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Competition and Cooperation in the East China Sea

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The R.O.C.'s Defense Transformation: Building a Volunteer Force and Innovative & Asymmetric Capabilities

The Asia-Pacific security situation continues to present a number of challenges, including the rapid growth of Mainland China's military power, the nuclear crisis on the Korean Peninsula and sovereignty claims over disputed islands in the East and South China Seas. Characterizing regional security and strategic situation as "uncertain and escalating," Vice Minister of National Defense for Policy Andrew Nien-Dzu Yang presented the R.O.C.'s views of the Asia-Pacific security environment, and the R.O.C. Armed Forces' defense transformation at the Brookings Institution during late April in a talk entitled "The R.O.C.'s Response to an Evolving Security Environment." In his address, Mr. Yang expressed that, in the face of complicated regional security challenges and Mainland China's ongoing force buildup against the R.O.C., the R.O.C. Armed Forces have embarked on a defense transformation to strengthen the country's self-defense. The Armed Forces firmly believe that long-term peace and stability can only be realized through self-strengthening.

Despite the fact that tensions across the Taiwan Strait have eased in recent years, Mainland China has thus far not renounced the use of force against Taiwan. In the process of conducting peaceful rapprochement across the Strait, the R.O.C. is simultaneously putting great effort into performing a defense transformation to counter any move by Mainland China to adopt hostile measures against Taiwan. But rather than engaging in an arms race with Mainland China, the R.O.C.'s military preparations primarily aim to ensure adequate and appropriate defensive power to deter threats, prevent war, and safeguard democracy.

The R.O.C. Armed Forces are currently focusing on developing "innovative and asymmetric" capabilities and implementing voluntarism. Transforming military service into voluntarism will ensure the recruiting of competent personnel with long-term commitment, facilitate the accumulation of training experience and knowledge, and thereby enhance the professionalism of active duty forces. The Ministry of National Defense (MND) is working closely with the Legislative Yuan to amend relevant legislation and secure for the funding needed to support this program, and is conducting interagency collaboration to smooth bureaucratic issues and regulations in preparation for adoption of a volunteer system.

Secondly, the MND is placing more emphasis on the development of asymmetric capabilities involving advanced technology. Based on the "innovative and asymmetric" concept, the R.O.C. Armed Forces, in the face of enemies with quantitative advantages, should develop operational capabilities targeting the enemy's weaknesses, identify priorities for asymmetric measures, and maximize the effectiveness of limited defense resources in order to defend the homeland.

In the future, implementing voluntarism and developing "innovative and asymmetric" capabilities will be the focus of the country's defense transformation. This transformation will be cost effective, make the country more self-reliant, and foster collaboration with the R.O.C.'s allies and friends. All the efforts taken by the R.O.C. to enhance self-defense capabilities will also support the peace-building process with Mainland China and help ensure stability in the region, and promote support the R.O.C.'s democratic institutions and freedom.



Vice Minister of National Defense for Policy Andrew Nien-Dzu Yang presents the R.O.C.'s views of the Asia-Pacific security environment, and the R.O.C. Armed Forces' defense transformation at the Brookings Institution. (Source: MND, R.O.C.)

A Brief Commentary on China's Maritime Strategy in the East China Sea: An International Law/International Relations Perspective

Chi-Ting Tsai

Introduction

The situation in the East China Sea region has become a salient one for East Asia since the Japanese “nationalization” of the Diaoyutai Islands in 2012. Not only did the Taiwanese government take several steps to put pressure on Japan, the Chinese government adopted more assertive measures toward Japan as well. Facing such a situation, how can we analyze the strategic patterns in the region and the respective countries’ intentions? In this brief commentary, I will look at this issue within the context of China’s maritime strategy in the East China Sea through an international law/international relations perspective, and attempt to discuss its implications for Taiwan toward the end of the analysis.

I. The Strategic Situation in the East China Sea -The U.S. Rebalancing Strategy

What is the purpose of the U.S. rebalancing strategy? Many nations and “realist” observers opine that the core intention of “rebalancing” is actually a “China containment policy.” That interpretation of U.S. strategy, however, may not be holistic enough to understand the current strategic interactions among East Asian countries. One should especially note that the Bush administration had already stated in their 2002 National Security Strategy document that the U.S. had mutual interests with China, and that it would seek a constructive relationship with China. Succeeding the Bush administration, the Obama administration reiterates that the U.S. would engage with China to build a comprehensive relationship. In 2011, the U.S. exports 104 billion dollars’ worth of goods and services to China, and China exports 400 billion dollars’ worth of goods and services to the U.S., which makes China the third largest trading partner with the U.S., so at least the “rebalancing strategy” cannot be seen in the same light as the Cold-War style containment policy. Simply put, the high level of economic interdependence between China and the U.S. dissolves any justification for analyzing their relationship with a Cold-War-like perspective. Institutional dialogue and cooperation play a significant role between the U.S. and China.



Two Japanese official vessels are approaching a Chinese surveillance ship (right) in the disputed waters in the East China Sea in 2012. (Source: cnds.com.tw)

-Is There a Chinese Monroe Doctrine?

In recent decades, the U.S. and European countries facing “China’s Rise” regard China as intending to become an exclusive, regional hegemony. In *The Tragedy of Great Power Politics*, for example, John Mearsheimer argued that “a wealthy China would not be a status quo power but an aggressive state determined to achieve regional hegemony.” Several political commentators therefore argued that China is practicing a “Chinese Monroe Doctrine,” which seeks to prevent interference from countries outside East Asia. However, my opinion is that, in addition to facing numerous regional power challenges, such as those from India and Japan, China so far does not have enough power to counter the U.S. rebalancing strategy in East Asia. The U.S. military budget is five times larger than China’s, and as the U.S. still maintains its position as the leading global economic power, China hardly has the power to practice a Chinese Monroe Doctrine. In other words, the rational maritime strategy for China in the East China Sea region is cooperation rather than exclusion.

* To prevent confusion and for reading convenience, in this article, “Republic of China” is indicated as “Taiwan,” while “China” means “Mainland China.” The views expressed in this article should not be interpreted as those of the Ministry of National Defense or any agency of the R.O.C. government.

II. China's East China Sea Maritime Strategy and the Challenge of International Law

In the aforementioned section I argued that, although the U.S. and China face various challenges and potential conflicts over the East China Sea region, cooperation between the two countries is much more beneficial than military conflict. Rational benefits aside, since the global powers-that-be were already well-established in the wake of the U.S.'s rise to dominance after the Second World War, China inevitably has to follow the given international rules, so as to convince other countries that China can rise and cooperate in a peaceful manner. Hence, any maritime strategy in the East China Sea region employed by China, at least ostensibly, could not surmount international law. In the balance of this section, I will analyze both China's military and maritime (non-traditional) security strategies in the East China Sea region and their challenges from the perspective of international law.

China is endeavoring to controversialize Diaoyutai Islands' territorial sovereignty with regular patrols. China strives to change the political and legal status of the Islands, creating a legal basis to undermine the legitimacy of any possible intervention by the U.S.

-China's East China Sea Military Security Strategy

In terms of its limited military capability relative to that of the U.S., China's short-term and mid-term strategic goal of military security in the East China Sea region is reached by strengthening its overarching "near-sea defense" security plan. Specifically, although China must engage with both the U.S. and Japan to ensure a stable international environment, China still needs to consolidate its controlling power over the west of the first island chain to prevent the U.S. from intervening with the Diaoyutai Islands or Taiwan, and more importantly, to safeguard its routes to the Pacific Ocean. Consistent with this military security strategy, I opine that China, inter alia, has three main legal challenges: the controversialization of the Diaoyutai Islands' sovereignty, the quasi-territorialization of the East China Sea exclusive economic zone (EEZ), and expansion of anticipatory self-defense capabilities.

1. The Controversialization of the Diaoyutai Islands' Sovereignty:

If China attempts to strengthen its "near-sea defense" strategy over the East China Sea, the territorial dispute over the Diaoyutai Islands is going to be the most difficult legal issue to handle. Specifically, the Diaoyutai Islands are situated at a pivotal location between the East China Sea and the Pacific Ocean, which motivates both China and Japan to try to gain control over them. Following the Japanese government's "nationalization" of the Diaoyutai Islands in 2012, China began to take several escalating actions with respect to the islands in order to signal its determination to have control over the region. From an international law perspective, China is endeavoring to controversialize the islands' territorial sovereignty with regular patrols, so as to claim that Japan has no effective control over the islands. More importantly, China will strive to change the political and legal status of the islands, which might create a legal basis for China to undermine the legitimacy of any possible intervention by the U.S. in the region, which would be justified by the U.S.-Japan Security Treaty.

