Security, March 29, 2018 ~ <https://www.cnas.org/publications/reports/no-safe-harbor>.

the move “in essence [was] aimed at changing the Diaoyu Dao’s legal status. The Chinese side was left with no other choice but to make necessary responses.”<sup>47</sup>

A second consideration would be the declared scope of the Standing Bilateral Joint Task Force, which China would likely deem provocative if the charter was limited specifically to address the Senkaku Islands. Although the U.S. government has repeatedly stated that the islands fall under Article 5 of the U.S.-Japan Security Treaty,<sup>48</sup> an alliance mechanism created solely to target this issue may be viewed by Beijing as changing the long-standing U.S. neutrality on sovereignty or legal status of the islands. A task force dedicated instead to coordinating U.S.-Japan military operations for a wider range of contingencies that fall under the security treaty as well as disaster-response operations might prove less contentious.

Third, China would likely consider how such a task force changes U.S. military and JSDF operations before making any forceful response. When the then commander of U.S. Pacific Fleet, Admiral Scott Swift, announced in 2016 that the San Diego-based Third Fleet would begin conducting operations in the western Pacific to reinforce the Japan-based Seventh Fleet’s mission, Beijing had little reaction. Rather, the Foreign Ministry spokesperson said China would respond with appropriate action if the move were to “jeopardize China’s sovereign rights and security interests.”<sup>49</sup> The first Third Fleet operation in the western Pacific was a freedom of navigation operation near the Paracel Islands in the South China Sea. Three Chinese vessels shadowed the USS *Decatur* and warned it to leave using safe communications practices.<sup>50</sup>

Since 2015 the United States has conducted a robust series of such operations in the South China Sea. Typically, China’s reaction has been firm but measured, with public statements and state media denouncing the operations. Often, military vessels shadow the U.S. ship and the Chinese vessels use radio communications to demand that the transiting vessel leave Chinese territory.

<sup>47</sup> Song Tao, “A Better Future for China-Europe Relations,” Vice Foreign Minister and the Ministry of Foreign Affairs (PRC), October 30, 2012 ~ [https://www.fmprc.gov.cn/mfa\\_eng/topics\\_665678/diaodao\\_665718/t983606.shtml](https://www.fmprc.gov.cn/mfa_eng/topics_665678/diaodao_665718/t983606.shtml).

<sup>48</sup> Most recently, Secretary of Defense Mark Esper stated that the United States “remain[s] opposed to unilateral attempts to undermine Japan’s administration of the Senkaku Islands.” Terri Moon Cronk, “Esper, Japanese Counterpart Reaffirm Bilateral Defense Relationship,” U.S. Department of Defense, January 14, 2020 ~ <https://www.defense.gov/Explore/News/Article/Article/2057319/esper-japanese-counterpart-reaffirm-bilateral-defense-relationship>.

<sup>49</sup> Tim Kelly, “San Diego to South China Sea: U.S. Navy Tested New Command in Latest Challenge to China,” Reuters, October 24, 2016 ~ <https://www.reuters.com/article/us-southchinasea-usa-thirdfleet-idUSKCN12P0C4>.

<sup>50</sup> Idrees Ali and Matt Spetalnick, “U.S. Warship Challenges China’s Claims in South China Sea,” Reuters, October 21, 2016 ~ <https://www.reuters.com/article/us-southchinasea-usa-exclusive-idUSKCN12L1O9>.

China has also sent fighter planes to “warn and expel” U.S. ships.<sup>51</sup> Counter to this behavior, in September 2018 the PLA Navy suddenly reacted forcefully to a freedom of navigation operation near the Spratly Islands.<sup>52</sup> Beijing did not explain this unusually aggressive maneuvering, but analysts suggested Xi Jinping was using the incident to signal that U.S.-China relations were on a dangerous course. This incident took place the day after new arms sales to Taiwan were announced and amid escalating tensions in the bilateral trade war.<sup>53</sup> Thus, a fourth consideration would be the larger geopolitical context in which the Standing Bilateral Joint Task Force is announced. If geopolitical tensions are significantly high, China might seize on the opportunity to signal displeasure with the course of U.S.-China or Japan-China relations.

The U.S.-Japan defense relationship has steadily improved over the last decade. Admiral Phil Davidson, commander of U.S. Indo-Pacific Command, testified to Congress in 2019 that the two forces “are synchronized in our national policies and defense strategies, and communication mechanisms exist at every level of our governments to ensure we are synchronized on key issues.”<sup>54</sup> U.S. and Japanese forces conduct a number of bilateral and multilateral exercises in the Pacific. During these drills, PLA Navy intelligence ships have sometimes shadowed U.S. and allied ships to observe them, including the trilateral exercise Malabar (U.S.-Japan-India) in 2016, the 25-country Rim of the Pacific (RIMPAC) exercise in 2014 and 2018, and the trilateral (U.S.-Japan-Australia) exercise Talisman Sabre in 2017 and 2019. In shadowing these exercises, the PLA is most likely interested in learning how the three forces work together.<sup>55</sup> In a similar vein, a Standing Bilateral Joint Task

<sup>51</sup> Ministry of Foreign Affairs (PRC), “Foreign Ministry Spokesperson Hua Chunying’s Regular Press Conference,” October 11, 2017 ~ [https://www.fmprc.gov.cn/mfa\\_eng/xwfw\\_665399/s2510\\_665401/2511\\_665403/t1500871.shtml](https://www.fmprc.gov.cn/mfa_eng/xwfw_665399/s2510_665401/2511_665403/t1500871.shtml).

