

## **Geo-Strategic Significance of East China Sea Air Defense Identification Zone (ECS-ADIZ): A Threat-Import Analysis**

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### **Abstract**

This study aims at evaluating the strategic implications of the East China Sea Air Defense Identification Zone for regional security. On November 23, 2013, China announced the establishment of an Air Defense Identification Zone on her East Sea axis. This was in its determination to assert control over disputed maritime territories, and to respond to the United States' Asia Pivot role geared towards containing and encircling China on one hand, and support for Japan's remilitarization on the other hand. In its declaration, China demanded that all aircraft transiting the zone must comply with the identification rules, threatening that non-compliance will attract emergency defensive action. This move was necessitated by the imperative for safeguarding Chinese sovereignty, territorial and airspace security, as well as to maintain flight order in pursuit of self-defense. The manner in which the Chinese ADIZ was declared, particularly its coverage that goes beyond Chinese airspace, stretching into the disputed maritime territory, has generated

considerable anxiety among regional and international stakeholders. Relying on qualitative analysis of secondary data, and guided by a threat-import approach to securitization, the study posits that the creation of the East China Sea ADIZ portends a geo-strategic threat capable of engendering tension in the wider Asia-Pacific. The paper recommends that, rather than resorting to armed build-up and possible confrontation, the parties involved should seek a pacifist resolution to the maritime question based on regionally mediated diplomatic tradeoffs.

**Keywords:** *aircraft, Air Defense Identification Zone, disputed maritime territories, East China Sea, identification rules*

## 1. Introduction

Every state in contemporary international system exists and functions within a strategic environment comprising allies and adversaries. Arising from this, the pattern of a state's interaction within its strategic milieu is predicated upon its perception and interpretation of stimuli emanating from its surroundings. Historical and empirical evidence clearly reveals that actors have at various times responded both negatively and positively to overt and covert stimuli from their strategic locality. In 1907, for instance, Britain widened its alliance with France to include Russia under the umbrella of Triple entente fearing that Germany's rising power could make it become isolated and affect its capacity to defend its distant empire. Germany, in return, seeing it encircled, tightened her partnership with Austria and Hungary under the Triple alliance (Nye, 2003).

Recently in Eastern Europe, as the boundaries of the North Atlantic Treaty Organization advance ever closer to the territory of the Russian Federation, Russia responded to what it perceived as an attempt by the United States and its allies in the European Union to militarily encircle

Russia and perhaps render inoperable Sevastopol (Black Sea docking facilities) which has been an essential nucleus to advance Russia's naval capability on a global platform, by superintending over the organization of a referendum in Crimea that paved the way for the former's annexation of the later in the aftermath of the Western-backed Colour Revolution that ousted pro-Russian Ukrainian Prime Minister Viktor Yanukovich in February 2014 (*The Guardian*, 2014; Owen, 2014; Walberg, 2014).

The foregoing illustrations are a pointer to the significance of a country's strategic milieu and the need for states to react to stimuli emanating from the same. As Owen (2014, para. 3) rightly noted: "spheres of influence exist in the minds of many nations even if not formally acknowledged in international law". The People's Republic of China is not left out in this statecraft. In reaction to the escalation of military apprehensions in the Asia-Pacific region precipitated by the Obama administration's "Pivot to Asia" foreign policy (anti-China strategy) which is fundamentally targeted at isolating and encircling China both diplomatically and militarily and checking China's challenge to United States' dominance in East and South Asia by supporting Japan's remilitarization (Chan, 2013, November 25), the Chinese government, in the exercise of its right to self-defense as enshrined in Article 51 of the United Nations Charter and in accordance with international practice, on November 23, 2013, announced the establishment of an Air Defense Identification Zone in the East China Sea with the aim of safeguarding state sovereignty, territorial land and air security and preserving flight order (Erickson, 2013, November 23).

Before the recent Chinese declaration of an ADIZ over the East China Sea, the US military, in acknowledging different countries' de facto valid control over their territories, had after the World War II and during the Korean War, demarcated the existing ADIZs in the Northeast

Asia in such a manner as to disallow overlap between the existing ADIZs; consequently, in order to avert an accidental clash, South Korea, Japan and Taiwan took over these lines (Osawa, 2013).

In spite of its multilateral implications for two thirds of the East China Sea, the Chinese ADIZ was announced suddenly and apparently without consultation with countries, in this case US and Japan, and other neighbours like South Korea and Taiwan, whose civilian and military aircrafts will be affected by the declaration (Metcalf, 2013; Osawa, 2013). The Chinese ADIZ overlaps with other ADIZs in the region: it overlaps with Taiwanese ADIZ by comparatively diminutive 23,000 square kilometres (*Taipei Times*, 2013) as well as the Japanese and South Korean ADIZs. Also, the East China Sea ADIZ covers an area of ocean where South Korea has a marine research station built on a sub-merged rock (South Korean-claimed Socotra Rock) (Gale, 2013); it encompasses the disputed maritime territories known as Senkaku (尖閣) in Japan and Diaoyu (釣魚) in China but currently under Japanese control. At the same time, the East China Sea ADIZ includes some joint training airspace of the US Air Force and the Japan Air Self-Defense Force, as well as US military firing and bombing ranges in the East China Sea (Osawa, 2013).

Another problem with the East China Sea ADIZ is that unlike most countries' ADIZs which only require identification for aircrafts intending to enter their national airspace, China in its declaration has demanded that aircraft flying in the zone identify themselves even when their destination is not the Chinese mainland (Laird and Timperlake, 2013) thereby contradicting with the basic early warning and traffic control purposes of an ADIZ (Metcalf, 2013,<sup>1</sup> as cited in Erickson, 2013). Moreover, though there is no internationally legally binding rules governing the declaration and operation of an ADIZ, the US and Japan, in their submission during the International Civil Aviation Organization

(ICAO) Council meeting held in Montreal in March averred that by contemplating the adoption of defensive emergency measures to respond to aircraft that do not cooperate in the identification, China's ADIZ contravenes the principle of "freedom of over flight" in high seas as codified in Article 87 of the 1982 United Nations Convention on the Law of the Sea (UNCLOS) (Lee, 2014).

The Chinese ADIZ has also been adjudged as an anomaly or an irrational act challenging multiple players in the Pacific, having fallen within the strategic quadrangle in the Pacific, that is, a central area where the US and several core allies such as Japan, South Korea, Australia, India, Singapore et cetera are reaching out to shape collaborative defense capabilities to ensure defense in depth (Laird and Timperlake, 2013, as cited in Keck, 2013). Noting that the freedom to operate in the quadrangle is a baseline retirement for allies, Laird and Timperlake (2013, as cited in Keck, 2013) have warned that with the East China Sea ADIZ, the People's Republic of China is putting down its marker unto the quadrangle and if not properly addressed, will definitely expand its definition of air and maritime defense outward.

