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Name of Panelist: Rear Admiral Michael McDevitt, USN (retired)

Senior Fellow, Center for Naval Analyses

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Introduction

Over the past three years, China's activities in both the East China Sea and the South China Sea have, along with North Korea, become the most frequently addressed security issues in East Asia. The confrontations China has had with its neighbors have raised concerns throughout East Asia, as well as in the United States, that perhaps these events provide a glimpse into the future—one in which China is willing to "throw its weight around" the region. This is an issue of direct concern to Washington because it challenges the central premise of U.S. policy in East Asia—namely, that the United States is a stabilizing presence in the region.

In my judgment, the issues associated with the East China Sea are the most important to the United States. For Washington, the East China Sea represents the one area along the East Asian littoral where a shooting war with China is conceivable. Taiwan which lies at the southern end of the East China Sea has been a perennial flashpoint; and now, more recently, the Senkaku/Diaoyu islands, also in the southern portion of the ECS has become a second flashpoint. The rationale for US involvement with China over Taiwan is well understood. The reasons behind our possible involvement in conflict over the Senkaku's are less well known. The U.S.-Japan Security Alliance obligates the US to contribute to the defense of territories under Japanese administrative control—as these islands are. In other words, if China elects to use force against Japan over these islands, there is a very real possibility that the United States could become directly involved.

In the case of Taiwan, fortunately, cross strait relations between Taipei and Beijing are probably as good today as they have ever been, and as a result the risk of conflict is very low. But, since China refuses to renounce the use of force, the possibility of a military crisis or even conflict cannot be completely ruled out. I don't want to belabor Taiwan since, based on the questions I was asked to address, the focus of this panel is on China's *other* maritime disputes. It useful to keep in mind, however, that from a sovereignty and military perspective, *Taiwan is China's biggest and most important maritime dispute.*

Approximately 70 percent of China's eastern seaboard forms the western limit of the East China Sea and coterminous Yellow Sea basin, while the Ryukyu Chain is the East China Sea's eastern boundary. The East China Sea/Yellow Sea basin is essentially home waters for the navies of China, Japan, and both Koreas. As a result, it is a "local" training area for four—or, if one

includes Taiwan, five—littoral navies. If we include the United States Seventh Fleet, these are waters where all parties routinely operate their navies. These waters are also of enormous economic import for China. Commercial traffic must traverse the East China Sea and/or Yellow Sea to reach six of China's 10 largest ports.

Finally, the East China and Yellow seas served for several decades as the maritime buffer between "Red China" and Washington's offshore allies of South Korea, Japan, and Taiwan. While U.S. strategic thinking no longer revolves around notions of containing Asian continental powers, China understands that historically these waters were the routes that the West crossed to attack China. Beijing considers them "near seas," and has embarked upon a military program to ensure that it can establish sea control over this "first island chain" maritime basin.

The South China Sea (SCS) is another of China's near seas. It poses a complex policy problem for US policy makers because of an overlapping set of issues. Sovereignty disputes in the SCS involve six countries: China, Taiwan, Vietnam, the Philippines, Malaysia, and Brunei. China, Taiwan, and Vietnam claim all of the islands, rocks, and shoals in the SCS. Five of the countries (all but Brunei) occupy some of the islands with military or paramilitary forces. The SCS picture is further muddied because China also makes claims based on assertions of "historic waters" delimited by a vague, un-demarcated line on maps, known as the "U" shaped or "nine-dashed" line, which covers virtually the entire sea. This line is the cause of significant confusion, because Beijing has so far refused to define what it thinks this line means legally, and because the line overlaps the legitimate EEZ and continental shelf claims of the other SCS coastal states.

