

## "Taiwan-Japan Relations after 2013 Fisheries Agreement: Road to 'Japan's TRA'?"

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### Abstract

This paper seeks to examine the potential roles of Taiwan-Japan relationship that has been rarely considered in the analysis of regional relations. Conventionally, Taiwan's peculiar position in regional and global politics is scrutinised through lenses of two counter-balancing relationships: (1) Cross-Strait Relations (CSR) with the People's Republic of China (PRC) and (2) its relationship with the United States defined by the Taiwan Relations Act of 1979, and the interplay among the three states has been vital for Taipei in terms of upholding its *de facto* independence. However, with the increasing assertiveness of Beijing regarding maritime territorial disputes along its coastline, Taipei does not hesitate to act outside of the established partnership in an effort to secure its claim and/or negotiate settlement with other claimants. In 2012-2013 alone, Taiwan has been involved in two escalations along its maritime borders with two US treaty allies: Japan and the Philippines, both cases providing an example of Taipei's own involvement in regional disputes. Particularly regarding the former case, with the return of Shinzo Abe to premiership, there has been remarkable dynamics in Taiwan-Japan relations. In January 2013, Japanese Ministry of Defence's White Paper publicly acknowledged potential PRC's attack on Taiwan as one of the examined scenarios leading to Japan's conflict with the PRC. More significantly, in April Japan and Taiwan reached an agreement on fishing right in the disputed area of Diaoyutai/Senkaku islands, significance of which stands out when comparing with willingness of other claimants to make compromises over their territorial claims in East and South China Seas. This has presumably happened on the background of nearly non-existent anti-Japanese sentiment in Taiwan driven by extensive people-to-people contacts, exemplified by the amount of private donations by Taiwanese to Japan in the aftermath of 2011 Tohoku earthquake and tsunami.

The case on which we intend to examine the current state of Taiwan-Japan relations and its implications for US-Taiwan, cross-Strait relations, and also US-Japan relations is the case of Diaoyutai/Senkaku dispute, including analysis of the motivations leading to April 2013 fishing agreement, and positions of both countries on China's announcement of Air Defence Identification Zone (ADIZ) in November 2013 which are directly related to the dispute over Diaoyutai/Senkaku islands. The salience of each partner for promoting one's national interests

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and the dynamics that makes the relationship outstanding from US-Taiwan relationship are underscored based upon on the assumption that Japan’s active interest in preserving Taiwan’s *de facto* independence provides for a complementary counter-balance to Cross-Strait relations. This would be similar to US-Taiwan relations but standing on its own logic, i.e. Japan-Taiwan relations are not the mere extension of US-Taiwan relations but reflect mutual interests of Taipei and Tokyo, strong enough to make both parties make compromises on the matters that are otherwise considered as issues of territorial integrity. Taking into account the recent evolving Taiwan-Japan relationship, the paper explores the possibility to go beyond “Taiwan Clause” enlisted in the U.S.-Japan Security Treaty. In concluding section, likelihood of emergence of Japan’s version of Taiwan Relations Act (TRA) is briefly discussed. Ultimately, the paper proposes that the complementarity of US-Taiwan and Japan-Taiwan relations might work as a mutually reinforcing the interest of all three actors to preserve the status quo.

## Introduction

Prior to discussing the role of Taiwan-Japan relationship, it is worth taking into account the following questions which were posed in existing literature: is Japan's behaviour wholly shaped by the U.S.-Japan alliance (Soeya 2005)? Accordingly, can be Japanese foreign policy towards Taiwan generally understood as an extension of U.S.-Japan relations? Likewise, is Taiwan issue predominantly considered as "a subfield" of U.S.-China relations (Sun 2007, p. 791)? In fact, the same logic can be applied to U.S.-Japan relations as they have been increasingly, to a considerable degree, shaped by the presence of rising China and therefore looking at those dyads (U.S.-Taiwan, U.S.-Japan but also Taiwan-China and Japan-China) through lenses of Sino-American relations which is not completely unjustified. However, the purpose of this paper is to counter-argue that Taiwan-Japan relationship should be regarded as a standalone phenomenon with its own dynamics that has materialized more clearly since both countries begun to feel the dilemma of rising, or rather more assertive, China and the relatively declining presence of the US in the region which may no longer facilitates their security.

This paper is divided in four parts. The first part reviews literature on contemporary Taiwan-Japan relations and how they are framed within broader regional discourses in relation to U.S.-China relations. The second part takes a closer look at the major factors behind the dynamics of Japan-Taiwan relations, including domestic considerations on each side of the partnership. The third part focuses on the case of Senkaku/Diaoyutai/Diaoyu<sup>3</sup> dispute with particular focus on the Japan-Taiwan fishery agreement from April 2013 and reactions of both countries to China's declaration of "Air Defense Identification Zone (ADIZ)" in November 2013. The fourth part concludes with preliminary assessments of developing Taiwan-Japan partnership and its potential, limitations and challenges, especially in terms of emerging debate within Japan on the possibility to adopt its version of Taiwan Relations Act (TRA).

## 1. Literature Review

Since 1972, Japan-Taiwan relations tend to be harmonised with US policy toward both countries and China. According to Wang (2000), Japan has followed US China's policy while Japanese Prime Minister stated at the Sato-Nixon meeting on November 1969 that "the maintenance of peace and security in the Taiwan area was also important for peace and security of Japan".<sup>4</sup> Furthermore, in the aftermath of the Taiwan straits crisis in 1996, Japan's policy was influenced

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<sup>3</sup> Islands are called Senkaku (尖閣) in Japan, Diaoyutai (釣魚台) in Taiwan and Diaoyu (钓鱼) in China.

<sup>4</sup> "Joint Statement of Japanese Prime Minister Eisaku Sato and U.S. President Richard Nixon", *The World and Japan* Database Project, <http://www.ioc.u-tokyo.ac.jp/~worldjpn/documents/texts/docs/19691121.D1E.html>

by the U.S.-Japan alliance regarded the crisis as “joint strategic interest”, according to the U.S.-Japan joint statement that was released in the same year. It is noted that a “new development in U.S.-Japan relations has changed Tokyo’s calculus on Taiwan. This is the revision of the 1978 Guidelines for U.S.-Japan Security Cooperation, which has inexorably linked the U.S.-Japan alliance with Japan’s relations with Taiwan and may further undermine Japan’s relations with China” (Wang 2000, pp. 365-366). Chen (2006) also remarks that “Japan’s [recent] steps to assume greater responsibility in the Taiwan Straits by agreeing to bring it under the rubric of the US-Japan security alliance was probably driven to some degree by this pressure from Washington” (Chen 2006, p. 54).

Although the factor of US presence has considerable influence on the U.S.-Japan alliance, there is also a discussion about Japanese “independent” foreign policy. Soeya (2001) claims that Japan lacks strategy of using its de facto “two Chinas” policy in the postwar period. According to him, “Japan did not have an independent strategy to work on the structure, nor was it prepared domestically or internationally to contrive or carry out such a strategy...The foreign policy of post-war Japan, particularly in the domain of security, can be analysed and interpreted objectively if seen from the perspective of Japan’s inability and unwillingness to develop an independent strategy, rather than a result of any centralized intention, still less a ‘conspiracy’” (Soeya 2001, p.130). He also maintains that in the post-Cold War context, “a fundamental characteristic of the U.S.-Japan alliance has been the asymmetrical nature of bilateral co-operation. The process leading to its ‘reaffirmation’ in April 1996 was the consolidation of this asymmetric alliance” (Soeya 2001, p.142).

