

The Senkaku Islands and China's Wolf Warrior Diplomacy

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Japan's Senkaku Islands

The Senkaku Islands is the collective term that refers to a group of islands that includes Uotsuri Island, Kitakojima Island, Minamikojima Island, Kuba Island, Taisho Island, Okinokitaiwa Island, Okinominamiwa Island, and Tobise Island located at the west side of the Nansei Shoto Islands. They are part of Ishigaki City, Okinawa Prefecture of Japan.

In January 1895, after having carefully ascertained that there had been no trace of control over the Senkaku Islands by another state prior to that period, the Government of Japan incorporated the islands into the Japanese territory by lawful means under the international legal framework which existed at that time¹.

After the incorporation of the Senkaku Islands into Japanese territory, Japanese civilians settled on the previously uninhabited islands, having obtained permission from the Government. Settlers ran businesses such as dried bonito manufacture and feather collecting. The islands counted more than 200 inhabitants at one point, and taxes were collected from the inhabitants.

Geographical situation of the Senkaku Islands



(Source : <https://www.mofa.go.jp/region/asia-paci/senkaku/index.html>)

China's Attempts to unilaterally change the status quo by force

The People's Republic of China (hereafter referred to as "China") successfully made peace with the United States in the Shanghai Communiqué² of February 1972 and overcame the threat of a military conflict between the U.S. and China. Since then, after the power struggle within China, the reform and openness economic policy led by Deng Xiaoping proved successful in stabilizing the domestic economy, and President Xi Jinping has built a strong naval force in just 10 years since General Secretary Hu Jintao advocated the construction of China as a maritime power at the 18th National Congress of the Chinese Communist Party in 2012.

¹ For more information on the history and Japan's position of the Senkaku Islands, see the Ministry of Foreign Affairs website (https://www.mofa.go.jp/a_o/c_m1/senkaku/page1we_000010.html).

² No specific definition regarding the sea area under its jurisdiction is stated, but according to the interpretation of the Supreme People's Court of the People's Republic of China (August 2016), it covers the "the inland waters, territorial waters, connecting waters, exclusive economic zones, continental shelf, and other sea areas under the jurisdiction of the People's Republic of China." (Ministry of Defense of Japan, *About the Coast Guard Law of the People's Republic of China*, March 16, 2021) (https://www.mod.go.jp/j/approach/surround/ch_ocrn.html) (as of 7 March 2022)

One of the Chinese Communist Party's diplomatic strategies is legal warfare. China arbitrarily interprets international law in accordance with China's foreign policy and enacts domestic laws based on this arbitrary interpretation. China's domestic laws not only ensure the legality of China's use of force and military operations, but also point out the illegality of other countries and eliminate interference from third countries. Moreover, China's domestic law legislation shields the Chinese public from criticism of China's foreign policy.

The long-term objective of China's maritime aggression as a maritime power is to drive U.S. forces out of East Asia and into the Pacific Ocean. China would like to divide the Pacific Ocean into U.S. and China.³ In other words, China's ambition to control the Senkaku Islands is forcing the U.S. and Japan to adopt an A2/AD strategy of China.

First Island Chain and Second Island Chain



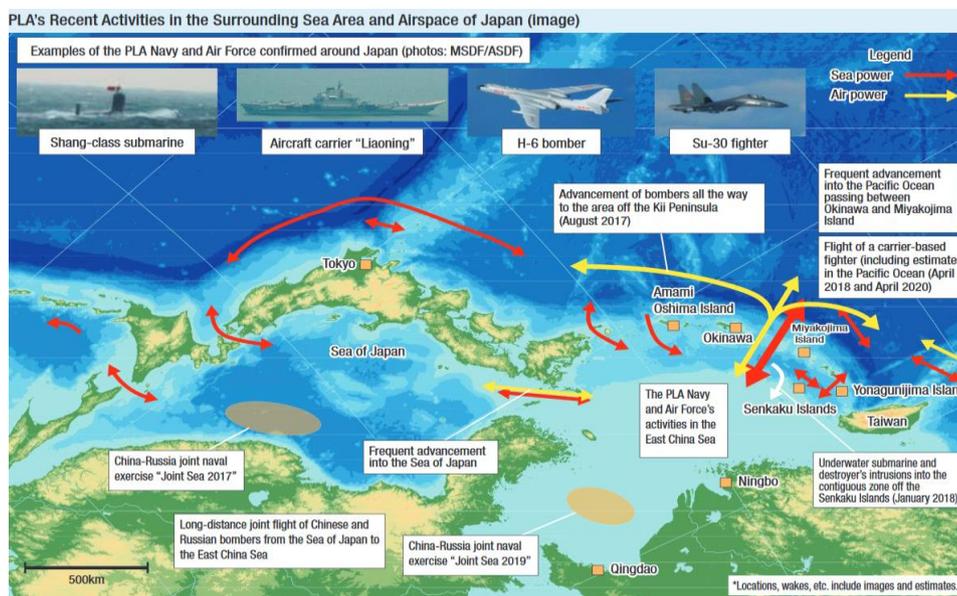
(Source : https://archive.defense.gov/pubs/pdfs/2011_CMPR_Final.pdf,p.23)

