

The South China Sea: A View from Japan

Tomotaka Shoji*

Abstract

This article examines issues concerning the South China Sea from a Japanese perspective. In contrast to its reticence and hesitant attitude in the 1990s, Japan's current approach to the South China Sea has been much more active and multi-dimensional. The Japanese government has been eager to actively participate in ASEAN-centered security dialogues. The basic strategy Tokyo has employed in multilateral arenas is to include the concept of maritime security on the agenda, emphasizing the importance of resolving territorial disputes in a peaceful manner and securing freedom of navigation based on the rule of law. The incumbent Abe administration has also been active in reinforcing bilateral cooperation with ASEAN claimants, Vietnam and the Philippines in particular. How Japan can effectively pursue security cooperation with ASEAN to check China's actions depends largely upon the overall US strategy toward the region.

Introduction

This article examines issues concerning the South China Sea from a Japanese perspective. Territorial disputes in the South China Sea have long been one of the most critical and complex issues of security between Southeast Asian countries (or the Association of Southeast Asian Nations (ASEAN)) and China, or more broadly, in the entire Asia-Pacific region involving non-claimant states like Japan. In terms of confrontation between modern nation-states, disputes first emerged in the 1980s and 90s, caused by competitive occupations by littoral countries, with China expanding southward into the sea. The ameliorated and deepened relationship between ASEAN and China meant the issue was seemingly appeased during the first half of the 2000s. However, in recent years, since around 2007 in particular, not only claimants in Southeast Asia like Vietnam and the Philippines but also other regional states, including the United States, have become increasingly concerned about China's intentions and uncertainties surrounding the future prospects in the South China Sea, given China's growing assertiveness regarding its "indisputable sovereignty" over 80% of the sea area. Furthermore, the security situation in this area has been further complicated by recent activities by claimants attempting to exploit and preserve natural resources. Escalated tensions in the South China Sea are creating an unstable strategic environment in this region. More specifically, the aggravated disputes could pose a serious threat to freedom of navigation, which might endanger the interests of regional countries, including Japan.

In spite of not being a claimant to territorial rights, Japan is greatly interested in the South China Sea in terms of peace and stability in East Asia. More specifically, it is imperative for Japan

* Senior Fellow, Regional Studies Department.

to protect freedom of navigation in the sea area, because this sea-lane is vital for Japan's trade and energy supply. However, Japan's contribution to addressing the territorial disputes was minimal in the past, due to various limitations imposed on Japan's strategic behavior and Japan's reticence as a result of these limitations. Subsequently, amid re-emerging tensions in the South China Sea since the late 2000s, Japan has taken a more proactive stance on this issue. Tokyo has taken every opportunity to participate in multilateral gatherings to emphasize the importance of securing the freedom of navigation based on the rule of law, supporting the US claim and ASEAN's effort to resolve the disputes in a peaceful manner. Moreover, within the context of increasing tensions in the East China Sea, the Japanese government is addressing the matter of the South China Sea in tandem with that of the East China Sea; more concretely, Japan is fostering bilateral cooperation with ASEAN claimants, particularly Vietnam and the Philippines, aimed at jointly dealing with China's assertiveness.

Despite the significant implications of the South China Sea for Japan, it is hard to find academic/strategic research on the issue from Japanese perspectives, apart from a few scholarly works.¹ In particular, there is a paucity of research about Japan's recent view on the issue, especially since the inauguration of the incumbent administration. Therefore, this paper attempts to analyze the current state of affairs in the South China Sea and describe the trajectory along which Tokyo is seeking to play a greater role as a relevant actor for regional security, despite various difficulties and challenges. This paper is divided into three sections. The first section provides an overview of the current state of affairs in the South China Sea, centering on how ASEAN and respective member countries have tried to address the issue. The second section explores Japan's view on the South China Sea from a comparative perspective of two periods, the 1990s and the present. Finally, the third section analyzes Japan's approach toward the South China Sea touching upon the two dimensions of multilateral frameworks and bilateral cooperation.

The Current Situation in the South China Sea: ASEAN's Reactions

Since the emergence of territorial disputes in the South China Sea, ASEAN has consistently tried to manage the disputes by peaceful means. ASEAN has adopted a coherent strategy of seeking to eventually conclude a legally-binding code of conduct (COC) with China. Meanwhile, in 2002, ASEAN signed a Declaration of Conduct of Parties in the South China Sea (DOC) with China, a political commitment between the two parties to peacefully resolve the territorial disputes. Subsequently in 2011, ASEAN and China agreed on the guidelines for the implementation of the DOC and China accepted ASEAN's proposal to begin discussions about the COC. The first official meeting on the COC was held in September 2013. Nevertheless, it remains to be seen how the matter will proceed due to uncertainties surrounding China and its willingness to conclude the COC in particular.

For Vietnam, the question of how to manage relations with China is always critical. At the same time, the South China Sea is undoubtedly one of the most important security issues for

¹ Lam Peng Er, "Japan and the Spratlys Dispute: Aspirations and Limitations," *Asian Survey*, Vol. 36, No. 10, October 1996, pp. 995-1010; Joshua P. Rowan, "The U.S.-Japan Security Alliance, ASEAN, and the South China Sea Dispute," *Asian Survey*, Vol. 45, No. 3, May/June 2005, pp. 414-436; Céline Pajon, "Japan and the South China Sea: Forging Strategic Partnerships in a Divided Region," *Asie Visions* 60, Center for Asian Studies, Institut français des relations internationales (IFRI), January 2013.

Vietnam. In view of the clear disparity in their national strength, their long history of political and party relations as two socialist countries, and their rapidly deepening economic ties, it is not easy for Vietnam to take the option of simply confronting China in the South China Sea. Vietnam needs to strike an appropriate balance between the two policies of maintaining stable and cooperative ties with China and exercising caution on China's growing assertiveness in the South China Sea. In recent years, however, while this balance is in principle being maintained, Vietnam has clearly exercised greater caution toward China.

