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**Abstract**

The East China Sea (ECS) has been suffering for over 20 years a never-ending economic, political and military conflict consisting of a territorial dispute over the ownership and the control of different islands as well as natural reserves with several countries having different claims over the sovereignty of these islands.

 The ECS covers 750,000 square km of the Pacific Ocean and borders China, Japan, Taiwan and South Korea. The region has an economic importance due to its high marine-life productivity as well as the presence of petroleum and natural gas deposits under the sea’s continental shelf, which is estimated to be around 200 million barrels of oil reserves.

 Given its economical and international importance as a sea reserve, the tension has been rising in the ECS over territorial disputes. The People’s Republic of China (PRC) has been claiming over the sovereignty of several territories in the ECS while using historical arguments and the United Nations Convention on the Law of the Sea (UNCLOS) to support its claims, causing multiple conflicts with the bordering countries of the ECS, especially the State of Japan.

 The conflict has been rapidly rising in the ECS especially between PRC and Japan over the Senkaku/Diaoyu islands. Due to the tensions between both states, there has been an increase involvement of military uses by both states, endangering the region of the ECS. For instance, PRC built large naval warships to coast guard vessels in order to maintain a strategic advantage, claiming their right to freedom of navigation whilst patrolling the disputed territories.

**Introduction**

Appearing in the 1990s, the ECS’s regional conflict has been rising for the past few years now, and with the increase of military uses, the territorial conflict has become a threatening conflict in the region. Many disputes have occurred for the past two decades between PRC, Japan, Taiwan and South Korea over the ECS territory, each having different claims over different islands, natural reserves and territories of the ECS.

It is estimated that there are 200 million barrels of oil reserves under the sea’s continental shelf, resulting in each country of the region to claim different territories as its own Exclusive Economic Zone (EEZ), using the UNCLOS to support their claims.

The reason behind this threatening position in the ECS is the military involvement in the conflict, especially by PRC and Japan who have been patrolling the region in different ways and angering all countries involved in the conflict including themselves and South Korea causing diplomatic disputes.

Subsequently, the conflict in the ECS is far from being solved, with tensions rising even higher in the region, especially that the military threats are increasing and not decreasing.

**Definition of key terms**

Exclusive Economic Zone (EEZ): According to the UNCLOS, an EEZ is a sea zone where a state has special rights regarding the use and exploration of marine resources including energy production from water and wind. An EEZ extends to 200 nautical miles from the coast of the country, a country may not explore any marine resources further than that.

Continental Shelf: A continental shelf is an underwater landmass (large body of land) that extends from a continent which results in an area of shallow water.

Air Defense Identification Zone (ADIZ):An ADIZ is a publicly defined area extending beyond national territory over land or sea in which civil aircrafts can be interrogated for identification before they cross into a country’s airspace. A notable example of an ADIZ is in the East China Sea declared by the PRC in November 2013.

Freedom of Navigation:Freedom of navigation is a principle of customary international law. The latter states that, apart from exceptions under international law, ships with the flags of any sovereign state shall not face interference from any other state. The latter is enforced by article 87 a) of the UNCLOS[[1]](#footnote-0). However not all UN member states have ratified the convention[[2]](#footnote-1).

**Background information**

a) The rise of the conflict

 The rise of the conflict dates back to 1995 when PRC discovered the Chunxiao gas field. However, to understand the rise of the conflict and its progression to its current threatening situation, one must understand the EEZ dispute between PRC and Japan in the ECS.

 According the UNCLOS, a country’s EEZ should be within 200 nautical miles (370 km) from its coast; however, since the ECS’s width is only 360 nautical miles, the territorial dispute started rising. Japan had proposed the Median line division of the EEZ, based on the UNCLOS, which was the key to the rise of the conflict.