In the light of the foregoing, the following questions have become imperative: Does the ECS-ADIZ escalate tensions in the Pacific and even beyond? Does the ECS-ADIZ pose a threat to global peace? In responding to these vital analytical posers, the study maintains a threat-import analytical approach, which emphasizes the strategic implications of ECS-ADIZ as a veritable security threat in the geo-strategic context of the East China Sea. This investigation is justified on two reasons: the first is that it helps to bridge the knowledge gap occasioned by over-reactions trailing the East China Sea ADIZ declaration; the second justification derives from the fact that given deep-seated hostilities between China and its neighbours, especially Japan where territorial dispute over pockets of islets in the East China Sea has assumed a

disturbing dimension as well as hegemonic struggle between China and US over the control of resources in the Pacific, these new air traffic restrictions and the first of its kind by China has the propensity of escalating these tensions into a full-blown war in the event that China decides to embark on military enforcement of its ADIZ rules.

This paper is divided into seven segments: part one deals with introduction; part two addresses on the historical and contextual issues concerning ADIZ; part three explores the background of ECS-ADIZ declaration and the reactions it generated; part four focuses on the rules and procedures for aircraft identification; part five assesses the implications of the ECS-ADIZ declaration for security in the Asia-Pacific region; part six examines the repercussions of the ECS-ADIZ on global peace while part seven is the conclusion.

## **2. Historicizing and Contextualising ADIZ**

Though the origin of the concept of an ADIZ is not a recent development in international politics as it dates back to the 1950s, as a result of the controversy generated by China's declaration of an ADIZ in the East China Sea, it has become imperative that we attempt a resolution of contending issues surrounding the ADIZ phenomenon.

Page (2013) asserts that an ADIZ has no foundation in international law and is not administered by any international organization. As such, definitions and rules differ among diverse countries. Characteristically, such zones extend well beyond a country's airspace to provide its military time to respond to potentially hostile inward bound aircraft. According to him, ADIZ declaration requires foreign military aircraft to identify themselves and their flight plans on entering the ADIZ or else such aircraft will often be intercepted and escorted inside the ADIZ but will not be repelled or forced to land unless it is regarded as a threat.

From the American initiative, the Air Defense Identification Zone (ADIZ) means an area of airspace over land or water in which the ready identification, location and control of all aircraft (except for Department of Defense and law enforcement aircrafts) is required in the interest of national security (Air Defense Identification Zone – Code of Federal Regulations 2015, para 1). An aircraft entering the ADIZ is mandated to radio its intended course, destination and any supplementary information about its trip through the ADIZ to a higher authority, typically an Air Traffic Controller, and any aircraft flying in the ADIZ without approval may be branded as a threat and treated as an enemy aircraft, potentially leading to interception by fighter aircraft. From this perspective, ADIZ applies only to commercial aircraft aspiring to enter US airspace; ADIZ procedures do not apply to foreign aircraft not intending to enter the United States airspace and do not recognize the right of a coastal state to apply its ADIZ guidelines to foreign aircraft not intending to enter their national airspace (*The Commander's Handbook on the Law of Naval Operations*, 2007, as cited in Abeyratne, 2011).

Ma (2013) defines Air Defense Identification Zone as an area of airspace demarcated by a state to guard against potential air threats with the aim of securing enough time for the Air force to discover and identify aircraft in the interest of national security. According to him, following rapid scientific development since World War 1 which has persistently challenged the conventional air defense system as the latest model of hostile aircraft equipped with advanced technology and tactics give too little time for it to correspond to unexpected activities, several states embarked on the creation of ADIZs beyond their territorial airspace over high seas and the extension of early warning spaces has become a common practice to guarantee enough interception time so as to prevent some unidentified aircraft from intruding into the territorial airspace by accident.

For Sevastopulo (2013), ADIZ is a zone that provides an early warning system to help a country detect possible incursions into its sovereign airspace. He argues that the zone stretches beyond the boundary of a country's national airspace. If an aircraft enters an ADIZ without warning, the country in question may scramble fighter jets to visually identify the aircraft and determine whether it poses a threat or not.

Abeyrante (2011, para, 1) in his own contribution conceptualizes the Air Defense Identification Zone as an area in airspace over land or water which may not be over the sovereign territory of a state in which the ready identification, location, and control of all aircraft are required in the interest of national security. According to him ADIZ must not be confused with Flight Information Regions (FIRs) which are areas established for the facilitation of airspace and air traffic management, generally involving a subjacent state that has undertaken responsibility for providing air traffic control services.

Answering question on the meaning of an Air Defense Identification Zone, *Yomiuri Shimbun* (2013) avers that there are no international treaties or agreements that set legal conditions for Air Defense Identification zone (ADIZ); hence, each country has to set its ADIZ through domestic laws or ordinances. Arising from this, he posits that countries cannot legally force others to comply with their ADIZ regulations such as imposing duties to report aircraft flights, stressing that in contrast, countries' exclusive rights are recognized in their territorial airspace.

It can be deduced from the preceding analysis that ADIZ does not derive its doctrinal foundation from any international legal framework. The zone is not identical with prohibited airspace or no-flight zone within which flights are prevented from operating; rather the ADIZ aims

at creating sufficient time for early warning to enable the country discover potential incursions into its sovereign airspace for national security reasons. Its content, terms and composition can best be comprehended within the context of its establishment as its practice cannot in anyway be standardized because it varies from country to country and is subject to modifications as circumstances permit. However, while setting the rules care must be taken in order not to infringe on the over flight right of legitimate users.

### **3. Background to the East China Sea ADIZ Declaration and Reactions Trailing It**

In an effort to promote and bolster affirmative and fruitful association with China after the World War II in addition to securing Chinese assistance in checkmating British, Russian and Japanese expansion in Asia, then United States President Franklin Roosevelt proposed the Cairo Conference in 1943 as a means of conveying public confidence in the Republic of China. At the series of meetings in Cairo, Egypt, between November and December of 1943, President Roosevelt met with British Prime Minister Winston Churchill and Chinese President Chiang Kai-shek to consider the progress of the war against Japan and the prospect of post-war Asia (“The Cairo Conference, 1943” – see: U.S. Department of State, 2001-2009 Archive).