Despite protestations of neutrality regarding sovereignty issues in the SCS the United States has willingly become more deeply involved that ever before. In a departure from past U.S. policies of neutrality and semi-aloofness, in the summer of 2010 the Obama administration clearly began to signal, through a combination of diplomacy and enhanced military presence, that the United States does consider rule-based stability in the SCS to be an important U.S. national objective. As a result the SCS has become an implicit a test case of "post-rebalance" U.S. credibility as a stabilizing power in Asia. Having become more directly involved by trying to foster a "collaborative" solution to the disputes in the SCS during the 2010 ASEAN Regional Forum meeting in Hanoi, the United States now has strategic "skin in the game." Secretary Clinton's intervention was a departure from traditional U.S. policy, which assiduously tried to avoid becoming embroiled in sovereignty disputes that did not involve U.S. equities. It was China's assertive behavior in 2009, in 2010, and again in 2012 that was the major contributing factor to this new U.S. "normal" in the SCS.

While Washington is now more involved diplomatically, it has little leverage in actually reaching the desired non-coercive rules-based outcome. While the United States has substantially improved security relations with all the ASEAN claimants to features in the SCS it has little to no direct leverage in resolving the SCS sovereignty disputes, the legal standing of the nine-dashed line or the contentious fishing issues. This creates tough policy questions for Washington. What should or can it do to reduce tension and foster a code of behavior that is based on international law and not raw power without taking a position on sovereignty claims.

Finally, in both the ECS and the SCS, there is a major disagreement between Washington and Beijing over "freedom of navigation". The United States argues that China is trying to obstruct it. The disagreement concerns what military activities are permitted in the EEZ of China, which, based on China's claims, could potentially encompass most of the ECS and the SCS. Washington argues that the United Nations Convention on the Law of the Sea (UNCLOS) permits nations to exercise "high seas freedoms" in the EEZs of coastal states.[1] These "freedoms" include the right to conduct peaceful military activities, which include, inter alia, surveillance and military surveys. China disagrees. This disagreement over U.S. surveillance activities has already caused two serious incidents: the 2001 mid-air collision between a U.S. Navy surveillance aircraft (EP-3) and an intercepting Chinese navy fighter, and the 2009 harassment by Chinese fishermen and paramilitary ships of USNS *Impeccable,* which was conducting underwater surveillance. It remains another possible crisis point.

Responses to questions

How does China demonstrate and enforce its maritime territorial claims? What role does the PLA Navy play in China's approach to its maritime conflicts? How does that differ from the role of Chinese maritime law enforcement agencies?

So far the PLA Navy has not played a direct role in the disputes in the East and South China Seas dispute. They have remained an "over the horizon force," demonstrating presence through training exercises, routine operations and transits in the East China Sea (ECS) and training, exercising and conducting resupply missions to Chinese garrisons in the Spratly Islands in the South China Sea (SCS). China's civil maritime enforcement agencies have been in the lead because it has kept encounters below the warship threshold, and importantly because it is their assigned mission, for example, protection of China's EEZs in the case of China Maritime Surveillance (CMS), and fisheries law enforcement in the case Fisheries Law enforcement Command (FLEC). While the PLA Navy has not been an active participant it has made certain that its nearby presence has been noted.

More generally, the primary maritime players in sovereignty and maritime issues have been a mix of fishing vessels, oil companies, and national maritime law enforcement agencies. China uses these actors along with diplomacy to compete to assert and defend its claims. Neither the SCS nor the ECS disputes have been militarized by China. In the SCS, this is different from 1988 to 1995 period when a major armed clash occurred between China and Vietnam in March 1988 in which 64 Vietnamese were killed. At the time there was a scramble among claimants to "plant the flag" on previously unoccupied features. Vietnam, the Philippines and Malaysia occupied a total of 22 contested Spratly features; China occupied seven.[2] Tensions began to subside after Chinese foreign minister Qian Qichen attended the 1995 ASEAN Regional Forum and pledged that China

[1] Which the United States has yet to ratify, but nonetheless observes.

[2] M. Taylor Fravel, *Strong Borders, Secure Nation: Cooperation and Conflict in China's Territorial Disputes* (Princeton: Princeton University Press, 2008), 295.

would seek to settle the various disputes according to international law, including UNLCOS.[3] As is evident, it has not worked out the way everyone hoped 18 years ago.