2. The Quasi-territorialization of the East China Sea Exclusive Economic Zone:

Another challenge for China to achieve its "near-sea defense" military strategy goals is presented by the U.S. and Japan's aerial and maritime intelligence collection over the East China Sea's EEZ. The U.S. consistently argues that intelligence collection is just a part of its "free navigation right" under the United Nations Convention on the Law of the Sea ("the law of the sea"). However, China regards such action as a threat to its security. After the U.S.-China Hainan collision incident, China amended its "Surveying and Mapping Law of the People's Republic of China," in which Article VII provides that "foreign organizations or individuals that wish to conduct surveying and mapping in the territorial air, land or waters, as well as other sea areas under the jurisdiction of the People's Republic of China shall be subject to approval." Thus, any surveying and mapping conducted without prior approval would be deemed as a threat. However, as far as international law is concerned, current state practices are inclined to see that intelligence collection over the EEZ is part of the non-littoral states' free navigation right. The underlying legal principle is that the character of the EEZ is not territorial under the law of the sea. Nevertheless, it seems that the aforementioned Article VII makes clear China's intentions by implying that the EEZ is one of the "other sea areas under the 'quasi-sovereign jurisdiction' of China", and thus China is territorializing the region. Hence, if China attempts to unilaterally limit the U.S. and Japan's intelligence collection conduct over the East China Sea through domestic law, it may clash with the law of the sea.

3. The Expansion of Anticipatory Self-defense Capabilities:

In the 2011 *Annual Report of Military and Security Developments Involving the People's Republic of China*, the U.S. Department of Defense expressed concern about China's "active defense" strategy, which suggests that China will strike only "after the enemy has struck." However, the report also expresses doubt over the meaning of "strike," because the People's Liberation Army (PLA) states that: "[active defense] doesn't mean to give up the 'advantageous chances' in campaign or tactical operations, for the 'first shot' on the plane of politics must be differentiated from the 'first shot' on that of tactics." That may suggest that a strike can be triggered politically rather than physically. "Active defense" seems to implicitly expand the meaning of "anticipatory self-defense" from "pre-emptive self-defense" to the so-called "preventive self-defense" advocated by the Bush administration in 2002. The main difference between these two ideas is that an "imminent threat" is not required for the latter, given that no diplomatic means could settle the dispute. As the report suggests, China's intention to lower the hurdle of the active defense policy stems from deterring foreign interference with the possible independences of Taiwan, Tibet and Xinjiang. So far as international law is concerned, however, "preventive self-defense" is not accepted by the international community. Therefore, it is worth observing China's self-defense policy while taking into account the "political" meaning of "strike."

China's domestic law makes clear its intentions by implying that the EEZ is one of the "other sea areas under the 'quasi-sovereign jurisdiction' of China," and thus China is territorializing the region despite may clash with the UNCLOS.

-China's East China Sea Maritime Security Strategy

China's main maritime strategic goal in the East China Sea is to strengthen its peacetime law-enforcement capability in order to consolidate the exploitation of the East China Sea's resources and sea lane security. To achieve this goal, China is now quickly developing a comprehensive legal enforcement system for maritime security law. The future of this legal system at least includes: consolidation of maritime legal enforcement units, diversification of the domains of jurisdiction, and expansion of the geographical scope of maritime legal enforcement. These issues would face the following legal challenges.

1. Consolidation of Maritime Legal Enforcement Units:

Since Chinese maritime legal-enforcement department are divided into various units, which reduces the efficiency of the Chinese government's protection of its maritime rights, China needs to consolidate those diverse units into a centralized command system. In fact, China has taken the first step to consolidate the existing maritime legal enforcement units into a centralized one by reorganizing the State Oceanic Administration and renaming those enforcement units as the China Coast Guard (CCG). Some commentators argue that such consolidation may mitigate the tension between China and Japan in the future because a centralized unit does not need to be aggressive to compete for the budget or jurisdiction of other legal enforcement units. However, I opine that the function of such a centralized maritime enforcement system may not necessarily mitigate the tension as they expect. Several PLA veteran generals have stated that the strategic purpose of the CCG is to struggle against Japan at the Diaoyutai Islands alongside with the PLA. Thus, the CCG may have a strong incentive to compete for reputation or jurisdiction over the region with the PLA. However, as far as international law is concerned, if the legal enforcement methods of the CCG are functionally similar to those of the PLA, such enforcement methods may constitute illegal use of force.

2. Diversification of the Domains of Jurisdiction:

To further strengthen its control over the East China Sea, China has issued various executive orders to regulate the region based on its EEZ sovereign right. Among those orders, the "National Marine Functional Zoning" is particularly noteworthy. According to this order, China will expand the domains in which it regulates over the EEZ and the continental shelf over the East China Sea region. These include drug smuggling, terrorist attacks, illegal fishing, the marine environment, and most importantly, international navigation. In terms of the law of the sea, a littoral state does have the power to regulate its EEZ and continental shelf based on its sovereign rights. Nevertheless, the International Tribunal of the Law of the Sea has suggested that such regulation should be reasonably related to its rights over the EEZ and continental shelf, and also pay due regard to the non-littoral states.

3. Expansion of the Geographical Scope of Maritime Legal Enforcement:

In proportion to its rising capability of maritime legal enforcement, China may expand the scope of its legal enforcement area. It is possible that China will establish an "air and maritime identification zone" which will cover the high sea area. Such an identification zone would require

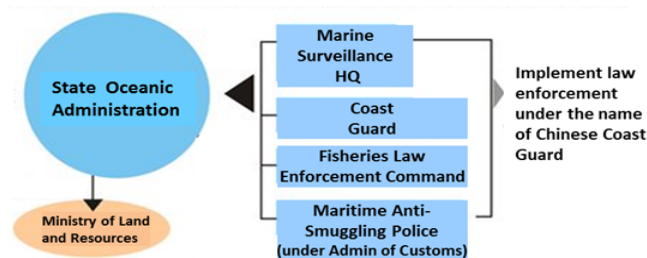
that any entering aircraft and ship whose final destination is China would have to declare its identification. In fact, except for China, all of the Northeast Asian countries have already established air identification zones. So it is reasonable for China to establish such a zone in order to strengthen its control over the East China Sea. However, it may not be reasonable to establish a maritime identification zone at this time, in so far as the principles of international law are concerned. Indeed, Australia established such a zone in 2004, covering 1,000 nautical miles, which aroused a controversial debate with New Zealand. So it is reasonable to infer that a maritime identification zone has not been accepted as a legitimate state practice. However, it will still be worthwhile to observe whether or not China employs some kind of quasi-maritime identification zone in the future.

As far as international law is concerned, if the legal enforcement methods of the CCG are functionally similar to those of the PLA, such enforcement methods may constitute illegal use of force.

III. Implications for Taiwan

-Signaling Stronger Determination of Military Security Protection

Inevitably, the way Taiwan protects its sovereign rights in the East China Sea will intertwine with its South China Sea policy. If Taiwan does not show strong determination to protect its claim to the Diaoyutai Islands and corresponding sovereignty rights thereto, not only may Taiwan lose its political clout in the East China Sea region, but other surrounding maritime areas as well. As far as international law is concerned, the scope of the so-called “provisional maritime enforcement area” of Taiwan actually is much smaller than what the law of the sea allows, due to the Taiwanese government lacking sufficient maritime enforcement capability. In fact, after one Taiwanese fisherman was killed by the Philippine Coast Guard, the Taiwanese public has begun to ask the government to repeal the said “enforcement area” lest other neighboring countries encroach on Taiwanese maritime sovereignty and sovereignty rights. As a policy matter in the long term, the Taiwanese government may need to raise the naval and coast guard budgets in order to promote its maritime enforcement capabilities.



The Chinese government has stated during Xi's inauguration that steps would be taken to reorganize its coast guard operations in order to better assert maritime control. The figure is illustrated according to the Report of Chinese State Council organization reform announced in March 2013.

-More Diverse and Nuanced Maritime Rights Protection

Since the tension between Taiwan and Japan over the Diaoyutai Islands commenced in 2012, the main short-term policy goal of the Taiwanese government is to urge Japan to sign a fisheries agreement and make the Japanese government acknowledge the existence of a dispute over the Diaoyutai Islands. In April 2013, the two governments signed the Taiwan-Japan Fisheries Agreement, Article IV of which provides that: “the agreement does not undermine the respective position on and interpretation of international law of Taiwan’s and Japan’s authorized agencies regarding their own sovereignty and maritime claims.” I think that this is a good initial step to claim Taiwanese maritime sovereignty and rights over the region. However, the conclusion of the Agreement also suggests that the Taiwanese government needs to protect and claim its maritime sovereignty and rights in a more pluralistic and nuanced way. For example, the Taiwanese and Japanese governments will hold an annual Fishery Conference to assess the effects of the Fisheries Agreement. That means that both governments have to claim and defend their positions on sovereign issues in more pluralistic spheres. To achieve such a nuanced and continuous goal, I argue that the Taiwanese government should enact more non-traditional maritime security laws in order to preempt various uncertain maritime legal issues.

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The Diaoyutai Contretemps and Taiwan's Long-term Security

Michael Mazza



Mainland China's fisheries patrol ship Yuzheng 201 and a Japanese Coast Guard vessel sail near the disputed Diaoyutai Islands in November 2012. (Source: kaiho.mlit.go.jp)

The ongoing standoff in the waters around the Diaoyutai Islands (in Japanese, Senkaku) threatens Taiwan's security, though not primarily for the obvious reason. Taiwan, China, and Japan all claim the islands, though Beijing and Tokyo sometimes appear intent on settling the issue without regard for Taipei's assertion of sovereignty. Such an eventuality, of course, would further marginalize Taiwan in East Asia and, from Taipei's perspective, leave Taiwan with its sovereignty impinged upon. Even so, more pressing matters are at stake—namely, the future security of Taiwan island itself.

