

**Seminar Material**

**Changes of the Situation in International Relations and  
Security Environment in East Asia and the Response of the  
International Community**

**March, 2020**

**Japan Forum for Strategic Studies (JFSS)**



## Seminar

### **Changes of the Situation in International Relations and Security Environment in East Asia and the Response of the International Community**

Date and Place: March 3, 2020; Hotel Grand Hill Ichigaya

Schedule: Seminar: 13:00-17:50 (3F Ruri)

※With Simultaneous Interpretation

Networking Reception: 18:00-19:30 (2F Shirakaba)

Organizer : Japan Forum for Strategic Studies (JFSS)

Partner Institution : Komatsu Research & Advisory in London (KRA)

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## Agenda

- 13:00 - 13:10 Opening Address: **Taro Yayama**, President, JFSS
- 13:10 - 13:30 Keynote Speech: **Sir David John Wright**, Chairman of the board at Skarbek Associates, Former British Ambassador to Japan
- 13:30 - 15:15 **Session 1: "Security Environment and Territorial Disputes in Northeast Asia"**
- < Moderator >
- **Osamu Onoda**, Lt. General, Japan Air Self Defense Force (ret.)
- < Panelists >
- **Susumu Takai**, Executive Director, JFSS  
Reality concerning incorporation of Takeshima and The Senkaku Islands
  - **Keiichiro Komatsu**, President, Komatsu Research & Advisory in London  
The common thread between Takeshima and Crimea: Deprivation of Territory by Force
  - **Grant F. Newsham**, Senior Research Fellow, JFSS  
An American Perspective: The East Asia security environment and the response of free-nations
- (Each panelists have 20minutes for presentation and discussions among speakers and audiences will be followed then)
- 15:15 - 15:40 Coffee Break
- 15:40 - 17:45 **Session 2: Security Environment in East Asia and the Response of International Society**
- < Moderator >
- **Mitsuo Sakaba**, Advisor, the Japan Forum for Strategic Studies (JFSS)
- < Panelists >
- **Paul Wolfowitz**, Visiting Scholar at the American Enterprise Institute (AEI), Former President of the World Bank and Former Deputy Secretary of Defense  
U.S. Perspective and Response
  - **Eva Pejsova**, Associate Researcher, Foundation for Strategic Research

Sovereignty issues in Northeast Asia: a matter of law, history and identity politics

• **Nguyen Hung Son**, Vice President, Diplomatic Academy of Viet Nam

Viet Nam's Perspective and Response

• **Mieko Hama**, Senior Researcher, Komatsu Research & Advisory in London

British view of Japanese territorial issues

(Each panelists have 20minutes for presentation and discussions among speakers and audiences will be followed then)

17:45 - 17:50 Closing Remarks: **Ken Satoh**, Vice President, JFSS

18:00 - 19:30 Networking Reception

## Biographies



**David Wright**, Former British Ambassador to Japan and South Korea

Sir David Wright (recipient of honours from both the UK and Japan: KCMG, GCMG, Grand Cordon of the Order of the Rising Sun) is a Global Advisor of Sumitomo Mitsui Financial Group. He is Chairman of the TheCityUK's Japan Market Advisory Group.

Before taking these roles in 2018, Sir David was Senior Advisor at Barclays from April 2017. Previously, he was Vice Chairman of Barclays Capital from January 2003 and then Vice Chairman of Barclays from June 2011.

Sir David was the first Chief Executive of UK Trade and Investment in the UK between 1999 and 2002. He had a long career in the Diplomatic Service, including Tokyo, Seoul, Paris and London. He worked as Private Secretary to the UK's Cabinet Secretary and also as Private Secretary to HRH The Prince of Wales. Sir David held the positions of British Ambassador in Korea (1990 to 1994) and Japan (1996 to 1999); he is fluent in French and Japanese and speaks Korean.

Sir David was educated at Wolverhampton Grammar School and at Peterhouse, Cambridge where he took an MA degree in History and of which he is an Honorary Fellow. Sir David was Knighted (KCMG) in 1996. He was appointed GCMG (Knight Grand Cross) on 15 June 2002. He holds the Grand Cordon of the Order of the Rising Sun.



**Osamu Onoda**, Member of Policy Proposal Committee of JFSS, Lt. General, Japan Air Self Defense Force (ret.)

Osamu Onoda is Adviser for Toshiba Infrastructure Systems & Solutions Corporation. He is also a member of Policy Proposal Committee of the Japan Forum of Strategic Studies (JFSS), Senior Researcher of Security and Strategy Research Institute of Japan (SSRI), Vice President of Japan America Air Force Goodwill Association (JAAGA).

He was Senior Fellow of the Harvard University Asia Center in 2013 - 2015. His research focuses national security strategy of Japan, U.S. and China and Chinese military capabilities. He retired from Japan Air Self Defense Force (JASDF) as Lieutenant General in July 2012. The last assignment was Commander, Air Education and Training Command. He graduated from the National Defense Academy in 1977. His

expertise in JASDF was a communication and electronics. He has commanded 3rd Air Depot, 7th Fighter Wing and the Western Air Force. His numerous staff positions in the Air Staff Office include the Director of Personnel and Education Department, the Head of Defense Planning and Program Division, and the program managers of Aircraft Control and Warning System, E-767 AWACS, KC-767 Air Refueling Tanker Transport and C-2 Transport Aircraft.

He wrote numerous essays and books as co-authored *Exposing Xi Jinping's Three Warfare* edited by Taro Yayama, published by Kairyusha, Sep. 2017; *75 Recommendations for Transformation of Defense of Japan* published in "World and Japan", July.



**Susumu Takai**, Executive Director, JFSS

Susumu Takai is Executive Director of the Japan Forum for Strategic Studies (JFSS). He graduated from the Postgraduate School of Aoyama Gakuin University, and then started his carrier as a research fellow on international law at the National Institute for Defense Studies, NIDS, of the Ministry of Defense. He engaged his research on international law of the sea, international law of air and space and UN Peacekeeping. During the periods in NIDS, he provided his lecture on international law at various universities and postgraduate schools. He retired from NIDS when he was a director of the library and archives.