How has China's approach to the East and South China Seas disputes changed in recent years? When did that change in approach take place, and why did it take place? How, if at all, has it changed since the "Fifth Generation" of Chinese leaders assumed power?

In mid-June 2011, China explored a more moderate approach to managing its claims in the South China Sea after it realized that its behavior in the previous two years had backfired. The purpose of this shift was to ensure that the disputes in the South China Sea did not harm China's broader foreign policy objectives, especially its ties with regional states. China's turn toward moderation did not last long. It unraveled during and after the standoff with the Philippines over Scarborough Shoal in April 2012.[4] Since then, China has returned its previous approach of taking unilateral action. While no one knows for certain why this reversal took place; in my judgment it was because Chinese leadership concluded a turn to moderation made no appreciable difference in the behavior of the Philippines and Vietnam.[5] At the same time growing tensions with Japan amid plans by Tokyo's governor to purchase three of the Senkaku Islands in the ECS may also have caused China's leadership to adopt a consistent approach toward China's maritime claims everywhere.

China scholar Bonnie Glaser captured China's return to assertiveness in a statement before the House Foreign Affairs Committee Hearing on "Beijing as an Emerging Power in the South China Sea." She wrote:

> China's behavior in the South China Sea is deliberate and systematic: its actions are not the unintentional result of bureaucratic politics and poor coordination. In fact, the spate of actions by China in recent months suggests exemplary interagency coordination, civil-military control and harmonization of its political, economic and military objectives. The clear pattern of bullying and intimidation of the other claimants is evidence of a top leadership decision to escalate China's coercive diplomacy. This has implications not only for the Philippines and Vietnam, the primary targets

[3] "Qian Qichen Explains China's 'Clear-Cut' Position on Spratlys Issue," Xinhua, August 1, 1995.

[4] See Taylor Fravel, "All Quiet in the South China Sea."

[5] From Beijing's perspective, despite a more moderate tone, the Philippines conducted very active and public diplomacy regarding its claims including pushing for proposals that China viewed as harming its claims at the East Asian Summit, attempting to persuade ASEAN in April 2012 to negotiate a code of conduct without China and seeking international attention and support during the standoff at Scarborough Shoal. (2) Several Vietnamese actions in June 2012 probably strengthened the argument in China for a return to a more unilateral approach, including Vietnam's first patrol of the islands with advanced Su-27 Flanker fighter aircraft flying as low as 500m over disputed features and the National Assembly's passage of a Maritime Law that affirmed Vietnam's claims over the Paracels and Spratlys.

> of China's coercive efforts, but also has broader regional and global implications.[6]

In her statement, she also pointed out that China's claims, policies, ambitions, behavior, and capabilities are significantly different from those of other claimants:

> Beijing refuses to engage in multilateral discussions on the territorial and maritime disputes in the region, preferring bilateral mechanisms where it can apply leverage over smaller, weaker parties. China rejects a role for the International Court of Justice (ICJ) or the International Tribunal on the Law of the Sea (ITLOS) in resolving the territorial and maritime disputes in the South China Sea. Although Beijing has agreed to eventually enter into negotiations to reach a Code of Conduct for the South China Sea, Chinese officials have recently stated that discussions can only take place "when conditions are ripe."[7]

In short, China is offering a choice. States that take actions directly challenging Chinese claims will be faced with demonstrations of Chinese power in all its various guises; if however, states pursue moderate policies or actually acquiesce to Chinese claims, they will reap mutually beneficial economic and political rewards.[8]

I judge that the leadership in Beijing is pleased with how things have turned out since adopting a more aggressive posture in 2012. It has successfully changed the status-quo in its favor in both Scarborough Shoal and the Senkaku's (whether Tokyo is willing to admit it or not, Beijing has demonstrated that Japan's sovereignty is NOT indisputable.)

