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國際學碩士學位論文

**Japan's Shift from "Hands off" policy to
"Proactive Defence" policy:
Japan's approach to Senkaku/Diaoyu Islands Dispute**

일본 외교정책의 변화:
일본의 센카쿠/다오위다오 분쟁 대응 정책을 중심으로

2014年 8月

서울대학교 國際大學院
國際學科 國際地域學專攻
朴 玟 宣

**Japan's shift from "Hands off" policy to
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Thesis by

Min-Seon Park

Graduate Program in International Area Studies
For the degree of Masters of International Studies

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**The Graduate School of International Studies
Seoul National University**

Seoul, Korea

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指導教授 朴 喆 熙

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委 員 長 鄭 鍾 昊 (印)

副 委 員 長 辛 星 昊 (印)

指 導 教 授 朴 喆 熙 (印)

THESIS ACCEPTANCE CERTIFICATE

The undersigned, appointed by

The Graduate School of International Studies
Seoul National University

Have examined the thesis entitled

**Japan's shift from "Hands off" policy to "Proactive
Defence" policy:**

Japan's approach to Senkaku/Diaoyu Islands Dispute

Presented by **Min-Seon Park**

Candidate for the degree of Masters of International Studies, and hereby certify
that the examined thesis is worthy of acceptance:

Signature
Committee Chair

Jeong, Jong-Ho

Signature
Committee Vice Chair

Sheen, Seong-Ho

Signature
Committee Member

Park, Cheol-Hee

Date: August 2014

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Abstract

Japan's shift from "Hands off" policy to "Proactive Defence" policy: Japan's approach to Senkaku/Diaoyu Islands Dispute

Min-Seon Park

International Area Studies

Graduate School of International Studies

Seoul National University

Japan has been conducting so-called "quiet diplomacy" for a long time, especially in terms of dealing with territorial conflicts. However, in the 2010 collision incident between Chinese fishing crawler and Japanese Coast Guard's patrol boat, Japan chose to respond in more assertive manner, by detaining the Chinese captain, hence shifting its policy from "hands off" to "proactive defence". Why has Japan shifted its policy?

Examining the relationship from the Japanese point of view, this paper presents how Japan's 'hands off' policy approach to the territorial and maritime dispute has

enabled China to effectively prevent Japan from exercising sovereignty over the disputed islands while pushing its own claim further.

Keywords: Sino-Japanese relations, territorial disputes, Senkaku/Diaoyu islands

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List of Abbreviations

JCG	Japanese Coast Guards
MOFA	Japanese Ministry of Foreign Affairs
PLA	People's Liberation Army
LDP	Liberal Democratic Party (Japan)
DPJ	Democratic Party of Japan
CCP	Chinese Communist Party

Chapter 1. Introduction

The Sino-Japanese Joint Statement on September 29, 1972 established diplomatic relations between the People's Republic of China and Japan. Since then, China and Japan have been improving their relationship in many aspects, especially in terms of trade. Bilateral trade between the two now exceeds US\$300 billion annually. China imports more from Japan than any other country, and many of those goods are indispensable to China's economic advance – high tech components to fuel its export machine and capital equipment for its expanding industries. Japan also possesses special expertise in technologies that China badly needs for its future development, such as energy efficiency and other eco-friendly know-how that could help China contend with the environmental damage brought about by rapid industrialization. For Japan, exports to China are a key source of growth, as many Japanese companies such as Sony and Toyota desperately need Chinese consumers to buy their products to offset a sluggish home market.

Despite such progress, the two countries' diplomatic relationships remain rocky. For China, bitter memories of Japanese colonial occupation still remain strong among general public, and in Japan, China is oftentimes viewed as a “threat” to Japan due to its rapid rise. Such negative sentiments, along with issues such as historical and territorial disputes between the two, continue to complicate the bilateral relationship to this day.

Among above-mentioned issues, territorial dispute over Senkaku/Diaoyu islands¹ has become the most contentious issue in the bilateral relations between Japan and China in the past few years. In particular, recent incidents, namely 2010 boat collision and 2012 nationalization by Japanese government, have seriously undermined Sino-Japanese relationship in both political and social levels.

1-1. Puzzle

Japan has been conducting so-called “quiet diplomacy” for a long time, especially in terms of dealing with territorial conflicts. Since the signing of Joint Statement in 1972, there has been a tacit understanding (暗黙の了解) between Japanese and Chinese governments to ‘shelve’ the dispute (棚上げ). However, in the 2010 collision incident between Chinese fishing crawler and Japanese Coast Guard’s patrol boat, Japan chose to respond in more assertive manner, by detaining the Chinese captain, hence shifting its policy from “hands off” to “proactive defence”. Furthermore, in 2012, Japan nationalized Senkaku/Diaoyu islands, re-stirring diplomatic storm with China. Why has Japan shifted its policy?

1-2. Existing Literature

¹ Japan uses the name “Senkaku” while China uses “Diaoyu” when referring to the same islands. Because the area is under Japan’s effective control since 1972, this paper uses “Senkaku/Diaoyu” when referring to the disputed area. Such usage does not mean that the author embraces Japan’s position.

An increasing number of studies have been published on the dispute in recent years. Many scholars have attributed the changing attitude of Japanese foreign policy to a variety of factors, such as domestic politics, changing political leadership and structural changes of the international system, in other words, power shift between Japan and China. Yves Tiberghien (2010) and Eunbong Choi (2012) regard domestic political transition as the main driver behind recent disputes. While Choi sees Japanese politics as shifting to the right, and this shift is causing its policy to be more assertive when it comes to issues such as territorial and historical conflicts, Tiberghien is more focused on the decisions made by the leaders in both countries. Tiberghien argues “as leaders in both countries consider their domestic audience in a context of domestic uncertainty and very short time frames for leadership survival, they end up locking themselves in vicious signaling games. Every signal given by one leader to domestic audience (in an effort to win points over fierce political competitors) is seen by the other country as a signal of aggression and conflict, forcing the leader of that country to signal back to his own domestic audience through intensified responses.”² Other scholars such as Ukeru Magosaki (2011) and Myung-chan Lee (2011) blame Japanese political leadership’s misinterpretation of the situation at hand as the main cause of the shift.