He is presently President of the Japan Society of Defense law, a member of Wisemen Committee at the Cabinet Chamber, and he edits Journal of Island Studies of the Ocean Policy Research Institute in Sasakawa Peace Foundation. He focuses his research on legal aspects of defense studies and Japan's Island territory issues. Among his books and articles, he contributed articles to the Journal as follows: History of Northern Territories and Various Rights of ex-habitats of the territory (2018); Stalin's Definition of Northern territories (2015); China's White Papers on Senkaku Islands and Claim to the islands (2013); Re-examination of South Korea's Claim on Takeshima Island (2012).



**Keiichiro Komatsu**, Principal, KRA

Dr. Komatsu is the Principal of KRA, a multi-disciplinary think tank which he established in March 2005 (Headquarters: UK). KRA provides comprehensive and tailored country risk analysis and helps clients from both public and private sectors to discover and develop business



opportunities.

Dr. Komatsu has had distinguished careers in both business and academia.

He worked for 10 years at the Central Co-operative Bank for Commerce and Industry, firstly in Tokyo and then as a currency trader on Wall Street, NY. After spending four years at the University of Oxford and being granted a doctorate in International Relations, Dr. Komatsu became Foreign Direct Investment Consultant to the World Bank. He was involved in establishing a financial banking institution known as FASP. He was subsequently Senior Trade Advisor to the British government's DTI and British Trade International. He has tutored and lectured at many institutions including the University of Oxford and the University of Warwick.

While Dr. Komatsu was serving as Special Advisor to the President of the Republic of Madagascar, a coup d'état took place (early 2009) and his role changed from trade investment promotion to a highly diplomatic role to re-establish a legitimate government in the country. This experience has given a new dimension to the work at KRA.



**Grant F. Newsham**, Senior Research Fellow, JFSS

Grant Newsham is a Senior Research Fellow at the Japan Forum for Strategic Studies – particularly focusing on Asia/Pacific defense, political and economic matters. He is a retired US Marine Colonel and was the first US Marine Liaison Officer to the Japan Ground Self-Defense Force. He also served in intelligence and policy roles for Marine Forces Pacific headquarters, and was the US Marine Attaché, US Embassy Tokyo on two occasions.

Mr. Newsham lived in Tokyo for twenty years and worked for over a decade in executive roles at a Western investment bank and a major American high-tech firm. He is also a former US Foreign Service Officer – with work covering a number of regions – including East and South Asia, and specializing in insurgency, counter-insurgency, and commercial matters.

Mr. Newsham is also an attorney with experience in international trade and public international law. He speaks regularly at a variety of forums on Asian affairs, and has published many articles in a range of periodicals such as Asia Times, The National Interest, USNI Proceedings, The Diplomat, Sankei Shimbun, and Kyodo News.

He spent 2019 in Taipei on a Ministry of Foreign Affairs fellowship researching how to improve Taiwan's defense capabilities.

Mr. Newsham was born in 1956 in Virginia, USA. He graduated from Principia College in Illinois and from the University of California, Los Angeles School of Law.



**Mitsuo Sakaba**, Advisor, JFSS

Entered into the Ministry of Foreign Affairs of Japan in 1973, after graduating from the Yokohama City University with a major field of European history study. He assumed various posts in the Ministry such as Assistant Vice-Minister in charge of parliamentary affairs, Director-General for Latin American affairs, Spokesperson & Director General of Public Relations. He was also appointed as Ambassador to Vietnam, then to Belgium. Upon retirement from foreign service in 2014, he served as Professor of International Politics at the Yokohama City University for 2015-17. Now, he is a member of the Public Security Assessment Commission of the Government, while being an Advisor to JFSS. He is an author of several books, such as “Vietnam as it really is”(2015), “Ambassador’s activities *tous azimuts* in Belgium”(2018), “New Theory on Vietnam & Asia”(2019)



**Paul Wolfowitz**, Visiting Scholar at the American Enterprise Institute (AEI), Former President of the World Bank and Former Deputy Secretary of Defense

Paul Wolfowitz is a visiting scholar at the American Enterprise Institute (AEI) where he works on development and national security issues.

Before joining AEI, Mr. Wolfowitz spent more than three decades in public service and higher education, working in the administrations of seven different presidents. Most recently, he served as president of the World Bank and deputy secretary of defense. At the World Bank he focused on the problem of corruption and the challenges of sub-Saharan Africa. As ambassador to Indonesia and assistant secretary of state for East Asia in the Reagan administration, Mr. Wolfowitz was an advocate of reform and political openness. He was involved in Persian Gulf security for almost 30 years during three different tours at the Department of Defense.

Mr. Wolfowitz has been widely published in many outlets, including The New York Times, The Wall Street Journal, The Washington Post, and The Sunday Times of London. His television appearances include NBC’s “Meet the Press,” CNN’s “Anderson Cooper 360,” and Fox Business Network’s “Lou Dobbs Tonight.”

Mr. Wolfowitz has a Ph.D. in political science from the University of Chicago and a B.A. in mathematics from Cornell University.



**Eva Pejsova**, Associate Researcher, Foundation for Strategic Research

Eva Pejsova is Associate Researcher, Foundation for Strategic Research, covering security developments in East Asia, EU-Asia relations and maritime security. She holds a PhD in Strategic Studies from the S. Rajaratnam School of International Studies (RSIS) in Singapore, and has previously worked with the Czech Ministry of Foreign Affairs, the French Prime Minister's Office, the OECD and the Asia-Europe Foundation (ASEF). At the EUISS, Eva manages regular 'Track 1,5' dialogues with the EU's strategic partners in Asia and coordinates the EU member committee of the Council for Security Cooperation in the Asia-Pacific (CSCAP EU). Her research focuses on maritime security in East Asia, regional cooperative mechanisms, sovereignty disputes, preventive diplomacy, as well as questions of good ocean governance and environmental security.