While exercising such heightened caution, and at the same time seeking to maintain stable ties with its northern neighbor, what sort of measures can Vietnam take on the South China Sea issue? In general, one of the countermeasures that states take to cope with a rising potential threat is "internal balancing" through military buildup.² Indeed, Vietnam's recent military modernization and its active procurements from Russia in particular seem to be connected to the South China Sea. On the other hand, can Vietnam "externally balance" against the rise of China by forming alliances or pursuing security cooperation with other countries? Officially, Vietnam rules out the option of forming military alliances and attempts to achieve security based on omnidirectional foreign policy, including security cooperation with as many countries as possible.³

Under these circumstances, reinforcing security cooperation with external powers like the US, Japan, India, and Russia is expected to contribute to diplomatically and politically strengthening Vietnam's position. However, it is no easy task for Vietnam to forge more full-fledged security cooperation. In fact, in promoting cooperation with the US, which could be the best partner for Vietnam in terms of dealing with the rise of China, Hanoi faces challenges it must overcome, such as the historical legacy of the Vietnam War, and serious differences of views over human rights and religious freedom. In this sense, it is salient for Vietnam to pursue cooperation with other powers, including Japan.

In dealing with China's assertiveness in the South China Sea, the Philippines takes three approaches: ASEAN, the alliance with the US, and international arbitration. With regard to diplomatic negotiations within the framework of ASEAN, President Benigno Aquino, since assuming office in 2010, has been proactive in trying to resolve the South China Sea issue through multilateral dialogues. The Philippines claims that ASEAN should jointly work on negotiations with China for concluding the COC. An incident that occurred in March 2011, in which an oil exploration ship of the Philippines was harassed by Chinese patrol vessels in the South China Sea, provoked more diplomatic actions from the Philippines. Since June 2011, Manila has used the term "West Philippine Sea" to indicate a Philippine-controlled area in the South China Sea, supposedly for strongly claiming its sovereign rights over said area.

The Philippines has adopted a clearer stance than Vietnam in strengthening security cooperation with the US as its long-standing ally. Manila has repeatedly confirmed the US "commitment" to the Philippines' defense based on the 1951 mutual defense treaty. The US responded to the Philippines' requests by conducting joint exercises in the South China Sea and providing two retired *Hamilton*-class cutters in 2011 and 2012 respectively. The US "rebalancing"

² Kuik Cheng-Chwee, "The Essence of Hedging: Malaysia and Singapore's Response to a Rising China," *Contemporary Southeast Asia*, Vol. 30, No. 2, August 2008, p. 160.

³ Bo Quoc phong, Nuoc Cong hoa Xa hoi Chu nghia Viet Nam [Ministry of National Defense, Socialist Republic of Vietnam], *Quoc phong Viet Nam* [National Defense of Vietnam], December 2009, p. 19.

toward the Asia-Pacific, combined with the three-month standoff between the Philippines and China at the Scarborough Shoal and the ensuing de facto occupation of the shoal by China, led the Philippines to further reinforce security ties with Washington. In view of reinvigorating the US-Philippine alliance, in April 2014, the two countries signed an “Enhanced Defense Cooperation Agreement,” which enables the US to increase its military presence in the Philippine territories.

As for international arbitration, the Philippine government filed the case to the Permanent Court of Arbitration (PCA) in January 2013. The PCA accepted the case, while China officially rejected the Philippines’ notification. Manila is requesting that based on the UN Convention on the Law of the Sea (UNCLOS) the court should clarify its interpretation on China’s “nine-dashed line” claim.

The South China Sea from Japan’s Perspective: Comparative Overview of the 1990s and Current Situation

The San Francisco Treaty in 1951 officially clarified that Japan should completely renounce its claim of sovereignty over the archipelagos in the South China Sea.⁴ Afterwards, the country did not display any particular interest in the sea area, concentrating on rebuilding the economy and diplomatic relations with its neighbors. Tokyo adopted “peace diplomacy” and carefully avoided engagement in regional security issues. When the territorial disputes in the South China Sea first emerged in the 1990s, Japan’s reaction was mixed: Lam Peng Er, a prominent Singapore scholar on Japan’s security, properly argued in his insightful paper on Japan and the South China Sea in the 1990s that in order to pursue a more active role in international affairs commensurate with its status as an economic powerhouse, the country tried to play a part in the issue. For example, Japan attempted, through bilateral talks, to persuade China to peacefully resolve the disputes. Tokyo supported dialogues at the ASEAN Regional Forum (ARF) as well, by backing the countries concerned in Southeast Asia in a low-profile manner. At the same time, however, the Japanese government was hesitant to stand out in “intervening” in others’ territorial disputes and thus avoided putting the issue on the agenda at the 1995 APEC meeting hosted by Japan.⁵

In his paper published in 1996, Lam already mentioned implications the South China Sea would have for potential tensions that might emerge between Japan and China in the East China Sea.⁶ However, in terms of the policy priorities of the Japanese government that determine how it would play a role in the South China Sea disputes, the linkage between the South and East China Seas was less important than the pursuit of great-power status and securing a sea route for its trade and energy supply. In addressing territorial disputes in the South China Sea, from Japan’s perspective, the strategic implications for the Senkaku Islands were weaker than other political and economic considerations.

Today, the landscape of Japan’s strategic environment has greatly changed, mainly because of newly rising powers like China and India. Accordingly, the policy priorities in Japan’s engagement

⁴ Article 2 (f), “Japan renounces all right, title and claim to the Spratly Islands and to the Paracel Islands,” Geoffrey Till, “The South China Sea Dispute: An International History,” Sam Bateman and Ralf Emmers, eds., *Security and International Politics in the South China Sea: Towards a Cooperative Management Regime*, Routledge, 2009, pp. 30-31.

⁵ Lam, “Japan and the Spratlys Dispute,” pp. 1001-1006.