Delineating his vision for post-war Asia, Roosevelt told the assembly that he needed a cooperative world order in which a dominant power in each major region would be responsible for maintaining the peace. Based on this mental picture, the need to institute China as one of his “Four Policemen” became exceedingly imperative to help prevent Japanese expansionism and supervise decolonization under a trustee system. The outcome of this Conference was the Cairo Declaration

jointly released by the United States, the Republic of China and Great Britain on December 1, 1943, where the allies pledged to continue the war against Japan and expel Japanese forces from all territories it had occupied including the Chinese territories, Korea and The Pacific Islands (“The Cairo Conference, 1943” – see: U.S. Department of State, 2001-2009 Archive).

The main points of the Cairo Declaration which was broadcast through radio on December 1, 1943, were (Cairo and Potsdam Declarations, 1943 – see: Chen and Reisman, 1972):

- The Allies are not fighting Japan for their own territorial expansion.
- The Allies are resolved to bring unrelenting military pressure against Japan until it agrees to unconditional surrender.
- Japan shall be stripped of all islands she has seized or occupied in the Pacific since the beginning of World War I in 1914.
- All the territories Japan has taken from China such as Manchuria (Dongbei), Formosa (Taiwan), and the Pescadores (Penghu), shall be restored to the Republic of China.
- The Allies are determined that Korea shall become free and independent.
- Japan will also be expelled from all other territories which she has taken by violence and greed.

A confirmation of the Cairo Declaration was contained in Section eight (8) of the Potsdam Declaration of July 26, 1945, which is referred to by the Japanese Instrument of Surrender and it stated that the terms of the Cairo Declaration shall be executed and Japanese sovereignty shall be restricted to the islands of Honshu, Hokkaido, Kyushu, Shikoku and such minor islands as we determine (Cairo and Potsdam Declarations, 1943 – see: Chen and Reisman, 1972). On September 2, 1945, Japan

inked the Instrument of Surrender popularly and distinctively acknowledged the terms of the Potsdam declaration, which incorporated by reference the terms of the Cairo Declaration:

We, acting by command of and in behalf of the Emperor of Japan, the Japanese Government and the Japanese Imperial General Headquarters, hereby accept the provisions set forth in the declaration issued by the heads of the Governments of the United States, China, and Great Britain on 26 July 1945, at Potsdam, and subsequently adhered to by the Union of Soviet Socialist Republics, which four powers are hereafter referred to as the Allied Powers.

(Instrument of Surrender, 1945, para 1 – see:  
Ministry of Foreign Affairs, Japan, 1949)

The United States, having used China to secure victory over Japan, realized that the tossing of those islands in the Pacific to China was an error of strategic judgment that needed to be checked. As George Kennan rightly observed:

... this thoughtless tossing to China of a heavily inhabited and strategically important island which had not belonged to it in recent decades, and particularly the taking of this step before we had any idea of what the future China was going to be like, and without any consultation of the wishes of the inhabitants of the island, produced a situation which today represents a major embarrassment to United States policy, and constitutes one of the great danger spots of the post-war world.

(Kennan, 1960: 376-377,<sup>2</sup>  
as cited in Chen and Reisman, 1972)

The time became ripe for double standard and high-level conspiracy between the United States and its foremost ally, the United Kingdom. The duo started with self-serving interpretations of the Cairo Declaration. On December 27, 1950, the United States in its aide memoire interpreted the Cairo Declaration in these words:

The Cairo Declaration of 1943 stated the purpose to restore “Manchuria, Formosa and the Pescadores to the Republic of China.” That Declaration, like other wartime declarations such as those of Yalta and Potsdam, was in the opinion of the United States Government subject to any final peace settlement where all relevant factors should be considered. The United States cannot accept the view, apparently put forward by the Soviet government, that the views of other Allies not represented at Cairo must be wholly ignored. Also, the United States believes that declarations such as that issued at Cairo must necessarily be considered in the light of the United Nations Charter, the obligations of which prevail over any other international agreement.

(Carlyle (ed.), 1953: 622-623,<sup>3</sup>  
as cited in Chen and Reisman, 1972)

For the British, its Prime Minister Winston Churchill stated that the Cairo Declaration “contained merely a statement of common purpose” (Parl. Deb., 1955<sup>4</sup> – see: Chen and Reisman, 1972).

Not yet satisfied with this, to further expedite action in its desire to control and oversee affairs in the far east, on September 8, 1951, at the city of San Francisco, the United States and Japan signed the Mutual Security Treaty that paved the way for the stationing of United States troops on Japanese soil for the defense of Japan. On March 8, 1954, the two countries signed the Mutual Defense Assistance Agreement which

allowed for the presence of United States armed forces in Japan for the purpose of peace and security while simultaneously encouraging Japan to take on more responsibility for its own defense, rearming in a manner suited for defensive rather than offensive purposes (US and Japan Mutual Defense Assistance Agreement, 1954). These two agreements (Cairo Declaration and Mutual Security Treaty) involving US and China on one hand and US and Japan on the other no doubt have serious implications for Asians. The two deals were aimed at entrenching rivalry between the two dominant powers (China and Japan) thereby hindering any form of cooperation that would foster regional solidarity, a scenario the US would leverage on to achieve its foreign policy goal of controlling and superintending over the affairs in the region.

During the Cold War, there was a change of attitude towards China as the United States treated China as an ally against Russia after President Nixon's popular engagement with China in the early 1970s. With the demise of the Cold War, United States-China association recommenced with the later serving as an export processing platform for the former's multinational corporations (Smith, 2013). This sudden romance with China was however deep-rooted in fundamental contradictions. The United States having being economically incorporated with its key international contender depended on Chinese credit to maintain the deficit and cheap labour to boost the bottom lines of United States corporations and facilitated the off-shoring of production to China by United States corporations. As this was going on, the United States and its corporations became increasingly clashing with the Chinese state and capital (*NBC News*, 2007).

To manage this contradiction, the United States combined the policy of engagement with a subordinate policy of containment (Friedberg, 2011: 88,<sup>5</sup> cited in Smith, 2013). At the peak of United States' engagement with China during the Clinton administration, the American

Department of State portrayed China as a “strategic partner” while at the same time nourished its military capability all through Asia as a deterrent to China to the level of staging the single largest military operation ever since the Vietnam war in 1996 to obstruct China’s threat against Taiwan (Smith, 2013).

During the Bush administration, after the United States found itself engaged in a ruthless confrontation with China over a collision between a Chinese fighter jet and an American spy plane over China, Washington re-named China a “strategic competitor” (*ibid.*). President George W. Bush, however, backed off his antagonistic approach toward China to search for the latter’s support in the war against terror after the September 11, 2001, terrorist attack in the United States. This is in addition to campaigning for China’s admission into the World Trade Organization as a means of integrating China into the global capitalist system controlled by the United States (*ibid.*).