**Nguyen Hung Son**, Director-General of the Institute for South China Sea/East Sea Studies, at the Diplomatic Academy of Vietnam.

Nguyen Hung Son is Director-General, Head of the Institute for the South China Sea (or Bien Dong Institute for Maritime Studies) of the Diplomatic Academy of Vietnam. Prior to his current designation, Nguyen Hung Son was Deputy Director-General of the Institute for Strategic Studies at the Diplomatic Academy of Vietnam. He's research focused on major powers relations and foreign policies, regional security governance, particularly maritime security, and the foreign policy of Vietnam. As a diplomat, Nguyen Hung Son served as Minister Counselor of the Vietnam Embassy in Ottawa, Canada and Second Secretary of the Vietnam Embassy in Stockholm, Sweden. He also served as Director of Political Affairs Division at the ASEAN Department of the Ministry of Foreign Affairs, during which period he extensively participated in regional summits, and had hands on experience on many regional processes and issues involving ASEAN. He was member of the Vietnam High Level Task Force delegation negotiating the ASEAN Charter in 2006-2007.

Nguyen Hung Son got his BA degree from the National Economic University of Vietnam, an MSc degree on International Economics from Birmingham University of the United Kingdom, and a Ph.D degree on International Relations at the Diplomatic Academy of Vietnam.



**Mieko Hama**, Senior Researcher, Komatsu Research & Advisory (KRA)

B.Sc. Economics and Geography, University College London (UCL),  
University of London

M.A. Environment and Development, King's College London (KCL),  
University of London

While studying at UCL, Mieko Hama started working with Dr Keiichiro Komatsu (founder and Principal of KRA) at the Foundation for Global Peace and Environment London office. After graduating from UCL, she went on to pursue further studies and took course units from both M.A. Environment and Development as well as M.A. International Boundary Studies at KCL. Throughout her studies, she became increasingly interested in perception gaps that exist between different disciplines, between academia and the practical world, between policymakers and grassroots movements. Her dissertation was on “The ‘greening’ of Japanese Official Development Assistance to Sub-Saharan Africa” where she analysed the political economy and perception gaps in expectations between donors, recipient governments as well as the local people.

Upon completion of her master's degree from the Department of Geography, she started her career at KRA in 2005 as one of the three starting members. KRA now has offices in London and Tokyo. Her research interests include but are not limited to: the intersections of political economy, security and sustainable development, psychology and economics, conflict and identity politics, cyber security and asymmetric warfare as well as the potential role of Small and Medium sized Enterprises and creative industries in lifting national economies. She is part of the KRA research team on territorial issues. In addition to research, her responsibilities include office management, project co-ordination, editing and outreach.



**Fumio Niwa**, Director, JFSS, Associate Professor of Takushoku University

Fumio Niwa is Director of JFSS and associate professor of Takushoku University. He graduated from the graduate school of Tokai University. He started his career as a secretary for a member of the house of representative, and adjunct lecturer of Tohoku Fukushi University and Aoyama Gakuin University. He wrote numerous essays and books , *Japan-China Problem as Domestic Problem* (2018); *Normalization of Japan-China diplomatic relations and Taiwan* (2012) .

## Summary of Panelists Presentation

### Opening Remarks

President, JFSS  
Taro Yayama

It is a great pleasure and honor to host this international conference "Changes of the Situation in International Relations and Security Environment in East Asia and the Response of the International Community". On behalf of organizers, I would like to express my sincerest thanks for joining us today.



We have territorial issues specifically over Takeshima and Senkaku-islands. The situation surrounding these two islands is becoming imminent. Japan is protesting the South Korea's illegal occupation of the Takeshima Island in the Japan Sea, which South Korea deprived by force in 1954 and continue its control ever since. Despite the Japanese Government's efforts to seek peaceful solution, South Korea Government continue its illegal occupation. Takeshima issue affects not only Japan-Korea relations but also Japan-US-Korea relations and North East Asia's security environment as a whole.

On the other hand, China have suddenly claimed sovereignty over Japan's Senkaku islands in the East China Sea, soon after the United Nations Economic Commission for Asia and the Far East (ECAFE) identified potential oil and gas reserves in the vicinity of the islands in 1969. In 2012, Chinese government declared this islands as "core interests", and seeks to seize the islands, an inherent part of the territory of Japan.

Furthermore, China poses serious threat on neighboring countries as in "the Great Rejuvenation of the Chinese Nation" announced by Xi Jinping and Air Defense Identification Zone set in November 2013. Furthermore, Chinese Coast Guard vessels continue to make intrusion into Japan's territorial waters and contiguous zone in the vicinity of the Senkaku Islands. Last year we detected intrusion 64 days in a row, of average of over 1300 vessels per year, into contiguous zone in the vicinity of the Senkaku Islands and such intrusion is ongoing. The imminent situation over Senkaku Islands seriously affects the security environment of North East Asia.

Rising tension surrounding Takeshima and Senkaku is being escalated. The situation is not only an issue of concern to Japan but of critical concern to international community.

During the conference today, together with the experts we have invited from Japan and abroad, we would like to consider and discuss about the current condition of Takeshima and Senkaku, from the perspective of preservation of law and order. After these sessions, we will have a networking event. We truly hope that you will make the most of this opportunity to interact with others.

## **International Relations and the Security Environment in East Asia and the Response of the International Community**

Sir David Wright,  
UK Ambassador to Japan 1996-1999  
Chairman, Japan Market Advisory Group, TheCityUK  
Group Global Advisor, Sumitomo Mitsui Financial Group  
Chairman, Skarbek Associates  
Non Executive Director, Rezolve

### **1. The historical perspective between the security situation in East Asia in 1960s and today**

- Dominance then of the United States, especially security relationships with Japan, Republic of Korea and Taiwan.
- Only other external power with regional security role was the UK.
- China was largely inward looking and the then Soviet Union was mainly preoccupied with the struggle for control in Europe.
- EU was the EEC, an economic grouping with no overseas policy aspirations in terms of involvement in security issues.