Some scholars view Japan-Taiwan relations as a relationship that is worthy attention outside of the U.S.-China prevailing discourse, especially in recent years. Wilkins (2012) points out that “examination of the foreign and security policies of the Republic of China (ROC), or Taiwan, is often subsumed into the dominant discourse on the rise of China, the great power rivalry between China and the United States, or the cross-strait military balance. This can obscure other more subtle but meaningful trends” (Wilkins 2012, p. 115). Sun (2007) also contends that “the development of Japan-Taiwan relations cannot be understood as being primarily American-led” (Sun 2007, p. 795). In addition, Sun criticizes power-centered approach that considers relations between Taiwan and Japan, two security-dependent players, mostly as a subject of competition between two global powers, i.e. the U.S. and China (Sun 2007, pp. 793-795). Lam (2004), in this respect, notes that “Tokyo balances its geopolitical needs (to ally with the United States and to maintain balanced ties with China) with its relationship with Taipei”, although it is Washington that will ultimately decide whether it will aid to Taiwan and that Japan avoids

antagonizing China (Lam 2004, p. 250).

Additionally, Japan-Taiwan relations and position of Taiwan in U.S. foreign policy are also considered in face of the current circumstances of relative US decline and China's rise that leads to some assumptions that other nations simply cannot rely on the United States but also need to have alternative strategies. Bush (2013) argues about the cross-Strait situations that current U.S. policy is basically adequate, but this determination seems to be based on the assumption that if the U.S. ever had the power to determine the resolution of the Taiwan issue, it does not have it anymore. On his account, "there are too many factors constraining the United States to permit a major intermediation role. A central premise of U.S. policy remains sound: any agreements between Taiwan and China will be more enduring if they themselves create the agreements and are responsible for their implementation" (Bush 2013, p. 243). Gilley (2010) suggests the "Finlandisation" of Taiwan concerning a closer China-Taiwan relationship particularly after the Ma administration and a US further interest in rising China which implies US intentions of "abandoning Taiwan".<sup>5</sup> Moreover, in regard to US' "rebalance to Asia" strategy, with its willingness for burden-sharing with its allies, the US encourages its allies to have firmer cooperation under the system of "alliance network", which further developed the "hub-and-spoke" system which has been existed in the post-war era that has been harnessing the US presence in the Asia-Pacific region.<sup>6</sup>

Taking into account these academic discourses and political circumstances both in Taiwan and Japan, this paper argues that Japan's active interest in preserving Taiwan's *de facto* independence, Taiwan's interest in preserving cordial relations with Japan, and mutual affinity in a broader cultural arena may likely to provide for a complementary counter-balance to Cross-Strait relations, which would be similar to US-Taiwan relations but standing on its own logic. While some existing literature discusses that Japan's foreign policy is based upon US' one, the paper makes an argument that Japan-Taiwan relations are not the mere extension of US-Taiwan relations but rather reflect mutual interests of Taipei and Tokyo, strong enough to make both parties make compromises on the matters that are otherwise considered as issues of territorial integrity. The concept of "alliance network" can be applicable to this case although the nature differs from that of "hub-and-spoke" system. Ultimately, while there are some anxieties about US' "abandoning Taiwan", the paper proposes that the complementarity of

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<sup>5</sup> "Amerika de sakebarehajimeta 'Taiwan houki ron' [Prevailing 'abandoning Taiwan theory' in US]", *Japan Business Press*, <http://jbpress.ismedia.jp/articles/-/40270>; Further discussions about "abandoning Taiwan" were made in 2011 "US forum debates issue of 'abandoning' Taiwan", *Taipei Times*, <http://www.taipeitimes.com/News/taiwan/archives/2011/10/20/2003516214/2>

<sup>6</sup> The report by Ocean Policy Research Foundation (2013) also notes that "Japan and Taiwan recognize the importance of US engagement in the East Asia region. We welcome the US pivot to Asia which means the US rebalance toward the Asia Pacific region, as China has become assertive against relevant countries over conflicts in the South China Sea" (Ocean Policy Research Foundation 2013, p.10).

US-Taiwan and Japan-Taiwan relations might work as a mutually re-enforcing the interest of all three actors to preserve the status quo. In the next section, the paper focuses on a closer relationship between Taiwan and Japan.

## **2. Taiwan-Japan Relationship**

### ***Material Dimension***

After the U.S.-Japan Security Treaty was signed in 1951, Japan was forced by the United States to sign a peace treaty with ROC, not with the PRC. Afterwards, with the Mutual Defence Treaty between U.S. and Taiwan on December 1954, the “Taiwan factor”, or “Far East article”, has emerged as the linkage of the U.S.-Japan Security Treaty and a U.S. defence commitment toward Taiwan (Yang 2005, p. 96). On Lam (2004)’s account, the U.S.-Japan Treaty of Mutual Security and Cooperation and the 1997 U.S.-Japan Guidelines which stipulates that Tokyo will support logistical support to U.S. forces in “areas surrounding Japan” have indicated that Japan will be involved in any Taiwan Strait conflict although it is defined in situational terms rather than geographical. It is remarkable that “the guideline reinforce the link between Japanese security and Taiwan via the U.S.-Japanese alliance to ensure a Japanese response to instability caused by conflict or refugee flows” (Lam 2004, p. 259). However, with the 1996 Taiwan Strait crisis, Japan realized the very possibility of its involvement in a military conflict particularly between US and China. Yang (2005) notes that due to the 1996 Taiwan Strait crisis and the 9/11 incidents, Japan is seeking to allay its growing concerns for cross-strait and regional stability “by playing a more active role in cross-Strait and U.S.-Taiwan relations” (Yang 2005, p. 86). Furthermore, in regard to ballistic missile defence (BMD) that has been further developed between US and Japan, it is recognized that under the framework of the U.S.-Japan alliance, the territory surrounding Taiwan is also covered while Taiwan has built up a missile defence shield including Patriot PAC-3 batteries and a long-range early warning radar system in face of the rise of China. Yang (2005)’s article demonstrates the call by then Taiwan’s premier, Yu Shyi-kun, for a greater security dialogue with Japan, and also reports on the various Japanese Diet outreach efforts to Taiwan including a Japan-Taiwan-United States trilateral defense network (Yang 2005, pp. 102-104). In the military realm, while the U.S.-Japan alliance and U.S.-Taiwan partnership defined by Taiwan Relations Act (TRA) remains to be the centre in relation to security of both Taiwan and Japan, there is a growing consideration of regional security in the Asia-Pacific particularly in face of the rise of China.

The issue of BMD has re-emerged with the growing reckless behaviours of Kim Jong-un’s Democratic People’s Republic of Korea (DPRK) regime and with the ever increasing arsenal of Chinese ballistic and cruise missiles that pose grave threat not only to Taiwan’s defense but also

to U.S. forces bases in Japan, and Japan itself. China's capabilities, known as Anti-Access/Area Denial (A2AD), represent major challenge to the U.S. ability to intervene in a timely manner in case of the PRC's attack on Taiwan or Japan including the Senkaku islands that U.S. considers as under Japan's administration. In August 2012, the Wall Street Journal reported on U.S. plans to boost missile defense in Asia by deploying X-band radar to Japan and possibly to the Philippines.<sup>7</sup> In this respect, Taiwan possesses powerful capability after its own U.S.-made early warning radar, allegedly the most powerful of its kind with ability to track airborne targets as far as 5.000km<sup>8</sup>, based in Hsinchu became operational at the end of 2013. Taiwan and Japan (and the U.S.) with their combined capabilities would possess capability to analyse any movements deep within Chinese airspace which would provide invaluable information after a couple of years of collecting tracking data.