However, China believes that it would be unable to win a war with the U.S. with its current military power. As such, it is in a state of 'hiding its capacities and biding time', which was Deng Xiaoping's diplomatic strategy. The Chinese Communist Party is likely to be afraid of losing a war with the U.S. and losing the support of its people. Therefore, China needs to achieve its long-term objectives through non-military diplomatic means until it is certain that China can win a war with the U.S. In other words, as will be explained later, the Chinese Coast Guard ships will continue wolf-warrior diplomacy attempting to unilaterally change the status quo.

China's medium-term strategic objective is to secure free passage to the Pacific Ocean, and to this end it will seek to sever security ties with the United States, Japan, and Taiwan through various means. The Senkaku Islands and Taiwan pose major natural obstacles to China's free passage to the Pacific

³ PRC military theorists refer to two 'island chains' along China's maritime perimeter. The First Island Chain includes Taiwan and the Ryukyu Islands, the Second Island Chain extends from Japan to Guam, *Annual Report to Congress-Military and Security Developments Involving the People's Republic of China 2011*, Office of the Secretary of Defense, pp.22-23. (https://dod.defense.gov/Portals/1/Documents/pubs/2011_CMPR_Final.pdf) (as of 8 March 2022).

Ocean. In order to achieve its goals, China needs to control the sovereignty of the Senkaku Islands and Taiwan. Therefore, China's immediate task seems to be to wage psychological warfare on the Japanese, control the sovereignty of the Senkaku Islands, and secure free passage through the Miyako Strait.



(Source: Department of Defense, *Defense of Japan 2020*, p.73)

China's CCG law and wolf warrior diplomacy

China established the China Coast Guard (CCG) as a law enforcement agency in 2013 and placed it under the command of the Central Military Commission in 2020. Based on a hybrid strategy that combines the Chinese People's Liberation Army Navy (PLA Navy) and law enforcement agencies for medium-term objectives, China is currently engaged in wolf warrior diplomacy to enforce China's maritime interests in the waters surrounding the Senkaku Islands and Taiwan.

Additionally, China established an air defense identification zone (ADIZ) over the Senkaku Islands in November 2013 without prior consultation with Japan. China unilaterally requires foreign aircraft in flight to comply with instructions from Chinese authorities and claims it will take 'defensive emergency measures' if they do not. According to newspaper reports, since around 2020, China has had three PLA Navy vessels constantly deployed near the border of China's ADIZ.⁴

China enacted the CCG Law of the People's Republic of China in January 2021, which went into effect in February of the same year. The law provides the necessary warning and control measures to request foreign warships and government ships that violate China's domestic laws in waters under China's jurisdiction⁵ to leave the waters. The CCG's large ships are said to be equipped with 76 mm