Mainland China has been and, for the foreseeable future, will continue to be Taiwan's greatest security threat. The Chinese Communist Party remains intent on unifying the island with the mainland, by force if necessary. The People's Liberation Army regularly trains to achieve that goal, and the nature of Chinese military modernization makes a forceful unification increasingly feasible.

Now, thanks to the ongoing standoff in the East China Sea, Chinese paramilitary maritime services and, more and more frequently, naval vessels are operating in waters around the Diaoyutai Islands, which lie approximately 170

kilometers northeast of Keelung. In other words, PLA forces are getting prolonged experience operating in waters east of Taiwan and relatively near one of Taiwan's most important port cities, not to mention Taipei itself.

Even should PLA vessels' primary purpose be defense against Japan, they would likewise be well positioned both to act against Taiwan and to forestall Japanese intervention in a cross-Strait conflict.

Those vessels are also getting experience operating in close proximity to potential enemy combatants and tracking and evading foreign ships. The PLA Navy's use of fire control radar on Japanese forces earlier this year, meanwhile, has allowed it both to test combat systems in a "real-world" scenario and to test Japanese reactions.

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This should all be worrying for Taipei. The experience and knowledge that China's sailors are now gaining would be put to use in any Chinese effort to coerce or force Taiwan into a political settlement, which would likely involve the application of Beijing's maritime power. Hostilities might very well involve naval combat—including Taiwanese efforts to break or run a blockade—and, quite possibly, Japanese intervention on Taiwan's behalf.

But Taipei has more to worry about than the useful lessons China's maritime services are now learning. Although the current standoff will likely continue for some time, should China eventually succeed in establishing control over the Diaoyutai islands, there would be harmful consequences for Taiwan.

First off, eventual Chinese control—or even an ongoing standoff—could mean there will be a sustained Chinese naval presence in waters near Taiwan. Even should Chinese vessels' primary purpose be defense against Japan, they would likewise be well positioned both to act against Taiwan and to forestall Japanese intervention in a cross-Strait conflict. In effect, such presence unsettles Taiwan's northern flank and may require Taiwan's military to adopt an extended peacetime defensive perimeter with a consequent diminishment in concentration of forces.

Secondly, Chinese success in the Diaoyutai or, more modestly, even failure to return to the status quo ante around the islands will disruptively shift norms in Asia. Such a result would validate China's decision to use coercion and force to achieve its ends, portending a less stable future. If Beijing can get away with such behavior in a dispute with Japan, it can certainly do so where Asia's less powerful countries are concerned.

The abandonment of diplomatic means to settle sovereignty disputes should be of particular concern to Taiwan, which Beijing still regards as a renegade province.



Mainland China's surveillance ship (center) and two Japanese Coast Guard ships sail around Diaoyutai Islands in September 2012. (Source: www.mdc.idv.tw)

Considering the nature of China's claims to the Diaoyutai, moreover, Beijing is sending forces to defend islands that it considers to be part of Taiwan province. That should give the leaders in Taipei pause as well.

How should Taiwan proceed? First, Taipei should attempt to put daylight between its own claim and Beijing's. Failure to do so alienates Taipei from Tokyo and

Taipei should attempt to put daylight between its own claim and Beijing's. Failure to do so alienates Taipei from Tokyo and Washington, and puts Taiwan on a slippery slope in its own dispute with the Mainland.

Washington, and puts Taiwan on a slippery slope in its own dispute with the mainland (if China has the right to defend islands that both Beijing and Taipei see as part of Taiwan, doesn't it have the right to "defend" Kinmen, Matsu, or even Taiwan island as well?). Taiwan's recently concluded fishing agreement with Japan was a very positive step in this direction. Second, Taipei should convey to Washington that it considers the ongoing maritime standoff as complicating its own defense and, over the longer term, detrimental to continued cross-Strait stability.

Taiwan can contribute to articulate its own claims to sovereignty, but should recognize that, for the time being, stability in Asia is best served by a return to the status quo ante. Meanwhile, Taipei should continue to promote President Ma Ying-jeou's East China Sea Peace Initiative. Not only does the initiative include substantive steps for de-escalating tensions, but it casts Taipei in positive light as compared to Beijing, thus enhancing Taiwan's stature in the region.

Taipei, of course, has the right and an obligation to defend Taiwan's sovereignty. Counter-intuitively, perhaps, Taiwan can best carry out that obligation over the long term by promoting a return to the status quo ante in the East China Sea.

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India's Security Environment and Its Look East Policy

Arvind Gupta

Introduction

What are the factors that determine India's security environment?

Geography makes India both a continental and a maritime power. Located at a critical point in the India Ocean, it faces the Arabian Sea and the choke points of Hormuz on the west; and the Bay of Bengal and the straits of Malacca in the East. Historically, Indians have interacted with people right up to the eastern coast of the Africa through the Arabian Peninsula. The influence of the Indian civilization has been felt in South East Asia and as far as Korea and Japan.

In the north, India has a natural frontier with Tibet in the shape of the world's highest mountain range, the Himalayas. When China moved into Tibet in 1949, a border dispute between India and China, which remains unresolved until today, was created.

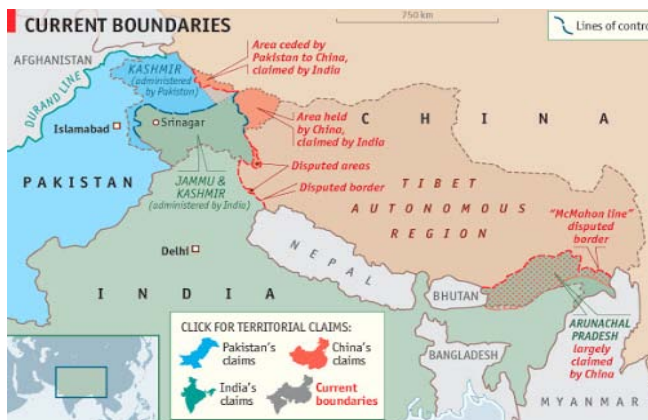
Historically, India has been vulnerable to invasions and incursions from the western sea coast and from the vast lands in the northwest. The Aryans came to India thousands of years ago from the Caucasus and Europe. Alexander of Macedonia invaded India through Persia and what is now Afghanistan in the fourth century B.C. Countless tribes from Central Asia came to India from the west. Buddhism spread from India to the east and south. Christianity came to the India's west coast in the first century A.D. Islam came from the Arabian Peninsula in the eighth century. The Portuguese landed at India's west coast in the fifteenth century closely followed by other European colonizers, the French and the British, in the sixteenth century.

These historical and geographical patterns bring out the key characteristics of India's security environment. Firstly, the Indian civilization has been an open civilization with unbroken record of interaction with other civilizations. Indian culture has spread to other parts of the world and also imbibed foreign influences. Indians are quite at home with globalization. Even today, tens of millions of Indians are working and living outside the borders of India.

Second, India has had a long maritime tradition, a facet which is not appreciated sufficiently. Whenever India neglected maritime strength, it was invaded. Today, Indian navy is becoming stronger and emerging as a key component of Indian security.

Third, Indian security environment is influenced not only by the immediate neighborhood in South Asia but also by the extended neighborhood extending up to the east coast of Africa in the west and up to the West Pacific in the east. In the north, developments in Central Asia and China affect Indian security environment deeply.

Fourth, with a population of more than 1.2 billion (2011 census), India is a hugely diverse country with many religions, ethnicities and linguistic groups living side by side. The Indian constitution is a key to internal stability. It is in the above backdrop that we should analyze the current security environment of India.



Historical and geographical factors bring out key characteristics of India's security environment. The map illustrates border disputes among India, China and Pakistan. (Source: www.defence.pk/forums)

Current Security Environment

Many of the factors which determine India's security are rooted in its colonial past. India, since it won independence in a non-violent struggle from the British in 1947, has fought several wars – four with Pakistan (1947, 1965, 1971 and 1999) and one with China (1962). In addition, India has been facing a relentless proxy war in the shape of cross-border terrorism. India has been a target of externally supported terrorism for a long time since 1947.

The British were a global power when they ruled India. During their rule, they had signed a number of treaties with neighboring states to promote and safeguard their security and commercial interests. They used Indian

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human and material resources for furthering and protecting their interests. As they left in 1947, the successor state India became the inheritor of the various treaties they had signed with Tibet, Nepal, Bhutan, Myanmar, and many others. China repudiated a 1914 vintage boundary line agreement, the McMahon line between India and with the Tibetan government. This created a huge problem between India and China which persists till today.

The British also divided the Indian subcontinent into two, creating India and Pakistan. This division disrupted the cultural, ethnic, linguistic integrity of the Indian subcontinent, causing huge security problems.