Another issue of mutual interest is protection of Sea Lanes of Communication (SLOCs) since both countries rely heavily on a seaborne trade. As Blazevic (2010) notes, "For many Japanese policymakers and military leaders, Taiwan has been essential to national security since the 1890s due to its geostrategic significance to sea lanes and Japan's territorial and resource claims. The reunification of China with Taiwan is perceived by the Japanese as an act that would enable China to maximize its power through the possible blockage of sea lane traffic, along with enabling it to pursue absolute power more aggressively through expansion in the East China Sea" (Blazevic 2010, p. 153). Taiwan faces similar dilemma as Japan in regards to sea lanes yet its position is even more complicated. Taiwan is not only claimant to disputes in East and South China Seas but it is itself subject of claim by the PRC. However, with the election of Kuomintang politician Ma Ying-jeou as Taiwan President in 2008, tensions between Taiwan and China has significantly decreased. Taiwan and China signed Economic Cooperation Framework Agreement (ECFA) in 2010 and both sides of the Taiwan Strait were applauded for ameliorating tensions. Indeed, not surprisingly, calmness between China and Taiwan poses dilemma to Tokyo. Naturally, Tokyo does not want events between Taipei and Beijing turn to a shooting war. Yet, it is also concerned with possible unification scenario which gives negative impacts on Japan. Matsuda (2009) expressed concerns about greater influence of the elements of Taiwan's political arena that may harbour strong anti-Japanese sentiments although those are not prominent part of Ma's Japan policy.<sup>9</sup> However, as the next section shows, concerns about more influential

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<sup>7</sup> Wall Street Journal (2012) "U.S. Plans New Asia Missile Defenses," <http://online.wsj.com/news/articles/SB10000872396390444812704577605591629039400>

<sup>8</sup> Taipei Times (2012) "New radar tracks North Korea rocket: MND," <http://www.taipeitimes.com/News/front/archives/2012/12/13/2003550023/1>; Federation of American Scientist (2013) "A Dossier on the Pave Paws Radar Installation on Leshan, Taiwan," <http://www.fas.org/man/eprint/leshan.pdf>

<sup>9</sup> Matsuda, Y. (2009) "Improved Cross-Strait Relations Confusing to the Japanese," [http://www2.jiia.or.jp/en\\_commentary/200912/28-1.html](http://www2.jiia.or.jp/en_commentary/200912/28-1.html)

anti-Japanese elements in Taiwan's Japan policy have not materialized.

Likewise, confusion was expressed over the rapid changes in cross-Strait relations. While tensions decreased between Taiwan and China, they increased everywhere else. As a result, Japan appears to become even keener to safeguard Taiwan's status quo. Although the PRC's use of force against Taiwan could involve also Japan, its impact might not go beyond strike against U.S. military assets on Japan's territory. Nonetheless, China's takeover of Taiwan in combination with Beijing's ambitions in East China Sea poses direct threat to Japan's territorial integrity. Consequently, the recent key defense documents of Taiwan<sup>10</sup> and Japan<sup>11</sup> identify China as the main security threat. Therefore, in the case of Japan-Taiwan ties with the U.S. as the principal security partner, there is strong converging interests in security arena representing strong foundations for the development of bilateral relations, in addition to formal arrangements demonstrated by the U.S.-Japan security treaty. The increased tensions over the Diaoyutai/Senkaku islands that resurfaced with the controversy over detaining Chinese national after attempted ramming of Japan Coast Guard (JCG) vessel and further deterioration following September 2012's nationalization of the islands helped raising Japan's awareness that Taiwan under the control of the PRC would be a security nightmare for Tokyo. In a stark contrast to relations between China and Japan, relations between Taipei and Tokyo are generally in very good shape, further supported by extraordinary people-to-people relations as exemplified in the following section.

### ***Cultural Dimension***

In light of Taiwan-Japan relationship, cultural dimension which has played a large role cannot be ignored. According to Lam (2004), Taiwan-Japan relationship is based upon "affinity" which consists of colonised history, common values including capitalism, liberal democracy and J-Pop, economic ties and political networks (e.g., Taiwan lobby). Similarly to Lam's observation, Sun (2007) identifies three mutually reinforcing processes: (1) positive interpretation of colonial experience; (2) bond of democratic identity; and (3) mutual attraction enjoying immense popular support (Sun 2007, p.792). Sun notes that initially Taiwanese nationalism was of anti-Japanese struggle, however, he further observes that "...when one examines the mainstream political mood in Taiwan today, this anti-Japan strand of nationalism is much weaker than its rival sentiment of amity toward contemporary Japan and nostalgia about colonial rule" (Sun 2007, p.796). "This pro-Japan nostalgia, however, is as much a Chinese-induced product as a direct Japanese legacy" (Sun 2007, p.797). In the name of "special partnership" with Japan,

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<sup>10</sup> Ministry of National Defense (2013) "Quadrennial Defense Review 2013," <http://qdr.mnd.gov.tw/encontent.html>

<sup>11</sup> Cabinet Secretariat (2013) "National Security Strategy," <http://www.cas.go.jp/jp/siryu/131217anzenhoshou/nss-e.pdf>

President Ma has suggested that changes occurring in the cross-Strait situation since he took office are consistent with this concept of dynamic equilibrium. During the 2009, “Taiwan-Japan special partnership promotion year,” tourist, cultural and youth exchange activities were sponsored (Sun 2007, p. 801).<sup>12</sup> Wilkins (2012) argues that this can be seen as the usage of “soft power” (Wilkins 2012, pp. 122-123). At the same time, Lam (2004) also indicates the “limits to affinity” which includes Sino-Japan relationship, regional stability and the e Diaoyutai/Senkaku dispute.

This has presumably happened on the background of nearly non-existent anti-Japanese sentiment in Taiwan driven by extensive people-to-people contacts, exemplified by the amount of private donations by Taiwanese to Japan in the aftermath of 2011 Tohoku earthquake and tsunami.<sup>13</sup> According to a March 2013 report<sup>14</sup> published by Japan’s Interchange Association, Japan’s unofficial embassy in Taipei, 65 percent of Taiwanese feel either “close” or “really close” to Japan unlike the case of mainland China where over 90 percent of Chinese have either an “unfavourable” or “relatively unfavourable” impression of Japan.<sup>15</sup> Interchange Association’s survey also asks the Taiwanese about their favourite foreign country and there Japan is overwhelmingly the most favourable. Table 1 offers comparison with China and the US, including which each age group sees respective country the most and the least favourable. In this respect, positive feelings towards Japan has potential to further increase with bigger support among younger population, while popularity of China, generally low on average, has is highest among older population.

Table 1: Q1: Apart from Taiwan, what is your favourite country?									
Japan				China			U.S.		
	Total	Most favourable age group	Least favourable age group	Total	Most favourable age group	Least favourable age group	Total	Most favourable age group	Least favourable age group
2012	43%	20-29 (54%)	50-64 (36%)	7%	50-64/65-80 (9%)	20-29/30-39 (3%)	7%	50-64/65-80 (9%)	30-39 (4%)

<sup>12</sup> A ‘special partnership’ with Japan, which was established in 2009, was seen as one of the central pillars of its efforts to maintain international space by expanding business, cultural and political exchange.