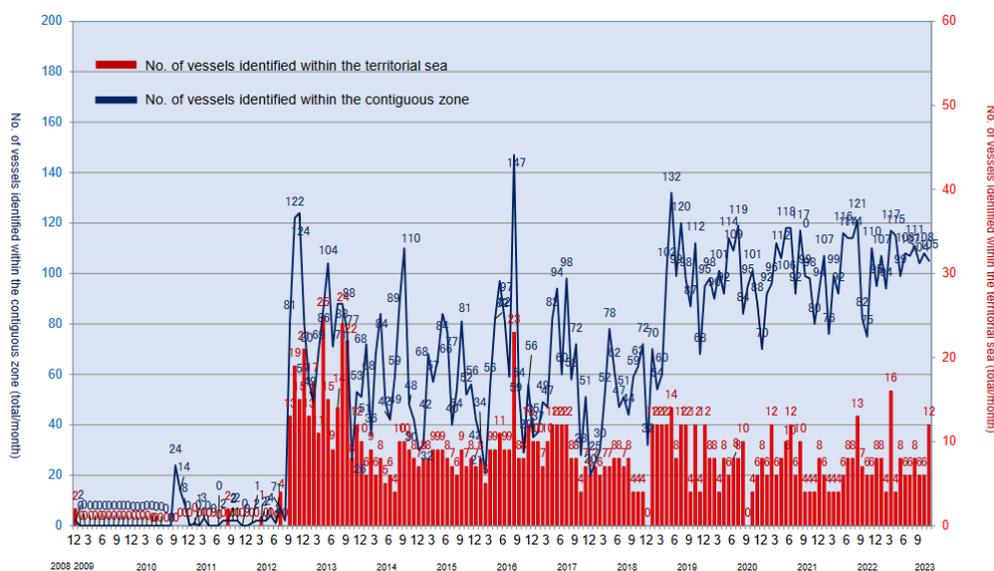
⁴ *The Yomiuri Shinbun*, January 28, 2024.

⁵ No specific definition regarding the sea area under its jurisdiction is stated, but according to the interpretation of the Supreme People's Court of the People's Republic of China (August 2016), it covers the 'the inland waters, territorial waters, connecting waters, exclusive economic zones, continental shelf, and other sea areas under the jurisdiction of the People's Republic of China.' (Ministry of Defense of Japan, *About the Coast Guard Law of the People's Republic*

guns. According to the CCG Law, CCG ships are obligated to engage in national defense duties under the command of the China Military Commission in accordance with national defense laws and regulations.

Patrol ships of the Japan Coast Guard (JCG), a Japanese law enforcement agency, confront CCG ships in the waters surrounding the Senkaku Islands. According to the JCG Law, patrol ships may use weapons against foreign ships passing within Japan's territorial waters in violation of law and order if it is determined to be reasonably necessary. However, if the offending ship is a foreign warship and government ship, the law stipulates that the patrol ship cannot use weapons.

[The numbers of China Coast Guard and other ships that entered Japan's contiguous zone or intruded into territorial sea surrounding the Senkaku Islands](#)



(Source : https://www.mofa.go.jp/region/page23e_000021.html)

The CCG Law stipulates that CCG ships are permitted to use weapons against foreign vessels that violate Chinese sovereignty. And there was discussion that JCG ships should be allowed to fire ‘hazardous shooting’ when CCG ships endanger the safety or lives of the crew members of JCG ships or fishing boats by opening fire. However, if a JCG ship were to fire the first shot, China may use its right of self-defense as an excuse to reciprocate with force.⁶ Furthermore, since the hull of a patrol ship cannot withstand 76 mm gunfire from a CCG ship, the prevailing argument in Japan is that ‘hazardous shooting’ is impractical when considering the damage to the patrol ship's crew.

In addition, if CCG ship were to use weapons against a Japanese patrol ship, it could result in an armed conflict between Japan and China, and the U.S. could support Japan under Article 5 of the

of China, March 16, 2021) (https://www.mod.go.jp/j/approach/surround/ch_ocn.html) (as of 7 March 2022)

⁶ According to a newspaper report, China has been refurbishing about 10 naval frigates since 2021, and a total of about 20 ships are expected to be converted to coast guard vessels in the future. In many cases, anti-ship and anti-aircraft missiles are removed from the vessels when they are recovered, but they remain equipped with machine guns and 76 mm guns and are said to be steadily upgrading their equipment (Yomiuri Shimbun, February 1, 2022).

Japan-U.S. Security Treaty.⁷ Therefore, instead of using weapons, CCG large ship would foreseeably use tactics such as water guns to discharge large quantities of water or ramming ships to interfere with the activities of foreign patrol ships. It is not clear whether mass water discharges or ramming ship would constitute the use of force, a requirement for the exercise of the right of self-defense.