⁶ *Ibid.*, pp. 999-1001.

in the South China Sea have also changed. First of all, the aspiration to acquire great-power status has receded. Against the backdrop of the US-China power game currently unfolding in East Asia, Japan identifies itself as an “influential middle power” rather than a great power, and is seeking to contribute to protecting universal values like human rights, democracy, and the rule of law, basically supporting the US strategy toward the Asia-Pacific.

As Japan’s relative power and influence over the region declines, it is no longer a priority for it to acquire an “honorable” status in the international community. Rather, the re-emergence of territorial disputes in the South China Sea is a serious security concern for the country in terms of how to address a powerful and assertive China in the East China Sea. Recently, Japan has been greatly concerned about China’s growing assertiveness regarding its sovereign and maritime rights over surrounding sea areas, especially in relation to heightened tensions between the two countries in the East China Sea. This recognition became firmly embedded following the September 2010 incident in which a Chinese fishing boat crashed into a Japan Coast Guard vessel in waters around the Senkaku Islands, causing severe diplomatic friction between the two nations. Since this incident, Japan has become more active in consolidating security ties with the US, based on the US-Japan alliance. Moreover, the Japanese government has felt the need to strongly encourage China to discuss maritime issues in multilateral dialogues, in order to prevent the country from resorting to unilateral diplomatic and political pressures, or even bullying by physical might, while attempting to expand its sphere of influence, and eventually realize its territorial claims and preserve natural resources.

Furthermore, China harshly reacted to Japan’s declaration of the “nationalization” of the Senkaku Islands in September 2012. The ensuing deterioration of relations between the two countries and China’s escalated actions to challenge Japan’s control of the Senkakus, including the frequent entry of China Coast Guard vessels into Japan’s territorial waters around the islands, have urged Tokyo to take more effective measures to protect its sovereignty. Currently the Japanese government has been linking the East China Sea more closely with the South China Sea in its strategic thinking. A policy outcome stemming from this linkage is to renew and strengthen ties with ASEAN countries.

Growing interest by the US in the South China Sea influences Japan as a US ally in East Asia. Currently, the US, whose attitude has changed somewhat since the 1990s, is greatly interested in the South China Sea issue. Particularly since 2009 when the US Navy vessel *Impeccable* was harassed while navigating within the EEZ of China, Washington has demonstrated deep concern about the situation in the South China Sea, as well as its willingness to engage in the issue to protect freedom of navigation, although it maintains a neutral position in the territorial disputes and hopes that the disputes should be resolved in a peaceful manner based on the rule of law. As the US government and military are seeking cooperation with regional countries to secure the South China Sea, and in light of the renewed US strategy of “rebalancing” toward the Asia-Pacific since 2012, Japan will reinforce its own engagement in the South China Sea in terms of strengthening the US-Japan alliance and supporting the US “rebalancing” strategy.

The South China Sea and Japan: Multilateral/Bilateral Approaches

Accordingly, in contrast to its reticence and hesitant attitude in the 1990s, Japan’s current approach to the South China Sea has been much more active and multi-dimensional. Currently Japan has

three main objectives for engaging in the South China Sea: first, the country definitely needs a stable South China Sea in order to secure a route for trade and energy transportation, as well as a stable security environment in East Asia which is not jeopardized by the escalation of territorial disputes. In this regard, Tokyo should support steady development in talks between China and ASEAN aimed at concluding a COC. Japan also should encourage China, which prefers bilateral negotiations on territorial disputes, to participate in discussion in multilateral settings to share information and insight for resolving or alleviating tensions caused by the issue, with a focus on establishing a crisis management mechanism.

Second, it is urgent for Japan to deal with China's growing assertiveness and heightened tensions between Japan and China in the East China Sea, where Chinese patrol vessels repeatedly enter Japan's territorial waters. Therefore, Japan's concern about the South China Sea is related to the East China Sea in the sense that Japan should cooperate with ASEAN countries, both multilaterally and bilaterally, to demonstrate their unified will to jointly tackle China's assertiveness, in terms of checking its unilateral and aggressive behavior.

Third, in relation to the previous two objectives, Japan supports the US policy toward the South China Sea. The US strongly calls for freedom of navigation, and the securing of commercial and maritime security communications in the South China Sea, which are also vital to Japan.

In actuality, there are few strategic options available to Japan for accomplishing its objectives relating to the South China Sea. Not being a claimant, it does not have diplomatic leverage to promote talks about the territorial disputes, nor is it politically influential enough to strongly encourage the claimants to change their policies in Japan's favor. Moreover, the option of military engagement for Japan is of course very limited due to political and operational restrictions. Under these limited conditions, Tokyo's South China Sea strategy is based primarily around two dimensions: actively participating in multilateral dialogues and reinforcing security ties with ASEAN claimants.

Multilateral Dialogues: Useful Channels?

Under these circumstances, Japan should make effective use of the limited political and diplomatic resources available to play a role in addressing the South China Sea issue. One form of available measures is active participation in multilateral dialogues. The Japanese government has been eager to actively participate in ASEAN-centered security dialogues, including the ASEAN Regional Forum (ARF), the ASEAN Defense Ministers' Meeting (ADMM) Plus, and the East Asia Summit (EAS). The basic strategy Tokyo has employed in multilateral arenas is to include the concept of maritime security on the agenda, emphasizing the importance of resolving territorial disputes in a peaceful manner and securing freedom of navigation based on the rule of law, as a universal principle that every nation should observe. This assertion aims to check China's unilateral behavior in the South China Sea by garnering support from as many countries in the region as possible, including the US and ASEAN members. Japan's argument regarding the South China Sea implies an attempt to encourage China to refrain from taking assertive actions in the East China Sea as well.