<sup>13</sup> China Post (2014) “Japan students thank Taiwan for quake aid”, <http://www.chinapost.com.tw/taiwan/foreign-affairs/2014/03/10/402463/Japan-students.htm>

<sup>14</sup> Interchange Association Japan (2013) “2012 年度台灣民眾對日本觀感之研究,” [http://www.koryu.or.jp/taipei-tw/ez3\\_contents.nsf/04/207F2F48BAF7AAFD49257B970039D3C1/\\$FILE/H24yoron.zhong.pdf](http://www.koryu.or.jp/taipei-tw/ez3_contents.nsf/04/207F2F48BAF7AAFD49257B970039D3C1/$FILE/H24yoron.zhong.pdf); Ministry of Foreign Affairs (Japan) (2013) “Recent Japan-Taiwan Relations and the Taiwan Situation,” [http://www.mofa.go.jp/region/asia-paci/taiwan/pdfs/japan-taiwan\\_relations.pdf](http://www.mofa.go.jp/region/asia-paci/taiwan/pdfs/japan-taiwan_relations.pdf)

<sup>15</sup> Asahi Shimbun (2013) “90 percent of Japanese, Chinese view each other negatively, poll finds,” [http://ajw.asahi.com/article/behind\\_news/politics/AJ201308060078](http://ajw.asahi.com/article/behind_news/politics/AJ201308060078)

2011	41%	30-39 (50%)	65-80 (33%)	8%	65-80 (15%)	20-29 (2%)	8%	65-80 (14%)	30-39 (4%)
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Source:

[http://www.koryu.or.jp/taipei-tw/ez3\\_contents.nsf/04/207F2F48BAF7AAFD49257B970039D3C1/\\$FILE/H24yoron.zhong.pdf](http://www.koryu.or.jp/taipei-tw/ez3_contents.nsf/04/207F2F48BAF7AAFD49257B970039D3C1/$FILE/H24yoron.zhong.pdf)

### 1) Taiwan factor

#### *Taiwan-Japan relations under Lee Teng-hui and Chen Shui-bian*

It was the period throughout the 1990s until 2008 when above material and cultural factors that foster bilateral relations were further enhanced by Japan-friendly presidents in Taiwan. Lee Teng-hui who succeeded Chiang Ching-Kuo in 1988 and became the first democratically elected president in 1995 represents that part of Taiwan’s population which interprets Japanese colonial period in a positive light, especially in contrast with the period of ‘White Terror’ (Wilkins 2012, pp. 121-122; Sun 2007, pp. 796-797).<sup>16</sup> Yet, Taiwan-Japan relations have not relied only on pro-Japan sentiments of an older segment of Taiwan’s population but also such factors as security-related considerations remaining in place from the Cold War era, which were given a new boost after the 1995-96 Taiwan missile crisis that also led to inclusion of ‘Taiwan Clause’ in the U.S.-Japan defense guidelines. Equally an important factor was Taiwan’s progressing democratization.

Lee Teng-hui-led democratization exemplified by his decision to talk to student protesters known as ‘Wild Lilies’ demanding greater democratization in 1990, and emergence of Democratic Progressive Party as a competent opposition force was outstanding in contrast with developments in Chinese post-Tiananmen period. As Sun (2007) notes, Tiananmen massacre was shocking for Japan expecting some level of liberalization in China (Sun 2007, p. 801). While in the 1980s, Taiwan’s authoritarian regime appeared increasingly awkward even in comparison with China, the perception has completely reversed in the 1990s. Lee’s role in presiding over these changes helped to seize the moment of Japan’s shock. Lam (2004) argues that Lee has been by far the best in promoting Taiwan in Japan with his charisma, Japanese education background and fluency in Japanese as positive factors in strengthening ties between Taiwan and Japan which made Japanese respond with admiration (Lam 2004, p. 258). However, Lee was not alone calling for closer relations with Japan. In 2000, James Soong, who by then was hardly Lee’s ally<sup>17</sup>, called for ‘non-aggression treaty’ between Taiwan and China where the U.S. and Japan would play a role of guarantors (Lam 2004, p. 257). Below the leadership level,

<sup>16</sup> Namely its initial phase begun with the events following the 228 incident that resulted to four decades of single-party rule under martial law (Wilkins 2012; Sun 2007).

<sup>17</sup> Lee alienated Soong by not promoting him following 1996 elections and eventually promoting Lien Chan as KMT presidential candidate for 2000 elections which led to KMT-split as Soong left the party, ran as independent candidate contributing to split among KMT supporters.

Taiwan-Japan relations were fostered by extensive political networks which supplemented the lack of official ties (Lam 2004, pp. 254-257).

Chen Shui-bian's ascendance to presidency in 2000 marked the first democratic change in the governing party and there has been a significant degree of continuity of its relations with Japan. With the growing hostility from Beijing, the Chen administration was eager to push for stronger trilateral security partnership among Japan, Taiwan and the U.S. (Wilkins 2012, p. 130; Sun 2007, p. 797). Moreover, Lee's influence on Taiwan-Japan relations has not disappeared after his presidency (Lam 2004, p. 258). However, the broader strategic environment has changed with increasing China's strength and its hostile attitude towards the DPP-led administration. Proposals that were not significantly deviated from Lee's positions were seen as troublesome during the Chen's period, especially by the US. By extension, there were also problems in mutual Taiwan-Japan relations. Similarly to the US, Japan leaders grew uneasy about what they perceived as unnecessary provocations of China (Sun 2007, pp. 804-805). Thus, while the 2000s lacked extraordinary events like the 1995-96 missile crisis, alienating China for the sake of Taiwan-Japan ties has challenged the limits as to where the relations could go officially.

### ***Trends in Taiwan-Japan relations under Ma Ying-jeou***

While security-related considerations, value-based closeness, and extensive people-to-people contacts on all levels came together with leadership that saw Japan as a more than just a friendly nation between 1988 and 2008, the post-2008 period relations were expected to be cooled down. The honeymoon period of Taiwan-Japan relations appeared to cool down somewhat with the final stage of Chen's presidency with concerns related to expected triumph of KMT party and its presidential candidate, then Taipei mayor, Ma Ying-jeou. That was not completely unreasonable worry since KMT of 2008 became a different party from 1990s. Frustrated with loss of presidency for two terms, KMT approached China (and the CCP) with Lien Chan's visit in 2005. Moreover, the fast pace of cross-Strait rapprochement in a first years of Ma's presidency made Tokyo puzzled about where does Taipei stand, as noted in previous section.<sup>18</sup> Sun (2007) indicates that there were other challenges such as its overly utilitarian nature of the party and the KMT's education that portrayed Japanese colonial rule as enslavement<sup>19</sup> (Sun 2007, p. 808). He also mentions lack of mechanism to deal with Diaoyutai/Senkaku dispute and distrust of Japan in Taiwan's armed services as potentially destabilizing factors (Sun 2007, pp. 804-808).

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<sup>18</sup> In fact, Ma Ying-jeou himself is personally attached to Diaoyutai/Senkaku dispute since the legality of ROC's ownership over the islands was a topic of his PhD thesis at Harvard.

<sup>19</sup> Unlike retired President Lee Teng-hui and the colonial generation to which he belongs, the current leadership lacks personal experience under Japanese rule (Sun 2007)

In hindsight, indeed those worries actually have not materialized. The Diaoyutai/Senkaku dispute has become part of an agenda of Taiwan-Japan relations, but not as a result of deliberate attempt of Taipei to assert its position but rather growing tensions between China and Japan. Additionally, there has been a remarkable difference between Taiwan's and China's approach. In 2010, Taipei kept rather low profile during the collision between Chinese fishing vessel and Japan's Coastal Guard patrol resulted in arrest of Chinese crew, subsequent series of anti-Japan demonstrations and Chinese ban on rare earth exports to Japan.<sup>20</sup> Furthermore, in September 2012, Taipei's response to anticipated Japan's nationalization of Senkaku islands differed significantly from China. While Chinese cities experienced furious anti-Japanese demonstrations, protests in Taiwan were much smaller without violence. President Ma also responded with his East China Sea Peace Initiative as a mean to draw attention to Taipei's conciliatory position.<sup>21</sup>

Considering these factors of Ma's Japan policy, it suggests that Ma and the key KMT power holders are well aware that anti-Japan stance would not benefit him domestically. It would be also difficult position for Ma to appear as forging cooperation with Beijing, option that Ma has repeatedly denied.<sup>22</sup> Indeed, it is unlikely that Ma would gain domestically and internationally by going tough on Japan for the sake of pleasing Beijing. In addition, among his calculations is also potential U.S. reaction, given the pivotal role of U.S.-Japan alliance in the regional security infrastructure. Summarizing Taiwan-Japan relations, Sun (2007) remarks: "In short, Taiwan's commingling with Japan is wide-ranging. Japan is vital for political and security reasons and attractive on cultural grounds as well. For the older generation, cultural Japan has never faded in their memories. Democratization only set free and amplified their long-suppressed nostalgia toward their one-time motherland. The current ruling elites, although lacking personal experience with Japanese rule, certainly realize Japan's vital security importance and seek to build new ties by calling Japanese attention to a shared democratic identity vis-à-vis an authoritarian China. For the younger generation, Japan is attractive for being their Paris next door. The anti-Japan voices, on the other hand, have become largely ostracized in all three layers of generations" (Sun 2007, p. 799). Sun's observation in 2007 is as valid today as it was before 2008 KMT's return to power.

