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## **CPSIS LETTER**

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### **The Cross-Straits Relationship: Not to be Overoptimistic**

*by Prof. Chen Qimao, Honorary Director of CPSSJU*

Everybody sees the cross-Straits relationship has improved greatly after May 2008. Since then, through joint efforts of the two sides, nine agreements and one joint statement have been reached. The direct air and shipping service, a long-time conundrum in the cross-Straits relationship has been solved, and in last May, Taiwan was invited to attend WHA as an observer. The people of both sides as well as the international community have been satisfied with those progresses. However, I think it is not proper to be overoptimistic. Because of some negative factors and uncertainties, all these positive changes are not irreversible. First, under the rule of the former pro-independence Taiwan authorities in the past 15 years, the independence trends have developed drastically on the island. Quite a few Taiwan people regard themselves not Chinese but Taiwanese. According to the poll conducted by a department of the Taiwan authorities in May 2009, 64.6% people in the island regard themselves Taiwanese not Chinese, and only 29.6% people regard themselves Chinese. In early 1990s, reunification with the Mainland was the mainstream idea in the Taiwan society, and only a few people (less than 10%) supported independence. But now, the people who prefer future reunification even dare not to express their idea openly in fear of being attacked as the “betrayers of Taiwan”. This situation can not be changed easily under the new leadership. Second, the Chinese government holds that ROC had been toppled down by the Chinese people and replaced by PRC in 1949, and PRC is the sole legitimate representative of China. But the majority of the Taiwan people still regard ROC as a sovereign state, which rules effectively on the Island. This is a very difficult and sensitive problem in the cross-Straits relationship, which, if not to be dealt with appropriately, could trigger tensions between the two sides at any time. Third, though the DPP lost its ruling power, and now is deeply troubled by Chen Shui-bian’s corruption case, it is still a powerful party, with 30% supporters among the people. On the other side, the Nationalist Party (KMT) is an old party with a history over one hundred years. It has its own weakness, including bureaucracy, disputes among different sections, emphasis on seniority, and incapability in managing serious crises, which one can see clearly in the recent disaster caused by Typhoon Murach. Under the current two-party system, the DPP might revitalize in the future and regain the power. As the DPP now still insists its Taiwan independence in its Party Outline, no one can imagine what they will do if they come into power again.

Therefore, we should see clearly that all the progresses in the cross-Straits relationship these days are precious but fragile. It is important to seize this opportunity to further promote the cross-Straits relationship, and the steps to be taken into consideration are: to build mutual trust; to solve some substantial economic problems, including the signing of a comprehensive economic cooperation agreement (CECA or ECFA); to upgrade the cooperation and exchanges between the two sides to a new high; to hold political negotiations to reach a peace agreement to end the hostility officially between the two sides when the condition is mature; and to establish a framework of peace and development across the Straits in 2012 or later. Right now Taiwan has become a pluralized society ruled by law. The signing of the peace agreement of



the two sides must be approved by the law and supported by the majority of the people. Hence, if the agreement is signed, the trends of peace and development across the Straits will be irreversible, and they will not be broken if the DPP regains the power. This is a historic opportunity. If the people of both sides cannot seize this opportunity, and fail to establish the peace and development framework in the coming years, it is very hard to predict what will happen later. In case that the pro-independence parties regain power, the situation might turn to bad drastically, tensions might reemerge in the cross-Straits relationship, and crises might recur, which for sure would seriously disrupt peace and security in the Asia-Pacific region, and complicate China's relations with the United States and Japan.

The precondition for the signing of the peace agreement is a consensus on the one-China principle, which means that the people of both sides recognize there is only one China, and that both sides belong to one country. The government and people on the Mainland will never agree to sign a peace agreement without this precondition, because a peace agreement without the condition of the one China principle means a pass for Taiwan independence. Now the problem is how to get the majority of the Taiwan people supporting the one-China principle. This doesn't mean that the Taiwan people are requested to recognize PRC as the sole representative of China, but are requested to recognize both the mainland and Taiwan belong to China.