 When PRC discovered the Chunxiao gas field in 1995, it was in PRC’s EEZ of the Median line. Despite that, Japan objected to the drilling of these fields since it was near the area where both countries’ EEZ overlapped and it believed that its connected to other possible reserves beyond the Median line and in Japan’s EEZ.

b) Dispute over the Senkaku/Diaoyu islands

 The Senkaku/Diaoyu is a group of islands in the disputed territory of the ECS. They are close to important shipping lanes, offer rich fishing grounds and lie near potential oil and gas reserves, which is mainly why they’re of great importance in the conflict. Being claimed by PRC, Japan and Taiwan, the islands have a long history that explains each parties’ claim.

 The islands, just like Taiwan, belonged to PRC until they were ceded to Japan in the Treaty of Shimonoseki in 1895, after the Sino-Japanese war. Taiwan and the islands remained Japanese until Japan was forced to renounce claims over them at the end of World War II in the 1951 Treaty of San Francisco, where the islands came under US trusteeship. It wasn’t until 1971 that the islands were returned to Japan, under the Okinawa reversion deal. Finally, in 2012, Japan purchased three of the disputed islands and nationalized them, creating an unavoidable increasing tension with PRC.

c) The Military Involvement in the ECS

 The Military involvement in the ECS had started in 2012, after Japan had nationalized three of the disputed islands after it had belonged to private owners. It had caused violent protests in China, including the hurling of bottles at the Japanese Embassy in Beijing, the overturning of Japanese cars and the ransacking of Japanese stores and restaurants.

 In addition to the demonstrations, in 2013, PRC declared a formal Air Defense Identification Zone (ADIZ) covering airspace over the islands and overlapping with airspace claimed by Japan. The declaration of the ADIZ wasn’t enough for PRC, they also started patrolling the disputed territories with their coast guards and aircrafts, in fact, they approached Japan’s airspace more than 570 times.

In response to PRC, the Japanese Air Self-Defense Force Fighters scrambled a record of 199 times between April and June 2016 and in 2018; Japan commissioned a new 300,000 barrel tanker in the ECS to combat the Chinese dominance in the region.

**Major countries involved:**

People’s Republic of China (PRC): Being an international, economic and military power; it has many claims in the ECS. Having discovered in 1995 that the Chunxiao gas field contains many natural reserves that will help strengthen its economic power, PRC claimed and remains claiming that, according to the UNCLOS, the disputed territory is part of its EEZ due to it being part of PRC’s natural extension of its continental shelf.

The State of Japan: Since the rise of the conflict, Japan has been fighting over its claimed EEZ in the ECS with the other bordering countries of the ECS, especially PRC. In fact, Japan’s role in the conflict increased after it bought the Senkaku/Diaoyu island from the private owners, causing major tension increases with PRC which majorly affected the situation in the ECS.

The United States of America (USA): In 1960, Japan and USA formalized a security alliance between them. Under the deal, the US is given military bases in Japan, and in return, in the event of an attack on Japan, the US would defend it. Nonetheless, in the event that Japan is attacked by PRC, US would have to involve itself militarily. Not only that, but the US is supporting Japan’s claims over the Senkaku/Diaoyu islands since they were part of the Okinawa reversion deal in 1971. In fact, in 2014, the US president declared that the disputed territories are controlled by the security treaty. Finally, the US is highly active militarily in the South China Sea (SCS) region and majorly involved in the SCS conflict, over the contrary in the ECS conflict, it is not as involved militarily yet it has some military involvement.

**Major organizations involved**

Association of the South-East Asian Nations (ASEAN):

ASEAN is a political and economic organization aimed primarily at promoting economic growth and regional stability among its members.[[3]](#footnote-2) As communication and dialogue between both parties is preferred by both sides, interaction between China and the Association could take place in order to maneuver any distresses to vessels passing by the area. In addition, similarly to the conflict in the South China Sea, China and ASEAN are discussing an approach to find solutions to such conflicts. However, they are drawn back especially that PRC prefers solving the conflict with its opposing countries.