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<sup>20</sup> Reuters (2010) "China lifts rare earth export ban to Japan: trader," <http://www.reuters.com/article/2010/09/29/us-japan-china-export-idUSTRE68S0BT20100929>

<sup>21</sup> Thim, M. (2013a) "Ma's Peace Initiative and Taiwan's Diaoyutai Debate," <https://blogs.nottingham.ac.uk/chinapolicyinstitute/2013/02/26/mas-peace-initiative-and-taiwans-diaoyutai-debate/>

<sup>22</sup> Taipei Times (2013) "Isle dispute a test of Ma's China policy," <http://www.taipetimes.com/News/taiwan/archives/2013/02/20/2003555248>

In a nutshell, Ma has not deviated significantly from generally pro-Japan policies as many observers expected after his premiership despite emergence of Diaoyutai/Senkaku dispute between China and Japan. Although Taipei rhetorically reasserted sovereignty over the islands, it also refused to cooperate with China on the issue. That suggest that while Taiwan’s leaders’ personal views may play a role which are perceived positively/negatively in Japan, it should not be overestimated as a decisive factor. This is not to say that the bilateral relations are free from occasional spoilers like the naming controversy over the Tokyo National Museum exhibition of collection belonging to Taiwan’s National Palace Museum last June<sup>23</sup>. But these appear to have little consequence for the general health of the bilateral relations. In the end, strategic considerations and strong pro-Japan sentiments among the Taiwanese population pave the way even for leaders less enthusiastic about Japan as President Ma was expected to be. Arguably, the most important development in Taiwan-Japan relations is the Taiwan-Japan fishery agreement deal which will be examined in greater details in a separate section.

## 2) Japan factor

### *The Role of Japan’s Taiwan Lobby*

The strength of political ties between Taiwan and Japan can best be observed in the influence of the so-called “Taiwan lobby” (*shintaiha*) in the Japanese legislature (Diet). It is worth noting that “anti-mainstream revisionist” faction of the Liberal Democratic Party (LDP), a leading political party in Japan in the post-war era, has been the centre of the Taiwan Lobby since the post-war period, particularly involving the family of Shinzo Abe who is the current Japanese Prime Minister. Former Japanese leaders Kishi Nobusuke and Sato Eisaku were crucially involved in the setting up of the “Taiwan Faction” of the LDP in the 1950s, where it remained strong until the 1970s. In the post-war Japan when material is extremely scarce, Kishi obtain huge profits through the banana trade and cultivate connections with the “Taiwan Gang”.<sup>24</sup> Additionally, on November 1969 when Sato and U.S. President Richard Nixon enacted the Japan-US Joint Statement, Sato included the so-called “Taiwan clause”, saying that “Taiwan is Japan’s security extremely important factor,” and trumpeted the “Taiwan attribution undetermined”. LDP established a Diet Members’ Dialogue Group on Japan-China Relations<sup>25</sup> in 1973 in order to promote contact with Taiwanese politicians (Yang 2005).

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<sup>23</sup> Japan Times (2014) “Tokyo National Museum bends to Taiwan to salvage exhibition of Chinese treasures,” [http://www.japantimes.co.jp/news/2014/06/22/national/tokyo-national-museum-bends-taiwan-salvage-exhibition-chinese-treasures/#.VCvN6\\_mSwwM](http://www.japantimes.co.jp/news/2014/06/22/national/tokyo-national-museum-bends-taiwan-salvage-exhibition-chinese-treasures/#.VCvN6_mSwwM)

<sup>24</sup> Ma Yi-Ming, Chiang Kai-shek and his son established a close contact with Kishi in 1954 secretly with an establishment of anti-communist alliance. According to Ma Yi-Ming, he and Kishi became cut the throat turn of the neck, “Chopping each other when the two hot springs, drinking each other slapstick, then go buy the spring”.

<sup>25</sup> “China” is referred to the Republic of China (ROC) (Yang 2005)

As Chan (2006) states, there is a “growing goodwill toward Taipei” among Japanese politicians which have an immense influences on the Taiwan-Japan relationship. Intergovernmental relations between Japan and Taiwan have strengthened, as evidenced through the growth of the Taiwan lobby in the Japanese Diet as neatly help of the latter’s members belong to several Japan-Taiwan friendship associations (Blazevic 2010, p. 145). The Taiwan lobby was inherited by Yoshiro Mori’s “Blue Storm Society (*seirankai*)”, the faction that Abe rose through and in which the power center for the Taiwan lobby still resides. In addition to heading the Mori faction, Shinzo Abe was the president of the legislators’ alliance for the “*Attoshinzenkyoukai*” after his first premiership. In the meanwhile, Abe actively interacted with Taiwanese counterparts prior to his second premiership. It is notable that Taiwan indeed permits Japan’s nationalistic attitude and, as the 2001 meeting between Shintaro Ishihara and then Taiwanese President Chen Shui-bian shows, even independence-minded Taiwanese accept a more nationalistic perspective from Japanese hardliners, in great contrast to China.<sup>26</sup> Japan’s ruling LDP, main opposition Democratic Party of Japan (DPJ)<sup>27</sup>, and many of Japan’s smaller parties are all represented in the Diet Members’ Dialogue Group on Japan-China Relations, one of the biggest of Japan-Taiwan friendship associations.<sup>28</sup> Furthermore, younger legislators in the

Japanese Diet tend to be more pro-Taiwan, and “as older politicians and officials who oversaw

the 1972 China-Japan normalization fade from the scene,” these younger politicians are increasingly gaining influence. As a result, some commentators have noted that the “Taiwan lobby” in the Japanese Diet is already more influential than its counterpart in the US Congress.<sup>29</sup> This support also clearly assisted the August 2005 visit of Taiwanese National Defense Committee legislators to Japan where Taiwanese legislators met with several members of the Japanese Diet to discuss closer Japan-Taiwan military cooperation.<sup>30</sup> As it would be exemplified later, Abe’s younger brother Noburo Kishi, who is very much a supporter of Taiwan, has played a larger role in promoting a further Taiwan-Japanese relationship.<sup>31</sup>

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<sup>26</sup> Info Taiwan (nd.) “President Chen Meets with Tokyo Governor Ishihara Shintaro,” <http://www.taiwan.gov.tw/ct.asp?xItem=11216&ctNode=1933&mp=999>

<sup>27</sup> DPJ formed “Japan-Taiwan Friendship Association” in 1997 (Yang 2005).