### **2. Compared with that situation 60 years ago, how does the present now compare?**

- Main difference now is the reversal of the roles of the United States and China.
- Though US remains concerned to assure the security of Japan and Korea and has sought to demonstrate that it remains attached to demonstrating its commitment to a role in Asia.
- Europe has largely disappeared from the strategic agenda. UK still has some limited interests and has recently sought to enhance co-operation with Japan.
- Control of the South China Sea, Senkaku and Takeshima are major hotspots.
- Regional position in global economic architecture has also dramatically changed especially with emergence of ASEAN, the Belt and Road Initiative (BRI) and the Shanghai Cooperation Organisation.
- In addition to the BRI, China has sought to expand influence especially concentrating on port development. Growing power of Xi Jinping and prospective links with Russia.



**3. But China's strength and influence may have been seriously affected by the spread and fears engendered by the Covid 19 virus - coronavirus.**

- Still too early to judge, but it has created public health fears globally which are still spreading and it has led to reduced economic activity in China which is damaging the prospects of non-Chinese industrial corporations dependent on China's role in global industrial supply chains.

**4. President Trump is another new and unexpected part of the current Asian scene which has had a disruptive influence.**

- This is unwelcome at a time when Regional and Global competition is increasingly focused on AI, new technologies, and cyber attacks.
- The effect of Trump's Presidency on the handling of North Korea remains unclear.
- Korean specialists are surprised by the amount that has been conceded to the North Korean regime without the anticipated changes in its nuclear intentions or the opening of North Korea itself.

**5. Finally, suggestions of future challenges for Asia Pacific.**

## Reality concerning incorporation of Takeshima and The Senkaku Islands

Susumu Takai  
Executive Director, JFSS

### Introduction

Delimitation of the scope of a state's territory, as well as the acquisition and loss of territories are fundamentally decided on the basis of international law. Occupation is a unilateral act of a state whereby land – *terra nullius* – is incorporated into the state's territory and effective control must be exercised over the territory so as to make clear the state's intention to take possession of it. Simply discovering the territory is not recognized as an act of occupation,

### 1. Incorporation into the Territory of Japan

(1) Takeshima has been well-known to Japanese people since the Edo period, when it was called Matsushima Island and west of which is called Ulleungdo, which was then called Takeshima, and many records show that the Murakawa family and the Otani family of Tottori Domain made a fortune by developing the island after obtaining permits to travel there from the Edo shogunate. Matsushima Island was used as a place to disembark and rest on route to Ulleungdo. In response to a request to lease Matsushima Island from Nakai Yozaburo in 1905, the Japanese cabinet decided in January 1905 that the Matsushima Island of the Edo period should be renamed Takeshima because Ulleungdo was called Matsushima Island at that time. The cabinet also decided that Takeshima should be listed in the register of state-owned land and placed under the jurisdiction of Shimane Prefecture. Nakai Yozaburo leased Takeshima from the government for 30 years and conducted activities such as gathering abalone and hunting sea otters.

(2) Around 1885, the Japanese government ordered the navy to begin surveying and civilian exploration teams also landed on the Senkaku Islands. When a man named Koga Tatsushiro asked to lease the Senkaku Islands in 1894, the government formally incorporated them into Japanese territory by occupation of *terra nullius* through a cabinet decision handed down in January 1895. This was done after it was verified that the islands were not under the control of the Qing dynasty or any other country. Koga and more than 200 other people engaged in activities such as harvesting *yakogai* seashells, processing dried bonito, and catching albatross for their down. Following the

30-year lease period, the Senkaku Islands were sold to Koga Tatsushiro's son, Zenji, and became private land.

## **2. Japan's Island territories in the Treaty**

After Japan's defeat in World War II, the scope of the nation's territories was defined by the Peace Treaty with Japan. With Japan's acceptance of the Allies' Potsdam Declaration, which stated the conditions for ending the war, World War II came to a close. The Potsdam Declaration declared that Japan's sovereignty and extent of its territories should be decided by the Allies. Article 2 of the Peace Treaty with Japan, which became effective on April 28, 1952 is as follows:

- (a) Japan, recognizing the independence of Korea, renounces all right, title and claim to Korea, including the islands of Quelpart, Port Hamilton and Dagelet.
- (b) Japan renounces all right, title and claim to Formosa and the Pescadores.

## **3. Different interpretations at Article 2 and 3 of the Treaty**

(1) South Korea objected to how the San Francisco Peace Treaty treated Takeshima. Its argument was that Takeshima, or Dokdo in Korean name, has been a Korean territory since ancient times, and that it was part of Korean territory that was renounced by Japan in the Peace Treaty with Japan. We should note here that South Korea was not a signatory to the treaty. It was later revealed that during the drafting of the agreement, a Korean ambassador to the U.S. had requested the United States to explicitly stipulate to include Dokdo as part of the Korean peninsula that was to be renounced by Japan, but this request was rejected. After the end of the war, in 1952, the South Korean president unilaterally proclaimed a maritime zone over which South Korea exercised sovereignty, arguing that Takeshima or Dokdo was Korean territory. Japan protested the South Korean declaration, however, South Korea later occupied Takeshima by force in 1954.

(2) After World War II, the Senkaku Islands were placed under US administration together with Okinawa in accordance with Article 3 of the Peace Treaty with Japan. China claimed the United States action arguing that Okinawa, a part of the Japanese territories, should not be administered by the United States. However, when the existence of oil deposits in the waters around the Senkaku Islands became known in 1969, China began asserting in 1970 that the islands were Chinese territory. The Senkaku Islands were returned to Japan in 1972 under the stipulations of the Okinawa Reversion Agreement. However, China asserts that the Senkaku Islands were

discovered by China and so was part of Taiwan, which was renounced by Japan according to Article 2 of the Peace Treaty with Japan. China declared the Senkaku Islands to be a core national interest in 2012, and government ships began entering Japanese territorial waters of Uotsuri Islands.