At present, both sides recognize the "1992 consensus" as the base for cross-Straits dialogue and cooperation. For the future political negotiation between the two sides, what needed now is to further clarify the content of the "consensus". The Taiwan side said its content is "one China with different explanations". From Beijing's point of view, one-China is the fundamental principle which should be expressed explicitly and insisted steadily, no matter how many different explanations exist. Right now, in fear of been attacked by DPP, the Taiwan authorities seldom talk about the one-China principle. Even the signing of an agreement of economic cooperation between the two sides, purely an economic problem, is somewhat controversial in Taiwan. The DPP shouts loudly that the signing of ECFA will damage Taiwan's "sovereignty" and asks for a referendum. All these indicate the conditions for establishing a framework of peace and development across the Straits are not mature now. Arduous efforts should be made jointly by the two sides in the coming months and years.

## **Maritime Jurisdictional Disputes in East Asia:**

### ***Status and Conflict Prevention***

*by Prof. Ji Guoxing, CPSSJU*

The East Asian region is distinctively maritime in nature. Southeast Asia has a vast span of water with the South China Sea extending over 1800 miles from Sumatra to Taiwan linking the Indian and the Pacific Oceans. The shores of Northeast Asian countries are washed by the Yellow Sea, the East China Sea, the Sea of Japan, the Sea of Okhotsk, the Bering Sea, and in a broad sense by the Pacific Ocean. There are several straits of strategic importance, such as the Straits of Malacca, Lombok, and Sunda in Southeast Asia and the Straits of Tsushima, Tsugaru, and La Perouse in Northeast Asia.

Maritime jurisdictional disputes in East Asia mainly embrace three dimensions: islands' sovereignty disputes such as Diaoyudao/Senkaku, Dok-Do/Takeshima, the Northern Four Islands, and Nansha/Spratly Islands disputes; the delimitation disputes on EEZs (exclusive



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economic zone) and continental shelves; and freedom of navigation versus the extents of jurisdiction over territorial seas, international straits, archipelagic waters, and EEZs.

These disputes are of two different kinds of disputes. The islands' sovereignty disputes are issues left over by history; and the delimitation disputes on EEZs and continental shelves as well as the navigation issues are due to different interpretation and implementation of the relevant articles in the LOS Convention (UN Convention on the Law of the Sea).

Regarding the EEZ and continental shelf delimitation, the LOS Convention stipulates that the delimitation "shall be effected by agreement on the basis of international law....in order to achieve an equitable solution." This is a principled stipulation, and countries differ on the delimitation principles and methods as well as on the relevant factors to be considered in the delimitation. Regarding the navigation issues, the LOS Convention establishes three regimes, namely 'innocent passage' through territorial waters, 'transit passage' through international straits, and 'archipelagic sea-lanes passage' through archipelagoes. Different navigational rights apply depending on the different regimes. As to the navigation in EEZs, the LOS Convention provides that freedom of navigation applies to EEZs; but under the LOS convention, coastal states have sovereign rights over EEZ resources, and EEZs fall into coastal states' spheres of jurisdiction. As the LOS Convention only offers general rules and principles and is ambiguous on many issues, differences in its interpretation and implementation are prevalent in the world community.

The existing disputes have affected regional peace and security, have affected the political relationship and stability among regional countries, have affected regional economic development and marine resources exploitation, and have affected the relationship between the United States as the major maritime power and regional coastal states. Examples are the continual tension over Diaoyudao Islands and the "*Chunxiao*" gasfield exploitation in the East China Sea between China and Japan, the contention between China's traditional broken U-shaped line in the South China Sea and the EEZ and continental shelf claims of other South China Sea littoral states, the "*Impeccable Incident*" in March 2009 between China and the US in the South China Sea. Evidently maritime security is an important component of Asia security. Without addressing maritime jurisdictional issues, regional security cannot be guaranteed.