Unlike above-mentioned scholars, Hitoshi Tanaka (2010) is more concerned with external factors, as he argues that Japan’s policy behaviour is caused by power shift between Japan and China due to the rise of China factor.

² Tiberghien, Yves (2012)

1-3. Argument

While scholars have contributed greatly in identifying the various factors that attribute to Japan's policy shift, most of them are pre-concerned with Japan shifting towards right due to the rapid rise of China. In particular, many scholars are satisfied with common interpretation that Japan's conservatizing political situation and its leadership is leading Japan to react in more assertive manner, rather than 'shelving' the disputes as it had been doing for the past years.

This paper, however, suggests that although Japan may be shifting towards right, Senkaku/Diaoyu islands conflict and Japan's policy shift to more assertive stance does not stem from such shift. Rather, Japan shifted its policy because it saw such shift as necessary in halting China from deteriorating Japan's position in the dispute. I conclude that by shifting its policy, Japan has succeeded in guarding its position regarding the islands dispute, however, it also resulted in worsening bilateral relations between the two.

1-4. Methodology

In identifying factors that attribute to Japan's policy shift, this paper first studies the events that led up to 2010 collision incident, using a number of papers that I collected on the Senkaku/Diaoyu islands conflicts, including government papers of both Japan and

China. I also use Japanese newspapers Asahi and Yomiuri when tracing the events, because newspapers tend to provide more detailed information of the accounts.

Chapter 2. Senkaku/Diaoyu islands dispute

2-1. Re-emergence of the dispute in 1990

The re-emergence of the dispute began in 1990 when Taiwanese media announced that the Japan Coast Guard (JCG) had received an application for formal recognition of a lighthouse, constructed by a Japanese right-wing group, as an official beacon. China lodged a diplomatic protest but enforced a media blackout on the story while in Taiwan there were protests, diplomatic and civilian, as well as attempts by activists to land on the islands³. Since 1988 Japanese Ministry of Foreign Affairs (MOFA) had been instructing the JCG to indefinitely defer applications for recognition of the lighthouse, and while the 1990 incident was the first time the issue was made public, it saw the same response – deferral. Two years later China promulgated the Law of the People’s Republic of China on the Territorial Sea and the Contiguous Zone, Article 2 of which states that ‘the land territory of the People’s Republic of China includes the mainland of the People’s Republic of China and its coastal islands; Taiwan and all islands appertaining thereto including the Diaoyu Islands’⁴. Diplomatic protests were made via the Chinese embassy and Japanese Prime Minister Miyazawa Kiichi told the press that the islands were Japanese territory and he “could not accept” the new law⁵. There were calls from within the ruling Liberal Democratic Party (LDP) for a resolute stance in the dispute and subsequent unsuccessful attempts by LDP Diet members to use the issue to

³ Asahi Shimbun 22/10/1990, 23/10/1990

⁴ United Nations 1992

⁵ Yomiuri Shimbun, 28/02/1992

obstruct the scheduled historic visit of Emperor Akihito to China in autumn of the same year.⁶ Yet ultimately the Miyazawa administration failed to prevent or rescind China's 1992 Territorial Law. At a subsequent meeting with the General Secretary of the Chinese Communist Party (CCP) Jiang Zemin, Miyazawa was assured that the law did not reflect a policy shift and that China was keeping to its shelving policy.⁷ Although Miyazawa accepted this, shortly after MOFA denied such an understanding, thus moving Japan's policy from 'shelving' to the current 'no dispute exists' line.⁸

In the early 1990s, Japan was in strong position in the sovereignty game. Apart from continuous peaceful administration of the islands it also enjoyed considerable economic and political capital: post-Tiananmen Square China was a pariah state in the West, dependent upon Japan not only for trade but also for international loans and development aid. Yet in both 1990 and 1992 Japan acquiesced in the dispute, allowing for the creation of an unfavourable status quo. The 1990 lighthouse recognition incident involved MOFA intervention in the JCG's internal beacon recognition process and thus established a precedent that Japan was not willing to exercise direct sovereignty over the islands if it meant damaging bilateral relations with either of its Chinese neighbours, a status quo which would remain for over a decade. Again, two years later, despite calls from within the LDP for the use of political capital – the Emperor's visit to China – the response consisted of nothing more than the Miyazawa administration asking for a repeal of the Territorial Law. This did not happen, and despite its economic and political capital

⁶ Asahi Shimbun 07/03/1992, 18/07/1992.

⁷ Asahi Shimbun 07/04/1992

⁸ Drifte (2008)

Japan took no further action, therefore acquiescing in China's public proclamation of ownership of the islands, although MOFA did switch to the 'no dispute exists' line. If China had adhered to the shelving formula thereafter, as Jiang claimed, then this acquiescence would have been of little harm to Japan's position in the sovereignty game. This was not to be the case.

2-2. 1996 Lighthouse Recognition

1996 saw both China and Japan ratify UNCLOS, increasing the economic potential of the islands and firmly enmeshing the territorial and maritime aspects of the dispute, thus enlarging the arena in which the sovereignty game would be played out. While UNCLOS had long-term ramifications for the dispute, the most immediate implications emerged shortly after the ratifications themselves. Once again lighthouse recognition was the proxy cause, as, frustrated with what they perceived as the government's soft-line on the dispute, right-wing activists built another lighthouse and re-applied for recognition of the original one. The situation heated up in August when, in response to the lighthouse issue, Taiwan and Hong Kong-based activists set sail for the islands in an attempt to land. Following interception by the JCG, four of the activists dove into the sea, with the result that one of their members, David Chan, drowned⁹. This

⁹ Asahi Shimbun 26/09/1996

further fanned the flames of the already widespread protests in Taiwan and Hong Kong, leading to a successful landing in October.¹⁰

In an attempt to calm the situation the Japanese Foreign Minister, Ikeda Yukihiko, told assembled foreign ministers at the UN General Assembly in New York that recognition of the lighthouse was being deferred and Prime Minister Hashimoto Ryūtarō rescinded his promise to visit the Yasukuni Shrine for the Autumn Festival.