In a bid to reinforce its majestic affirmation of world’s only surviving superpower and simultaneously deflect manifest threats from core imperial rivals such as China, Russia, India, Brazil among others, after the forceful invasion of Iraq and Afghanistan and botched endeavours at regime dethronement in Syria and Iran with the objective of controlling the greater part of Middle East, its energy reserves, shipping and pipeline routes triggered both strategic and economic catastrophe, the Obama administration, just as committed as his predecessor George Bush, in January 2012 issued a new Defense Strategic Guidance targeted at altering United States’ global overlordship to the Asia-Pacific, which analysts envisage will be the centre of twenty first century capitalism (*ibid.*).

This momentous swing in United States’ foreign policy from a Middle Eastern/European preoccupation to an East/South Asia one “Pivot to East Asia” regional strategy has as its major concerns:

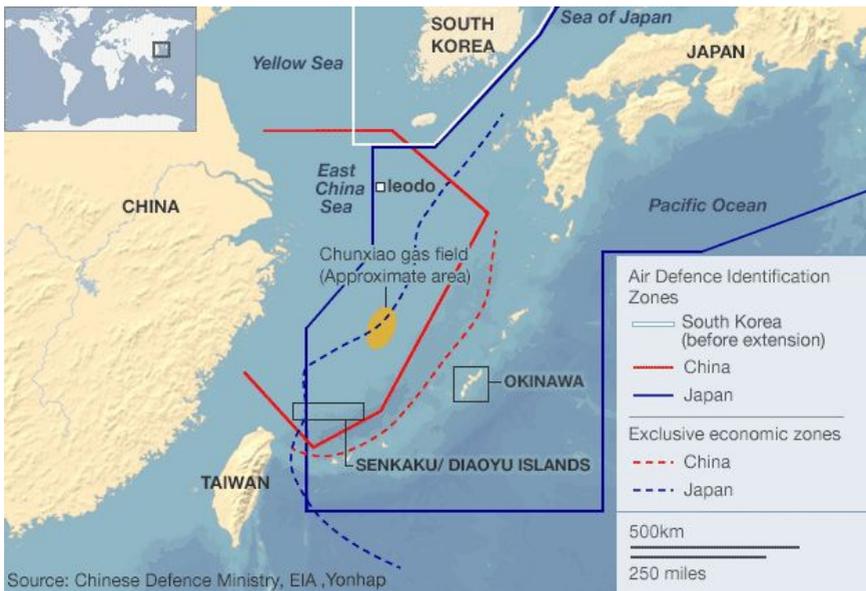
strengthening bilateral security alliances; deepening of United States' working relationships with emerging powers, including China; engaging with regional multilateral institutions; expanding trade and investment; forging a broad-based military presence; and advancing democracy and human rights (Clinton, 2011).

According to Clinton (2011), with almost half of the world's population residing in the Asia-Pacific, the region's significance in furthering United States' economic and strategic interests cannot be over-emphasized as open markets in Asia present the United States with unparalleled prospects for investment, trade and access to cutting-edge technology. Moreover, United States' economic recovery at home will depend on exports and the capacity of American firms to take advantage of the enormous and growing consumer base of Asia. Finally, she noted that strategically maintaining peace and security across the Asia-Pacific is increasingly central to global advancement, whether through protecting freedom of navigation in the South China Sea, countering the nuclear proliferation efforts of North Korea, or guaranteeing transparency in the military activities of the region's key actors.

As anticipated, President Barack Obama's "Pivot to Asia" strategy elicited mixed reactions from countries within the region with different states responding in various ways depending on their perception of this policy modification. For the People's Republic of China, this turning point in the United States' foreign policy strategy that aimed at maximizing its interest in the Pacific to the detriment of China needs to be checkmated; hence, the declaration of an Air Defense Identification Zone covering much of the East China Sea, including the disputed maritime territory of Senkaku/Diaoyu Islands which are under Japanese control at the moment. The zone includes the airspace within the area enclosed by China's outer limit of the territorial sea and the following six points: 33°11'N (North Latitude) and 121°47'E (East Longitude),

33°11'N and 125°00'E, 31°00'N and 128°20'E, 25°38'N and 125°00'E, 24°45'N and 123°00'E, 26°44'N and 120°58'E (Statement by the government of PRC, 2013 – see: Erickson, 2013, para. 5).

**Figure 1** Diagrammatic illustration of the East China Sea Air Defense Identification Zone Overlapping Those of Japan and South Korea



Source: Chinese Defense Ministry (as cited in *BBC News*, 2013, December 8).

Justifying the establishment of the Zone, the Chinese Ministry of National Defense in a statement issued on November 23, 2013, in Beijing stressed that the government of the People's Republic of China pronounced the creation of the East China Sea Air Defense Identification Zone in accordance with the Law of the People's Republic of China on

National Defense (March 14, 1997), the Law of the People's Republic of China on Civil Aviation (October 30, 1995) and the Basic Rules on flight of the People's Republic of China (July 27, 2001) (Statement by the government of PRC, 2013 – see: Erickson, 2013).

Despite clarifications by the spokesman of the Chinese Ministry of National Defense that the East China Sea ADIZ is not a no-fly zone and as such will not affect freedom of over flight of other countries' aircraft in compliance with international laws and that the zone does not aim at any specific country or target, rather that its purpose is to set aside adequate time for early warning to defend China's airspace, several countries have expressed reservations over the manner the ADIZ was proclaimed including the coverage (Erickson, 2013, November 23).

Australia, through its Minister for Foreign Affairs, Julie Bishop, has voiced its disapproval to any coercive or unilateral actions to alter the status quo in the East China Sea stressing that the timing and mode of China's proclamation are disturbing in view of existing regional apprehensions, adding that it will not contribute to regional stability (*ABC News*, 2013, November 28a). Tensions between China and Japan over the disputed maritime territories in the ECS are of great concern to Australia. Economically, three (China, Japan and South Korea) of Australia's four leading trading partners are located in Northeast Asia while sea lanes vital to Australian trade run through the waters of the East China Sea; strategically and politically, two US allies are based in this region and America maintains a strong forward military presence there (Bisley and Taylor, 2014).