<sup>28</sup> Todd Cromwell and Murakami Mutsuko, “Taiwan’s Lobby in Japan: It’s Stronger than the One in Washington,” *Asiaweek*, December 11, 1998 <<http://www.asiaweek.com/asiaweek/98/1211/nat2.html>>

<sup>29</sup> Todd Cromwell and Murakami Mutsuko, “Taiwan’s Lobby in Japan: It’s Stronger than the One in Washington,” *Asiaweek*, December 11, 1998 <<http://www.asiaweek.com/asiaweek/98/1211/nat2.html>>

<sup>30</sup> Taipei Times (2005) “Legislative Yuan’s Defense Committee Plans to Visit Japan,” <http://www.taipeitimes.com/News/taiwan/archives/2005/08/08/2003266886>

<sup>31</sup> Taipei Times (2013) “Taiwan ‘should be a part of security’,” <http://www.taipeitimes.com/News/taiwan/archives/2013/02/06/2003554355>

### *Under the Current Abe's Administration*

With the return of Shinzo Abe to premiership, there has been remarkable dynamics in Taiwan-Japan relations. Whilst Abe got engaged with Taiwan actively prior to his second premiership, he attended the “Taipei Economic and Cultural Office” farewell party in 2008 on behalf of Hsu Shi-kai, he said, “Japan-Taiwan relations is not only very important for Asia and the world, the two sides should strengthen cooperation with Japan should ‘President of Taiwan’ Direct dialogue with the U.S.” Since Abe’s second premiership, Japanese’s Ministry of Defense White Paper that was issued in January 2013 acknowledged potential PRC’s attack on Taiwan as one of the examined scenarios leading to Japan’s conflict with the PRC. “The Bounty of the Open Seas: Five New Principles for Japanese Diplomacy”, which was released on the same timing, notes that “Japan’s national interest lies eternally in keeping Asia’s seas unequivocally open, free, and peaceful—in maintaining them as the commons for all the people of the world, where the rule of law is fully realized”.<sup>32</sup> Abe has shown an interest in geopolitics and during his first tenure as prime minister was rather successful in improving Japan’s relations with ASEAN and other nations, including China itself. Not only with Taiwan but he most notably intervened in the India-Japan FTA negotiations and his TPP commitments which exhibits his interest in the geopolitical context.

Another interesting aspect of Taiwan-Japan relations is an attempt to create Japanese version of “Taiwan Relations Act (TRA) which some members of the Japanese Diet were seriously considering. A group of around 70 lawmakers of the governing Liberal Democratic Party led by Nobuo Kishi, who is the head of the Japan-Taiwan Young Parliamentary Association on Economic Exchange, was aiming to formulate the law that would serve as a basis for strengthening economic relations and personal exchanges with Taiwan. The proposed “Japanese TRA” was intended to be different from US relationship with Taiwan. It is worth noting that U.S. TRA is to this day very special piece of legislation. It is U.S. domestic law that regulates relations with foreign country (even if on semi-official basis) and which binds the Executive branch to undertake certain steps in order to maintain relations between Taiwan and the U.S. In other words, TRA is U.S. Congress’ incursion into area that is traditional prerogative of the Administration. While Japan’s debate on TRA is focused mostly on economic and cultural relations, its U.S. counterpart is known for the provision of U.S. armaments sale to Taiwan. On one occasion, Kishi said, “It doesn’t necessarily impair the position of China. Japan-Taiwan exchanges should be promoted”.<sup>33</sup> In fact, such a bill has been proposed previously by

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<sup>32</sup> Kantei (2013) “The Bounty of the Open Seas: Five New Principles for Japanese Diplomacy,” [www.kantei.go.jp/foreign/96\\_abe/statement/201301/18speech\\_e.html](http://www.kantei.go.jp/foreign/96_abe/statement/201301/18speech_e.html)

<sup>33</sup> Global Post (2014) “Japan lawmakers eye enhancing Taiwan relations in line with U.S. law,” <http://www.globalpost.com/dispatch/news/kyodo-news-international/140218/japan-lawmakers-eye-enhancing-taiwan>

then-Taiwanese President Chen in 2006, including the issue of security. The attempt of creating Japan TRA can be seen as a further elaboration on which Kawashima (2013) calls “the 1972 setup” that consists of two dimensions. In the academic sphere, debate is increasingly focused on “1972 setup.”, which is the framework put in place when Japan normalised ties with China in that year as the basis for ties between the two nations ever since. Within this framework, the nations based their relations on bilateral friendship, and also dealt with issues like the Taiwan problem, arguments over historical perception and territorial disputes by either reaching a consensus or shelving the issues to be dealt with later.

### ***Collective self-defence (CSD) and the Japan’s TRA debate***

While the debate about Japan’s TRA has so far concentrated on less problematic issues, Abe’s decision to reinterpret the Article 9 of the Constitution that concerns country’s right to collective self-defence (CSD), brings security and defence related context into the debate. After much domestic and international controversies and intra-coalition negotiations, Abe’s government has adopted new interpretation of CSD that allows Japan to assist its allies even if Japan itself is not under attack. As Corey Wallace notes, “In addition to when there is an imminent and illegitimate act of aggression towards Japan, the new first condition will allow the mobilisation of the SDF when a country with which Japan has a close relationship is attacked, on the condition that the attack poses a clear danger to existence of Japan and threatens to overturn the foundation for the enjoyment of the rights of Japanese citizens”. In connection with the role of Taiwan-related contingency expressed in January 2013 white paper, it is not remotely impossible to see Japan reforming its policies in order to build more formidable security partnership with Taiwan.

It is worth noting that Japan has begun to follow the idea of “proactive pacifism” under the second Abe administration prior the Article 9 re-interpretation<sup>34</sup> by easing its arms export, which may also have some implications for potential Japan version of TRA. Replacing “Three Principles on Arms Export”, “Three Principles on Defense Equipment Transfers” was adopted on the 1st April 2014 in order to ease its self-imposed arms export ban for the first time in almost 50 years which is described as “the first major overhaul in nearly half a century of its arms embargo policy”.<sup>35</sup> The attempt to loosen arms export policy has been made especially under the Abe administration. According to draft principles to control arms exports presented to the ruling coalition on the 5th December 2013, the Japanese government would permit exports

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<sup>34</sup> The administration also made attempt to revise Article 96 in order to make the revision of Article 9 less difficult.

<sup>35</sup> Japan Times (2014) “New arms export principles, guidelines are adopted by Abe Cabinet,”

[http://www.japantimes.co.jp/news/2014/04/01/national/politics-diplomacy/new-arms-export-principles-guidelines-are-adopted-by-abe-cabinet/#.VAvaMvl\\_sy6](http://www.japantimes.co.jp/news/2014/04/01/national/politics-diplomacy/new-arms-export-principles-guidelines-are-adopted-by-abe-cabinet/#.VAvaMvl_sy6)

as long as they “contribute to Japan’s national security” or meet other conditions.<sup>36</sup> Japanese Chief Cabinet Secretary Yoshihide Suga under the second Abe administration remarked that “Under the new principles, we have made the procedure for transfer of defence equipment more transparent...That will contribute to peace and international co-operation from the standpoint of proactive pacifism”.<sup>37</sup>

### **3. Taiwan-Japan Fishery Agreement and China’s ADIZ declaration**

This section will briefly examine two case studies relating to the Diaoyutai/Senkaku island: Taiwan-Japan fishery agreement and China’s ADIZ declaration. As for the former, the fishing agreement and on the background of broader context of Taiwan-Japan relations will be scrutinized. In terms of the latter, impact of China’s declaration of Air Defence Identification Zone (ADIZ) over the disputed area on Taiwan-Japan relations will be also explored.