¹¹Despite the massive protests in Taiwan and Hong Kong, however, China again prevented domestic unrest related to the islands. Beijing did protest in far stronger terms than on previous occasions, calling for the removal of the lighthouse and accusing Japan of encouraging the right-wing activists¹². On 13-14 of September China undertook war games, which included blockades of and landings on a group of islands in Liaoning Province. A report on this was published by the China Daily newspaper on the page opposite to the Foreign Ministry's warning to Japan on the Pinnacles; according to a Western diplomat in Beijing 'the side-by-side reports were no coincidence ... a clear signal that says "you know what we think"'.¹³ As the dispute escalated dangerously both Japan and China sought to minimise the effects on their overall bilateral relationship, with China reiterating calls for joint development of the disputed maritime territory, and Japan, as we have seen, deferring the lighthouse recognition issue.

¹⁰ P135, Downs and Saunders (1998)

¹¹ Asahi Shimbun 26/09/1996

¹² Asahi Shimbun 17/09/1996

¹³ P183-4, Wiegand (2009)

The domestic perception that Japan's stance on the dispute was weak was not confined to right-wing activists – LDP and opposition Diet members too were unhappy. This led to the inclusion of the dispute in the 1996 LDP election manifesto, as well as in the personal manifesto of a successful New Frontier Party candidate (NFP), Nishimura Shingō. Heiseikai (an opposition Diet member grouping) Chairman Hirai Takushi accused the Hashimoto administration of being 'obsequious' in its handling of diplomatic issues with China, stating that 'Japan should say and do what it should say and do without hesitation'¹⁴ Later in 1997 NFP member Nishimura himself landed on the islands, and along with current Tokyo Governor Ishihara Shintarō issued a joint statement protesting the government's weak stance. In response to China's protests at these events, Hashimoto stated that, while the islands were 'inherent Japanese territory', in terms of friendly international relations the landing could only be described as 'regrettable'.¹⁵

In the aftermath of the events of 1996 and 1997, Japan maintained control of the islands and the Hashimoto administration continued to repeat the 'no dispute exists' line, allowing for the argument that Japan's basic position in the sovereignty game remained strong. However, Ikeda himself described the deferral of the lighthouse recognition as 'effective non-recognition', and explicitly associated the deferral with the maintenance of good foreign relations¹⁶. This routinized the existing precedent that Japan would refrain from exercising sovereignty in deference to other states, who were in effect preventing

¹⁴ The Japan Times, 23/01/1997

¹⁵ Yomiuri Shimbun 06/05/1997

¹⁶ Asahi Shimbun 04/10/1996

Japan from undertaking an exercise of sovereignty which, *ceteris paribus*, it would otherwise have undertaken. Hashimoto's insistence that 'no dispute exists' rang somewhat hollow, then, as it was abundantly clear that Japan did not exercise unfettered sovereignty over the islands, and thus a dispute did exist.

Despite Japan having a preponderance of military, economic and political capital in the dispute in 1996, the decision not to exercise sovereignty over the disputed islands can be paradoxically explained by China's use of capital. China's strong diplomatic protests, the potential political and economic fallout – to both states – of further escalation of the flare-up, as well as China's show of military strength, can all be understood as contributing to Japan's inability to exercise sovereignty. Japan's position in the sovereignty game was further called into question when, during the 1996 incident, the US ambassador to Japan Walter Mondale stated that the US-Japan Security Treaty did not include the disputed islands, and thus US forces would not be compelled to defend them. Although this was soon refuted by Assistant Defence Secretary Kurt Campbell¹⁷, the initial vacillation called into question US military support for Japan, undermining Japan's military capital (in terms of its defence capabilities), and could be construed as a lack of recognition of Japan's administrative control, let alone its sovereignty, over the islands. Thus, on various fronts, Japan's position in the sovereignty game had been weakened. This could be seen too in the statements and actions of a number of Japanese politicians who were critical of the government's 'weak' stance. China's use of capital, and Japan's

¹⁷ Yomiuri Shimbun 28/11/1996

restraint in employing its considerable capital, is best understood as reflections of the value of the islands in each case; for China, the islands had both economic and symbolic value in the 1990s (see 2-3), whereas Japan was neither developing the seabed hydrocarbon resources nor had the island dispute become a major domestic issue - yet. As the dispute moved in to the 2000s, this would begin to change.

2-3. Maritime issues

Following the ratification of UNCLOS in 1996 the territorial and maritime disputes became further intertwined. The two states have overlapping claims to the East China Sea between Okinawa and Mainland China, including the waters around the disputed islands; from the late 1990s on, China began to assert its claim. Under UNCLOS Article 246, a third state must inform the coastal state before conducting marine scientific research in the coastal state's EEZ. Throughout 1998 and 1999 Chinese research vessels were operating in the disputed maritime zone and around the disputed islands. When ordered to leave by JCG ships, the research vessels either ignored the warnings or replied that they did not recognise Japanese jurisdiction. At first, Japan protested informally to the Chinese embassy, and after it was clear that such protests had no effect, Japan raised the level of protest, lodging formal protests directly to the Chinese Foreign Minister. ¹⁸In Japan, the research vessel issue was linked to China's on-going development of undersea

¹⁸ Asahi Shimbun 20/06/1999

hydrocarbon deposits near the disputed maritime zone in the East China Sea.¹⁹ In May 1999 12 People's Liberation Army Navy (PLAN) vessels were confronted by MSDF P-3 patrol ships in the vicinity of the islands, and in July 1999 another 10 PLAN ships were spotted near the islands.²⁰

In 2000 the issue came to a head when internal LDP opposition to the apparent inaction of the government on the issue led to the Foreign Affairs Committee of the LDP suspending a package of ODA loans to China²¹. Subsequent bilateral talks led to the establishment of a prior notification system (PNS) in February 2001, under which China would notify Japan in advance of research in 'waters near Japan and in which Japan takes an interest', while Japan would notify China before research in waters 'near' China, after which the loans were reinstated.²² While the 1999 PNS represented a temporary victory for Japan, as China was forced to implicitly admit that the disputed waters were somehow 'more Japanese', the system had no sovereignty implications because it did not specify sovereignty, just 'interest'. Furthermore, it had two key flaws: it included only research vessels, not naval ones; and it had no effective means of implementation, no punishment for violation. Thus, within a few short years it had become defunct, and the number of research vessels spiked once more. According to a 2003 annual JCG report, the vast majority of 'suspicious maritime activity in Japan's territorial waters in 2002 took place