In short, India's key security problems continue to be rooted in the relationship between India and Pakistan, and between India and China. To complicate the security environment further, there is a close strategic relationship between Pakistan and China which undermines Indian security. The effort on the Indian side in the last few years has been to manage its relations with China and with Pakistan to minimize tensions and reduce the risk of conflict. It may be noted that Chinese went nuclear in 1964, and India and Pakistan in 1998. China's help to Pakistan in the latter's nuclear & missiles program is well documented.

India's key security problems continue to be rooted in the relationship between India and Pakistan, and between India and China. India has taken efforts to manage its relations with both states to minimize tensions and reduce the risk of conflict.

-China

India seeks to engage China on a broad range of issues despite the fact that the lack of a boundary agreement between the two is the most intractable issue in the bilateral relation. However, both countries have agreed at the highest levels to ensure that the border dispute does not come in the way of normalization and growth of bilateral relations. A political-level dialogue between the two sides has been going on for several years. Bilateral trade has grown above \$70 billion per annum from virtually nothing a few years ago. High level political contacts are frequent. An elaborate institutional framework of dialogue on security and defense issues has also been set up. The two countries have also held joint military exercises in recent years. A range of confidence

building measures to reduce tension and manage border incidents has been set up.

At the same time, India is concerned about the rapid military modernization in China. The lack of transparency in China's military doctrines, opacity in its defense budget, the growing Chinese influence in countries surrounding India, militarization of Tibet, the building of dams on Tsangpo/ Brahmaputra River, and China's growing footprint in the Indian Ocean are seen with concern in India.

Likewise, China is suspicious of the growing strategic partnership between India and the U.S. It views with concern the role India can potentially play in the U.S. pivot-to-Asia strategy. China is also watching carefully the emergence of strong strategic relationships between India and ASEAN, Japan, South Korea and Australia.

-Pakistan

Many of India's security concerns originate in Pakistan with whom it has fought four wars. The rising political, economic and social instability in Pakistan has been accentuating India's security worries. Sections of Pakistani society are getting increasingly radicalized. Pakistan-Afghanistan region remains unstable and the situation is likely to get worse after the western forces withdraw from Afghanistan, which may affect security in India.

-South Asian Neighbors

India's security environment is influenced by the incipient trends of instability in South Asian countries. Although the Maoist insurgency has ended in Nepal several years ago, the country is dangerously adrift as it still does not have an agreed constitution. Millions of Nepalese live and work in India in accordance with the special relationship between the two countries. These Nepali citizens send large sums of money back to Nepal every year. The border between the two countries is open. Continued political instability and poor economic conditions breed instability in the country. The rising Chinese influence in Nepal causes concerns for Indian security planners.

Sri Lanka is critical for Indian security environment. The Tamil insurgency was defeated militarily by Sri Lankan forces in 2009. Unfortunately, this was not followed by a final settlement of the long-standing question of devolution of power to the Tamils. While Sri Lanka remains calm and has registered fast economic growth, the underlying causes of discord between the Tamil minority and the Sinhala majority have not disappeared. The domestic politics in India, particularly in the Tamil majority state of Tamil Nadu, is affected by the developments in Sri Lanka. Sri Lanka is also facing severe international pressure on the human rights

issue as there are reports of atrocities allegedly committed by Sri Lankan army in the last stages of fight against the Liberation Tigers of Tamil Eelam (LTTE).

In the east, India's sensitive insurgency-prone north east region has long borders with Bangladesh and Myanmar. Bangladesh is undergoing some internal unrest on account of the ongoing trial of the perpetrators of war crimes in the 1971 war of liberation. The Islamist elements represented by the Jamaat-i-Islami have taken to violent protests against the implications of their leaders in war crimes in 1971. Bangladesh and India have a border of over 4,000 km. Illegal migration, smuggling and human trafficking are common across this border, much of which have now been fenced. India-Bangladesh relations remain sensitive to domestic developments in both countries.

For India, Myanmar is the gateway to South East Asia. Its location at the junction of South East Asia, South Asia, and China and the Bay of Bengal makes it of special significance for Indian security. India has 1,600 km long porous border with Myanmar. Many Indian insurgent groups take shelter in Myanmar. The two countries share maritime space in the Bay of Bengal. With the gradual restoration of democracy in Myanmar, India-Myanmar strategic relationship is consolidating. India is involved in large scale infrastructure in Myanmar. This will provide the much needed connectivity between India and ASEAN and also help develop the underdeveloped north eastern region of India. India is also extending crucial support to Myanmar in democratic institutions building.

The Look East Policy

Guided by its developmental and security interests, India launched its Look East Policy in the nineties to further these interests. The policy has been a spectacular success. It has brought India closer to Asia where it has historical and cultural linkages. The Look East Policy is shaping India's future role in Asia.



A close and strategic relationship between ASEAN and India is at the heart of India's Look East Policy. (Source: pmindia.gov.in)

India has legitimate interests in the East Asian region. Its trade with China, Japan, South Korea, ASEAN, Australia and New Zealand is growing rapidly. Its bilateral relations with individual ASEAN countries like Indonesia, Malaysia, Singapore, and Vietnam are also growing. About fifty percent of India's trade passes through the South China Sea. India has been involved in the Vietnamese Exclusive Economic Zone in oil exploration for more than two decades. India also produces oil in the Sakhalin region of Russia.

India has refrained from taking sides on the sovereignty disputes and has made it clear that it stands for the freedom of navigation in the high seas in accordance with international laws.

A close and strategic relationship with ASEAN is at the heart of India's Look East Policy. India is now an active member of the East Asia Summit, a project launched by ASEAN countries with a view to build durable linkages with countries outside the region including China, India, Japan, Australia, Russia, the U.S., and New Zealand. India's trade with ASEAN is among the fastest growing. India is now seeking to expand and deepen its Look East policy. It is an active participant in the ASEAN Defense Ministers' Meeting Plus (ADMM+) forum. Beyond ASEAN, India has set up key strategic relationships with Japan, South Korea and Australia. Maritime issues are being discussed between India and these countries. India is also playing an important role in the safety and security of vital sea lanes of communication, including the Strait of Malacca. Indian navy has held joint exercises with many navies in the region. Defense and security dialogues are being conducted between India and many other countries in the region. Functional ties, particularly in the economic and social spheres, are being developed with Taiwan.

South China Sea and East China Sea are potential flashpoints in the region. China's growing assertiveness is being watched with great interest as China's new leadership is expected to be more nationalistic, assertive and uncompromising on the sovereignty issue. The U.S. policy of rebalancing to Asia has brought in fresh uncertainties as China sees U.S. policies with great suspicion. What is India's position on these issues?

India has natural interests in the South China Sea and the safety and security of the sea lanes of communication.

But India has refrained from taking sides on the sovereignty disputes and has made it clear, however, that it stands for the freedom of navigation in the high seas in accordance with international laws. This is a principled position which avoids getting entangled in difficult issues. At the same time, India is deepening maritime security cooperation with a number of countries.

-Taiwan

In recent years, India and Taiwan have developed substantial commercial, economic and cultural ties. Despite that India has no formal diplomatic relations with Taiwan, it opened an office known as “India Taipei Association” in Taipei in the nineties. Likewise, Taiwan has Taiwan Economic & Cultural Centre in two cities in India. Since then, bilateral ties have progressed. The bilateral trade between the two sides crossed \$ 8 billion in 2011-12 while Taiwanese investment in India is over \$ 1.2 billion. About 500 Indian students study in Taiwan while Taiwanese teachers teach Chinese language in Indian institutions.



India and Taiwan have developed substantial commercial, economic and cultural ties. The photo illustrates that Taiwan's representative in India presents aid for earthquake reconstruction in Sikkim, India in 2012. (Source: Taipei Economic and Cultural Center in India)

The future prospects for India-Taiwan relations look good as cross-Strait relations relax further. Given Taiwan's strategic location and its powerful economy, it is natural that India would focus on improving relations with Taiwan.

A joint study has also been launched to explore the possibility of a free trade activity between the two sides. The future prospects for India-Taiwan relations look good as cross-Strait relations relax further. Given Taiwan's strategic location and its powerful economy, it is natural that India would focus on improving relations with Taiwan. Similarly, Taiwan wants to engage with emerging economies like India as a part of its policy to seek room for maneuver on the international stage. Taiwan has interest in India's Look East Policy to understand how India defines and protects its interests in Asia.

Conclusion

India's key security concerns arise from the nature of political, economic and security dynamic in South Asia and in the extended neighborhood stretching from the eastern coast of Africa to the West Pacific. It has sought to manage its key relations with China and Pakistan to reduce the risk of confrontation. As the center of gravity of intentional relations shift eastwards to the Asia-Pacific region, India is deepening its Look East Policy and evolving strategic relations with ASEAN, Japan, Korea, Australia, and the U.S. India has advocated open, inclusive security architecture in Asia. That is the best way to deal with its numerous security concerns.