#### **1) Taiwan-Japan Fishery Agreement**

In April 2013, Japan and Taiwan reached an agreement on fishing right in the disputed area of Diaoyutai/Senkaku islands, significance of which stands out when comparing with willingness of other claimants to make compromises over their territorial claims in East and South China Seas. They have managed to resolve another longstanding issue: in Taipei on April 10, 2013 signing a fisheries agreement. The September 2012 decision by the Japanese government to nationalise the Senkakus brought about heightened tensions between the three claimants and involved the U.S. as a guarantor of Japan’s security. As outlined in previous section, the fallout of tensions over Diaoyutai/Senkaku dispute resulted in heightened tensions between Beijing and Tokyo. Accordingly, Ma Ying-jeou’s East China Sea Peace Initiative went largely unnoticed or ignored by the other stakeholders. In this respect, deal inked between Japan and Taiwan on fishing in the area of Diaoyutai/Senkaku islands was rather surprising, although progress was reported at the end of March and the talks that stalled since 2009. The agreement established among other arrangements intervention-free fishing zone for Taiwanese fishing boats, established areas of joint fishing for Japanese and Taiwanese vessels.<sup>38</sup>

The second article of the fishery agreement specifies waters where the Taiwanese and Japanese

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<sup>36</sup> Asahi Shimbun (2013) “Japan moving to lift arms exports ban,” [http://ajw.asahi.com/article/behind\\_news/politics/AJ201312060062](http://ajw.asahi.com/article/behind_news/politics/AJ201312060062)

<sup>37</sup> BBC (2014) “Japan to relax arms export ban,” <http://www.bbc.com/news/world-asia-26830504>

<sup>38</sup> Taipei Times (2013) “Taiwan, Japan ink fisheries agreement,” <http://www.taipetimes.com/News/front/archives/2013/04/11/2003559323/1>

can fish freely, and a “special cooperative zone” where Taiwanese boats complying with the relevant rules will no longer be supervised by the Japanese.<sup>39</sup> Clause 5 of Article 2 stipulates that waters outside the specified zones will be subject to future discussions while the zones described are temporary, leaving open the possible further negotiations. Any future talks will be conducted by the Japan-Taiwan Fishery Committee, which was formed for the purpose of fulfilling the terms of this fisheries agreement. It is important to note that also Article 4, which stipulates that agreement has not have impact on territorial claims helps both sides to argue that they have not made any territorial concessions.

As a result, Taipei and Tokyo were able to claim a victory leaving Beijing in somewhat awkward situation. Although it may appear that the deal is result of geopolitical considerations by high-level politicians from both sides, this breakthrough would be less credible without the underlying factors, namely the considerable amount of disinterest in Taiwan to follow Beijing’s anti-Japan agenda. According to Kawashima (2013), “There were two main factors in the background to the settlement of this agreement. The first was the East China Sea Peace Initiative proposed by Taiwan’s President Ma Ying-jeou, which formed the basis for the foreign policy line taken by the Taiwanese. The second was Japan’s desire to place a wedge between Taiwan and China, preventing them from forming a united front against Japan’s interests. There was additional influence from the United States, which was also in favour of a resolution to the fisheries issue”.

From Taiwan’s perspective, reaching a deal on fishing rights is the optimal result. Taiwan does not possess control over the islands and has limited means to acquire physical control and near to no domestic political incentive. As noted above, public opinion in Taiwan does not allow for a strong anti-Japanese stance and Taiwanese are little interested in territorial nationalism aimed at the Diaoyutai islands as demonstrated by lacklustre support for anti-Japan’s protest in Taiwan.<sup>40</sup> Japan can consider the agreement as win-win proposition for couple of reasons. Firstly, Japan has been concerned with the increased activity of Chinese law-enforcement vessels in close proximity to the Senkaku Islands as part of Beijing’s clear attempt to alter the *status quo*.<sup>41</sup> From Tokyo’s perspective, addressing needs of Taiwan’s fishermen allows it to focus fully on China. Secondly, the dispute is a spoiler in a broader context of Taiwan-Japan relations as demonstrated earlier. Thirdly, the deal makes Beijing a side of the dispute that is

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<sup>39</sup> This zone is larger in size than Taiwan’s temporary enforcement area, so this can be seen as a positive result for the Taiwanese negotiators.

<sup>40</sup> Taipei Times (2012). “ANALYSIS: Local politics, not China, behind sea gambit,” <http://www.taipeitimes.com/News/taiwan/archives/2012/09/27/2003543775/1>

<sup>41</sup> Fravel, M.T. “China’s Island Strategy: “Redefine the Status Quo,” *The Diplomat*, <http://thediplomat.com/2012/11/chinas-island-strategy-redefine-the-status-quo/>

unwilling to compromise. Taiwan currently has an agreement that safeguards its fishing interests, and despite the provisions of Article 4, it is not in Taiwan's interest to challenge Tokyo's control over the area.

Additionally, it is highly plausible that PM Abe played a crucial role in fostering the fishery agreement between Taipei and Tokyo, despite considerable opposition, particularly by fishermen in Okinawa. Wallace (2013) notes that “without leadership from the top, negotiations would have likely remained bogged down due to Japanese officials' worries about hurting Okinawan fishing interests. Abe himself apparently became particularly concerned from September 2012 about the geopolitical implications should Taiwan and the PRC look to collaborate on challenging Japan on the issue.”<sup>42</sup>

## **2) China's declaration of East China Sea Air Defense Identification Zone (ADIZ)**

The announcement by Beijing to establish “Air Defence Identification Zone (ADIZ)” over the East China Sea effective on 23 November has further deteriorated Japan-China relations. The main issue with the Chinese ADIZ in relations to Japan is that it includes Diaoyutai/Senkaku islands altogether with an unusual approach to rules that Beijing announced.<sup>43</sup> The ADIZ declaration was Beijing's response to the September 2012 nationalization of the disputed islands. According to the statistics, 2012 marked a first year when number of Japan's air force scrambles as a result of an intrusion by Chinese exceeded those by Russians for the first time.<sup>44</sup> Similarly, within 12 months since nationalization the islands, Tokyo recorded 68 incursions of Chinese vessels.<sup>45</sup> Reactions to ADIZ establishment were overwhelmingly negative. The U.S. decision to send two B-52s on a training flight through Chinese ADIZ was immediate response by the major Japan's all. Japan commercial airlines also refused to submit their flight plans as requested by the Chinese. Other airliners, however, decided to comply with Chinese demands, including Taiwanese airlines citing safety concerns.

The ADIZ establishment and reactions to it have implications for Japan-Taiwan relations in terms of how both actors reacted. Nevertheless, it is important to note that Beijing was pursuing broader agenda and not exactly motivated by disturbing Taiwan-Japan relations. The reaction from Taiwan was initially low key and the official response came week later when President Ma

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<sup>42</sup> Wallace, C. (2013) “Japanese Media: Taiwan-Japan Fishing Deal Strategically Significant,” *Japan Security Watch*, <http://jsw.newpacificinstitute.org/?p=10857a>

<sup>43</sup> Thim, M. (2013b) “China's new ADIZ: Do not panic, yet do worry,” <http://blogs.nottingham.ac.uk/chinapolicyinstitute/2013/11/28/chinas-new-adiz-do-not-panic-yet-do-worry/>

<sup>44</sup> Simpson, J. (2013) “Japan's In a Catch-22 Whether to Shoot Down China's Drones,” <https://medium.com/war-is-boring/545cebcdf00>

<sup>45</sup> Kazianis, H. (2013) “China's Expanding Cabbage Strategy,” <http://thediplomat.com/2013/10/chinas-expanding-cabbage-strategy/>

reiterated Taiwan's claim, calling all parties to follow his East China Sea Peace Initiative.<sup>46</sup> However, on the background of Japan's and regional reaction to ADIZ announcement, Taipei and Tokyo held second round of talks over the issues that were not solved in April. Although second round has failed to reach final consensus, the following rounds concluded successfully in resolving remaining sticking points.<sup>47</sup>

Moreover, in a belated reaction, Taiwan has conducted joint Navy-Coast Guard exercise in February 2014, considered as "an indication that Taiwan is pursuing its own national interests despite China's announcement in November 2013 of a new ADIZ that heightened tensions in the region".<sup>48</sup> In a similar fashion, it is argued that "The fact that the patrol and drill took place at all, and especially that a play-by-play account of it was given to the Taiwanese press, suggests that Taipei seeks to make it known that it defying China's East China Sea ADIZ. There have been similar accounts of the U.S., Japan and South Korean militaries and coast guards acting in defiance of China's East China Sea ADIZ".<sup>49</sup>

The cases of fishery agreement and ADIZ declaration show the potential and limits of the Taiwan-Japan relations. In the case of the former, Taiwan responded to offer that could not afford to refuse, also given the absence of strong anti-Japan sentiment. In the case of the latter, the limits presented there is that Taipei would not openly denounce China on this matter. This may change should the KMT lose the next presidential elections. However, Taipei's silence on ADIZ did not in any way disturb ongoing talks between the two partners which signals Japan's understanding and determination to avoid spoilers of mutual relations.