¹⁹ Drifte (2008)

²⁰ Dumbaugh et al. (2001)

²¹ Asahi Shimbun 10/08/2000

²² Kyodo News 13/02/2001

off the disputed Senkaku Islands', with 423 vessels spotted.²³ By 2007, from a Japanese perspective, the situation had further deteriorated as Chinese vessels operated with relative impunity in the disputed waters, including in the waters around the islands. Following one particular Japanese protest over a Chinese research vessel's presence near the islands, a Chinese Foreign Ministry official stated that the PNS was irrelevant to the issue and that the islands 'are China's inherent and indisputable sovereign territory'²⁴

Thus Japan's position in the sovereignty game was being undermined both in the waters around the islands and with respect to the broader East China Sea dispute. This perception was reflected in the Japanese media, for example in warnings of China's fait accompli over the East China Sea oil and gas deposits.²⁵ Meanwhile, China was developing hydrocarbon deposits in its undisputed maritime zone, as well as near the disputed area. In stark contrast, Japan's 'hands off' policy on the island dispute extended to the maritime dispute too: for example, since the late 1970s Tokyo had consistently rejected applications to test drill in the East China Sea, because, in the words of an oil executive, 'it is convenient for the government not to confirm whether [such resources] exist'.²⁶ In fact, while preventing its own companies from drilling, Japan had actually been indirectly funding Chinese exploration via the Asian Development Bank²⁷. Furthermore, suspicions were rife that one of the fields China was exploiting, the Chunxiao field,

²³ The Japan Times 13/05/2003, figure includes fishing, research and naval ships

²⁴ Asahi Shimbun 07/02/2007

²⁵ Yomiuri Shimbun 05/04/2004, 19/06/2004

²⁶ The Japan Times 22/10/2004

²⁷ Drifte (2008)

straddled the boundary between China's undisputed zone and the disputed maritime area, and that therefore China was siphoning off 'Japanese' gas.

By 2005, there was a clamour in both the media and among opposition and ruling party Diet members for action²⁸The decline in influence of the MOFA's China school, which had been behind Japan's 'hands-off' approach, together with the advent of the administration of Prime Minister Koizumi, known for his hard-line approach to China-related issues, saw Tokyo grant permission to a Japanese company to drill in the disputed zone, near the Chunxiao field itself. This was a clear attempt to re-establish Japanese sovereignty over the disputed EEZ and elicited a serious reaction from China, resulting in a number of naval stand-offs in the area²⁹. As a statement of intent by Japan, it also contributed to the halting of extraction of hydrocarbons and led to the negotiations that culminated in the 2008 Consensus Agreement (Schofield and Gault 2011). A detailed discussion of the Consensus Agreement is beyond the limit of this paper. For the purpose of this paper, it is suffice to say that due to sovereignty issues negotiations remain stalled. China continued to push its activities in and around the disputed islands, to the extent that, in 2008, the Chinese news agency Xinhua published an article describing how the research vessels had broken through the Japanese defensive line.³⁰

2-4. Lighthouse and Leasing

²⁸ Drifte (2008), Manicom (2010).

²⁹ Valencia (2007)

³⁰Asahi Shimbun 14/12/2008

The Koizumi administration also took a hard-line on the islands themselves, taking actions which previous governments had shied away from. In 2002 the government leased the remaining islands it did not already own, ostensibly in order to prevent third-party purchase or lease and to better regulate landing on the islands.³¹ The move has significant weight when seen as a direct exercise of state sovereignty, and caused a strong reaction in China. However, China was not able to force Japan to rescind the lease as it was presented to China as a *fait accompli*: the islands were leased in 2002, but China did not become public until April 2003. Similarly, in 2005 the lighthouse, which had caused so much trouble in the 1990s, was recognised as an official beacon. In response to Chinese protests calling the move ‘illegal and invalid’, Foreign Minister Machimura Nobutaka stated the decision was a domestic matter and there was no territorial dispute.³² Whereas in previous years, news of the consideration of recognition had reached China before any decision was made thus enabling it to use its capital to protest, in this case as in the leasing case, the move was undertaken secretly and presented to China as a *fait accompli*, thus out-manoeuvring Beijing.

The extent of this about-change in policy can be put into context by considering the fact that, as recently as 1997, Hashimoto’s Chief Cabinet Secretary, Kajiyama Seiroku, had announced (never implemented) plans to revise the law on the establishment of beacons and lighthouses in order to allow for the removal of the offending

³¹ Ibid, 01/04/2003

³² Ibid, 02/10/2005

lighthouse.³³ The Koizumi administration's approach could not have been more different. However, as mentioned earlier, this tough stance should be put into the context of the broader bilateral relationship – the administration's policies on a number of issues led to a deep-freeze in Sino-Japanese relations, whereas in the 1990s bilateral relations were prioritised. As outlined below, this was not the only way the Koizumi administration sought to improve Japan's position in the sovereignty game, and overall the administration marked a shift in Japan's approach to the sovereignty game, strengthening Japan's position in both the maritime and island disputes.

2-5. Arrests made by Japan

In 2004 seven Mainland Chinese protesters landed on the disputed islands, eventually to be apprehended by Japanese authorities. Standard practice would have seen them quickly deported back to China, however, for the first time since the Okinawa reversion in 1972, the protesters were detained under suspicion of damage to private property.³⁴ The private property in question was the Senkaku Shrine, erected by right-wing activists years before, and a case was prepared for the local public prosecutor. Harsh Chinese diplomatic protests quickly followed, with the Vice Foreign Minister warning that 'this issue could be complicated and intensified to jeopardise Sino-Japanese relations, the serious outcomes from this would have to be borne by Japan', while the Chinese

³³ Asahi Shimbun, 26/02/1997

³⁴ Asahi Shimbun 26/03/2004

ambassador in Tokyo told MOFA that if the protesters were not released ‘Japan will be responsible for all consequences arising thereupon’.³⁵ Meanwhile a second wave of Chinese activists announced plans to land not only using ships but also small aircraft³⁶ Within two days the case was dropped and the activists were suddenly and swiftly deported.