Japan-China Maritime Communications Mechanism (JCMCM):

It is a mechanism put together by both parties more than a decade ago, in order to find suitable solutions for the respective countries. They created a crisis hotline named “Japan-China High-Level Consultation on Maritime Affairs”, and worked on increasing trust between them. They aspire to be more in control of the crisis after forming between enforcement vessels congruent communication.

UN Convention on the Law of the Sea (UNCLOS):

It is a convention enabling conflicted countries to negotiate on maritime issues. It is also the first UN-based convention that China has been part of since joining the organization. They created laws that protect each coastal country’s rights to a convenient space in the sea/ocean. The laws grant an Exclusive Economic Zone (EZZ) of 200 nautical miles to the countries involved. Despite agreeing to those limitations, China’s intentions of claiming certain islands are restrained if they abide to the set up rules. Therefore, their delegation is contributing greatly to the negotiations in the convention in order to prove their point and earn what they are after, not only in the ECS but also in the South China Sea.

**Guiding questions**

1. To what extent is it possible for both countries to maintain ownership and security of the islands?
2. To whom do the islands belong, according to history and law?
3. How is the ownership of these islands going to affect both China and Japan?
4. How can the conflict be solved without a military confrontation?
5. How can your country contribute to resolving the conflict?
6. How does the conflict affect your country’s economy and overall stability?

**UN Involvement**

The United Nations expressed their willingness to perform a scientific process in order to reason on the real owner of the islands. China justified their ownership of the islands to the UN by submitting a report saying it is “a natural prolongation of China’s land territory and that it includes the disputed islands.” Meanwhile, Japan urged the commission not take it into consideration preceding a response from China naming Japan’s said ownership of the islands unconventional.

Moreover, the UN has already issued a geological study saying that the Senkaku/Diaoyu islands contain a fair amount of hydrocarbon resources. However, the UN Convention on the Law of the Sea could not be applied in the region as it does not reach the required 400 nautical miles.

**Possible Solutions**

1. Designates the Japan-China Maritime Communications Mechanism to find adequate solutions and common ground in case boats and vessels from both countries square off.
2. Encourages interference from the United States in the dispute to oppose China’s forces (if ever used), knowing that Japan and the US signed a security treaty in 1951 forcing the latter to keep the Diaoyu/Senkaku islands safe.
3. Urges China and Japan’s respective governments to minimize their military confrontation and show support to crisis management manners that could be used to solve the issue.
4. Condemns negative media towards each other’s military interference and emphasize governmental communications between both countries specifically on defense matters
5. Invites fellow members to set up rules to pacify the relations between troops and the front-line to keep the islands protected until the respective governments reach an agreement.

**Useful links**

* <https://www.cfr.org/interactives/chinas-maritime-disputes?cid=otr-marketing_use-china_sea_InfoGuide#!/chinas-maritime-disputes?cid=otr-marketing_use-china_sea_InfoGuide>
* <https://edition.cnn.com/2017/02/07/asia/east-china-sea-senkaku-diaoyu-islands-explainer/index.html>
* <https://www.youtube.com/watch?v=UL5hFykK_rA>
* <https://www.reuters.com/article/us-japan-china-islands-un/u-n-to-consider-validity-of-chinas-claim-over-disputed-islands-idUSBRE90N16Z20130125>

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1. For the full text of the article see: <http://www.un.org/depts/los/convention_agreements/texts/unclos/unclos_e.pdf> [↑](#footnote-ref-0)
2. Chronological list of ratifications of, accessions and succession to the Convention and the related agreements,<http://www.un.org/depts/los/reference_files/chronological_lists_of_ratifications.htm> [↑](#footnote-ref-1)
3. BREENE, Keith, “what is ASEAN?”, *World Economic Forum,* [online]. Available on: <https://www.weforum.org/agenda/2017/05/what-is-asean-explainer/> consulted on June 30th 2018 [↑](#footnote-ref-2)