#### 4. Conclusions

Examination of broader context of Taiwan-Japan relations identified major drivers behind the remarkable state of mutual relations. While positive interpretation of colonial past did not seem to play significant role in reaching the agreement on fishing around the Diaoyutai/Senkaku islands, the broader cultural affinity underlined by Taiwan's positive view of Japan across all generations and persisting mutual security interest did play a role in forging the deal. That the deal happened under the watch of most China-friendly administration since the KMT retreat to Taiwan underscore the importance of people-to-people in mutual relations. Arguably, the

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<sup>46</sup> ABC (2013) "Taiwan wades into East China Sea air defence zone debate,"

<http://www.abc.net.au/news/2013-12-02/an-taiwan-wades-into-east-china-sea-air-defence-zone-debate/5128400>

<sup>47</sup> Focus Taiwan (2014) "Rules of operation agreed on in Taiwan-Japan fishery talks,"

<http://focustaiwan.tw/news/asoc/201401240033.aspx>

<sup>48</sup> Focus Taiwan (2014) "Taiwan ships, aircraft drill inside China's ADIZ in East China Sea,"

<http://focustaiwan.tw/news/aip/201402260023.aspx>

<sup>49</sup> Keck, Z. (2014) "Taiwan Asserts Itself in East China Sea," *The Diplomat*,

<http://thediplomat.com/2014/03/taiwan-asserts-itself-in-east-china-sea/>

security-related interests are strong enough, yet, cultural aspects are there to stay even if convergence in security matters weakens. It is probable that positive interpretation of colonial past may cease to play significant role in the future as it is mostly matter of older generation. However, the same applies for the fringe of anti-Japanese attitude. The recent protests in Taiwan over Cross-Strait Service Trade Agreement imply that potential for economy-driven cross-Strait rapprochement is nearing its end. Even though developments in economic relations between Taipei and Beijing were remarkable, they did very little to dispel Taiwanese reluctance to unification. This consideration has potential to further strengthen relations between Taipei and Tokyo.

What is the next stage in Taiwan-Japan relations? Would that be Japan's version of TRA? We argue that the underlying factors and circumstances of current security and political environment in the region make it a plausible option. In consideration of Japan's proactive pacifism, it seems that Taiwan side is willing to further military cooperation with Japan. Recently at the Taiwan-U.S.-Japan Trilateral Security Dialogue Forum in July 2014, Taiwanese lawmaker Hsiao Bi-khim of the opposition Democratic Progressive Party (DPP) suggested that security dialogue be incorporated into the formulation of a Japanese version of the Taiwan Relations Act (TRA) to build closer security ties between the two countries.<sup>50</sup> While she also indicated that the current LDP proposal is not sufficient due to the lack of consideration of military dimension,<sup>51</sup> Japan would increase military exchanges with Taiwan, including transferring military technology and sharing Japan's experience in using an all-volunteer military.<sup>52</sup> Furthermore, when Kyodo, a major news agency, asked KMT Vice Chairman Tseng Yung-chuan whether the KMT will support a plan of purchasing arms from Japan or seeking military technology cooperation with Japan at the legislature, he replied "If any foreign country other than the United States, including Japan, is willing to sell Taiwan defense equipment we need, we could study the feasibility of buying such equipment from them".<sup>53</sup>

However, the effectiveness of Japanese version of TRA has been under scrutiny indeed. Firstly, the procedures of including military element into Japanese version of TRA are seen difficult. Whereas Japanese lawmaker Keisuke Suzuki of the ruling Liberal Democratic Party (LDP)

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<sup>50</sup> China Post (2014) "More Taiwan-Japan security, military exchanges urged," <http://www.chinapost.com.tw/taiwan/intl-community/2014/07/02/411429/More-Taiwan-Japan.htm>

<sup>51</sup> Taipei Times (2014) "Regional Security Cooperation Urged," <http://headlines.yahoo.co.jp/hl?a=20140702-00000044-rcdc-cn>

<sup>52</sup> China Post (2014) "More Taiwan-Japan security, military exchanges urged," <http://www.chinapost.com.tw/taiwan/intl-community/2014/07/02/411429/More-Taiwan-Japan.htm>

<sup>53</sup> Global Post (2014) "Taiwan to study possibility of purchasing arms from Japan," <http://www.globalpost.com/dispatch/news/kyodo-news-international/140828/taiwan-study-possibility-purchasing-arms-japan>

acknowledged the significance of security cooperation between Taiwan, Japan and the US at the Taiwan-U.S.-Japan Trilateral Security Dialogue Forum on July 2014, he also indicates the difficulty in adding clauses to a Japanese version of the TRA considering the procedure.<sup>54</sup> Moreover, in the context of Japan's movement for enabling CSD, according to the opinion poll conducted by Taiwan Brain Trust, approximately 60 percent supports Japan's exercise of CSD when Taiwan is attacked in the framework of the U.S. TRA.<sup>55</sup> This might exhibit that Taiwan recognises Japan's limit of creating Japan's version of TRA despite its proactive pacifism while the reliance on the US still remains at least in legalistic sense.

Perhaps the idea of Japan's TRA may be used more loosely in comparison to its U.S. counterpart. Instead of one coherent legislation, there may be set of arrangements, not necessarily related to each other, but which would create framework where the most critical issues of the bilateral relationship. Issues of economy and trade may result in free trade agreement, issues of arms sales could be addressed within more general guidelines governing Japan's arms sale. That level of ambiguity could serve both sides after all.

The purpose of this paper was to examine Japan-Taiwan relations as a complementary element to Taiwan-U.S. relations that are traditionally considered as a principal balance to cross-Strait relations for Taiwan. The paper presented a case of Taiwan-Japan relations that have a potential to play equally important role in cross-Strait relations. From the perspective of Taiwan's relations with China, partnership with Japan provides additional security while extensive people-to-people contacts provide for perhaps the friendliest nation regarding Taiwan's de facto independence. From the point of Taiwan-U.S. relations, Japan's genuine interest in preserving Taiwan's status quo is complementary to the U.S. interests in protecting Japan. Moreover, regional efforts to strengthen bilateral relationship are in line with declared U.S. policy of rebalancing to Asia and its "alliance network". As we noted elsewhere: "Japan-Taiwan and U.S.-Taiwan relations benefit and at the same time suffer from the intentional (strategic) ambiguity that is a necessary component due to the peculiar political status of Taiwan. It benefits because it enables a certain degree of creativity in the absence of formal agreements, it suffers because of the lack of demonstration of the partnership to third parties, namely the PRC. Thus, one shall not expect much clarity in the trilateral dialogue but that does not mean there is not great room for cooperation and convergence of strategic interests."<sup>56</sup>

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<sup>54</sup> China Post (2014) "More Taiwan-Japan security, military exchanges urged," <http://www.chinapost.com.tw/taiwan/intl-community/2014/07/02/411429/More-Taiwan-Japan.htm>

<sup>55</sup> <http://news.searchina.net/id/1540758>

<sup>56</sup> Matsuoka, M. & Thim, M. (2013) "Unofficially Official: The U.S. Rebalance to Asia-Pacific and the U.S.-Japan-Taiwan alliance,"

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