The Koizumi administration sought to exploit the activists’ landing, since a successful prosecution would have demonstrated Japanese jurisdictional sovereignty over the islands, making a major new precedent and altering the sovereignty status quo in Japan’s favour. Such an act would be seen as more symbolically powerful. Thus China’s harsh response, causing fears of serious escalation among high-level Japanese bureaucrats if the activists were not released quickly; one such fear was that the next group of Chinese activists would be accompanied by the military, for their ‘protection’³⁷. Koizumi himself stated that the decision to release the activists was made to ‘not adversely affect Sino-Japanese relations’, and he publicly shifted the blame for the detention to local officials in Okinawa, despite previous statements by both MOFA and local police which made clear that the decision was made at the highest levels of government.³⁸ Still, while the reversal was clearly a result of Chinese pressure, the early release combined with the

³⁵ P186, Wiegand (2009)

³⁶ Asahi Shimbun 27/03/2004

³⁷ Aera 25/10/2010

³⁸ MOFA 2004; Asahi Shimbun 27/03/2004

public blame shifting allowed both states to keep face, thus not adversely affecting Japan's position in the sovereignty game.

Six years later, on 7 September 2010, a Chinese fishing trawler collided with two pursuing JCG patrol ships in waters near the disputed islands. The captain and crew were arrested, and within a few days the crew was released yet the captain was handed over to the Naha public prosecutor (for obstruction of duty and illegal fishing). China's reaction was immediate and harsh: China protested strongly, especially after the period of detention was extended by a further ten days on 19 September. As Japan declared its intention to proceed with the prosecution, China responded with a range of measures – including the suspension of ministerial and civilian exchanges, the halting of rare earth exports, and the arrest of a number of Fujita employees in China on charges of espionage – in what has been described as “shock and awe diplomacy”³⁹. Although some of the measures cannot be directly connected to the incident)⁴⁰, due to the timing they were construed as responses, regardless of the original intentions. Shortly after the extension of the detention, on 22 September, Premier Wen Jiabao made a statement which could only be read as a thinly-veiled threat: “If Japan acts willfully despite advice to the contrary, China will take further actions, and Japan must accept full responsibility for all the severe consequences”. Two days later on 24 September, the local prosecutor in Okinawa, citing

³⁹ Funabashi (2010)

⁴⁰ Reuters, 22/10/2010

the need for peaceful bilateral relations, announced the cancellation of the prosecution and the captain's release.⁴¹

Like the 2004 incident, the 2010 incident was undoubtedly orchestrated at least in part from Tokyo, in particular by Foreign Minister and China hawk Maehara Seiji as well as Sengoku Yoshito.⁴² This prosecution not only would have broken with existing practice – immediate deportation – but also violated two previous agreements with China. The first is the 1997 Fisheries Agreement, which resulted in the waters around the disputed islands to be considered high seas, meaning that the Chinese trawler was subject to flag-state (i.e. Chinese) jurisdiction. Therefore, as Sourabh Gupta points out, ‘the appropriate course of actions should have been prompt deportation of the Chinese skipper and crew [and] an insistence on the former's trial in a Chinese tribunal’⁴³ – instead Japan's actions were an enforcement of territorial sea rights and domestic law. The second agreement the prosecution violated was a secret one dating back to 2004, not dissimilar to the secret pact which governed Japan's territorial dispute with South Korea

⁴¹. The Japan Times 25/10/2010

⁴² Aera 25/10/2010, The Japan Times 23/10/2010

⁴³ Sourabh Gupta (2010)

for over thirty years⁴⁴: Japan undertook not to prosecute Chinese activists while China undertook to prevent such activists from landing in the first place. ⁴⁵

In this way the incident, as in 2004, was a case of Japan seizing an opportunity to make a new precedent, alter the status quo, and improve its position in the sovereignty game. China protested using all forms of capital – military (threats), economic (rare earth exports), and political (cancellation of meetings), and its reputation took a bruising in a region where it has similar maritime and territorial disputes with several other states. However the vehemence of the response should be understood through the sovereignty implications of a successful prosecution and the value of the territory. Moreover, this protest was successful, as, having raised the stakes and stated specifically that the due domestic legal process would take place without political interference, Japan released the captain without charge and political motivations were cited for this decision. Thus the attempted prosecution ended up reinforcing the sovereignty status quo rather than changing it, and while the Japanese government repeated the ‘no dispute exists’ line in the aftermath, this call again rang hollow, as it was made very clear worldwide that Japan did not enjoy the full exercise of its sovereignty in issues related to the disputed islands or their waters.

⁴⁴ Roh (2008)

⁴⁵ Aera 25/10/2010

Chapter 3. Conclusion

Since the signing of the Joint Declaration in 1972, Japan and China's bilateral relationship have gone through a cycle of cooperation and suspension, due to constant flare-ups caused by historical and territorial conflicts, Senkaku/Diaoyu islands being one of the major issues between them. Examining the relationship from the Japanese point of view, this paper presents how Japan's 'hands off' policy approach to the territorial and maritime dispute has enabled China to effectively prevent Japan from exercising sovereignty over the disputed islands while pushing its own claim further.

As seen in the previous chapter, by taking more assertive stance, Japan has been able to halt China from deteriorating Japan's effective control of the islands. Thus, Japan shifted its policy not because its domestic political scene was growing conservative nor its leaders grossly underestimated the situation at hand. Japan's actions were to accommodate China's challenge to the status quo, to stop China from deteriorating Japanese effective control. However, it also cannot be denied that such policy shift has also contributed to worsening bilateral relations between the two.

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Appendix

Chronology of Senkaku/Diaoyu Islands Conflicts

1. 2010 Clash

September 7, 2010: The Chinese fishing trawler Minjinyu 5179 collides with two Japanese Coast Guard patrol boats in disputed waters near the Senkaku Islands.

After the collisions, Japanese Coast Guard sailors boarded the Chinese vessel and arrest the captain, Zhan Qixiong. On the same day, [Song Tao](#), Chinese associate minister of foreign affairs, called in Japan's ambassador to China [Uichiro Niwa](#) and requested Japan to stop its interception operation.