They have highlighted the split in ASEAN between those states that border China, where the PLA can walk or drive to the frontier, and those ASEAN states that have the advantage of water or distance to separate them from China. This split over what position to take on the SCS suggests that the leadership in Beijing could conclude that ASEAN is unlikely to ever become a cohesive anti-China block. In fact, that perception is reinforced by the actions of almost all of the ASEAN states. Each works carefully to hedge its relationships between Beijing and Washington.

In sum, there is no question that Beijing has paid a political price for being assertive, in that it facilitated greater US involvement with the Philippines and Vietnam. It has made most of its neighbors very apprehensive that its current behavior is a preview of how a "fully risen "China will behave.

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[6] Bonnie Glaser, Statement before the House Foreign Affairs Committee, "Beijing as an Emerging Power in the South China Sea," September 12, 2012, http://csis.org/testimony/beijing-emerging-power-south-china-sea.

[7] Ibid.

[8] This interpretation is based upon Robert Sutter and Chin-hao Hunag, "China Muscles Opponents on South China Sea," *Comparative Connections: A Triannual E-Journal on East Asian Bilateral Relations* 14, no. 2 (September 2012), Pacific Forum CSIS, pp. 62-63. See http://csis.org/program/comparative-connections.

Nonetheless, I believe that Beijing believes it can manage these apprehensions because of the important trade and economic linkages it has with all of its neighbors. Beijing also realizes that its neighbors are quite aware of the fact that China is always going to be a very powerful near neighbor with a strong sense of grievance and willingness to play "hard ball" with weaker powers when its sense it is being crossed. In short, Chinese leadership recognizes that these countries are always going to live in the shadow of China, and will ultimately have to come to terms with that reality. As s a result I do not anticipate any significant change in its uncompromising view of sovereignty questions.

How does China's approach to the East China Sea dispute differ from its approach to the South China Sea dispute?

At first glance, the disputes China had with the Philippines over Scarborough Shoal in the SCS, and with Japan over the Senkaku/Diaoyu in the ECS appear similar because the most visible element of Chinese involvement has been its civil maritime forces. But beyond that, the two situations are very different.

In the case of Scarborough Shoal the Philippines did not have undisputed "administrative control" of the shoal. Second, the US is not directly involved in the Scarborough Shoal because the mutual defense treaty with the Philippines does not obligate Washington to take sides over the sovereignty question of Scarborough Shoal. But, the treaty does include language related to attacks on "its [the Philippines'] armed forces, public vessels or aircraft in the Pacific."[9] If China were to attack a Philippine naval or coast guard ship, Washington could find itself in a difficult position regarding its willingness to live up to treaty obligations and its perceived reliability as a security provider in East Asia. Third, China used blatant economic leverage against Philippine exports to China, fourth, China has effectively "occupied" Scarborough Shoal and has taken measures to prohibit Philippine fishermen from entering the lagoon and finally, the Philippines are essentially defenseless at sea.

In the case of the Senkaku's, the situation is different. In the first place, the stakes are much higher because Asia's three great powers—China, Japan and the United States are all directly involved. The Japanese do have Administrative control, a situation China is trying to change. Japan has a very capable navy and air force. On the other hand, the Senkaku's are within easy range of the PLA's land-based air power. The US is directly involved because the U.S.-Japan Security Alliance covers territory under Japanese administrative control—as these islands are. If China elected to use force against Japan over these islands, there is a very real possibility that the United States could become directly involved.

The ECS is much more "militarized," than the SCS. The East China Sea is essentially home waters for the navies of China, Japan, and South Korea. As a result, it is a "local" training area for three—or, if one includes Taiwan, four—littoral navies. If one includes the United States

[9] Mutual Defense Treaty between the United States and the Republic of the Philippines; August 30, 1951, http://avalon.law.yale.edu/20th_century/phil001.asp.

Seventh Fleet, these are waters where all parties routinely operate their navies. This means that there encounters between the naval ships of these countries takes place routinely.

Taiwan and the Senkaku/Diaoyu islands are at the southern portion of the East China Sea. This fact alone imbues the ECS with very important strategic significance because these are the two areas in East Asia where important Chinese interests and America's security obligations to Taiwan and Japan overlap. As a result, they are potential flashpoints that could lead to conflict between Washington and China.