Since the resurgence of disputes in the South China Sea in the late 2000s, in addition to North Korea's nuclear development program, Japan has continued to highlight the South China Sea as a serious security concern, particularly at the ARF held in July 2010, where US Secretary of State Hillary Clinton also expressed deep interest in the issue on the part of the US. Before the re-

emergence of the South China Sea issue, as Takeshi Yuzawa argues, Tokyo had been disappointed at the ineffectiveness of the ARF.⁷ However, the enhancement of tensions in the South China Sea has again highlighted the usefulness of this 20-year old forum. Japan, as one of the strong supporters of the US and ASEAN claimants, argued that it was important to secure peace and stability in sea areas in the Asia-Pacific and maintain maritime security communications.⁸ The Japanese government has since continued to stress the importance of resolving disputes based on international law, such as UNCLOS, and of the expected early conclusion of a COC between ASEAN and China, while maintaining neutrality in disputes concerning sovereignty.

At the outset of the “re-internationalization” of the South China Sea issue, Japan has somewhat distanced itself from the center of the disputes. Instead, as a non-claimant, Japan was just one of a number of countries concerned about the impact of the issue on the overall security of the region. Since then, however, the change in Tokyo’s discourse at the ARF implies also a change in its perception on the South China Sea, caused by the Senkaku incident in September 2010. Due to severe diplomatic and political confrontation with China following the incident, Tokyo recognized more clearly Beijing’s assertiveness regarding sovereign and maritime rights, which led Japan to associate its own security more closely with the state of affairs in the South China Sea. At the July 2011 ARF in Bali, Foreign Minister Matsumoto expressed Japan’s deep concern about the situation in the South China Sea, emphasizing the salience of resolving the issue based on international law.⁹ The Japanese government has since considered the South China Sea issue to be a concern that should be shared among the entire international community, including Japan. Furthermore, at the ARF in August 2014, Foreign Minister Kishida presented a proposal that all countries concerned should return to the spirit and provisions of the DOC in order to prevent any countries from taking unilateral actions that could bring about irreversible and physical changes, implying intention on the part of Japan to check China’s assertive behavior.¹⁰

Tokyo also made efforts to build a mechanism for broadly discussing maritime issues. At the November 2011 EAS, Japan proposed the establishment of a “forum for maritime security in East Asia.” This forum was expected to consist of governmental officials and experts from EAS members, aimed at discussing basic rules concerning maritime security, including the observation of international laws and freedom of navigation. The *Yomiuri Shimbun*, a Japanese daily newspaper, suggested that Tokyo’s intention was to check China’s assertiveness in the South and East China Seas.¹¹ Although none of the member countries at the summit opposed Japan’s

⁷ Takeshi Yuzawa, “Japan and the ASEAN Regional Forum: From Enthusiasm to Disappointment,” Jürgen Haacke and Noel M. Morada, eds., *Cooperative Security in the Asia-Pacific: The ASEAN Regional Forum*, Routledge, 2010, p. 72.

⁸ Ministry of Foreign Affairs of Japan, “Dai-17-kai ARF (ASEAN Chiiki Foramu) Kakuryo-kaigo no Gaiyo [Overview of the 17th ARF (ASEAN Regional Forum) Ministerial Meeting]” <http://www.mofa.go.jp/mofaj/area/asean/arf/arf10_kk.html> (accessed on July 30, 2013).

⁹ Ministry of Foreign Affairs of Japan, “Dai-18-kai ARF (ASEAN Chiiki Foramu) Kakuryo-kaigo Gaiyo [Overview of the 18th ARF (ASEAN Regional Forum) Ministerial Meeting]” <http://www.mofa.go.jp/mofaj/area/asean/arf/arf11_kk.html> (accessed on August 12, 2013).

¹⁰ Ministry of Foreign Affairs of Japan, “Dai-20-kai ASEAN Chiiki Foramu (ARF) Kakuryo-kaigo (Gaiyo) [The 20th ASEAN Regional Forum (ARF) Ministerial Meeting (Overview)]” <http://www.mofa.go.jp/mofaj/area/page4_000118.html> (accessed on August 12, 2013).

¹¹ Ministry of Foreign Affairs of Japan, “Dai-6-kai Higashi-Ajia Shuno Kaigi (Gaiyo) [Sixth East Asia Summit (Overview)]” <http://www.mofa.go.jp/mofaj/area/eas/shuno_6th.html> (accessed on November 4, 2014); *Yomiuri Shimbun*, September 28, 2011.

proposal, no agreement was reached either. The official summit statement also did not include any reference to establishing such a forum.¹² It is likely that Japan lacked sufficient diplomatic leverage to garner substantial support from ASEAN and the US. The reluctance of EAS member states to launch a maritime security forum can be interpreted as being one of the limitations of Japan's regional security initiatives.¹³

Furthermore, at multilateral settings, Japan tried to suggest new concepts and principles to manage maritime issues, including those in the South China Sea. For example, at the 11th Shangri-La Dialogue held in 2012, Shu Watanabe, Parliamentary Senior Vice-Minister of Defense emphasized the concept of "good seamanship" consisting of considerate conduct at sea, in addition to freedom of navigation and confidence building, as goals to be pursued through practical cooperation between militaries. Considering the importance of observing international laws and norms on the front lines at sea, Watanabe highlighted the need to reduce unpredictability and prevent tensions from escalating. In his presentation, referring to the Code for Unplanned Encounters at Sea (CUES) compiled at the 2003 Western Pacific Naval Symposium, some basic rules like "maintaining safe separation between vessels" and "avoiding actions which could be misconstrued as attacks" were mentioned.¹⁴ In the keynote address of the 13th Shangri-La held in 2014, Prime Minister Shinzo Abe mentioned "three principles" of rule of law at sea: first, "states shall make and clarify their claims based on international law"; second, "states shall not use force or coercion in trying to drive their claims"; and third, "states shall seek to settle disputes by peaceful means."¹⁵