With the increasing political and economic interdependence in the region, various security cooperative approaches have developed in Track-I and Track-II levels. Dialogues and visits between regional leaders have increased, several constructive strategic partnerships have been established, and new momentum has emerged in military exchanges among regional countries. However, on the whole, these security dialogues are scattered and fragmentary with limited effects, and have not formed a regional organic and efficient mechanism. So far East Asia has no security mechanism in the true sense, and has no well-defined and established rules.

The few existing Track-II maritime security dialogues in East Asia such as the Western Pacific Naval Symposium are without avail in the prevention of conflicts. And though CSCAP (Council for Security Cooperation in Asia Pacific) has a Maritime Security Working Group, it remains as a low-level research group, and is not efficient.

As compared with Europe, East Asia lags far behind in maritime jurisdiction. There are in Europe 42 maritime boundary agreements dealing with territorial sea, EEZ and continental shelf delimitation, the majority of which were signed in the 70s and 80s of the 20<sup>th</sup> century. As to the navigation issues, no serious contention has occurred in Europe. It appears that mutual confidence and political will of leaders are of significance in managing maritime



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jurisdictional security. Moreover, the formation of EU (European Union) has more or less dimmed the boundary issues.

The situation requires that maritime jurisdictional security in East Asia should be put on the regional security agenda now, and the promotion of mutual trust and the enhancing of political will among regional leaders for the disputes' settlement are much needed.

Usually there are two approaches to achieve a fair and equitable solution for maritime jurisdictional disputes: one is through negotiations and mutual compromise among related parties, and the other is through the adjudication by the International Court of Justice (ICJ) or the arbitration or mediation of a third-party. As the solutions are no easy tasks and time-consuming, strenuous efforts should be devoted to establishing mechanisms for conflict prevention

To my mind, conflict prevention measures to be taken into consideration include: the signing of INCSEA (incidents at sea agreement) or a Code of Conduct between and among regional navies to prevent the situation from being out of control; the setting-up of the East Asian Maritime Security Forum with the participation of regional and extra-regional scholars and experts which will be held annually; and the formation of the East Asian Community (EAC) for political, economic, and security cooperation, and the inclusion of regional maritime security within the framework of EAC.

## **Characteristics of Hatoyama's Diplomatic Policy from the Perspective of His Administrative Speech**

*by Prof. Wang Shaopu, Director of CPSSJU*

On October 26, Japanese Prime Minister Yukio Hatoyama made a long policy speech to the Diet, permeated with passion and speaking volubly, thoroughly describing the blueprint of "bloodless Heisei restoration" and expressing that he will carry out reform of restoration of rule from bureaucrat reliance to the people, transformation from centralization of power to regional sovereignty and change from the island country to an open maritime state.

There are two characteristics worthy of attention from the perspective of diplomatic policy expounded in his speech:

First, striving to give play to and show Japan's role in adapting to and even leading the regional and even world trends.

With the deep development of economic globalization and world multi-polarization, the problems concerning the common interests of the mankind have increased day by day. On the one hand, such a situation has made cooperation an important content of the current international relations and, on the other hand, the competition around these problems is sharpening. Whether to play an important role in solving these problems has to do with the position of all countries in the present and future international order, the mechanism of all countries formed in solving these problems and even the major interests in the aspects such as intellectual property rights.



The Hatoyama Cabinet has incisively seen the appearance of such trends and the narrow-mindedness and backwardness that a country, especially a large country, only stresses its own interests under the present historical conditions and realized that Japan must give play to and show its role and seek its interests in adapting to and even leading the regional and even world trends. Therefore, he puts forward a task for Japan of “becoming a bridge” in the world. He deems that Japan is a country blessed with experience and strengths in not only the economic field but also in a broad range of areas, spanning environment, culture, science and technology, among others. So Japan can play a positive role in solving the worldwide problems such as global warming, nuclear proliferation and poverty issues in Africa and elsewhere and become a “bridge” linking the East and the West, developed countries and developing countries and diverse civilizations. He deems that “becoming a bridge” in the world should serve as the first step in Japan becoming a country that enjoys trust of the international community.