All these factors, have led China to be very careful about how it elects to escalate in its efforts to force Japan to acknowledge that its claims are not in fact "indisputable." China has been the *provocateur* in the sense that it is continually testing Japanese resolve with civil aircraft overflight, and civil maritime incursions into the territorial waters of the Senkaku's. It is my impression these have been carefully calibrated to keep the pressure on Tokyo, without going too far and triggering a conflict. Beijing is clearly playing a risky game, and presumably believes it has the ability to control escalation and not let the situation lead to accidental conflict. One wonders if they are taking lessons from Pyongyang.

In this regard, I believe that the incident of a Chinese warship, "locking-up" a Japanese warship, which did not take place in the immediate vicinity of the Senkaku's, was not a Beijing directed escalation. I suspect it was an action taken independently by a nervous ships commanding officer. While China continues to deny the incident ever happened, I would not be surprised to learn that it punctured a bit of hubris in Beijing, suggesting to the leadership that perhaps its ability to control the situation was not absolute.

What role (if any) does Taiwan play in China's maritime disputes?

Taiwan's claims are identical to China's. Taiwan occupies the single best piece of real estate in the Spratly's—Itu Aba Island--a former Japanese submarine base during WWII. Taiwan is also legally involved in the Senkaku/ Diaoyutai dispute. This is an issue of great personal interest to President Ma Ying Jeou, he was one of the student leaders protesting the inclusion of these islets when Washington and Tokyo signed the Okinawa reversion treaty in June 1971. He subsequently wrote his thesis at Harvard on the topic. I can attest to his continued personal involvement to this day; as a member of a delegation visiting Taipei I was able to ask him about the issue and received an impromptu explanation, in great detail, of the all the issues involved.

Stepping back from the Senkaku/Diaoyutai question, arguably, Taiwan constitutes China's biggest and most important maritime dispute. It is appropriate to remind ourselves that America's relationship with China is unique and is very different from any other bilateral relationship that Washington maintains. On many different levels—political, economic, trade, academic, personal relationships—the Sino-US relationship is normal; sometimes difficult, sometimes cordial, but overall, mutually productive and central to the peaceful development of Asia and the economic health of the world. But, the black cloud of war, because of Taiwan, hovers in the

background of the relationship. Fortunately, the prospect of war over Taiwan seems very low today, and arguably, the relationship between Taipei and Beijing is as good as it has ever been.

But, as long as Beijing insists on keeping the use of force against Taiwan as one of the central tenants of its declaratory policy toward Taiwan—keeping its finger on the trigger so to speak—the possibility of conflict cannot be ruled out. By doing so, a dynamic is generated which introduces a decisive influence on the security relationship between Beijing and Washington. Both defense establishments are actively planning, exercising, and war gaming in order to determine how best to defeat one another in case the use of force is introduced to finally resolve the relationship between Taiwan and China.

As a result, the issue of Taiwan directly affects the military posture of the US in East Asia, because of the need to maintain a deterrent capability. Long range planning that informs military modernization and future concept development in both Beijing and Washington is based on the possibility of direct conflict in case China elects to use force, the US intervenes to stop it.

How do the defense strategies and capabilities of the other claimants (particularly Taiwan, Japan, Vietnam, and the Philippines) affect China's approach to its maritime disputes? What are the prospects for a resolution of the East China Sea and South China Sea conflicts? Discuss possible roles for international institutions, such as the UN, and regional institutions, such as ASEAN.

Other than Japan, the defense strategies and capabilities of Taiwan, Vietnam and the Philippines, as they relate to maritime disputes are negligible when compared to the PLA Navy. The episodic US history of attempting to help the Philippine military improve its air and naval capabilities suggests underwriting a Philippine military and a naval modernization program adequate to deter Chinese assertiveness would be difficult. It would probably be a generational effort with a mixed prospect of success. That does not mean the United States should not attempt to do so, but the approach should not be a short term incremental one such as providing two 40 odd year old former US Coast Guard cutters that will be very difficult to maintain; it must be a sustained effort that is adequately funded and be based on a long term plan.