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The Challenges and Implications of the Taiwan-Japan Fisheries Agreement

Po-Chou Lin and Pei-Yin Chien

Introduction

The Association of East Asian Relations, representing the Republic of China, and the Japan Interchange Association, representing Japan, held their seventeenth round of bilateral fisheries consultations at the Taipei Guest House on April 10, 2013. In these talks, the two sides reached an agreement concerning fishing operations in the two countries' overlapping exclusive economic zones (EEZ), but did not change their respective territorial and maritime claims regarding the Diaoyutai Islands. The agreement begins with a statement that the two parties aim to jointly conserve and manage fishery resources and maintain fishing order so as to ensure peace in the East China Sea and promote reciprocity and cooperation between the Republic of China and Japan. The agreement is applicable to the large maritime zone south of 27 degrees north latitude and north of Japan's Yeayama Islands and Miyako Islands. Within that area, the fishing activities of the respective countries will not be limited by the other's government vessels. Additionally, the agreement establishes a "special cooperation zone" which is jointly managed by both sides with their own regulations adopted to govern their respective fishing activities. The overall zone specified in the agreement extends beyond the so-called "provisional enforcement line" employed in the past, and translates into an operating area for R.O.C. fishing boats that includes an additional 1,400 square nautical miles. The agreement does not include waters within 12 nautical miles of the Diaoyutai Islands.

While emphasizing that the agreement does not involve the two parties' sovereignty claims, R.O.C. Minister of Foreign Affairs David Lin praised the agreement as a breakthrough in terms of promoting bilateral relations and protecting fishermen's rights and interests. As for the issue of the 12-nautical-mile zone around the Diaoyutai Islands, Mrs. Kao, spokesman for the Ministry of Foreign Affairs, said that with regard to the complicated situation of the disputed waters, and the possibility that Japanese government vessels may interfere with Taiwanese fishing activities around the Diaoyutai Islands, the R.O.C. government will continue negotiating with the Japanese authorities about this issue while fulfilling its escort duties.



After 17 rounds of negotiations since 1996, the R.O.C. and Japan signed the Fisheries Agreement in April, 2013. The two sides reached a consensus on resource sharing without touching sovereignty issues. (Source: mofa.gov.tw)

This article discusses the strategic implications and impacts of the agreement on the R.O.C. The authors argue that, due to the lack of consensus concerning fishing activities within 12 nautical miles of the Diaoyutai Islands, possible confrontations may still occur between the R.O.C. and Japan. Additionally, as demonstrated by the dispatch of the PLA South China Sea Fleet, 8 surveillance ships and more than 40 fighter jets to the Diaoyutai area soon after the signing of the agreement, Mainland China's assertive actions at sea and in the air pose tremendous challenges to the R.O.C.'s northeast air defense as well as to the Coast Guard. It has been suggested that the R.O.C. government formulate a strategy responding to Mainland China's frequent cross-border fishing activities and also to the situation in which Mainland China's government vessels enters the agreement area.

Strategic Implication of the Agreement

1. Demonstrating the Practical Benefit of the East China Sea Peace Initiative

Sovereignty cannot be divided or conceded, but resources can be shared. This concept embedded in President Ma's East China Sea Peace Initiative has served as the groundwork for fisheries consultation. While staunchly

safeguarding its sovereignty and position concerning maritime territories, the R.O.C. has shelved controversial issues and peacefully negotiated fishing disputes with Japan, demonstrating the practical benefit of the East China Sea Peace Initiative.

Building on a joint exploration accord, the parties to the fisheries agreement hope it will lead the way in easing tensions in the East China Sea and resolving the Diaoyutai issue. With a vision of making the East China Sea a sea of peace and cooperation, the East China Sea Peace Initiative provides a blueprint, showing how regional countries can set aside sovereignty disputes and cooperate in furthering their mutual interests.

The Fisheries Agreement is a sign of peace in the highly contentious waters. It encourages all parties involved in territorial disputes to shelve sovereignty disagreements and discuss mutual interests.

2. Helping Ease Tensions in the East China Sea

Tensions have been escalating in the East China Sea during the past years. Of all the relevant problems, the Diaoyutai issue has caused the most complex and dangerous confrontations, and Mainland China's recent assertive behaviors have aggravated the situation. But in contrast to this increasingly hostile atmosphere, the new fisheries agreement is a sign of peace in the highly contentious waters. Except for the 12-nautical-mile zone around the Diaoyutai Islands, the disputes concerning other areas are mostly resolved in the agreement. The two sides will establish a fisheries committee meeting once a year to regularly negotiate fishing affairs, jointly conduct maritime resources protection and discuss possible cooperation. This normalized and routine communication mechanism will improve relations between the R.O.C. and Japan and so ease tensions in the East China Sea.

Some analysts have expressed that the agreement holds symbolic meaning insofar as it shows the possibility of peace and cooperation among claimants. The Diaoyutai issue involves three parties: the R.O.C., Japan, and Mainland China. Among these parties, two bilateral fisheries agreements have been reached between Mainland China and Japan and between the R.O.C. and Japan, in 1997 and 2013 respectively. Scholars hope that in the future, the three parties would carry out a dialogue and engage in cooperation under a multilateral

framework such as the Asia Pacific Economic Cooperation (APEC), World Trade Organization (WTO) or Western and Central Pacific Fisheries Commission (WCPFC). The Taiwan-Japan Fisheries Agreement is a significant test case to see if states can deal peacefully with maritime disputes in the Asia-Pacific, and it is hoped that the pattern established by this agreement can be applied to South China Sea issues by encouraging the concerned parties to shelve sovereignty disagreements and discuss mutual interests as mining, fishing, scientific research, environmental protection and maritime security.

3. Clarifying the R.O.C.'s Position of Not Cooperating with Mainland China on the Diaoyutai Issue

The Taiwan-Japan Fisheries Agreement not only marks a historic milestone in the development of the R.O.C.-Japan relations, but also clarifies the government's position of not cooperating with Mainland China on the Diaoyutai issue, and thus demonstrates the R.O.C.'s independence in handling international affairs. The agreement prevents Mainland China from broadcasting rhetoric about "jointly protecting Diaoyutai sovereignty on both sides of the Strait," and keeps Mainland China's vessels from interfering with Taiwanese fishermen's activities under the pretext of providing escort. In the future, if Mainland China's surveillance ships sail near the Diaoyutai Islands, the R.O.C. and Japan can jointly take legal actions against Mainland China's behavior. In addition, by decreasing the chance of friction between the R.O.C. and Japan, the agreement will lessen U.S. concern about East Asia situation, helping smooth security cooperation among the R.O.C., U.S. and Japan, and strengthening their partnership.

4. Encouraging Mainland China to Seek Peaceful Ways of Solving Island Disputes

Being members of the United Nations, Mainland China and Japan are obligated to follow the United Nations Charter by settling their international disputes



Japanese Coast Guard shoots a Mainland China's surveillance ship in the disputed water in the East China Sea. Mainland China's assertive actions pose challenges to neighboring countries' defense. (Source: www.kaiho.milit.go.jp)

through peaceful means. However, since the signing of the agreement, Mainland China has increased its provocative actions, such as by sending its South China Sea Fleet to pass through Diaoyutai waters on April 17, and “conducting law enforcement” by more than 40 fighter jets and 8 surveillance ships in the same area on April 23. It is obvious that Mainland China has demonstrated little interest in resolving this dispute by peaceful means. Beijing has also protested against the agreement by urging Japan to respect the “One China” policy.

In the face of Mainland China’s growing assertiveness, more and more Asian countries are appealing to international laws as a means of defending their own sovereignty claims against those of Mainland China. Strategic analysts hope that at a time when Mainland China seeks to achieve a better international reputation and greater soft power, appealing to international laws can constrain Mainland China’s behavior to some degree.

Furthermore, the agreement may enhance the R.O.C.’s international status, which is something that Mainland China is reluctant to see. It also proves that disputes between the R.O.C. and Japan can be solved through agreement, and therefore puts increased pressure on Mainland China and Japan to settle their quarrels through communication, rather



Beijing may test the response from Tokyo and Taipei in the wake of the Taiwan-Japan Fisheries Agreement with provocative behaviors. The photo illustrates Mainland China's government vessels sailing around the Diaoyutai Islands. (Source: www.kaiho.mlit.go.jp)

The Agreement clarifies the R.O.C. government's position of not cooperating with Mainland China on the Diaoyutai issue, and thus demonstrates the R.O.C.'s independence in handling international affairs.

than continuing to raise tensions. Beijing may not be willing to be considered an obstacle to peaceful negotiation by the international community. Should the agreement bring pressure on Mainland China, it may facilitate Beijing to shelve sovereignty disputes and seek to reach consensus with other nations concerning mutual economic interests such as fishing rights.

Challenges May Remain

After the signing of the Taiwan-Japan Fisheries Agreement, Taiwanese fishermen can operate freely in their traditional fishing areas without worrying about being driven away or seized by Japanese government vessels. However, the R.O.C. and Japan have not yet established any consensus on fishing operations around the Diaoyutai Islands, which awaits future negotiation. The R.O.C. Minister of Foreign Affairs Lin expressed his hope that the two sides will continue negotiating, and the R.O.C. Fishing Agency Director General Mr. Sha also indicated that “While it is our position that Japanese ships should not enter within 12 nautical miles of the Diaoyutai Islands, the actual law enforcement will depend on how Japanese official ships treat our fishing boats.” The possibility of conflict still cannot be ignored at the present stage, and all concerned parties must still refrain from taking any antagonistic actions that might cause tensions to escalate.