With regard to cooperation with ASEAN, Japan is striving to forge security ties with the association. At the November 2011 Japan-ASEAN summit held in Bali, the two parties issued a joint declaration for the first time in eight years, in which they agreed to promote cooperation in maritime security according to "universally-agreed principles of international law" including freedom of navigation, safety of navigation and peaceful settlement of disputes. Japan and ASEAN also reconfirmed the importance of the eventual conclusion of the COC in terms of contributing to "peace, stability, respect of freedom, and safety of navigation in and over-flight above the South China Sea."¹⁶ Furthermore, the Japanese government took the initiative to hold a Japan-ASEAN Commemorative Summit for the 40th anniversary of their relationship. At the December 2013 summit held in Tokyo, Japan and ASEAN adopted an "Implementation Plan of the Vision Statement," declaring their joint will to respect international law, uphold the principle of moderation, resolve disputes by peaceful means, and renounce the threat or use of force.¹⁷ With regard to Japan-ASEAN cooperation in the South China Sea, or maritime security in general,

¹² "Declaration on the East Asia Summit on the Principles for Mutually Beneficial Relations," Bali, November 19, 2011 <<http://www.mofa.go.jp/region/asia-paci/eas/pdfs/state111119.pdf>> (accessed on November 4, 2014).

¹³ *The Japan Times*, November 21, 2011.

¹⁴ Shu Watanabe, "Protecting Maritime Freedoms," Shangri-La Dialogue 2012, Second Plenary Session, June 2, 2012 <<http://www.iiss.org/en/events/shangri%20la%20dialogue/archive/sld12-43d9/second-plenary-session-25b4/shu-watanabe-f1d2>> (accessed on November 4, 2014).

¹⁵ "The 13th IISS Asian Security Summit—The Shangri-La Dialogue—Keynote Speech by Prime Minister Abe," May 30, 2014 <http://www.mofa.go.jp/fp/nsp/page4e_000086.html> (accessed on November 4, 2014).

¹⁶ *Yomiuri Shimbun*, October 14, 2011.

¹⁷ "Implementation Plan of the Vision Statement on ASEAN-Japan Friendship and Cooperation: Shared Vision, Shared Identity, Shared Future," Tokyo, December 14, 2013 <<http://www.mofa.go.jp/mofaj/files/000022447.pdf>> (accessed on November 5, 2014).

the two parties repeatedly agreed to respect international law and peacefully settle territorial disputes. Thus, whether the two parties can afford to translate these general agreements into practice remains a critical question.

Despite the accumulation of general agreements between Japan and ASEAN, Japan's active engagement in the South China Sea through multilateral dialogues has aroused a mixed reaction among ASEAN members. For example, considering negotiations within the ASEAN-China framework to be important and effective, Indonesia exhibited a cautious attitude towards the involvement of the US and Japan. It was reported that at the ASEAN foreign ministers' retreat held in January 2011, the Indonesian chair expressed concern about "interference" in the South China Sea by the US and Japan.¹⁸ Some ASEAN countries may fear that engagement by external powers could complicate the situation in the sea area, which would make the management and resolution of the disputes more difficult.

In addition, some may be skeptical about the relevance of the concept of "freedom of navigation" when applied to the current state of affairs in the South China Sea. China stresses that freedom of navigation in the South China Sea is completely guaranteed, so the assertions by non-claimants like the US and Japan, and the need for their intervention may be refuted by China as being "groundless."¹⁹ There is a difference in the views of the US and China on freedom of navigation; the US stresses the ability to conduct military operations in another country's EEZ, while China interprets the EEZ as guaranteeing an "exclusive right," including military activities.

Overall, Japan faces a difficult task in seeking to play a greater role in multilateral dialogues than that of a supporter of the US position, given the decline in Japan's relative influence over international politics in the Asia-Pacific. Moreover, Japan's efforts are further hindered by its position as a "backseat player" due to being a non-claimant in the South China Sea and its lack of influence over regional security compared to the US and China. Nevertheless, in light of ASEAN's actions, both multilaterally and bilaterally, to seek support and active engagement in ASEAN-related issues from a range of extra-regional players, including Japan, as well as India, Russia, and Australia, Japan is expected to play a greater and more active role in security in Southeast Asia. Furthermore, some ASEAN countries, vocal claimants in the South China Sea in particular, are rediscovering the significant role that Japan can and should play in terms of reinforcing military and political leverage against the rise of China. Japan can hardly be expected to be an honest broker due to its complex relationship with China. The country may have to identify its national interests related to the South China Sea and figure out concrete measures to contribute to addressing the issue.

The country may also face a challenge in determining how to strike an appropriate balance between the South and East China Seas. Japan needs a strong linkage between the two issues in terms of gaining support from regional countries for restraining China's unilateral behavior. However, for Japan, the East China Sea should not be highlighted as a "territorial dispute" like the South China Sea, since the Japanese government has officially asserted that there is no territorial dispute around the Senkaku Islands, and that the island and surrounding seas are completely under Japan's sovereignty. Moreover, the complexity of politics within ASEAN might have an adverse

¹⁸ *Sankei Shimbun*, January 22, 2011.

¹⁹ Personal Interview, Kuala Lumpur, March 6, 2012.

impact on Japan's strategy to reach an agreement with ASEAN countries on "internationalizing" the South China Sea issue.

Reinforcing Bilateral Security Cooperation with Vietnam and the Philippines

Since the re-intensification of the South China Sea disputes, ASEAN claimants, Vietnam and the Philippines in particular, have sought to reinforce security cooperation with external powers. While the foremost partner is the US for both countries, Japan is also regarded as a reliable partner for their security. First of all, they need substantial support from Japan to enhance their capabilities in coastal defense in terms of modernizing equipment as well as conducting the relevant training. Under the previous Noda administration, Japan's attitude to their requests was relatively noncommittal, although some low-profile cooperation was underway. However, since the inauguration of the Abe administration in December 2012, Japan has become remarkably active in reinforcing cooperation with these two countries.