Hatoyama’s opinion that Japan must give play to and show its role in adapting to and even leading the regional and even world trends is not only embodied in solving such worldwide problems but also embodied in his opinion of proceeding from such a stand to understand the issue of Japan-US alliance. He deems that to make the seas surrounding Japan never again seas of conflict, the interest of not only Japan but also the Asia-Pacific region and even the entire world must be considered. The foundation for this will be a close and equal Japan-US alliance. The so-called “equal” relationship refers to one in which the Japanese side can actively make proposals and cooperate in the aspects of the responsibility of maintaining peace and security in the world and concrete guidelines for action and the multilayered Japan-US alliance in which they can deepen mutual cooperation on global issues.

Second, diplomatic policy closely linked with the requirements of overcoming economic difficulties

In his speech, Hatoyama makes it clear to pay careful attention to economic trends, address such issues as the further deterioration of the employment situation, stagnant consumption and the severe difficulties faced by local economies and cash-strapped SMEs and put the Japanese economy on a recovery track which is driven by autonomous private-sector demand and stresses that this is the most important challenges of his Cabinet.

These words have highlighted the important position of the task of overcoming economic difficulties in the Hatoyama Cabinet. This task has also stamped the foreign policy of the Hatoyama Cabinet with a deep brand.

While proposing to achieve steady growth centering about the domestic demands, Hatoyama lays stress on heeding the need for international policy coordination and while proposing that Japan should actively participate in solving problems such as global warming, he points out that this is a tremendous opportunity for the Japanese economy. He also advocates that Japan’s airports and ports will be made international hub facilities of the world and of Asia and the growth industries in the environment and other fields will provide a powerful boost to Asian growth industries, promoting dynamic development in the whole of Asia including Japan.

From this policy exposition, one can find out the important reason why the Hatoyama Cabinet attaches importance to East Asian multilateral cooperation and the construction of East Asian Community as well as why the Hatoyama Cabinet advocates to strengthen China-Japan-ROK cooperation. This reflects the demands of Japan to continue to seek for markets in the rising Asia while expanding domestic demands to overcome economic difficulties.



If someone holds that such characteristics of Hatoyama's diplomatic policy are only based on the hope of idealists on the world, he must underestimate the ability of Hatoyama and the Democratic Party of Japan to grasp realistic politics. Idealistic elements cannot be ruled out from such propositions, which are more realistic demands. What such propositions stress is the banner of adapting to the regional and world trends, which is conducive to Japan having the initiative in the present international competition; such propositions try to enhance the validity of the Japan-US alliance while restricting US individualism and seeking Japan's more balanced position between the USA and Asia under the new historical conditions; such propositions also link Japan's economic policies with the energy saving and emission reduction and other emerging industries demanded extensively in Asia and the world, which may bring about practical interests to Japan.

Full attention must be given to such developments.

## **China's Peaceful Development and Its Impacts on the World**

*by Prof. Zhao Shunzhang, CPSSJU*

The modern history of major powers contending for hegemony shows that the rise of a major power often leads to rapid change in the international pattern and world order and even touches off a big war. Germany and Japan are two examples. For reasons of history and culture, China will not follow their old road to ruin. Peace and development are the characteristics of the current epoch. Since the reforms and opening-up initiated by Deng Xiaoping in 1978 became China's basic state policy, China has followed a road of peaceful development. Under the situation of economic globalization, it is impossible and not necessary for China to accelerate its development through challenging the existing international order, still less in the way of contending for hegemony or damaging interests of other countries. China will unswervingly link its own development with common progress of mankind and make joint efforts with all the countries in the world so as to build a harmonious world featuring lasting peace, prosperity and stability.