September 9: [Jiang Yu](#), spokeswoman of the Ministry of Foreign Affairs of China said China has sent law enforcement boats of the Fishery Administration to the incident waters. On the same day, [Hu Zhengyue](#), the assistant to the minister of foreign affairs called in Japan's ambassador to China [Uichiro Niwa](#). Hu urged Japan immediately release the trawler together with seamen on board and guarantee their safety and integrity. The Ishigaki Maritime Safety Agency charges Captain Zhan Qixiong with interference with a public servant in the execution of his or her duties and send him to the Ishigaki branch of the District Public Prosecutor's Office in Naha.

September 10: The Ishigaki branch of the District Public Prosecutor's Office in Naha extends Captain Qixiong's detention.

September 12: In the early morning, [State Councilor Dai Bingguo](#) called in Japan's ambassador to China [Uichiro Niwa](#). Dai warned the Japanese government: "Don't make false judgement on the current situation, make wise political decisions, and release China's fishermen and trawler immediately."

September 13: Because of the detention of the Chinese captain, China's embassy

told the Affairs Bureau of the [House of Representatives \(Japan\)](#) that Vice Chairman of the [Standing Committee of the National People's Congress Li Jianguo](#) decided to delay his 5-day visit to Japan. The trawler and 14 crew members were released and returned to China. Captain Qixiong remains detained in Naha.

September 16: [Seiji Maehara](#), the Minister of Land, Infrastructure, Transport and Tourism, goes to Ishigaki Maritime Safety Agency and inspects the patrol ship's damaged in the incident.

September 19: The summary court of Ishigaki extends Captain Qixiong's detention term by 10 days, from 9/20 to 9/29.

September 20: China detains 4 Japanese employees of [Fujita Corporation](#) for allegedly filming military targets.

September 22: China's premier [Wen Jiabao](#) delivered a strong-worded address: "I strongly urge Japan to release Zhan Qixiong immediately and unconditionally" when he attended the general assembly of the United Nations in New York. He said Japan had turned a deaf ear to China's repeated serious requests. "If Japan persists willfully and arbitrarily, China will take further actions. Japan shall take full responsibilities for all dire consequences incurred." This is the highest level of protests made by Chinese officials after the collision incident.

September 24: Japan releases Qixiong, stating that keeping the captain in custody would not be appropriate and was having a considerable impact on Sino-Japan relations.

September 25: China demands an apology and compensation from Japan for holding the Chinese boat captain. Japan rejects this demand.

September 27: Japan said it would counter-claim against China for damage to its patrol boats in the collision.

October 6: Joint USA/Japan drill is planned on defending Okinawa in December but Japanese Prime Minister Kan Naoto told the parliament that the joint military exercise does not have the islands specifically in mind.

October 9: All of the Fujita employees were released by China.

October 19: In the regular press conference held by the Minister of Foreign Affairs of China, a reporter asked: According to Japanese news sources, the Foreign Minister of Japan [Seiji Maehara](#) claimed that China's reaction to the collision is "hysterical". How does China respond to Mr. Seiji's comment? The spokesman [Ma Zhaoxu](#) said: "We are deeply astonished that such a comment is made by a foreign minister of some nation."

November 4: Leaked video footage of the collision appears on YouTube, uploaded by former user sengoku38.

November 9: Supreme Public Prosecutor's Office of Japan launches an investigation against Google over the video leak.

November 15: Japanese police and prosecutors announced that they would not arrest anyone for the YouTube leak.

2. 2012 Nationalisation

Sept. 4, 2012: Japanese government reaches broad agreement with the private owner on the purchase of Senkaku Islands.

Sept. 4, 2012: Meeting of *Tachiagare* (Standup) Japan and 35 Diet members, including Abe Shinzo, adopts a petition calling on the government to strengthen control over territorial waters.

Sept. 5, 2012: Taiwan's President Ma Ying-jeou visits Taiwanese island closest to Senkakus and asserts Republic of China sovereignty over the islands.

Sept. 9, 2012: Prime Minister Noda Yoshihiko and President Hu Jintao meet on the sidelines of the APEC meeting in Vladivostok; Hu emphasizes China's opposition to Senkakus purchase.

Sept. 11, 2012: Japan announces purchase of Senkaku Islands; China asserts purchase is illegal, invalid, and a gross violation of China's sovereignty. China Marine Surveillance (CMS) agency and Fisheries Law Enforcement Command ships begin to enter waters near the islands.

Sept. 12, 2012: Anti-Japanese demonstrations take place in Beijing and spread across China in the following week through Sept. 22.

Sept. 17, 2012: Taiwan activists burn a Japanese flag to protest Senkaku Islands purchase.

Sept. 18, 2012: The 81st anniversary of Mukden Incident is celebrated in China with protests.

Sept. 20, 2012: Ten Chinese surveillance ships arrive in waters near Senkaku/Diaoyu Islands.

Sept. 22, 2012: Ground Self-Defense Forces (GSDF) and US Marines engage in an exercise aimed at strengthening GSDF capabilities to defend remote islands.

Sept. 23, 2012: China informs Japanese government of the cancellation of 40th anniversary celebrations scheduled for Sept. 27 in Beijing.

Sept. 23, 2012: *Xinhua* reports China Maritime Surveillance agency concluded a test of unmanned reconnaissance aircraft; State Oceanic Administration announces plans to have drones operational by 2015.

Sept. 24, 2012: Japan-China Economic Association postpones visit to China.

Sept. 24, 2012: Taiwanese fishing flotilla with about 60 boats departs for the Senkaku area.

Sept. 25, 2012: Vice Minister Kawai Chikao and Vice Minister Zhang Zhijun meet in Beijing to discuss Senkakus issue.

Sept. 25, 2012: Japan protests Taiwanese incursions into its territorial waters in Senkaku Islands.

Sept. 25, 2012: China issues a white paper on the Diaoyu Islands dispute.

Sept. 25, 2012: China announces commissioning of the aircraft carrier *Liaoning*.

Sept. 25, 2012: Ishigaki Municipal Assembly adopts a resolution calling on the national government to protect Japanese fishermen operating in Senkaku Islands.

Sept. 25, 2012: Chinese residents of Yokohama call off Oct. 1 National Day parade and celebrations due to safety concerns.