<sup>52</sup> The USS *Decatur* was conducting an innocent passage within twelve nautical miles of the Gaven Reefs when a PLA Navy destroyer approached and used threatening language before trying to force the *Decatur* off course. Video footage showed the PLA Navy ship preparing fenders for a possible collision. John Power, “Exclusive: U.S. Navy Footage of Warships’ Near Collision in South China Sea,” *South China Morning Post*, January 23, 2020 ~ <https://www.scmp.com/week-asia/politics/article/3047317/exclusive-us-navy-footage-warships-near-collision-south-china>.

<sup>53</sup> Ben Wener, “China’s Atypical Response to US Navy FONOPS May Be a Message to Trump Administration,” *USNI News*, October 3, 2018 ~ <https://news.usni.org/2018/10/03/37076>.

<sup>54</sup> Philip S. Davidson, statement before the Senate Armed Services Committee on U.S. Indo-Pacific Command posture, Washington D.C., February 12, 2019 ~ [https://www.armed-services.senate.gov/imo/media/doc/Davidson\\_02-12-19.pdf](https://www.armed-services.senate.gov/imo/media/doc/Davidson_02-12-19.pdf).

<sup>55</sup> Nobuhiro Kubo, “China Spy Ship Shadows U.S., Japanese, Indian Naval Drill in Western Pacific,” *Reuters*, June 14, 2016 ~ <https://www.reuters.com/article/us-usa-pacific-exercises/china-spy-ship-shadows-u-s-japanese-indian-naval-drill-in-western-pacific-idUSKCN0Z10B8>; Sam LaGrone, “Navy: Chinese Spy Ship Monitoring RIMPAC Exercise, Again,” *USNI News*, July 14, 2018 ~ <https://news.usni.org/2018/07/13/navy-chinese-spy-ship-monitoring-rimpac-exercise>; and Andrew Greene, “Chinese Spy Ship Shadows Australian Troops on Joint Exercises with US,” *New Daily*, July 12, 2019 ~ <https://thenewdaily.com.au/news/world/2019/07/12/china-spy-ship-australia>.



Force might provoke some Chinese military exploratory operations aimed at observing or testing the execution of increased U.S.-Japan coordination.

WOULD ESTABLISHING A STANDING BILATERAL  
JOINT TASK FORCE BE A GREATER DETERRENT  
TO CHINESE PROVOCATIONS?

When Xi Jinping gave his speech on the China dream in 2012, he had just toured an exhibit in the National Museum of China called “The Road to Rejuvenation.”<sup>56</sup> The exhibit documented China’s perspective of history since the First Opium War, the country’s descent through semi-colonialism, and its suffering at the hands of imperial Japan. Xi stood in front of the exhibit and exhorted that the “Chinese people have never surrendered, and incessantly rose with force and spirit to resist... I believe even more firmly, that the dream of the great rejuvenation of the Chinese nation can absolutely be realized.”<sup>57</sup> The road to rejuvenation is a narrative that has pervaded Chinese society, and Xi has made it a centerpiece of his vision by projecting confidence that China has the power to achieve it. There is broad conviction in China that the Senkaku Islands historically were Chinese territory that was stolen during the so-called century of humiliation. Consequently, Chinese leaders view recovering the islands as a defensive, rather than aggressive, mission.<sup>58</sup>

Conflict could jeopardize the China dream due to severe economic consequences and the risk of military failure. Beijing’s strategy of balancing stability with asserting its maritime rights and interests continues to buy time for China to build its military capacities and capabilities, while also establishing its legal claim to disputed territories. China seeks to win a long and drawn-out competition without having to fight a direct military battle. A U.S.-Japan Standing Bilateral Joint Task Force will not deter China from pursuing this dream, and the country will continue to assert its Senkaku claim using all instruments of national power. However, closer alliance coordination may reinforce conventional deterrence. As China continues to develop its sea power in support of expanding its national interests abroad, the prospect of maritime disputes will intensify. Without closer coordination, the U.S.-Japan alliance cannot compete in China’s long and drawn-out challenge. ◆

<sup>56</sup> Kirk A. Denton, “China Dreams and the ‘Road to Revival,’” *Origins* 8, no. 3 (2014) ~ <http://origins.osu.edu/article/china-dreams-and-road-revival>.

<sup>57</sup> Xi, “Speech at ‘The Road to Rejuvenation.’”

<sup>58</sup> Wang, “The Chinese Dream: Concept and Context.”