#### **4. Japan's consistent position**

(1) Takeshima is indisputably an inherent part of the territory of Japan, in light of historical facts and based on international law. The Republic of Korea has been occupying Takeshima with no basis in international law. Any measures the Republic of Korea takes regarding Takeshima based on such an illegal occupation have no legal justification. Japan will continue to seek the settlement of the dispute over territorial sovereignty over Takeshima on the basis of international law in a calm and peaceful manner.

(2) There is no doubt that the Senkaku Islands are clearly an inherent part of the territories of Japan, in light of historical facts and based upon international law. Indeed, the Senkaku Islands are under the valid control of Japan. There exists no issue of territorial sovereignty to be resolved concerning the Senkaku Islands. Japan will act firmly and calmly to maintain its territorial integrity. Japan continues to strive for peace and stability in the region, which is to be established through the observance of international law.

## **The common thread between Takeshima and Crimea: Deprivation of Territory by Force**

Dr. Keiichiro Komatsu  
Principal, Komatsu Research & Advisory(KRA)

In this presentation, the argument will be made from the point of view of international relations, rather than international law. The use of force in changing territorial boundaries will be discussed using the case of the Crimea Incident of 2014.

Given the fact that the main stakeholders of a nation-state are the taxpayers of their country, it is in the nature of nation-states and their population to assert their national interests. It is also true that there are clashes in national interests and perception gaps between different sides because the local socio-political environment and historical context differ from each other. Economic and/or political interests/factors often further complicate the situation. This creates parallel arguments in negotiations and creates a deadlock in dispute resolution. From an international relations perspective which ultimately aims to resolve international disputes, it is not helpful to argue one-sidedly on the basis of one perspective only. It becomes practical to recognise that there are more than one party to such disputes.

In the case of Crimea, the current tendency is to see the disputes between Ukraine and Russia as regarding the sovereignty over the Crimean Peninsula. On the side of Russia, President Putin has noted that the Crimean Peninsula was “originally” part of the territory of the Russian Republic under the Soviet regime until 1954 when the then First Secretary Khrushchev overturned Stalin’s policy and transferred Crimea Oblast to Ukraine. From the side of Ukraine, the Crimean Peninsula has been internationally recognised as part of Ukrainian territory since the independence of Ukraine in 1991.

However, these arguments are oversimplifying the reality of the situation. The fundamental question is who are the Crimeans? There is another factor/party to the dispute, that is the fate of the indigenous Crimean Tatars who used to rule a state on the Crimean Peninsula. They were repeatedly expelled from the peninsula and eventually forcefully mass deported (population transfer) by Stalin of the Soviet Union.

Russia has suffered severe international sanctions over the Crimean conflict since 2014

while Ukraine continues to claim its sovereignty over the peninsula. In the case of South Korea, it is still not free to use Takeshima as a normal territory while Japan continues to claim the Islands. The common question between the cases of Crimea and of Takeshima is whether arbitrary military occupation over disputed territories could ever lead to a real solution.

From an international relations perspective, questions remain of:

1) what solutions are practically possible under current international law and geopolitical context. 2) whether it is necessary to amend current international law to make any real progress. 3) whether ICJ is actually effective without US participation and UNCLOS is actually effective without ratification of UNSC countries such as the US and Russia.

In the past, military occupation and subsequent effective control were considered as one means to permanently solve boundary disputes. However, what these occupations proved was that these only achieve short-term military gains and have never been permanent as the dispute over sovereignty is never fundamentally resolved.

From an international conflict prevention perspective, military occupation is no longer acceptable as a solution to boundary disputes. This is particularly the case after the Kellogg-Briand Pact (General Treaty for Renunciation of War as an Instrument of National Policy) was signed in Paris in 1928. However, in reality, the global power-politics in international relations has meant that the signing of the Treaty has not been able to completely prevent military interventions.

Pragmatic dispute resolution may include reconsidering/revising the current international law framework to make it possible for a third way solution.

**An American Perspective:**  
**The East Asia security environment and the response of free-nations**

Grant F. Newsham  
Senior Research Fellow, JFSS

**The Security Environment:**

Most dangerous since 1945. China can potentially force the United States out of Asia. If so, all nations – Japan included – will come under PRC domination.

This is the result of America's 40-year 'accommodation' policy. The PRC's regional (and global) military, economic, political influence is immense – and increasing.

China has 'de facto' control of the South China Sea, is targeting the East China Sea (and Japanese territory), and intends to take Taiwan. The PRC will use force if necessary.

Regional nations are wavering. Most are afraid of the PRC but feel they have few options. They are nervously watching what the Americans do. Meanwhile, Chinese 'political warfare' targets regional nations.

Regarding North Korea (NK): Indeed a serious problem -- especially as North Korean nuclear and missile technology improves. But NK is a lesser threat than the PRC threat.

**The Response:**

The United States leads but needs help from other nations. It cannot succeed alone.

**Security:**

Highest priority: Strengthen the US-Japan security relationship. Properly fund the JSDF and make it a capable force. It currently is not. US and Japanese forces need to fully operate together. Joint defense of the East China Sea and beyond. Demonstrate willingness to fight and the PRC will be deterred. This will attract more regional support for US-Japan efforts. Link with Australia and welcome all willing nations.

Protect 'Free' Taiwan. End Taiwan's military and political isolation. Provide

economic support – to include Free-Trade Agreements. Show unmistakable willingness to defend Taiwan.

Use ‘strategic’ geography to defend SCS and bolster regional nations – including those along ‘1<sup>st</sup> Island Chain. Include political and economic efforts.

‘Maximum pressure’ against North Korea. Including ‘secondary sanctions’ against PRC financial institutions doing business with North Korea.