Sept. 26, 2012: Prime Minister Noda speaks at UN General Assembly and calls for

peaceful settlement of territorial disputes in accordance with international law.

Sept. 27, 2012: Foreign Minister Yang Jiechi addresses the UN General Assembly, blasts Diaoyu purchase as illegal and invalid; asserts islands were stolen by Japan in 1895.

Sept. 27, 2012: Kono Yohei delegation meets in Beijing with Jia Qinglin, fourth ranking member of Chinese Communist Party (CCP), and former State Councilor Tang Jiaxuan.

Sept. 27, 2012: China Ministry of National Defense describes PLA Navy scheduled patrols and exercises in East China Sea as normal and legal activities aimed at protecting Chinese fishing and natural gas development activities.

Sept. 28, 2012: Japanese Coast Guard reports rescue of Chinese crew members of distressed freighter off Osaka.

Sept. 28, 2012: Chinese Embassy in Tokyo reports receiving a bullet in the mail from a sender named “Noda Yoshihiko.”

Sept. 28, 2012: Okinawa Prefectural Police transfer to prosecutors two Japanese suspected of landing on Uotsuri Island in the Senkaku Islands.

Sept. 29, 2012: Hokkaido Gov. Takabashi Harumi postpones visit to China to attend the Shanghai Economic Forum, an event commemorating the 40th anniversary of normalization.

Oct. 1, 2012: Seven Taiwanese ships enter Japan’s contiguous zone in the Senkaku area and depart later in the day.

Oct. 1, 2012: Japanese Coast Guard reports Sept. 30 sighting of Chinese and Taiwanese ships approaching the Senkaku area.

Oct. 2, 2012: Four CMS ships enter Japan’s territorial waters in the Senkaku area and depart later in day.

Oct. 2, 2012: Foreign Minister Gamba Koichiro informs press that Japan has protested entry of Chinese ships into the Senkaku area; Director General for Asian and Oceanian Affairs Sugiyama Shinsuke telephones Chinese Embassy to lodge protest; crisis management center established in the prime minister’s office.

Oct. 2, 2012: Taiwan’s President Ma says that entry of Taiwanese ships into Senkaku area represents a peaceful demonstration, not a provocative act and expresses hopes for re-opening of Taiwan-Japan fisheries negotiations.

Oct. 3, 2012: Foreign Minister Gamba calls for dialogue to stabilize the Senkaku area

situation, but underscores Japan's non-negotiable position regarding sovereignty over the islands.

Oct. 4, 2012: Japan's Ministry of Defense announces transit of seven PLA Navy warships in international waters between Okinawa and Miyakojima.

Oct. 5, 2012: Taiwan's Interior Ministry announces plans to build national maritime park in waters near the Senkaku area.

Oct. 5, 2012: Japanese prosecutors announce they will not indict Chinese diplomat suspected of using false identity to renew his foreign registration; the diplomat departed Japan on May 22.

Oct. 7, 2012: Chinese ships enter Japan's contiguous zone for seventh consecutive day.

Oct. 10, 2012: Japanese Diet delegation to Taiwan meets President Ma but does not attend Taiwan National Day celebration. In his National Day address, Ma asserts Republic of China sovereignty over the Diaoyutai Islands.

Oct. 10, 2012: Japanese Coast Guard reports that ships of CMS and Fisheries Law Enforcement Command had entered Japan's contiguous zone 19 times since Sept. 11.

Oct. 11, 2012: Meeting of Japan, ROK China Health officials in Kyoto is postponed after Chinese representative are unable to attend for unspecified reasons.

Oct. 12, 2012: At the World Bank-IMF meeting in Tokyo, IMF Deputy Managing Director Min Zhu expresses optimism over resolution of Senkaku/Diaoyu Islands dispute. China's Minister of Finance and Governor of the People's Bank of China do not attend the meeting; Japanese see their non-attendance as reflecting China's dissatisfaction with the Senkaku purchase.

Oct. 13, 2012: Japan and US announce November exercise aimed at retaking uninhabited island.

Oct. 15, 2012: Foreign Minister Gamba meets US Deputy Secretary of State Bill Burns; he reiterates Japan's position on the Senkaku Islands that a territorial problem does not exist.

Oct. 16, 2012: Chinese media report the detention of five individuals for property destruction during anti-Japanese demonstrations Guangdong Province.

Oct. 16, 2012: Seven PLA warships return from exercises in western Pacific passing through Japan's contiguous zone south-southeast of Yonaguni Island, becoming the first-ever PLA warships to transit through Japan's contiguous zone.

Oct. 17, 2012:LDP President Abe Shinzo visits Yasukuni Shrine.

Oct. 18, 2012: Sasakawa Peace Foundation announces the postponement of Self Defense Force-PLA young officers exchange scheduled for late October.

Oct. 18, 2012:Sixty-seven members of the Diet visit Yasukuni Shrine.

Oct. 18, 2012: Foreign Minister Gamba defends the Senkakus purchase as a pragmatic move to preempt the proposed purchase by Tokyo Gov. Ishihara Shintaro.

Oct. 19, 2012: China dispatches naval vessels, aircraft, and helicopters to the East China Sea for a one-day exercise to “strengthen the capacity to safeguard territorial sovereignty and maritime interests.”

Oct. 20, 2012: Japanese Coast Guard rescues 64 Chinese from the cargo ship *Ming Yang* after it catches fire off Okinawa.

Oct. 21, 2012: *Kyodo* reports that Chinese officials in September meeting with US Secretary of State Clinton did not refer to Diaoyu Islands as a “core interest” of China.

Oct. 21, 2012: *Jiji Press* reports Japan and US canceled plans for November military exercises aimed at recapturing uninhabited island.

Oct.24, 2012: Chinese oceanic research ship enters Japan’s EEZ and conducts research in an area different from its prior notification of activities and a CMS ship enters Japanese territorial waters.

Oct. 25, 2012: Chief Cabinet Secretary Fujimura finds regular Chinese maritime activities in Japanese waters to be regrettable; Vice Minister Kawai telephones Ambassador Cheng to protest entry of Chinese ships into Japanese waters in the Senkakus; China’s Foreign Ministry spokesperson responds that Chinese ships are conducting regular patrol to support China’s rights.