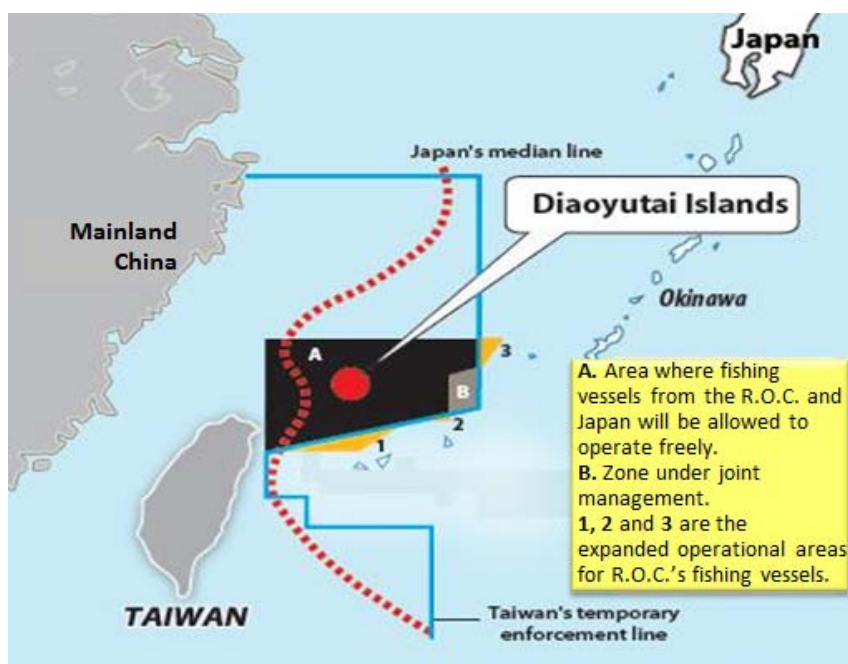
The 2003 “First Set of Provisional Law Enforcement Lines in the Exclusive Economic Zone of the Republic of China” formerly contained the principles of conduct for R.O.C. ships. After signing the recent agreement, the R.O.C.'s Coast Guard agency shall drive illegal ships away on the basis of domestic regulations and the new agreement. A new set of rules must therefore be developed to deal with situations such as encountering Mainland China's ships in a relevant area governed by the agreement. Mr. Yang, Deputy Secretary General of the National Security Council, noted that “It is not acceptable that Mainland China's fishermen operate in the applicable area. The R.O.C. will negotiate with Mainland China in this regard if necessary.” Mr. Wang,

Minister of Coast Guard Administration, also pointed out that the R.O.C. Coast Guard will enforce laws dealing with Mainland China's ships or foreign ships in the applicable area. However, since the applicable area was designated and agreed upon by the R.O.C. and Japan to solve issues arising from overlapping EEZs, it is likely that Mainland China does not fully accept the agreement. Mainland China is therefore unlikely to restrain its assertiveness, and it may even be possible that Mainland China's ships cross the border of applicable area on purpose as a provocation to R.O.C. Coast Guard vessels.

Despite the fact that official vessels from the two sides of the Strait have rarely encountered each other in the past, Mainland China's increasingly assertive actions to safeguard its sovereignty claims have changed the situation. It may become a necessity for the Ministry of National Defense and Coast Guard Administration to strengthen communication, coordination and cooperation in order to develop policies to respond to diverse incidents, and especially Mainland Chinese provocations, that may occur in the applicable area.

The R.O.C. government should formulate a strategy responding to Mainland China's frequent cross-border fishing activities and also to the situation in which Mainland China's government vessels enters the agreement area.

History indicates that Mainland China tends to test Japanese attitudes and response by sending vessels into Diaoyutai waters whenever Japan undergoes a leadership transition. For example, the 2010 Diaoyutai boat collision incident happened only a few months after the Kan Administration took power in June. Beijing seemed to be following the same pattern in testing the response from Tokyo and Taipei in the wake of the Taiwan-Japan Fisheries Agreement. For instance, Mainland China dispatched the



The map illustrates the agreement area of the Taiwan-Japan Fisheries Agreement. (Source: Taipei Times)

PLA South China Sea Fleet, 8 surveillance ships and more than 40 fighter jets to the Diaoyutai area on April 23, posing a tremendous challenge to the R.O.C.'s northeast air defense, as well as to the Coast Guard. Relevant agencies in the R.O.C. should consider how to respond to situations like this in the future.

Lastly, even though the agreement is a breakthrough relative to the status quo, the R.O.C. government should continue its efforts to protect its sovereignty and maritime rights and interests.

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“New Type of Great Power Relations” between the U.S. and Mainland China and Its Implications for the Republic of China

Ya-Chi Yang

On June 8-9 of this year, U.S. president Barack Obama and Mainland Chinese General Secretary Xi Jinping met at the picturesque Sunnylands Retreat, Rancho Mirage, California. This unofficial summit marked their first face-to-face meeting since Obama started the second term and Xi became Mainland China's fifth-generation leader. Although earlier than expected, the summit came at an appropriate moment when both needed to gain familiarity with each other.

As Xi put it during his meeting prior to the summit with Obama's national security adviser, Tom Donilon, the U.S.-Mainland China relationship stands at a critical juncture in history. Since the U.S. announced its “rebalancing” strategy, Mainland China has been increasingly suspicious that the U.S.' real intention is to contain it as a rising power in Asia. Likewise, the U.S. is always questioning Mainland China's vigorous military modernization and secretive military expenditures as expressing its intent to undermine U.S. primacy among the powers in Asia. In addition, the U.S. has recently explicitly pointed out that some of the cyber intrusions against it appeared to involve Mainland Chinese government and military, an accusation Mainland China has rejected. To make the matter more complex, spillover from Mainland China's maritime conflicts with U.S.' Asian allies, notably Japan and the Philippines, is already hampering efforts to deepen mutual trust between the U.S. and Mainland China. It is therefore understandable that the two leaders need to meet as early as possible to set the foundation for future engagement.

As expected, a “new type of great power relations” was one of the uppermost topics of discussion during the summit. Proposed by the Mainland Chinese side, the idea was repeatedly raised by Mainland China's high-ranking officials, both civilian and military, in numerous meetings with U.S. representatives. As defined by Xi, the “new type of great power relations” aims to explore new approaches to relations that will defuse the conflicts or even wars that were typically



U.S. President Barack Obama walks with Mainland China's leader Xi Jinping on the grounds of the Annenberg Retreat at Sunnylands in Rancho Mirage, Calif., June 8, 2013. (Source: The White House)

inevitable between rising and existing powers. Given that the idea received positive feedback from Obama during the summit, when he said the two countries should build a “new model of cooperation,” it is reasonable to say that the world's two powers seek to construct a new relationship characterized by cooperation rather than confrontation.

This unprecedented summit bore some substantive results. During their meeting, Obama and Xi agreed to work collaboratively on the issue of emissions reduction and promote denuclearization of the Korean Peninsula. As the world's top two emitters of greenhouse gases, the U.S. and Mainland China have both practical and moral reasons to show their willingness to cut emissions. With regard to the potential nuclear crisis brewing in the Korean Peninsula, Mainland China, a long-term supporter and ally of North Korea, does not want to see the rise of another nuclear state so close to its doorstep. Mainland China consequently showed a willingness to turn its back on this troublesome ally by aligning itself with the U.S. in recent U.N. sanctions against North Korea's misbehavior.

Another example of growing accord is in the area of cyber security. At the press conference after their private talks, Obama said he and Xi recognized that there was a need for rules and common approaches to cyber security. It is worth noting that, unlike U.S. defense secretary Chuck Hagel's undisguised accusation of the Mainland Chinese government's involvement in cyber attacks against the U.S. during this year's Shangri-La Dialogue, Obama did not say any of these things in the public (although he did privately express to Xi his concern about cyber attacks being a stumbling-block and a thorny issue in their relations). Perhaps because the occasion was ultimately intended to build good personal relations, Obama wanted to focus more on the cooperative side of the new relationship and avoid stressing controversial matters. In return, Xi acknowledged how important the issue was to the U.S., saying that the two sides would continue to discuss the issue through mechanisms such as the Security and Economic Dialogue (S&ED).