Abe defines Japan's approach to ASEAN and the South China Sea more clearly than his predecessors of the Democratic Party of Japan (DPJ). The Japanese government promotes political cooperation with ASEAN by trying to form a joint will to resolve maritime issues in a peaceful way based on international law, rather than succumbing to unilateral, coercive actions. At the same time, Tokyo provides ASEAN claimants with substantial support for strengthening their capabilities in coastal defense. This bilateral support also indicates Japan's intention to establish a unified stance between Japan and ASEAN for checking China's assertiveness.

Based on this approach, Abe chose ASEAN as the destination of his first overseas trip during his second term as prime minister. In January 2013 he visited Vietnam, Thailand, and Indonesia. During this trip, he clarified Japan's approach to the South China Sea: it was defined according to five principles of Abe's ASEAN policy and included concerted efforts between Japan and ASEAN to protect free and open seas as public goods based on the rule of law rather than the use of force, as well as supporting the US "pivot" to the Asia-Pacific.²⁰ Abe's strategy to treat ASEAN as a diplomatic priority is quite clear, given that he visited all ASEAN countries within a year since taking office as prime minister. It should also be noted that during his trip to Cambodia in October, Abe agreed with Prime Minister Hun Sen to reinforce a bilateral security dialogue.

Since the end of the Cold War, Japan-Vietnam relations have steadily developed, centering on economic cooperation. In recent years, the bilateral relationship has become more comprehensive, including security cooperation, and is expected to be upgraded to an "Extended Strategic Partnership." Security cooperation between Japan and Vietnam is based on a memorandum of defense cooperation and exchange, which was concluded in October 2011 when Vietnamese Defense Minister Phung Quang Thanh visited Japan. This memorandum mentions more regularized exchanges between the defense institutions of the two countries, including defense policy dialogue at the vice-ministerial level, as well as reinforced cooperation in humanitarian assistance and disaster relief. During the meeting between General Thanh and Japanese Defense Minister Yasuo Ichikawa, the two sides agreed that the South China Sea disputes should be peacefully resolved

²⁰ Ministry of Foreign Affairs of Japan, "Abe-Soridaijin no Tonan-Ajia Homon (Gaiyo to Hyoka) [Prime Minister Abe's Visit to Southeast Asia (Overview & Evaluation)]," January 18, 2013 <http://www.mofa.go.jp/mofaj/kaidan/s_abe2/vti_1301/gaiyo.html> (accessed on August 14, 2013).

based on cooperation among countries concerned.²¹ Likewise, when Japanese Defense Minister Itsunori Onodera visited Vietnam in September 2012, the Vietnamese side invited Onodera to the naval base in Cam Ranh Bay, indicating that Vietnam regarded Japan as an important security partner.²²

With regard to dealing with China's growing assertiveness in the South China Sea, in addition to the "increase of talks" as mentioned in the memorandum of defense cooperation, Japan's support to Vietnam encompasses two dimensions: the provision of equipment and capacity-building assistance. During the visit by Foreign Minister Koichiro Gemba to Vietnam in July 2012, Japan and Vietnam agreed that the former should support the latter's capabilities in coastal defense, implying a request from Hanoi for Japan to provide patrol vessels.²³ However, Japan faced a difficulty in providing Vietnam's Marine Police with patrol vessels; according to its ODA guidelines, Japanese ODA could not be used for military purposes, and the Marine Police of Vietnam was a military institution under the auspices of the Vietnam People's Army.²⁴ Likely due to a request by Japan, in August 2013, the Vietnamese government changed part of the regulations of the Marine Police; these changes removed the Marine Police from direct administration of the Ministry of National Defense, and the government and national legislature were given responsibility for the Marine Police. Moreover, the "Marine Police" was renamed as "Coast Guard." Thereafter, the Japanese government officially stated its intention to provide Vietnam with patrol vessels at the Japan-ASEAN summit in December 2013.

Within this context, capacity-building support led by the Japanese Ministry of Defense (MOD) is one of the most effective measures for strengthening security ties between Japan and Vietnam. In fact, at a foreign ministers' meeting held in May 2012, Vietnamese Foreign Minister Pham Binh Minh requested capacity-building support from Japan in maritime security.²⁵ The Japanese MOD's capacity-building support aims to stabilize the security environment of the Asia-Pacific by helping regional countries enhance their capabilities to deal with nontraditional threats.²⁶ In this regard, Japan has conducted seminars on maritime security, or more specifically submarine medicine.²⁷ Japan's capacity-building support for Vietnam does not seem to be associated directly with the latter's efforts to deal with China in the South China Sea. However, it might have important implications for Vietnam's coastal defense in terms of the country's purchase of Russia's *Kilo*-class submarines, the first two of which were delivered in 2014. In fact, China is quite attentive to the deepening of security ties between Japan and Vietnam.²⁸

Regarding bilateral relations with the Philippines, Japan has reinforced cooperation with the

²¹ *Asahi Shimbun*, October 25, 2011.

²² Ministry of Defense of Japan, "Onodera Boei-daijin no Betonamu-Tai Homon (Gaiyo) [Defense Minister Onodera's Visit to Vietnam and Thailand (Overview)]" <http://www.mod.go.jp/j/press/youjin/2013/09/19_gaiyou.html> (accessed on November 5, 2014).

²³ *Sankei Shimbun*, July 15, 2012.

²⁴ *Sankei Shimbun*, May 8, 2013.

²⁵ *Yomiuri Shimbun*, July 15, 2012.

²⁶ Ministry of Defense of Japan, "Noryoku Kochiku Shien ni Tsuite [Capacity-Building Assistance]" <http://www.mod.go.jp/j/approach/exchange/cap_build/index.html> (accessed on August 16, 2013).

²⁷ Ministry of Defense of Japan, "Heisei 25 Nendo Betonamu niokeru Noryoku Kochiku Shien Jigyo [FY2013 Capacity-Building Assistance Program in Vietnam]" <http://www.mod.go.jp/j/approach/exchange/cap_build/vietnam/seminar_2013.html> (accessed on August 16, 2013).