CCG ship discharging a large amount of water on a Vietnam Coast Guard ship



(Source: <https://www.newsweekjapan.jp/stories/world/2020/07/post-94079.php>)

The Japan-China Maritime and Air Communication Mechanism (MACM), which prevents accidental military conflicts, applies between the Japan Maritime Self-Defense Forces and the PLA Navy, and does not apply to conflicts between law enforcement ships between Japan and China. If China's wolf warrior diplomacy works and Japanese patrol ships are wiped out from the waters surrounding the Senkaku Islands, other countries are likely to interpret this as meaning that the Senkaku Islands are Chinese territory. This is China's objective, and this is a situation that Japan will not tolerate.

China's challenge to the international order based on the rule of law

The United States, European countries, and Australia have expressed interest in the security environment in the East China Sea and are conducting joint drills and exercises with the Japanese Maritime Self-Defense Forces to counter China's maritime expansion. The U.S. supplies weapons and other equipment to Taiwan in accordance with the Taiwan Relations Act, but there is the question of how long the deterrence of armed conflict in the East China Sea can continue. There is concern that a small clash between law enforcement ships of Japan and China could trigger a breakdown in deterrence and escalate into a small-scale war.

⁷ Article 5 of the Security Treaty between U.S. and Japan stipulates: Each Party recognizes that an armed attack against either Party in the territories under the administration of Japan would be dangerous to its own peace and safety and declares that it would act to meet the common danger in accordance with its provisions and processes.

Exercises off Okinawa by a U.S. and British carrier strike group and
Japan Maritime Self-Defense Force, Canadian, New Zealand, and Dutch vessels



(Source : <https://www.cpf.navy.mil/News/Article/2805311/multiple-allied-carrier-strike-groups-operate-together-in-7th-fleet/>)

The Russian invasion of Ukraine in February 2022 shocked the world, and the reason for the invasion was that Ukraine is a brotherly country with the same roots. President Putin implied the use of tactical nuclear weapons in order to forestall the entry of NATO countries into the war. The actions of President Putin, a believer in force, overlap with President Xi Jinping's ambition to change the status quo by force. China, a nuclear power, claims that Taiwan is part of China, and the Senkaku Islands are attached to Taiwan, which overlaps with Russia's reasons for aggression.

If China were to militarily invade Taiwan or the Senkaku Islands, other countries would avoid military conflict and take no action, and if Taiwan or the Senkaku Islands became Chinese territory, the strategic environment in the East China Sea would change completely. The United States, having lost the trust of Asian like-minded nations, could even be driven out of the Second Island Chain.

According to the Indo-Pacific Strategy of the U.S, released by the U.S. government in February 2020, the United States will 'expand U.S. Coast Guard presence and cooperation in Southeast and South Asia and the Pacific Islands, with a focus on advising, training, deployment, and capacity-building.'⁸ In addition, it goes on to say that, 'The United States will defend our interests, deter military aggression against our own country and our allies and partners—including across the Taiwan Strait—and promote regional security by developing new capabilities, concepts of operation, military activities, defense industrial initiatives, and a more resilient force posture.'⁹ The U.S. has stated that it may dispatch its Coast Guard to step up patrols in the waters surrounding the Senkaku Islands, which would greatly contribute to stabilizing the East China Sea.

On the other hand, the first plenary session of the 20th Central Committee held on October 23, 2022 decided to continue the third Xi Jinping administration for five years until 2027. The policy of not denying the use of force to unify Taiwan is based on the Anti-Secession Act, enacted in 2005, which stipulates the conditions for the use of force. In the action policy announced at the Central Committee meeting, General Secretary Xi Jinping mentioned the possibility of unifying Taiwan by force.

⁸ The White House, *Indo-Pacific Action Plan, Indo-Pacific Strategy of the United States*, February 2022, P.15.

⁹ *Ibid.*.

China's wolf-warrior diplomacy to secure maritime rights and interests in the East China Sea is an attempt to unilaterally change the status quo by force, and a challenge to the international order based on the rule of law. Coastal states in the East China Sea will need to share information with coastal states in the South China Sea, which are also suffering from wolf-warrior diplomacy, and create a mechanism to deter China's unilateral change the status quo by force.