Given what appears to be the legally questionable basis for the Philippines' claims in the Spratlys, agreeing that the U.S.-Philippines Mutual Defense Treaty embraces territory claimed by the Philippines in the SCS would be a very risky attempt at deterrence.

Vietnam, on the other hand, has already begun an effort, largely supplied by Russia, to defend its maritime approaches and territory. Perhaps U.S. assistance in organizing its command and control of its new capabilities would be useful, as would U.S.-supplied real-time surveillance of its maritime areas of interests. If Vietnamese plans all reach fruition, and the country is able to knit its new capabilities together and combine them with effective maritime surveillance, then in few years Vietnam could have in place an effective way to deter a replay in the Spratlys of Beijing's seizure of the Paracel Islands in 1975.

The Philippines have also been forward leaning legally. On 22 January 2013, the Philippines officially notified China that it had instituted arbitral proceedings against China under Annex VII of the 1982 United Nations Convention on the Law of the Sea (UNCLOS). The legal challenge is focused primarily on China's claim to rights and jurisdiction in the maritime space inside the infamous nine-dash line on Chinese maps of the South China Sea. The International Tribunal for Law of the Sea (ITLOS) in Hamburg, Germany is preparing to conduct the proceedings.

This is significant because even if China refuses to participate, as it has so far, the trinual will go forward. If the tribunal issues a finding it will be legally binding on both China and the Philippines. The issue of sovereignty will not be resolved because determinations of sovereignty is beyond the legal writ of UNCLOS, but the Philippines could achieve a major legal victory if the Tribunal rules that China cannot make claims to maritime space based on history and the nine-dash line. [10]

What roles should the U.S. play in the SCS in reaching resolutions?

In terms of US involvement, when it comes to U.S. policy choices, clearly, the range of options for Washington is not infinite; only four policy approaches seem possible. They could be generally divided into the categories below, which are not necessarily mutually exclusive:

1. *Make the situation better*. The United States could work to reduce the risk of conflict escalation. This could involve direct U.S. mediation—for example, active involvement in trying to reconcile the competing claims of the Philippines, Vietnam, and Malaysia. By negotiating a resolution to these differences, the United States would set a positive example for subsequent resolution with China, make it easier for ASEAN to speak with one voice to China, and create useful legal precedents that could more broadly apply to other maritime disputes in East Asia.

2. *Wash our hands of the entire problem*. Washington could try to turn the SCS matter over to a regional power such as Indonesia, and indicate to Beijing that the Sino-U.S. relationship is more important to Washington, over the long run, than becoming involved in SCS territorial disputes. At the same time, Washington could make it clear that such a policy would not be offering a "green light" for Beijing to use force but is merely a statement of the obvious fact that United has no important interests at stake so long as high seas freedoms are respected.

3. *Take a much more assertive posture with China*. The United States could take sides, especially by improving its own capabilities and other claimants' military postures. In so doing, it would adopt a posture clearly aimed at deterring Chinese attempts to coerce. This policy would risk turning the Sino-U.S. relationship into

[10] Robert Beckman, "The Philippines v. China Case and the the South China Sea Disputes," http://cil.nus.edu.sg/programmes-and-activities/cil-members-activities/director-beckmans-paper-from-asia-society-conference-on-south-china-sea/

one of confrontation that would make East Asia less stable and force many countries in the region into difficult choices that might not be resolved in favor of the United States.

4. *Enhance the status quo*. While undertaking no change in official U.S. policy, Washington could become more explicit about its views. For example, the State Department could issue a White Paper that spelled out what the U.S. consider to be claims in the SCS that are beyond the writ of UNCLOS and general international law. Such a paper would address in very explicit terms what baselines are considered excessive, what islands or islets qualify for an EEZ, and what the United States means by "freedom of navigation." Even though the United States has not ratified UNCLOS, it can still read and interpret international maritime law.