²⁸ *Mainichi Chugoku Keizai*, May 9, 2013.

country in maritime security, implying their shared concern about the South China Sea. During the former Noda administration, Japan and the Philippines agreed to cooperate in the South China Sea; in the joint statement issued on the occasion of President Aquino's visit to Japan in September 2011, the two countries affirmed their shared interest in securing sea-lanes, including the South China Sea, and agreed to forge cooperative ties both of navies and of coast guards.²⁹ The incumbent administration is more active in strengthening diplomatic and security ties with the Philippines, clearly exemplified in the visits of Foreign and Defense Ministers, and the Prime Minister himself to its southern neighbor just within eight months since the inauguration of the administration.

The Philippines was the first destination of Foreign Minister Fumio Kishida following his appointment as foreign minister. At the meeting with his counterpart Foreign Secretary Albert del Rosario in January 2013, Kishida emphasized the strategic partnership between Japan and the Philippines. Tokyo strongly supported Manila's effort to address the Philippines' growing disputes with China in the South China Sea, amid the Scarborough Shoal in particular, whereas Manila endorsed a stronger, and even "rearmed" Japan to make a counterbalance against the rise of China, regardless of historical memory during the Pacific War.³⁰

In June of the same year, Defense Minister Onodera held talks with Defense Secretary Voltaire Gazmin in Manila, reaffirming their shared concern about coastal defense and securing maritime interests in the South and East China Seas. The defense ministers of the two countries agreed to deepen their strategic partnership, strengthening cooperation in maritime affairs through more frequent and focused visits, and strategic dialogues between the two defense institutions.³¹ Finally in July, Prime Minister Abe visited the Philippines. At the top-level meeting with President Aquino, Abe pledged to provide the Philippines with ten patrol vessels through a yen loan, a "strategic use" of ODA for enhancing the capabilities of the Philippine Coast Guard.³² The Philippine side is reacting very positively to Japan's approach to strengthen security ties between the two countries. Furthermore, the Philippine Defense Department said that Manila and Tokyo would consider the feasibility of pursuing a status of forces agreement to enable Japanese Self-defense Forces to participate in joint military exercises conducted in the Philippine territories.³³

The incumbent Abe administration's active approach toward ASEAN is effective but may face challenges that require subtle strategic maneuvers; first, while reinforcing cooperation with the Philippines and Vietnam could check China's assertiveness by allowing the three countries to jointly tackle the China challenge, at the same time the strengthening of their cooperation might further provoke China into making an aggressive reaction. Second, how much Japan can deepen security ties with the two ASEAN claimants, Vietnam in particular, remains to be seen because of

²⁹ "Japan-Philippines Joint Statement on the Comprehensive Promotion of the 'Strategic Partnership' between Neighboring Countries Connected by Special Bonds of Friendship," September 27, 2011 <http://www.kantei.go.jp/foreign/noda/statement/201109/27philippines_e.html> (accessed October 21, 2011).

³⁰ *Financial Times*, December 9, 2012.

³¹ Ministry of Defense of Japan, "Nippi-Boeisho Kyodo Kisha-kaiken Gaiyo [Overview of the Japan-Philippines Defense Ministers' Joint Press Conference]," June 25, 2013 <<http://www.mod.go.jp/j/press/kisha/2013/06/27.html>>; "Press Release," June 27, 2013 <http://www.mod.go.jp/j/press/youjin/2013/06/27_gaiyou2.html> (accessed on August 15, 2013).

³² Ministry of Foreign Affairs of Japan, "Nichi-Firipin Shuno-kaidan (Gaiyo) [Japan-Philippines Summit Meeting (Overview)]," July 27, 2013 <http://www.mofa.go.jp/mofaj/kaidan/page3_000326.html> (accessed on August 15, 2013).

³³ *The Manila Standard*, June 29, 2013.

the expected divergence of strategic interests among the parties concerned. Japan's China policy regarding maritime issues is not always compatible with Vietnam's China approach. The context of Sino-Vietnamese relations is more complex than Japan-China relations. Third, Japan's activeness could provoke concern among other ASEAN countries stemming from Japan's militaristic past. Not only China and South Korea but also Southeast Asia demonstrate a certain historical concern in this regard. In this sense, Abe's active diplomacy in ASEAN, like his visit to Indonesia, Brunei, Malaysia and Singapore in July 2013, was salient in terms of reducing concern among those nations.

Conclusion: Prospects for Engagement Based on the US-Japan Alliance

With regard to linkage between the South China Sea and the US-Japan alliance, there is an argument that the US Navy's 7th Fleet is the only guarantor of security in the South China Sea in terms of promoting negotiations between China and ASEAN. This argument stresses several reasons for the US involvement in the issue, some of which are to maintain freedom of navigation and to prevent an unexpected military clash between the US and China in the sea area. Joshua P. Rowan argues that Japan is also expected to be involved in the issue based on its security alliance with the US, in cooperation with ASEAN.³⁴ It is quite unlikely that countries like China, an emerging power potentially challenging the status quo, would accept the alliance's role as a security guarantor in the region.

Currently what Japan can do to support the US enhancing its military presence in the South China Sea is to conduct joint exercises. Bilateral/trilateral/multilateral joint exercises based on the US alliances with its partners in the Asia-Pacific are expected to have some impact on the volatile situation in the South China Sea. In 2010, Japan participated in the US humanitarian assistance mission "Pacific Partnership," in which the US hospital ship *Mercy*, joined by JMSDF's transport ship *Kunisaki*, visited Vietnam and Cambodia. Also in July 2011, the US, Japan and Australia conducted a joint exercise off the coast of Brunei in the South China Sea. These US activities conducted in the disputed sea area with its allies certainly have significant implications in terms of demonstrating its enhanced military presence in the area. In this regard, it is significant that the US and Japan issued a 2+2 declaration in July 2011, announcing their will to reinforce security cooperation with ASEAN.³⁵ This clause reflects the joint intention of the two countries to regard the US-Japan alliance as providing public goods to secure the region. The Japanese government's white paper on defense, *Defense of Japan*, describes Japan's participation in the mission as contributing to "improving the international security environment."³⁶ Moreover, some US experts on Japan's security claim that the US and Japan should conduct joint surveillance in the South China Sea.³⁷

In recent years, the new US defense strategy to "rebalance" toward the Asia-Pacific could

³⁴ Rowan, "The U.S.-Japan Security Alliance, ASEAN, and the South China Sea Dispute," p. 436.