Nevertheless, the rapport and mutual understanding on the aforementioned issues reached at the summit should not be overoptimistically interpreted as a sign that the two powers will make smooth progress in building a new relationship. In fact, it is foreseeable that the path is going to have a lot of bumps, for several critical differences persist between the two countries. From a historical point of view, U.S.-Mainland China cooperation is usually based more on mutual need in particular circumstances than on mutual trust. This is to say the two countries may cooperate when the situation calls for it from the viewpoint of both sides, but deep down they still harbor suspicion, if not downright hostility, toward each other. This was the case three or four decades ago when the U.S. approached Mainland China to

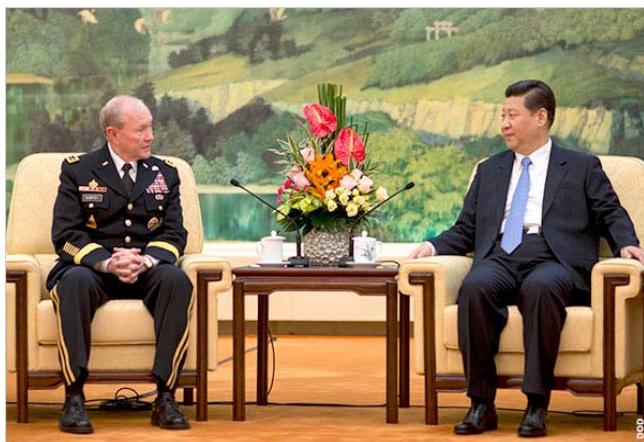
side with it against the Soviet Union, and it is certainly so nowadays when issues involving perceived national interests are at stake.

One example that falls into this category is Mainland China's maritime disputes with other claimants in the East and South China Seas. In response to Obama's call for a peaceful settlement of differences through diplomatic approaches, Xi reiterated the country's firm stance of ensuring sovereignty and territorial integrity. Given that

U.S.-Mainland China cooperation is usually based more on mutual needs in particular circumstances than on mutual trust. This is to say that the two countries may cooperate when the situation calls for it, but deep down they still harbor suspicion toward each other.

Mainland China sees such integrity as its core interest, Xi's statement implies that it will not compromise on this issue. Whether around the Diaoyutai Islands (known by Japan as the Senkaku Islands) in the East China Sea or amidst the numerous islands in the South China Sea, Mainland China and other claimants, most of them U.S. allies, continue to engage in new actions against one another, and tensions are still high. There is no guarantee that situations like the confrontation between Mainland China and the Philippines at the Scarborough Shoal last April or the weapons-targeting radar uproar between Mainland China and Japan this year will not happen again. If Mainland China and U.S. regional allies get embroiled in new frictions over maritime issues, progress towards a new relationship between Mainland China and U.S. will certainly be affected more or less. Although the U.S. claims to be neutral in these disputes, it must overcome the challenge of managing its allies' behaviors so as not to hinder its relationship with Mainland China.

Another topic in the spotlight at the summit was the establishment of a military-to-military tie between the two powers. Both Obama and Xi emphasized the importance of improving and strengthening their military exchanges, believing that this will help them understand each other's strategic military objectives. Obama thus confirmed that the two countries would take steps to institutionalize and regularize the discussions in this regard. There are still several potential obstacles to the building of such relations,



The U.S. and Mainland China have emphasized the importance of improving military exchanges. The photo illustrates U.S. chairman of the Joint Chiefs of Staff met with Mainland China's leader Xi Jinping on April 23, 2013

however. To the U.S., the purpose of institutionalizing and regularizing military exchanges is to understand Mainland China's strategic intentions, which explains its repeated request for more transparency regarding Mainland China's force buildup and military spending. Since U.S. strategic intentions are relatively clear to Mainland China (regardless of American explanations, Mainland China usually interprets the U.S. military presence in Asia as containment), the possible reason for Mainland China to deepen such exchanges is to gain a better understanding of U.S. military techniques, weaponry, and personnel deployment, etc. In short, the U.S. aims to understand Mainland China's intentions, while Mainland China seeks to understand American capabilities. Questions like how "transparent" Mainland China's military development should be to satisfy the U.S. and what sensitive operations on the U.S. side should be excluded may affect the success of such relations.

Through military exchange, the U.S. may seek to understand Mainland China's intentions, while Mainland China aims to understand American capabilities.

Despite the potential hindrances mentioned above, this summit allowed Obama and Xi to develop a certain level of mutual understanding and set forth directions for further cooperation. It also revealed an irreversible trend: the U.S. will only value its relationship with Mainland China more but not less, and this relationship will account for a growing share of the U.S. diplomatic (and strategic) pie chart.

As a member of the Asia-Pacific region, the R.O.C. believes that, while a better U.S.-Mainland China relationship is helpful to regional stability and prosperity, there is one particular aspect that requires our attention. In response to Xi's call for stopping arms sales to the R.O.C., Obama reiterated that U.S. provision of defensive weapons to the R.O.C. is based on the *Taiwan Relations Act*. Nevertheless,



The U.S. provides defensive weapons to the R.O.C. based on the *Taiwan Relations Act*. The R.O.C. should ensure the bilateral relationship not be influenced by the deepening cooperation between Washington and Beijing. The photo illustrates F-16 A/B. (Source: MND, R.O.C.)

we should cautiously expect that as the U.S. seeks greater cooperation with Mainland China in an increasing number of fields, it will likely face more pressure on the issue of arms sales to the R.O.C. Although the probability is low, we should not exclude the possibility that the U.S.-R.O.C. security relationship might decrease in importance in Washington's decision-making realm. The R.O.C. should maintain contact with key U.S. lawmakers and scholars, and ensure that they firmly recognize the *Taiwan Relations Act* and the Six Assurances are important cornerstones of the mutually beneficial U.S.-R.O.C. relationship, as well as one of the pillars of regional security.

Moreover, in a strategic landscape where the U.S. and Mainland China are developing a new type of relationship, we must consider how to balance our relations with the U.S., Mainland China, and other nations in the region, so as to take advantage of this new landscape and create more diplomatic and strategic breathing space for us in the region.

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Japan Sends Helicopter Carrier to Join U.S.-led Amphibious Assault Exercise

Beefing up amphibious attack capabilities and sending a message to an increasingly aggressive Mainland China, Japan's Self Defense Forces teamed with U.S. Marines and Navy in California in June for amphibious training. This military exercise, "Dawn Blitz 2013," was unique insofar that Japan sent a large contingent to the U.S., including JMSDF Helicopter Carrier Hyuga (DDH181) and Aegis destroyer Atago (DDG-177), and it was also the first time American Marine V-22 Ospreys practiced landings and takeoffs from a Japanese helicopter carrier. Soon after Dawn Blitz, another joint exercise took place starting on June 17 at Japan's Nyutabaru air base with the participation of 8 U.S. F/A-18s along with 4 Japanese F-4s, F-2s, and F-15s. The latter exercises were held not long after the meeting of U.S. president Obama and Mainland China's leader Xi, and signified that, despite the two leaders' constant emphasis on a "new type of great power relationship," the fundamental U.S. strategic framework of the "Asia rebalancing" has not changed, and the U.S. still considers its alliance with Japan to be a cornerstone of the region's security. It is also in America's interest if Japan takes on greater responsibility for maintaining the balance of power in the Asia-Pacific. Not surprisingly, Mainland China asked the U.S. and Japan to cancel the exercises. To allay down Beijing's suspicions,



JMSDF Helicopter Carrier Hyuga (DDH 181) (Source: U.S. Navy)

U.S. Brigadier General Richard L. Simcock clarified that the amphibious exercise not only sought to prevent military conflict and strengthen bilateral cooperation in the event of a contingency, but also to enhance humanitarian assistance and disaster relief capabilities as preparation for mounting non-traditional security threats in the Asia-Pacific. Simcock also criticized the lack of transparency of the People's Liberation Army, which is a common concern of many regional countries.

Mainland China's Anti-Ship Ballistic Missile Development Raises Widespread Concern

On May 6, 2013, U.S. Department of Defense issued its latest annual report to Congress concerning China's military development. The report's content stated that Beijing's anti-ship ballistic missiles (ASBM) give the PLA the capability of attacking aircraft carriers in the West Pacific. A report from Jamestown Foundation entitled "How China Got There First: Beijing's Unique Path to ASBM Development and Deployment" traces the trajectory of Mainland China's ASBM development and suggests that, although Mainland China originally received Soviet military systems and expertise in the 1950s, it has nevertheless incorporated more American technologies and ideas into its weapons systems in recent years. For example, the PLA's DF-15C and -21 ballistic missiles seem to be inspired by concepts used in American MGM-31B Pershing II theater ballistic missile fitted with

maneuvering reentry vehicles (MaRVs). Mainland China's development and deployment of ASBMs pose the gravest threat to U.S. power in the West Pacific, especially when Mainland China's military presence in the first island chain may hinder third party intervention in Strait conflict. In addition, Mainland China's ASBM can be used to protect the PLA fleet and ensure its freedom of action in the West Pacific. This PLA development may force the U.S. to introduce countermeasures such as the deployment of long range anti-ship missiles or submarines in the region. It may also exacerbate the regional military build-up, and cause countries such as Japan and South Korea to consider strengthening cooperation with the American ballistic missile defense system or develop those of their own.