For the European Union, its worry about the ADIZ declaration stems mainly from the statement by China's Ministry of National Defense that it will take emergency defensive measures in case of non-compliance, stressing that the East China Sea ADIZ proclamation amplifies the threat of escalation and contributes to increasing anxiety in

the region (European Union, 2013). It noted that under international law, rights to the legitimate use of sea and airspace are essential for security, stability and prosperity, and hence, the need for all sides to exercise caution and restraint (*ibid.*).

Even though Chinese ADIZ overlaps with Taiwanese ADIZ by a comparatively diminutive 23,000 square kilometers, official response from Taiwan was primarily muffled giving rise to remonstrations from the opposition Democratic Progressive Party (DPP) and some academics that the government was falling short of affirming Taiwan's sovereignty (for instance, according to Chris Huang, an associate professor at the Institute of Law for Science and Technology at Taiwan's National Tsing Hua University – see: *Taipei Times*, 2013). Reacting to the development, the Taiwanese government declared that the East China Sea ADIZ demarcation is not an issue about territorial airspace or territorial sovereignty, and hence it directed that flight plans for planes flying through the zone should be submitted to Beijing as requested (*ibid.*). On the other hand, Laird and Timperlake (2013, as cited in Keck, 2013), employing the concept of “strategic quadrangle”, highlighted how Taiwan fits into the East China Sea ADIZ controversy and declared thus:

We have placed the ADIZ down upon the strategic geography we have identified and a key reality quickly emerges. Just by chance, the zone covers reinforcements to Taiwan. That is, the ADIZ happens to cover the exact areas that the US or Japan would have to traverse in order to promptly respond to a PLA invasion of Taiwan.

On the basis of this, they averred that the US would be unable to use its immense military resources in South Korea and Japan to defend Taiwan, since China can deny it (US) and allied forces to operate in the waters and airspace covered by the ADIZ.

Responding to ADIZ declaration by China, an announcement by the US State Department described China's creation of the ADIZ as a unilateral action that constitutes an attempt to alter the existing order in the East China Sea, adding that freedom of over flight and other globally lawful uses of sea and airspace are essential to prosperity, stability and security in the Pacific. The statement further adds that the United States does not support efforts by any state to apply its ADIZ rules to foreign aircraft not intending to enter its national airspace, stressing that the United States does not apply its ADIZ guidelines to foreign aircraft not intending to enter United States national airspace (US statement on the East China Sea air defense identification zone – see: Chan, 2013). While urging China not to execute its threat to take action against aircraft that do not identify themselves or adhere to instructions from China, it (United States) however, declared that the Chinese proclamation will not in any way alter how the United States conducts military operations in the region, asserting that the United States remains steadfast in its commitment to its allies by reiterating its established policy that Article V of the United States-Japan Mutual Defense Treaty applies to the disputed Senkaku Islands (US Secretary of Defense Chuck Hagel, cited in Erickson, 2013).

Like the US, the presence of China as the central power in the Asia-Pacific and its relationship with its neighbours has equally drawn the attention of Russia to the events in that region, territorial disputes in East China Sea inclusive; hence, tension between China and Japan as a result of territorial disputes continues to increase concern in the region and beyond (Topychkanov, 2014). Though Russian interests in the Asia-Pacific region dwell mainly on the economic aspects with little or no emphasis on political issues, its interest in developing relationships with China and its neighbours cannot be under-estimated: escalation of conflicts in the region and disruption of trade and economic relations

between regional countries are all of serious concern to Russia (*ibid.*). The Philippines blamed China for striving to convert the area into its domestic airspace with Filipino Aviation official John Andrews cautioning that Beijing might undertake to set up an additional ADIZ in the South China Sea, where the two countries (the Philippines and China) have rival claims (*ABC News*, 2013, November 28b).

In its reaction, the South Korean Transport Ministry averred that the East China Sea ADIZ did not comply with international regulations; hence, its airlines would not recognize the Chinese ADIZ. As reported by Yonhap (연합 / 聯合) News Agency, South Korean Foreign Minister Yun Byung-se argued that the East China Sea ADIZ dispute had made “tricky regional situations even more difficult to deal with” (Gale, 2013). One key issue of contention for South Korea is that the East China Sea ADIZ covers an area of ocean where South Korea has a marine research station built on a submerged rock, the South Korean-claimed Socotra Rock (Gale, 2013; *VOA*, 2013).

Though Japan maintains an ADIZ in the region, its Foreign Ministry stated that the Chinese ADIZ is completely undesirable and exceedingly deplorable as it incorporates the Japanese territorial airspace over the Senkaku Islands (maritime territory under Japanese control). Signaling its disapproval over the creation of the East China Sea ADIZ, Japan declared that unilaterally establishing such airspace and restricting flights in the area is very risky as it may lead to miscalculation in the area (Chan, 2013, November 25).

#### **4. Rules and Procedures of Identification for Foreign Aircraft**

In concurrence with the proclamation by the Government of the People’s Republic of China on setting up of the East China Sea ADIZ, the Chinese Ministry of National Defense issued a pronouncement on the

aircraft identification rules for the East China Sea ADIZ. According to the report, foreign aircraft in the zone will be expected to conform to the following (Announcement of aircraft identification rules, 2013 – see: Erickson, 2013):

- 1) Aircraft flying in the East China Sea Air Defense Identification Zone must abide by these rules.
- 2) Aircraft flying in the East China Sea ADIZ must provide the following means of identification:
  - Identification of flight plan. Any aircraft in the East China Sea ADIZ must report its flight plans to the Ministry of Foreign Affairs of the People’s Republic of China or China’s Civil Aviation Administration.
  - Radio identification. Aircraft in the zone must maintain two-way-radio communication and respond in a timely and accurate manner to identification inquiries from the administrative organ of the East China Sea ADIZ or the unit authorized by the organ.
  - Responder/Transponder identification. Aircraft flying in the East China Sea ADIZ, if equipped with an Air Traffic Control Radar Beacon System transponder must keep it on throughout the entire course.
  - Logo/Sign identification. Any aircraft flying in the East China Sea ADIZ must display insignia indicating its nationality and registration identification in accordance with related international treaties.
- 3) Aircraft flying in the East China Sea ADIZ should follow the instructions of the administrative organ of the East China Sea ADIZ or the unit authorized by it as the Chinese Military will adopt “emergency defensive measures” in response to aircraft that refuses to follow the instructions or fails to cooperate in the identification.

- 4) Chinese Ministry of National Defense is the administrative organ of the East China Sea ADIZ.
- 5) The Ministry of National Defense of the People's Republic of China is responsible for the explanation of these rules.
- 6) These aircraft identification rules will come into force at 10 a.m. November 23, 2013.