³⁵ Ministry of Defense of Japan, "Joint Statement of the Security Consultative Committee," June 21, 2011 <http://www.mod.go.jp/j/approach/anpo/201106_2plus2/js1_e.html>.

³⁶ Ministry of Defense, *Defense of Japan 2011*, p. 319.

³⁷ Richard L. Armitage and Joseph S. Nye, "The U.S.-Japan Alliance: Anchoring Stability in Asia," A Report of the CSIS Japan Chair, August 2012, pp. 10-11 <http://csis.org/files/publication/120810_Armitage_USJapanAlliance_Web.pdf> (accessed on July 10, 2013).

possibly lead Japan to becoming more involved in the South China Sea; the use of the word “rebalance” itself clearly suggests the intention on the part of the US to check China’s economic and military rise, and Washington highlights cooperation with Southeast Asia, particularly the Philippines. The US, facing a severe constraint in its defense budget, is asking for Japan’s cooperation, both financially and strategically. In April 2012, the Japan-US Security Consultative Committee issued a joint statement, in which Japan pledged to use its ODA “strategically,” and in which both countries emphasized the strengthening of the alliance’s deterrent capabilities.³⁸ This announcement reportedly implies Japan’s use of ODA for enhancing coastal defense capabilities in Southeast Asia, particularly those of the Philippines.³⁹ In this regard, reinforcing security cooperation with the Philippines is related to supporting the US strategy of rebalancing and there are prospects for the formation of a new type of trilateral cooperation among the US, Japan, and the Philippines. Furthermore, given that Japan and the Philippines are “spokes” within the US “hub-and-spoke” system of alliances, this also represents the emergence of a security partnership between “spokes.” In fact, China expressed a cautious attitude toward Japan’s participation in the 2012 Balikatan, a US-Philippine joint exercise, part of which was conducted on Palawan Island near the South China Sea.⁴⁰ Japan’s Self-Defense Force also dispatched observers to the 2014 “Phiblex,” a US-Philippine amphibious joint exercise, which was also held on Palawan Island. Moreover, a Philippine naval officer mentioned the possibility of Japan’s future participation in the exercise to “boost regional stability, especially on the issue of the disputed waters.”⁴¹

Japan’s present approach to the South China Sea is closely related to its security concerns over the East China Sea, and accordingly the salience of securing this important sea-lane. The Japanese government tries to seize every opportunity to participate in multilateral security dialogues to argue its stance on the South China Sea issue. Furthermore, Tokyo has attempted to propose the establishment of a number of new dialogue mechanisms under the existing frameworks based on the concept of conflict management. With regard to bilateral partnerships, the incumbent Abe administration has made Japan’s stance clearer with regard to providing the Philippines and Vietnam with substantial support to enhance their coastal defense capabilities.

In pursuing its own approach to address the South China Sea issue, within the context of various limiting circumstances, Japan will face significant challenges. First, as shown in its failed endeavor to establish a maritime forum under the EAS, it is not an easy task for the Japanese government to garner unanimous support from ASEAN. Japan is not politically influential nor powerful, or persuasive enough to form a unified will of Japan and ASEAN to deal with a powerfully rising China in the South China Sea. With regard to the diversity of strategic interests of respective ASEAN members on maritime and sovereign interests in the South China Sea, and their various stances toward China, it is a serious challenge for ASEAN to coordinate their strategic interests so as to establish a united position. Some countries might be concerned about intervention by an outsider in the issue that would complicate the negotiation process on the COC between ASEAN

³⁸ Ministry of Foreign Affairs of Japan, “Joint Statement of the Security Consultative Committee,” April 27, 2012 <http://www.mofa.go.jp/region/n-america/us/security/scc/pdfs/joint_120427_en.pdf> (accessed May 18, 2012).

³⁹ *Nihon Keizai Shimbun*, May 8, 2012.

⁴⁰ *People’s Daily* (Japanese), March 6, 2012.

⁴¹ *GMA News*, October 2, 2014.

and China. In fact, Beijing, which prefers bilateral negotiations on the South China Sea, has continuously opposed the “internationalization” of the disputes. Second, forging bilateral security ties between Japan and the ASEAN claimants would not necessarily be able to check China’s assertive actions. Beijing might instead react negatively to the joint struggle between Tokyo and Manila (or Hanoi), and tensions might escalate.

However, Tokyo should nevertheless seek to play a role, despite such limiting circumstances, and is required to demonstrate an active attitude toward the issue, in light of the importance of a stable South China Sea for maritime communications as well as for security in East Asia in general, the expectations of Vietnam and the Philippines, and Japan’s own aspirations to be a relevant player in addressing security issues in the region. With regard to how Japan will be able to effectively contribute to addressing this complex security issue, the country should seek to strike an appropriate balance between the two cases of the South and East China Seas. In this regard, Tokyo should be more conscious of the differences in the nature of the two cases. The East China Sea is basically a bilateral confrontation, whereas the South China Sea is a more complex issue composed of six disputants. In addition, the East China Sea can be influenced by complex relations between Japan and China stemming from history, while the South China Sea focuses more on strategic interests like marine and energy resources. Moreover, it should be noted that how Japan can pursue security cooperation with ASEAN to check China’s actions depends upon the overall US strategy toward the region.

(The views expressed herein are those of the author and do not reflect the views of NIDS or the MOD.)