**Economic:**

Provide real alternatives to Chinese economic influence – and include Central Pacific and South Pacific nations.

Wean industry off of China. Punish IP (intellectual property) theft and apply ‘reciprocal’ treatment’ standards to ‘inbound’ Chinese investment. Expose corruption that is part of China’s overseas economic activities – including ‘Belt and Road’. Limit investment – particularly financial – in PRC. Target the ‘convertible currency’ that is the lifeblood of the Chinese Communist regime.

**Strategic ‘voice’:**

Speak up forcefully and constantly for free-nations’ principles: consensual government, individual liberty, rule of law. Forcefully challenge PRC over concentration camps and regime repressiveness. Institute divestment and sanctions as used against South Africa’s apartheid regime.

As for the global community: Europe in particular needs to decide if it values principles more than Chinese money. It cannot have US provide ‘security’ while China provides ‘money.’

**‘Free-nations must join together**

What worries PRC most is unified opposition. A US-only ‘trade war’ it can handle. A multinational ‘trade war’ it cannot. The same applies to military and diplomatic ‘fronts’.



**Sovereignty issues in Northeast Asia:  
a matter of law, history and identity politics  
(European perspective)**

Dr. Eva Pejsova

Associate Researcher, Foundation for Strategic Research

Territorial disputes are some of the most common problems in international relations. Whether generated by unclear or differing interpretations of international treaties and conventions, disagreements over historical events, or claims to natural resources contained in the overlapping areas, sovereignty tensions continue to pose a lasting challenge to global stability.

That said, from over a hundred and fifty disputes reported to the United Nations, only a few pose a serious security threat. Maritime disputes in Northeast Asia are among them. In general, territorial disputes do not need to be a problem if the diplomatic relations between the concerned parties are good. If they are acted upon, it is usually because they represent a symbolic token of deeper geopolitical tensions.

Although the economic value of potential natural resources - whether fisheries or hydrocarbon reserves - may be substantial, their exploitation can be ensured through joint development regimes, as promoted by the UN Convention on the Law of the Sea. Examples of such regimes can be found in small designated overlapping areas both in the East China Sea and the Sea of Japan. However, they are still limited in scope and do not help to ease tensions over the sovereignty of the Takeshima/ Dokdo or the Senkaku/ Diaoyu islands.

The current security environment in Northeast Asia's is characterized by profound strategic mistrust and complicated diplomatic relations between regional countries. Much of this mistrust is a result of Japan's colonialist past, negative war-time legacies, as well as Western imperialist expansions, which remain actively perpetuated in the official discourse by the Chinese and Korean leadership.

Territorial disputes are conveniently used to serve domestic political agendas. Inseparable from issues of sovereignty and territorial integrity, they are seen as essential components of national identity, which explains the often-intransigent

positions of the national governments and the extreme difficulty to discuss compromise solutions. They appeal to patriotic feelings, promote antagonistic sentiments towards the neighbouring “other” and contribute to the buildup of nationalistic ethos on all sides.

Any solution to the on-going territorial disputes in the region needs to be conceived in a holistic manner. While international law indeed provides instruments for dispute settlement, they are useless if parties do not acknowledge the benefits of a rules-based order or decide not to abide by its recommendations. Efforts to discuss and settle historical grievances are an important step in the right direction, but they are of no avail if parties consciously choose to use historical narratives to further their political goals and boost their legitimacy. The link between territorial disputes and identity consolidation is therefore the most problematic and can only be addressed at the domestic levels.

Europe is indeed also familiar with sovereignty disputes. Whether over Mont Blanc summit between France and Italy, the Dollart Bay delimitation between Germany and the Netherlands, or Cyprus between Greece and Turkey, their significance vary depending if it opposes two member states, or a member state and a third party, preexisting tensions or the presence of major economic stakes. Usually, if the concerned parties are stable democracies, share the same values and respect the rule of law, the risk of a more serious escalation of tensions is low, if not inexistent. In the case of Cyprus, however, tensions have started to reemerge recently after confirmation of important gas reserves in the area and Turkish decision to unilaterally explore them.

As a fervent defender of the rule of law, the European Union has always promoted diplomatic solutions to resolve disputes or the recourse to international dispute settlement mechanisms if consensus cannot be reached. Its official position on the lasting sovereignty disputes in Northeast and Southeast Asia has been to urge parties to exercise self-restraint and refrain from the use of force or unilateral action that can exacerbate existing tensions.

Although it does not take sides in the disputes, the global trading power remains concerned by the negative impacts they may have for international shipping and regional stability. As could be seen in the South China Sea, European countries are ready to stand up for the defence of freedom of navigation, including with military

presence.

At times when the utility and the benefits of the global rules-based order is being questioned, law-abiding democratic countries should lead by example. If Japan decides to seize international jurisdiction to validate its territorial claims in the East China Sea and the Sea of Japan, Europe would certainly welcome such decision. In the meantime, the international society can only urge the concerned parties to shelve their disputes and focus on issues of common interest. While Beijing's revisionist tendencies loom large, it is most timely for Tokyo and Seoul to demonstrate a mature democratic political leadership and join forces to maintain stability in the region – starting with improving their bilateral diplomatic relations.

## **The South China Sea and the Indo-Pacific security environment: perspectives from Vietnam**

Dr. Nguyen Hung Son

Vice President, The Diplomatic Academy of Vietnam

The South China Sea is at the heart of the Indo-Pacific. The security of the South China Sea largely influences the security environment of the broader Indo-Pacific region. In 2019, the major powers continue to exhibit their interests and engagement in the South China Sea and the Indo-Pacific. China doubled the number of military exercises and deploys the first home built aircraft carrier in the South China Sea, and conducted military exercises in the Spratlys area for the first time. The US also more than doubled its military exercises in the Indo-Pacific in 2019. By far the Trump administration conducted 17 FONOPs operations in 4 years compared to just 4 FONOPs by the Obama administration in 8 years. The US further increased its diplomatic pressure on China, increasing the level, the tone and frequency of its criticisms of China's policies in the South China Sea. The US reiterated that its interests in the South China Sea go beyond freedom of navigation and overflight to include protecting the rules based order in the Indo-Pacific. The EU for the first time reached internal consensus to issue a joint statement on the South China Sea, criticizing unilateral actions to change the status quo, and call for all parties to abide by UNCLOS. The E3 countries' (UK, France, Germany) own statement went further to call for full respect of the 2016 Arbitral Tribunal rulings on the South China Sea.