These rules and procedures for aircraft identification no doubt have serious geo-strategic implications. Metcalf (2013,<sup>6</sup> as cited in Erickson, 2013) has argued that an ADIZ is not a provocative or negative step in itself as it can be in the interests of stability and security of the country enforcing it, stressing that many countries including Japan, South Korea and the United State (which started it decades ago) have such zones. He however, criticized the East China Sea ADIZ on the following grounds (Metcalf, 2013,<sup>7</sup> as cited in Erickson, 2013, para. 3):

- It is a unilateral step, announced suddenly and apparently without consultation with two countries whose civilian and military aircraft will be affected, the United States and Japan.
- It includes a contested maritime area, notably the Senkaku/Diaoyu Islands, and thus can be seen as a deliberate effort to change the status quo, even a provocation.
- Its rules demanding that aircraft identify themselves and obey Chinese direction on flights paths seem to apply to all aircraft in the zone and not only aircraft enroute to China. This contradicts with the basic early warning and air traffic control purposes of an ADIZ, and with long-standing Pentagon regulations advising United States military aircraft to comply with a foreign ADIZ only when they are flying on a course into that country's airspace, not when they are simply on transit or patrol.

- It looks like a pretext for one of two undesirable security outcomes. If foreign aircraft now regularly obeys the new Chinese rules, we will see precedents set for the unilateral expansion of Chinese authority over contested maritime territory. Alternatively, if foreign aircraft contests or ignores the Chinese zone and a dangerous or deadly incident occurs (such as a collision or forceful encounter), then China will have prepared the way to absolve itself of legal or moral blame, making it easier to use the incident as a justification to escalate the crisis if China so chooses.

He wrapped it up by arguing that if China's new zone did not include disputed maritime territory, if its requirements for compliance applied only to aircraft heading into Chinese airspace, and if neighbours like Japan and South Korea had been consulted ahead of the announcement, then, there would be little or nothing for others to object to adding that it could have been part of a wider strategy of cooperation to reduce maritime security risks in North Asia (Metcalf, 2013,<sup>8</sup> cited in Erickson, 2013, para.2).

Jen Psaki, the chief spokesperson for the US State Department, has pointed out that China had made the pronouncement in an uncoordinated approach which is incompatible with standard practice. According to him, the fact that China's declaration has caused uncertainty and amplified the threat of accident simply further underlines the validity of concerns and the need for China to repeal the procedures (*The Guardian*, 2013).

For O'Hanlon and Steinberg (2013,<sup>9</sup> cited in White, 2013), the problem with China's ADIZ is that it encompasses Islands whose sovereignty is contested between China, Japan and Taiwan, noting that in contrast with the conventional defense zone which helps build

stability by plummeting the likelihood of mishaps based on flawed identity, the unilateral and forceful character of the new Chinese efforts raises the risk of conflict. On the basis of this, Wang (2013,<sup>10</sup> cited in White, 2013) opines that China's move seems to have shot itself in the foot, and will be used as an illustration of China's status as a revisionist state which will additionally reinforce the threat narrative.

In contrast, some observers are of the opinion that the barrel of criticisms levelled against the East China Sea Air Defense Identification Zone amount to over-reaction. According to Chen Weihua, columnist and chief Washington correspondent for *China Daily* (cited in *ChinaFile*, 2013), the declaration of such ADIZ should by no means be seen as a signal that China is prepared to shoot down any foreign aircraft entering the zone without prior reporting since China has as large a stake in the peace, stability and prosperity in the region as anyone else. While noting that the Air Defense Identification Zone is not a Chinese innovation as the United States, Japan and some 20 other countries declared such zones in their airspace long time ago, he further stressed that China's pronouncement of its first ADIZ in the East China Sea echoes its dissatisfaction with Japan's refusal to acknowledge that there is a row over the sovereignty of Diaoyu Islands, or, as the Japanese call them, the Senkaku, pointing out that a number of times, Japan has used its own declared ADIZ as a ploy to disparage China for interfering in its airspace, which, in China's observation, is disputed.

In a related development, Ma (2013) has argued that the East China Sea Air Defense Identification Zone is not directed against any specific country; rather, it satisfies the pragmatic requirements of national security. He however declared that it is a modest reaction to the incessant frustrations from certain countries against China as can be attested to by the recent Japanese claim that it would shoot down China's drones and fire warning shots at Chinese aircraft entering its own ADIZ.

According to him, Japanese ships and aircraft have carried out stalking, surveillance, monitoring, and even precarious deeds of incursion on Chinese normal military instruction activities for relatively a long time and taking note of Japan's provocations, many people are predisposed to construe China's establishment of the ADIZ as a response to Japan's impudence. Also justifying the Chinese act, Chinese Defence Ministry spokesman Geng Yansheng (Reuters, 2013, December 3) opines that "the East China Sea Air Defense Identification zone is a safe, not risky zone, a zone of cooperation not confrontation".

All the reactions trailing the East China Sea ADIZ are triggered by individual actor's perception and interpretation of the Chinese move. For those who understand the ADIZ as directed at territorial claim on the disputed maritime territories, the East China Sea ADIZ is a destabilizing factor that has altered the status quo in the area. On the other hand, actors that view the Chinese ADIZ as a mechanism for ensuring stability and security through the maintenance of flight order will cooperate to avoid possible miscalculation and accident.

## **5. Asia-Pacific in the aftermath of East China Sea ADIZ Declaration**

The swing of the centre of gravity of global politics and economy from the Atlantic to Pacific occasioned by the alteration in balance of power has simultaneously created opportunity for security cooperation and triggered regional concerns and tensions. As a home to a host of actors with varying political, economic and social systems coupled with divergent security perspectives, the Asia-Pacific region has become more prone to the so-called "gray situations", that is, situations that are neither pure peacetime nor contingencies over territorial sovereignty and interests (Cabinet Secretariat, Japan, 2013). Therefore, in response to the unilateral and assertive manner of the new Chinese ADIZ declaration,

Japan, South Korea and the United States have all defied China's new directive by carrying out a series of daring and provocative moves in response.