Entering the new century, some Chinese and foreign scholars put forward the version of "peaceful rise". According to China's conditions, China's "peaceful rise" is in reality to realize sustained and rapid development in the peaceful way, that is, peaceful development.

China's peaceful development is to make full use of the opportunity of world peace, make efforts to develop and strengthen China and safeguard world peace with its own progress. China's peaceful development is to mainly rely on China's own strength, that is, maintain independence and keep the initiative, rely on its own efforts, struggle hard and depend on the vast domestic market, adequate labor resources, solid capital reserve and mechanism innovation brought about by reforms. China's peaceful development cannot be in isolation from the rest of the world, China adheres to the policy of opening-up and develops economic and trade contacts with all the friendly countries in the world on the principle of equality and mutual benefit. China's peaceful development requires a long time and strenuous efforts of generations.

The international strategic orientation of China's peaceful development is to establish new-type major power relations featuring non-alignment, non-confrontation and non-directing against any third country to promote the development of world



multi-polarization tendency; to carry out the strategy of building an amicable, secure and prosperous neighborhood, eliminate the worries of surrounding countries about China's rapid development, properly deal with controversial boundary disputes, accelerate the realization of the strategic ideas of East Asian Free Trade Zone and build a secure and reliable peaceful environment with economic prosperity and long-term stability; to strengthen unity and cooperation with developing countries in Asia, Africa and Latin America, seek common development and enable vast developing countries to benefit from China's peaceful development; to take multilateral diplomacy as an important stage and play a role of a responsible major power on multilateral diplomatic occasions and in international and regional organizations such as UN Assembly, Asia-Europe Meeting, APEC, China-ASEAN Informal Summit, East Asian Summit, Shanghai Cooperation Organization and the Brics.

China's peaceful development and G2 are the two different concepts. As a matter of fact, concepts such as G2 and Chimerica are a one-sided wish of some US scholars arising when they saw China's rapid development and enormous foreign exchange reserve. The fact is that the present financial crisis hasn't changed China's position as a developing country. China is faced with severe challenges of energy, environment and a series of difficult problems in the process of economic and social coordinated development. China's influence on the world is limited before doing its best at its own job. Facts also show that the present financial crisis hasn't changed the US position as the sole superpower. The U.S. will never give up its scheme of unipolar hegemony and share the power of dominating the world with other countries. China attaches importance to the role of the UN, advocates multi-cooperation, opposes to one or two major powers dominating the world, so it naturally opposes to wrong wordings or propositions such as G2 and Chimerica. China will never be the second United States or another Soviet Union. Of course, opposing to the wordings or propositions of G2 and Chimerica will have no impacts on China playing a role of a responsible major power in the international community. China needs a peaceful international environment to develop itself and will also safeguard world peace and promote common development with its own progress.

The positive impacts of China's peaceful development on the world pattern are obvious. China's peaceful development will make the world situation more stable and world peace more secure. As a responsible major power and an active participant and constructor in the building and transformation of international order, China is a firm force to safeguard world peace, prosperity and stability. At the same time, the sustained, rapid, coordinated and healthy development of Chinese economy will certainly continue to bring about more opportunities and more cooperation space to the international community, thus benefiting common development of all countries and prosperity of world economy. China's peaceful development will provide a brand-new development mode to the international community, that is, draw on the advantages and avoid the disadvantages in the process of economic globalization and successfully achieve the modernization objectives of enriching the people and prospering the country in the peaceful way rather than the traditional way of military expansion.

It must be pointed out that in today's world, China is not the only country striving for peaceful rise. As a matter of fact, quite a number of countries in the world are peacefully rising by different ways, in different modes and at different speed. As for China and Asia, the peacefully rising China is a part of the peacefully rising Asia. At the same time, the developed countries are also striving for new and significant development in a new round of modernization.