What are the most volatile factors in East and South China Sea security situations that could lead to conflict or military contingencies? What roles would the U.S. play in those scenarios? Describe possible Chinese strategies in East or South China Sea military contingencies.

In terms of volatility, Taiwan clearly remains at the center of the PLA-DOD contingency planning universe. Worries about US military intervention created the demand signal for China's "counter intervention" capability build-up; this is what DOD refers to as anti-access/area-denial (A2/AD), which in turn has led to DOD's riposte, Air-Sea Battle (ASB). But as mentioned the security situation across the Taiwan Strait remains calm, and seems likely to remain that way at through the end of President Ma's term in 2016.

The Senkaku situation is the biggest concern at the moment. It is unlikely that the US will ever acknowledge Japanese sovereignty over the Senkaku's, although Tokyo certainly hopes we will. The islets were returned to Japanese control via the Okinawa Reversion Agreement. During ratification of the Agreement in the US Senate, the United States specified that the Reversion Agreement did not affect the determination of ultimate sovereignty over "disputed islands."

So while the U.S. does not have a policy position on ultimate sovereignty, Washington has concluded that so long as they are under Japanese administrative control they are part of Japanese territory that the United States is treaty bound to defend. Any ambiguity regarding the U.S. position was removed in October of 2010 when Secretary of State Clinton publically affirmed that in fact the Senkaku's *were* covered under article 5 of the US-Japan Security Treaty.

This means that Washington has committed itself to possible conflict with China in defense of the islands. While this was an important step in reassuring Japan, as well as deter Chinese impetuousness, while indirectly reassuring other US allies in Asia that Washington would not abandon its friends when they faced Chinese pressure; it has created another potential Sino-US flashpoint in addition to Taiwan.

Could this lead to a kinetic exchange between the US and China--perhaps. During his recent visit to Washington, Japan's Prime Minister Abe, in response to a question following a presentation

at a Washington based think-tank, indicated that Japan would defend the Senkaku's. He said, "On the Senkaku's, our intention is not to ask the US to say or do this or that. We intend to protect our own territory now and in the future."[11]

I hope that is the message the White House communicated; make it clear that the US expects Japan to take the lead in defense of its own territory while the US will provide essential back-up support, such as surveillance, logistics, and technical advice. Washington should try very hard to avoid getting into a direct shooting war with the PLA over uninhabited islets that have no indigenous population, no geo-strategic value, and no intrinsic value in and of themselves.

Would insisting that Japan take the lead in the defense of its islets harm US credibility as a reliable ally and as a counter balance to China? Possibly, but the reality is that the countries who live in the shadow of China have no other realistic choices except the United States if they don't want to become Chinese "tribute states." The point Washington could make, is that a commitment of US blood and treasure to a direct conflict with China will only be undertaken to repel outright aggression, in the case of Japan, against Japan's occupied home islands.

This would not be dissimilar to America's long standing position regarding the prospect of conflict on the Korean peninsula. US troops are present to deter an invasion, or if that fails to fight to repel the invasion. For decades, Washington has not been willing to risk escalation to general war by striking back when North Korea commits an outrageous provocation. This is why it was so nervous about the Blue Houses' "proactive deterrent" policy (an avowed willingness to respond in kind) in the wake of the North Korean shelling of Yeonpyeong Island in November 2010.

Obviously, conflict in the vicinity of the Senkaku's could also happen if the PLA starts shooting at US ships or airplanes. Given the relatively constrained water and air space surrounding the Senkaku's the possibility of "buck fever" by PLA and/or MSDF participants who have not been in a shooting war in many decades cannot be overlooked. Given this possibility I would hope that the US imposes relatively tight Rules of Engagement (ROE) on US forces in the vicinity.

Finally, an incident involving US surveillance by either aircraft or surface ship take place in China's EEZ, either in the ECS or the SCS, that could lead to a military confrontation.

[11] Quoted in Chris Nelson, "The Nelson Report for February 23, 2013"