In what is regarded as disapproval of China's ADIZ declaration, the US flew two unarmed nuclear-capable B-52 bombers through the zone without notifying Chinese authorities, stressing that US military aircraft would not adhere to the new Chinese protocols (Symonds, 2014). Following far-reaching apprehension about China's regional capability, South Korea is constructing a new naval base for 20 warships, including submarines, and planning to purchase the F-35, stressing that it has to guard critical shipping lanes in the East China Sea for its exports, as well as loads of electronics headed to China (Sanger, 2013). In addition to carrying out a flight operation unannounced through the newly declared Chinese ADIZ few days after the pronouncement, South Korean navy has not only conducted sea and air military drills in an area within the East China Sea ADIZ but also expanded its own ADIZ more than 300 kilometres to the South which partially overlaps Chinese ADIZ with both countries' zones presently enveloping the airspace above a rock called Ieodo (이여도 / 離於島) by South Korea (i.e. the Socotra Rock) and Suyan (蘇岩礁) by China, which though claimed by both countries but is administered by South Korea (*BBC News*, 2013, December 8).

The new zone which was expanded by about 66,480 square kilometres (25,670 square miles) or about two thirds of the size of the country in waters off its south coast (*Business Insider*, 2013), according to Jang Hyuk, Head of Policy of South Korea's Ministry of National Defense, will also result in an overlap with Japan's air defense zone (Reuters, 2013, December 8). As reported by Yonhap News Agency of South Korea (as cited in *BBC News*, 2013, December 8), this will be the first time that South Korea has adjusted its ADIZ since it was first set up by the US military in 1951 during the Korean War. On its part, few days

after the Chinese declaration, Japan defied the Chinese ADIZ by engaging in routine surveillance operation without informing China. Besides, December 17, 2013, marked a momentous inflection point in Japan's history in responding to its security environment. Citing China's activities around Japan, the Senkaku Islands and the ADIZ, Japan unveiled its first ever National Security Strategy aimed at maintaining the peace and security of Japan as well as ensuring its survival (Cabinet Secretariat, Japan, 2013).

Partly due to doubts about US commitment in the Pacific region on one hand and as part of a basic alteration in the national orientation toward a Japan that is more fervent and capable to defend itself than any time since the World War II, Japan, besides planning to construct a new army base by 2016 on a small inhabited island near the disputed Senkaku or Diaoyu Islands (as they are known in Japan and China respectively), is also preparing to deploy more F-15s and radar planes to Okinawa (沖縄), a new helicopter carrier and for the first time has mulled over buying unarmed American drones to patrol the area, as part of a three-year-long shift in military strategy to focus on their Southern Islands and China (Sanger, 2013). Moreover, in a move believed by Chinese analysts as aimed at further strengthening Japan's maritime capability, the Japanese government on January 7, 2014, affirmed that it would register 280 isolated islands as state property in order to boost their management despite the fact that its earlier resolution of September 2012 to nationalize three of the Senkaku / Diaoyu islets sparked strong objections from China and considerably escalated tension between the two countries (Symonds, 2014). Also on the same day, Japan proclaimed that it scrambled fighter jets to head off a Chinese civilian aircraft (Y-12 propeller plane) that entered Japan's ADIZ near the disputed islands in the East China Sea (*ibid.*).

For China, determined to make real its threat and also prepare for any eventuality in its resolve to increasingly assert control over islands though uninhabited but that would confer on its owner exclusive oil, mineral and fishing rights in surrounding waters, has not only continued to increase its defense budget at double-digit rates but might also decide to put in place another ADIZ in the South China Sea (White, 2013). Furthermore, on May 24, 2014, during joint maritime exercises with Russia, China scrambled two pairs of fighter jets and flew them unprecedentedly close to a Japanese OP-3C surveillance plane and a YS-11EB electronic intelligence aircraft, having declared the area a no-fly zone ahead of the Sino-Russia joint naval drill (CNN, 2014). According to a statement from Japanese Minister of Defense, Itsunori Onodera (小野寺五典), the incident was the closest that Chinese planes had flown to Japanese aircraft, passing about 30 meters from one plane and 50 meters from another (*ibid.*).

Reminiscent of the arms race that characterized the Cold War era between the West represented by the United States and East represented by the Union Of Soviet Socialist Republic, the foregoing has shown how China's increasingly aggressive posture towards territorial claims through the unilateral proclamation of an air defense identification zone has pitted it against the United States on one hand and its neighbours, South Korea and Japan, on the other. As Sanger (2013) succinctly noted, as the Chinese grow more determined to assert their territorial claims over a string of islands once vital mostly to fishermen, America's allies are also pouring military assets into the region thereby potentially escalating the once obscure dispute into a broader test of power in the Pacific.

## **6. East China Sea ADIZ and Security in the Asia-Pacific: A Threat to Global Peace**

One of the greatest concerns raised over the military enforcement of the ECS-ADIZ is the possibility of an accident or mid-air clash between Chinese military aircraft and other countries' aircraft operating within the zone. As the US and China seek to assert their military capability in the East China and South China Seas, there have been series of near misses between Chinese and American ships and aircraft (*The Washington Post*, 2014). Shortly after the ECS-ADIZ declaration, US reported of a near-collision in the South China Sea as Chinese warships encountered a US guided missile cruiser (*BBC News*, 2014).

Also, in August 2014, a Chinese fighter jet conducted a dangerous intercept of a US Navy surveillance and reconnaissance aircraft off the coast of China in international airspace. According to Pentagon Press Secretary, Rear Admiral John Kirby, the Chinese J-11 fighter jet brought one of its wingtips within 20 feet of the US Navy Poseidon P-8 patrol aircraft, 135 miles east of Hainan island, performed a "barrel roll" at close range and flashed past the nose of the US aircraft at a 90-degree angle with its underside exposed, apparently to make a point of showing its weapons (*The Washington Post*, 2014). Considered as the fourth such incident since March 2014, the act in Kirby's assertion posed a risk to the safety and the well-being of the air crew and was inconsistent with customary international law (*BBC News*, 2014).

It should be recalled that in 2001, what is today regarded as a most serious incident occurred when a Chinese fighter jet (the Peoples Liberation Army F-8) collided with a US Navy EP-3 spy plane killing the Chinese pilot, causing the American aircraft to make an emergency landing in China (*BBC News*, 2014). Another country that could be affected and probably drawn into the conflict as a result of tension between China and Japan is Australia. Bisley and Taylor (2014) have

analysed the circumstances under which conflict in the East China Sea could occur and the implications thereof for Australia by exploring three hypothetical East China Sea conflict scenarios thus:

First is where there is an exchange of fire involving Chinese and Japanese air patrols occasioned by Chinese decisions to enforce militarily the ADIZ; second scenario involves an accidental clash between a Chinese submarine and a US destroyer that takes place during a trilateral military exercise among America, Japan and Australia; third scenario involves non-state actors and stems from an incident at sea between a commercial cruise ship carrying a large proportion of retired Chinese military officers and the Japanese Coast Guard in waters near the disputed Senkaku/Diaoyu islands. Arising from these three scenarios, Bisley and Taylor (2014) went further to identify five facets of escalation that will shape if and how Australia would become drawn into a potential conflict:

- 1) When a conflict is clearly instigated by one side, Australia will face a much more bleak set of choices. An incident where aggressive Chinese behaviour has ignited a clash is, for instance, more likely to elicit Australian involvement than one where the circumstances around the eruption of conflict are murkier
- 2) How does the US respond? Regarded as the greatest determinant of Australian involvement, an ECS conflict is very unlikely to lead to an automatic invocation of Australia, New Zealand, United States (ANZUS) Security Treaty. On the other hand, because of the strong links established between Washington and Canberra in recent years as well as the expanded strategic purpose of the alliance, if US expects Australian involvement, then it will be very difficult to remain on the sidelines.