The U.S. X-47B Makes First Touch-and-go Landings on a Carrier

On May 17, 2013, the U.S. Navy's demonstrator of unmanned combat air system (UCAS) X-47B took a historic step by conducting its first launch and touch-and-go landings on the nuclear aircraft carrier USS George H.W. Bush, making it the first jet-powered unmanned combat aerial vehicle (UCAV) capable of operating from a carrier. Developed over a period of seven years at a cost of U.S. \$1.5 billion, the X-47B and the Navy's UCAS program aim to develop technologies for a carrier-suitable unmanned air system (UAS), which will be the main form of carrier-based air power in the future. The tailless X-47B is designed to meet stealth and low observable requirements; it uses the same Pratt & Whitney engine and exhaust system as the F-16 fighter. Faced with the growing challenge of the PLA's anti-access and area denial (A2/AD) capabilities, the U.S. Navy is also developing a Unmanned Carrier Launched Airborne Surveillance and Strike (UCLASS) program. Four companies, Boeing, General Atomics Aeronautical Systems, Lockheed Martin, and Northrop Grumman are potential contractors. Despite the fact that the four companies have not yet announced their UCLASS designs, they have been credited by the Navy as having "credible,

existing, comprehensive UCLASS design solutions, and associated production capabilities and facilities" during the preliminary design review phase. Even though the X-47B is a demonstrator, and does not officially represent the Navy's future UCAV, its dimensions are so close to the ideal that the X-47B could represent the direction of future American unmanned aerial vehicle development efforts.



U.S. X-47B conducts touch-and-go landings on the aircraft carrier USS George H.W. Bush. (Source: U.S. Navy)

Ongoing Tensions Highlight the Necessity of Establishing a Regional Maritime Code of Conduct

The South and East China Seas continued to be flashpoints in the Asia-Pacific region during the first half of 2013, and one notable action included the PLA's dispatch of the South China Sea Fleet, 8 surveillance ships, and more than 40 fighter jets to the Diaoyutai area after the signing of the Taiwan-Japan Fisheries Agreement in April. Similar confrontations happened in May when a PLA submarine entered the contiguous waters near one of Japan's Okinawa Islands. Responding to Mainland China's provocations, Japan and the U.S. conducted a joint military exercise, Dawn Blitz, in June with the purpose of boosting contingency response. As for the South China Sea, the Philippines Coast Guard shot and killed a Taiwanese fisherman, and then refused to offer an official apology, which led to the R.O.C. government's strong protest and exercise in the Bashi Channel. In addition, the PLA carried out a military exercise in the South China Sea in May involving its North, East and South China Sea fleets, and including surface ships,

submarines, jets, coastal defense forces, and marines. At the end of May, the Philippines accused Beijing of keeping its vessels around the Second Thomas Shoal. The ongoing standoff at this location could be a new flashpoint in the two countries' territorial tensions. Despite the fact that there is a consensus among regional countries to maintain dialogue and avoid conflict, they are simultaneously strengthening their military forces and defense cooperation, which has created a security dilemma in the region. The Philippines, for example, is increasing its defense investment and weapons procurement, while deepening security cooperation with the U.S. and Japan, in response to the threat from Mainland China. Maritime disputes are closely linked to sovereignty issues and national interests, which make them extremely complicated, and it is difficult to de-escalate tensions. The ongoing conflicts highlight the necessity and urgency of establishing a regional maritime code of conduct.

Office of Defense Studies Seminar on East China Sea Security and the Implication of the Taiwan-Philippines Shooting Incident



Professor Huang from National Chengchi University gives a talk on the topic of East China Sea security situation under the U.S.-Mainland China strategic competition.

East China Sea territorial disputes have made the area a flashpoint for months. The Office of Defense Studies has regularly held seminars, inviting scholars, military officers and former diplomats to discuss the most recent developments in that area in order to maintain an up-to-date grasp of the changing situation and offer policy recommendations to the government.

At present, the traditional thinking concerning territorial sovereignty of the claimants has done little to further peaceful resolution of the disputes. In addition, the complex historical backgrounds of Japan, Mainland China, South Korea and the Republic of China have become entangled with regional politics, making reconciliation even more difficult to achieve. Prof. Huang from National Chengchi University has further argued that East China Sea security is complicated by the strategic competition between the U.S. and Mainland China. The U.S. recently announced the deployment of two aircraft carrier strike groups in the West Pacific (one around the Diaoyutai Islands and the other in the South China Sea), but has given little explanation of what situations the U.S. deployment aims to deal with. Mainland China's recent assertive maritime behavior, as

evidenced by growing numbers of naval vessels passing the Miyako Strait and surrounding waters near the Diaoyutai Islands, as well as by missile deployment in Mainland China's coastal provinces, have threatened maritime stability. Furthermore, U.S. allies and strategic partners are expected to take on more security responsibilities as a result of the U.S. Budget Control Act, which may not only undermine the currently-increasing U.S. military presence in the West Pacific, but also influence the Asia Pacific military balance.

Japanese expert Prof. Ho from Fu-Jen University analyzed the East China Sea issue by looking at the trilateral relationship between the U.S., Japan and Mainland China. Ho argued that Prime Minister Abe's right-wing tendencies have caused Japan's relationship with Mainland China to deteriorate, lending even more uncertainty to East Asian security affairs. Despite the fact that U.S. Defense Minister Chuck Hagel openly stated that the U.S. recognizes that the Diaoyutai Islands are under the administration of Japan and are subject to U.S. treaty obligations, what the U.S. really supports is the status quo. If Japan mistakes the American position as favoring Japan's claim of sovereignty, and accordingly uses force to defend its claim or strengthen its hold on the Islands, the U.S. may come to regard Japan as a troublemaker and stress that Japan must back off, since



Professor Tsai from National Taiwan University comments on Mainland China's maritime strategy from the perspective of international law.

the cost will be too high if it is drawn into disputes and worsen relations with Mainland China. Even though Japan is a crucially important element of the United States' Pivot to Asia policy, if Prime Minister Abe takes his nationalist stance too far, and disrupts American strategic arrangements, the U.S.-Japan alliance may lose American support and thereby weaken Japan's advantage when engaging with Beijing.

Former diplomat and Russia specialist Mr. Chiang argued that while Russia is also involved in East Asia territorial disputes, it applies a relatively flexible policy regarding territorial issues. Mainland China's economic and military growth threatens not only American and Japanese interests, but also those of Russia and the Central Asian states. Some expect that under the circumstance where Russia is reluctant to partner with the U.S., it will try to strengthen its relations with Japan as a counterweight to Beijing's rise. In addition, Japan's financial and technological strength can help Russia to develop Siberia and the Far East.

In summary, scholars concluded that security in the East China Sea region is constructed on a fragile strategic mutual trust among claimants and the effective U.S. intervention. Most of the concerned parties seem to favor boosting military strength in view of potential conflict or as a back-up for negotiation. Whether international law or the concept of joint exploration can be applied in the future will await the cooling of nationalist sentiments in the respective countries, and these countries must also maintain calm and self-restraint if a peaceful atmosphere is to be possible in the East China Sea.

On May 10, the Philippines Coast Guard illegally fired at a Taiwanese fishing boat, causing a fisherman's death. The R.O.C. government demanded that the Philippines apologize and investigate the shooting, but Manila's response fell short of expectations insofar as it inappropriately described the incident as unintentional, apologized only on behalf of its people and failed to propose concrete measures to punish the individuals involved. The R.O.C. government has therefore enhanced the escort of fishing vessels, and has pushed to conduct a parallel investigation by the Ministry of Justice and Pingtung District Prosecutors Office in conjunction with the Philippines. In addition to peaceful claims of sovereignty, R.O.C. naval vessels crossed a latitude of 20 degrees in an exercise held in May, and future escort missions will pass through the exclusive economic zone in the Bashi Channel. Regarding the international press's handling of the incident, and with the recent disclosure of evidence, the international media has expressed support for the R.O.C. position.

Prof. Shen from National Defense University suggested four measures for future improvement for the R.O.C. government. Firstly, legal efforts should be prioritized. After the investigation enters into a later stage, the way evidence



Professor Ho from Fu-Jen University analyzes the East China Sea issue by looking at Japanese policy development.

and the articles of laws or regulations are applied will decisively affect the final judgment. The R.O.C. government should make sure that the decision, which will set a legal precedent, will be fair, and harsh enough to deter similar actions and protect the R.O.C.'s fishermen. Secondly, escort missions should be persistent and regular. Thirdly, government decision-making and command aspects should be integrated and coordinated. Fishing boat escort missions are connected with sovereignty and U.S.-R.O.C. and cross-strait relations; therefore, they are not only a matter of fisheries law enforcement, but also a national security issue. A higher-level agency, such as the National Security Council, should take charge of integration, and ensure sufficient inter-governmental communication and a high-quality decision-making process. Lastly, a naval buildup should be implemented in order to better deal with maritime sovereignty disputes and meet escort requirements.

Prof. Wang from Tamkang University analyzed U.S. attitude toward the incident. Based on the U.S. Asia Rebalancing policy, the U.S. appreciates the strategic value of both the R.O.C. and Philippines, and is therefore unwilling to see conflict between its partners in the first island chain. The U.S. also seeks to avoid giving Mainland China a pretext to boost its military presence in the Bashi Channel by intervening in the dispute.

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