Oct. 26, 2012: Defense Minister Morimoto Satoshi announces suspension of Japan-China talks aimed at setting up a maritime crisis management mechanism.

Oct. 26, 2012: Vice Minister Zhang says Japan’s disregard for China’s sovereignty is the most serious shock in relations since normalization.

Oct. 27, 2012:Japan’s Fisheries Agency arrests the captain of a Chinese fishing boat engaged in unauthorized fishing in Japan’s EEZ off Kyushu. He is released the next day after paying a fine.

Nov. 4, 2012: Four CMS ships enter waters off the Senkaku Islands and briefly enter into

Japanese territorial waters.

Nov. 5, 2012: Dalai Lama arrives in Japan for 10-day visit; China protests the visit.

Nov. 5-6, 2012: Prime Ministers Noda and Wen attend the ASEM in Vientiane and do not meet.

Nov. 8, 2012: Japan's Tourism Ministry postpones a trilateral Japan, China, ROK meeting scheduled for Nov. 27, reporting that it had been informed by its Chinese counterpart that conditions were not right for China's attendance.

Nov. 13, 2012: Dalai Lama addresses 140 members of the Diet's Upper House; participants announce the formation of a "pro-Tibet Diet members' alliance." China condemns the move as interference by Japan's rightwing forces in China's internal affairs.

Nov. 16, 2012: Beijing police remove barricades from the area of Japanese Embassy in Beijing.

Nov. 16, 2012: A reception marking the close of the 40th anniversary commemorations scheduled for Nov. 24 in Beijing is canceled.

Nov. 18, 2012: Japanese Coast Guard reports the 30th consecutive day of Chinese activity in Senkaku area contiguous zone.

Nov. 20, 2012: Japan, ROK, China trade ministers agree to begin formal negotiations on a trilateral free trade agreement in early 2013.

Nov. 28, 2012: Four Chinese warships transit through Japan's contiguous zone on the way to exercises in western Pacific; they return on Dec. 10.

Nov. 29, 2012: US Senate amends 2013 Defense Authorization Act to call for peaceful settlement of territorial issues in the East China Sea and self-restraint by all parties. It also reaffirms that the US-Japan Security Treaty extends to the Senkaku Islands.

Nov. 30, 2012: Japan and Taiwan hold preparatory talks on the resumption of fisheries talks.

Nov. 30, 2012: Ambassador Cheng acknowledges the expansion of PLA Navy activities to western Pacific is aimed at strengthening its power but says this development is not a threat.

Dec. 3, 2012: China criticizes US Senate action on the Senkaku area.

Dec. 5, 2012: Japan releases a draft of its new Basic Plan on Ocean Policy aimed at strengthening its capabilities to deal with foreign incursions into Japanese waters.

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Dec. 7, 2012: Vice Minister Kawai calls Ambassador Cheng to protest the incursion of four CMS ships into Japanese territorial waters.

Dec. 8, 2012: CMS ship enters Japan's contiguous zone. **Dec. 9, 2012:** President Ma urges Japan to apologize for using sex slaves in World War II.

Dec. 11, 2012: China's commissions newest and largest Fisheries Law Enforcement Command ship in Shanghai.

Dec. 11, 2012: Former Gov. Ishihara attributes present tension in Japan-China relations to Noda government's purchase of the Senkaku Islands.

Dec. 13, 2012: The 75th anniversary of the Imperial Army's entry into Nanjing and the start of Nanjing Massacre are commemorated.

Dec. 13, 2012: Aircraft from China's CMS intrudes into Japanese airspace. Air Self-Defense Forces jets are scrambled and Japan issues a protest.

Dec. 14, 2012: China submits a continental shelf claim to the United Nations that asserts Chinese sovereignty in the East China Sea to the Okinawa trough.

Dec. 14, 2012: Foreign Minister Yang Jiechi contributes to a *People's Daily* article on foreign policy of the new Xi Jinping administration. Yang writes that China will wage a struggle against Japan over the Diaoyu Islands.

Dec. 16, 2012: A newly commissioned Chinese Fisheries Law Enforcement Command ship enters Japan's territorial waters in the Senkakus, marking the 18th incursion since Sept. 11.

Dec. 17, 2012: Japanese Coast Guard confirms the seventh consecutive day of Chinese activity in the Senkakus contiguous zone.

Dec. 18, 2012: Japanese Foreign Ministry publishes a position paper on Japan-China Relations Surrounding the Situation of the Senkaku Islands – in Response to China's Airspace Incursion.

Dec. 20, 2012: Ambassador Niwa address Japan's National Press Club and expresses doubts about Senkakus purchase.

Dec. 16, 2012: LDP wins 294 seats in the 480-seat Lower House of Parliament in Japanese general election.

Dec. 22, 2012: Aircraft from China's CMS approaches within 100 km of the Senkaku Islands; Air Self-Defense Force jets are scrambled.

Dec. 26, 2012: Abe Shinzo succeeds Noda Yoshihiko as Japan's prime minister.

Dec. 27, 2012: Japanese Coast Guard confirms the fourth consecutive day of Chinese ships activity in Japan's contiguous zone in the Senkaku area.

(Information gathered from Japanese/English newspapers by the author)

국문 초록

일본 외교정책의 변화: 일본의 센카쿠/다오위다오 분쟁 대응 정책을 중심으로

일본은 중일간의 영토분쟁에 있어서 줄곧 “조용한 외교”를 표방해왔다. 그러나 2010년 9월 센카쿠 열도 부근에서 조업중이던 중국 어선과 이를 불법으로 간주하여 단속을 실시한 일본 해양보안청 소속 순시선이 충돌하는 사건에서 일본은 중국 선장을 체포, 구속하는 등 이전과는 확연히 다른 강경한 태도를 보였다. “조용한 외교”에서 “적극적 방어”로 그 외교 노선을 바꾼 것이다. 이러한 일본의 정책 변화는 어디에서 비롯된 것인가?

본 연구는 센카쿠/다오위다오 분쟁을 중심으로 일본의 외교 정책에 나타나는 변화 양상을 살펴본다.

Keywords: 중일관계, 영토분쟁, 센카쿠/다오위다오

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