- 3) Does Japan request assistance? Next to the US in forging strategic relationship with Japan is Australia; hence, Australia would be among the first to whom Japan would turn to for support in the event of conflict in the East China Sea. This has certainly increased the prospects of Australia being caught up in a possible conflict.
- 4) What costs can China impose? As Chinese wealth and power grows, China will have more ways in which it can impose costs on Australia. As a result, Australia's approach to conflict in the East China Sea will also be shaped by how China responds and what leverage it can exert.
- 5) How much freedom of manoeuvre will Australia have? The involvement of Australian nationals in any contingency, the impact of social media, US alliance expectations, as well as statements and positions that Australian policy makers adopt in the lead up to any crisis will condition how much freedom of manoeuvre Australia has if and when crisis strikes.

China's declaration of an ADIZ over the East China Sea which is considered by Japan as an attempt to change the status quo by coercion against the provisions of international law within the maritime and aerial domains has made the later intensify action towards re-militarization. According to Topychaknov (2014), there have been discussions among experts in Japan to the effect that in reaction to the increasing Chinese threat, Japan will use appropriate means if all the usual conventional means cannot stop the aggression of China, then a decision will have to be made as to the development of nuclear weapons.

If Japan re-militarizes, North Korea which has already embarked on nuclear weapons programme would intensify efforts at increasing its stockpile. South Korea will not be left out. South Korea and Japan have been at loggerheads over a couple of maritime territories in the East China Sea known as Dokdo (독도 / 獨島) by Koreans (i.e. the

Liancourt Rocks) and Takeshima (竹島) by Japanese (*International Business Times*, 2015). Already, South Korea has conducted its own missile test and successfully launched a newly developed ballistic missile capable of striking most of North Korea (Choe, 2014). For North Korea, nuclear weapons have become a core element of its national security strategy, having launched live-fire drills near the disputed border with South Korea, test-fired ballistic missiles capable of hitting Japan, flown rudimentary drones into the South and threatened to carry out a “new” type of nuclear test such that the dangers of a nuclear-armed North Korea will place added importance on a stable security environment in Northeast Asia along with a stable and secure North Korean posture (Roehrig, 2013).

Russia on its part is not left out in the East China Sea ADIZ saga. Far from being enthusiastic about securing greater transparency in China’s nuclear arsenal as well as concerned over the situation on the Korean peninsula occasioned by North Korea’s desire to develop nuclear weapons, Moscow will not take lightly any attempt by forces in Japan and South Korea to acquire nuclear weapons (Topychaknov, 2014). Of important reference here is the 60-year old disagreement between Russia and Japan over four Islands of Kunashir known in Japan as Kunashiri, Iturup (Eturofu), Shikotan, and the rocky Habomai islets which are known in Russia as the Southern Kurils and in Japan as Northern territories which has prevented both countries from signing a peace treaty to end the World War II (*BBC News*, 2013, April 29). With this dispute in place, Japan’s desire to re-militarize will definitely not be taken for granted by Russia and this might lead to the escalation of the conflict. A more dangerous dimension might be added to this in the event that the US decides to take part in the crisis by invoking Article V of the US-Japan mutual Defense Treaty which obligates the US to defend Japan against attack.

From the foregoing revelations, if the ECS-ADIZ controversy is not properly managed, it is capable of triggering another World War, the third of its kind in human history. The actors involved in the ECS-ADIZ are numerous, most of them (US, China and Russia especially) acknowledged as possessing nuclear weapons and other weapons of mass destruction. If China decides to embark on military enforcement of the ECS-ADIZ by adopting emergency defensive measures against aircraft (belonging to perceived adversaries especially US and its ally Japan) that do not comply with the rules of identification, it has the propensity of further dampening the already frosty relationship between US and China occasioned by the former's commitment at containing the latter's rising both regionally and globally. If this happens, the world might be heading for another catastrophe. Historical evidence attests to the fact that one of the major causes of World War I was Britain's response to the rising German power, whose heavy industry surpassed that of Great Britain in the 1890s and its gross national product twice that of Britain at the beginning of twentieth century (Nye, 2003). It will be disastrous if history is allowed to repeat itself in this twenty-first century of high level of interdependence and de-fragmentation.

## **7. Conclusion**

The East China Sea Air Defense Identification Zone declaration of November 26, 2013, is seen as a turning point in China's determination to assert control over uninhabited but disputed maritime territories and by extension, in response to US Pivot role in Asia. What is considered today as China's first significant move against US interest in the Pacific has no doubt escalated tensions capable of sparking fratricide and cataclysm of even genocidal proportion in a fragile region. Worthy of note here is that China's dilly-dally approach at perfecting its interest in

the disputed maritime territories of Senkaku/Diaoyu following the Cairo and Potsdam Declarations (over 70 years ago) is at the epicentre of this renewed rivalry.

Nonetheless, there are many of such zones around the world today as can be attested to by the case of United States which not only started this practice but maintains about four to five of such zones. Japan established its ADIZ in 1969 (forty four years earlier than China) which not only includes China's Diaoyu Islands but also overlaps Chinese Exclusive Economic Zone, and on June 25, 2010, Japan unilaterally extended its ADIZ 22 kilometres westwards thereby overlapping with China's ADIZ. The duo of South Korea and Taiwan also maintains ADIZs. In all these cases, there has not been any case of accident or downing of an aircraft traced to refusal to observe ADIZ rules and as such, the East China Sea ADIZ should not be allowed to degenerate into "Armageddon". In the absence of any international legal framework or a universally accepted standard practice guiding the declaration and enforcement of an Air Defense Identification Zone, like the Berlin Conference of 1885 convened by European Imperialists to partition Africa, diplomatic solution should be explored to resolve the territorial disputes that have paved the way for the air traffic restriction.

## Notes

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