The South China Sea also saw major escalation of tensions between claimant states in 2019. Taking advantage of the newly built artificial islands in the South China Sea, China is expanding and sustaining its operations further south of the South China Sea, encroaching deeper and more frequently into maritime zones of several ASEAN's coastal states. In April 2019 hundreds of Chinese fishing boats surrounded the Philippines's controlled Thi Tu (Pagasa) island, allegedly trying to prevent the Philippines from repairing the island's runway. Two months later, a Chinese vessel rammed and sunk a Philippines's fishing boat, while abandoning its crew of 22 fisherman onboard, leading to much outrage in the Philippines. Major heat-up also occurred around oil and gas activities conducted by Malaysia and Vietnam. Between May 10-27, Chinese Coast Guard vessels interfered with Malaysia's oil and gas operations near Luconia Braker. In early July, the same Chinese Coast Guard vessels

were sent to harass Vietnam oil and gas operations in Vietnam's Tu Chinh area, and subsequently to escort the HD08 survey vessel operating deep inside Vietnam's EEZ for more than 3 months, causing the most serious stand-off at sea between the two countries in the last 5 years. Indonesia summoned the Chinese Ambassador to Indonesia to protest the presence of a dozens Chinese Coast Guards and some 50 fishing boats in water within Natuna island's EEZ. This was the strongest diplomatic protest an ASEAN member state made to China since 2016. China's tactic has been to gradually change the status quo by enhancing its military posture through both military and para-military means such as the Chinese coast guards, maritime militia and even fisherman. China justifies its activities through a massive information and legal campaigns aiming at undermining the legal order at sea established by the 1982 UNCLOS.

The drivers behind China's escalation of tension in the South China Sea may have been several. China is rushing to escalate its claims in the South China Sea so that it can exert control of the entire South China Sea by 2021, the first Chinese centennial milestone. China also tries to coerce ASEAN member states into accepting joint development with China as the only viable option to develop their oil reserves. More broadly, China is enforcing the new rules it wants to set for the region, i.e. no foreign oil company to operate in the South China Sea, the same rule China insisted the future COC to include. China may believe it has a strategic opportunity as the Trump administration is less focused on the South China Sea, is too distracted by other crisis elsewhere and by domestic politics, and president Trump himself prioritized trade over security and geo-politics. The European Union is weakened by Brexit, turned inward and has little interests nor capability to be deeply involved in the South China Sea.

Amid competing views and responses to the new Indo-Pacific construct, ASEAN adopted its Outlook on the Indo-Pacific (AOIP) at the 34<sup>th</sup> ASEAN Summit in Bangkok in June 2019. The outlook lays out key principles and values that ASEAN supports for the Indo-Pacific region, which include respect for the fundamental principles of the UN Charter and international law, such as UNCLOS, key values such as openness, transparency, inclusivity, connectedness, cooperation and ASEAN centrality. The AOIP supports key principles in the US's FOIP strategy but was carefully worded to give more emphasis to inclusivity and cooperation. The AOIP is an ASEAN collective effort to show it refuses to take side in the major powers competition while maintaining its strategic autonomy and independence.

On the South China Sea, ASEAN collectively is focusing on negotiating the Code of Conduct, facing difficult choices between early concluding a COC that would be compromising on the substance and a truly binding and effective COC that might take long to negotiate. ASEAN may be more motivated to show solidarity on the South China Sea, now that all key littoral states have individually strongly protested against China's new wave of assertiveness. Better coordination among Indonesia, Malaysia, Vietnam and the Philippines would be critical both on the ground and on the COC negotiation process. For the first time after the Tribunal's arbitral rulings, several ASEAN member states are now recalling the Tribunal rulings as a key benchmark to judge China's compliance with UNCLOS and activities in the South China Sea. A concerted effort within ASEAN to revive the rulings and its relevance to the COC process is also critical when the negotiations moves to the substantive stage.

Vietnam sees many connections between the South China Sea and East China Sea. Both seas are affected by geo-political competition between the major powers, troubled by unresolved territorial disputes and by more assertive and powerful Chinese navy and coast guards. Both seas are of fundamental importance to the peaceful environment of South East and North East Asia. Vietnam therefore supports a rules-based order in the Indo-Pacific, both in the South China Sea and East China Sea. Fundamental principles of the UN Charter, such as sovereign equality between states, no threat or use of force in resolving inter-states disputes must be respected. At sea, the governing rule is UNCLOS. Vietnam supports Japanese position that countries should clarify their claims based on international law, particularly UNCLOS, both in the South China Sea and East China Sea. Vietnam also agrees that maritime disputes should be resolved by peaceful means, including third party adjudications. Vietnam wants to extend cooperation in the Indo-Pacific to consolidate the rules-based order, by raising awareness, building understanding and consensus of the governing rules in the region, and by strengthening collective capacity to enforce such rules, both in the South China Sea and East China Sea.

## **British view of Japanese territorial issues**

Mieko Hama

Senior Researcher, KRA

In this presentation, a comparison will be made between the “British” views of Japanese territorial issues namely Takeshima (Japan)/Tokto (Korea), Senkaku Islands (Japan)/Diaoyu (China)/Tiaoyutai (Taiwan) and the Northern territories(Japan)/Kuril(e) Islands (Russia/Ainu).

The definition and identity issues of what it means to be “British” is a topic in itself and would be dealt with at another occasion. In this presentation, the views of those who identify themselves as “British” by passport, the views of the British media and of those working for the British government will be defined as “British” views.

What is safe to say is that British public interest in the Far East is limited relative to interest towards the United States, Europe or the Middle East. British experts on East Asia with whom interviews were conducted also agree on this point. While an increasing interest towards popular culture including food and the entertainment industry has been visible, those who are interested in politics or territorial issues of the Far East would be considered specialists in Britain. In this sense, only those at government ministries, mainly the Foreign Office, and those studying or those having business with the region would have any interest in such issues.

Anecdotal evidence also suggests that the lay public cannot always distinguish between the Japanese, Chinese and Koreans. This is the same as the Japanese public not always being able to distinguish between the British, French and Germans.

The information presented will be based on primary research work, interviews conducted with those who have worked or are currently working on British-Japan relations in academia or within the British government and those in the Japanese government, as well as secondary research, analysing documents at the National Archives in Kew in the UK and articles from the British press. Due to the diplomatically sensitive nature of the topic, the interviewees agreed to the interviews on the condition of anonymity.

From the interviews conducted with personnel who have worked or are working for the British government, it is clear that the priority of the British government is to maintain good relations with all parties involved, and this is particularly so after Brexit. The British government generally avoid taking any position on underlying sovereignty issues and calls on matters to be resolved peacefully by the concerned parties and by international law. The UK official position is that no state that claims waters in that area should do anything to prevent the free passage of legitimate commerce and shipping. The UK has, like the US, deployed vessels to assert this right of free passage and is likely to continue to do so. The British policy is geared towards co-operating with other countries and to prevent any country trying to challenge the current territory with the use of force. The UK favours mediation and believes that existing arbitration institutions should be used.

The researcher will argue that competing claims based on historical claims will be useful only to the extent of strengthening a claim and will not be enough to be a decisive factor for a country like Britain to take a stand on territorial matters. It is not perceived to be in the national interest for Britain to be caught up in the claims as the British want to have good relations with both sides. For any parties, Japan, Korea or China, to be able to gain enough support to take a stand on such sovereignty matters, it would be more effective to argue based on a national security perspective.

A search of dispute-related materials at the National Archives in Kew shows that there are only 4 records (documents) for Takeshima, 8 for Senkaku and 19 for Northern Territories. While the search may not be comprehensive as any mention of the territories in a record titled or tagged under a different topic would not show up in the search, the contrast seems to indicate the relative lack of interest in Takeshima and Senkaku issues and a relatively strong interest in the Northern Territories by the British government up to 20-30 years ago. Current interest cannot be analysed from archive material but the interviews indicate that the trend is the same, although the Senkaku issue and the Northern Territories issue are of more interest due to the nature of Chinese claims having implication towards freedom of navigation and Northern Territories having security implications.

Comparing the number of British media articles is helpful in looking at more recent interest on the topics. It is noticeable how the Senkaku dispute is of far higher interest for the readers than the Takeshima dispute or the Northern Territories dispute. The



UK's own territorial dispute of Falkland Islands claimed by Argentina has been included to show the relative interest level of British media outlets.

**Table: Comparison of article numbers that mention Takeshima, Senkaku, Northern territories and Falkland Islands dispute**

Keywords British media	Takeshima	Senkaku	Northern territories dispute/ Kuril(e) Islands dispute	Falkland Islands dispute
The Sun	1	3	0/0	19
Daily Star	1	6	0/0	10
The Mirror	3	6	1/2	183
The Mail	19	216	13/16	1130
The Express	4	145	9/17	545
The METRO	2	8	0	58
The Evening Standard	4	23	0/1	66
The Independent	12	98	7/21	193
The Times	33	193	2/13	180
BBC News	127	481	22/31	356
The Guardian (UK site)	78 (0)	677 (0)	18 (0)/26(0)	379 (97)
The Telegraph	30	271	12/17	490

Source: Table created by the researcher, accessed: 24 February 2020

Taking a stand in the international arena is a political decision and this can change depending on the international climate as well as the political views of the administration in charge at the time. The British government's move from a pro-Soviet stance to one of supporting Japan over the Northern Territories issue in the 1980s was a purely political decision. The threat posed by Russia in terms of national defence is a common theme shared between the UK and Japan for centuries.

It is worth noting that the UK sees itself as playing an important role in creating, guiding and protecting international law and its direction. For Japan, China, Korea to gain support from the UK, each country would need to have arguments that would not undermine the UK's own position in the UK's territorial sovereignty issues and rather strengthen the UK's position. The researcher argues that whether Japan can garner support from Britain would depend on whether the Japanese can convince the British that doing so is in Britain's national interest as well as Japan's.

## Questionnaire

### Changes of the Situation in International Relations and Security Environment in East Asia and the Response of the International Community

March 3, 2020 Hotel Grand Hill Ichigaya

Please check (✓) one of the following boxes.

1. Overall Evaluation of the Joint Seminar

( ) Satisfactory ( ) Somewhat Satisfactory ( ) Somewhat Unsatisfactory ( ) Unsatisfactory

2. Evaluation of the Quality of the Joint Seminar as compared with your expectation

( ) Higher than expected ( ) As high as expected ( ) As low as expected ( ) Lower than expected

3. Panelists presentations you get most impressed ?

- Session One; Security Environment and Territorial Disputes in Northeast Asia

( ) Susumu Takai ( ) Keiichiro Komatsu ( ) Grant F. Newsham

- Session Two; Security Environment in East Asia and the Response of International Society Including Takeshima and Senkaku Issues.

( ) Paul Wolfowitz ( ) Eva Pejsova ( ) Nguyen Hung Son ( ) Mieko Hama

4. Please provide your comments if any:

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You are:

- ( ) Student ( ) Researcher ( ) University teacher ( ) Media  
( ) Business person ( ) Government official  
( ) Others, please specify
- 

Thank you for your cooperation.  
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