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Russia's Position on Territorial Conflicts in East Asia

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RUSSIA'S POSITION on territorial and border conflicts in East Asia arouses great interest. Most of these conflicts have deep roots in and are consequences of the Cold War, primarily stemming from legal gaps in the system of interstate borders that is based on the San Francisco Peace Treaty.

These conflicts include disputes over the South Kuril Islands ("Northern Territories"), the Senkaku (Diaoyu) islands, and the Tokto (Takeshima) islands. In addition, there are numerous conflicts in the South China Sea (disputes over territories including the Paracel and Spratly islands) that have more complicated histories and go further back into the past, including the colonial era.

Russia is involved in only one of East Asia's territorial disputes, one with Japan, and is just an observer in the rest of them. Russia's line on those conflicts is very important from the point of view of its political and economic interests, which are determined by its trade and investment relations with the countries that are parties to those disputes.

Many of the most acute conflicts are sovereignty disputes over islands and sea borders. Essentially, they are disputes over economic control of vast water areas in the East China Sea and South China Sea, which are rich in mineral and biological resources and are part of key international maritime communication lines. For Russia, however, those communications are not as important as they are, for example, for Japan or South Korea, or even for China.

Russia is more reliant on the transit facilities of its eastern ports. The latter are used in shipping along the Northern Sea Route and in transportation to and from China more than they are in handling cargo trans-

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portation between East Asia and Europe along the southern route passing through the Strait of Malacca.

It was no accident that Russia focused on that southern route in setting the agenda for the Asia-Pacific Economic Cooperation (APEC) summit in Vladivostok in 2012. As an outside observer in East Asian territorial conflicts with none of its geographical or economic interests affected by them, Russia takes a more neutral position on them than countries to which such conflicts pose a direct threat of armed confrontation.

The Russian position is also determined by the economic development priorities of Siberia and the Russian Far East as set by its “eastward turn” doctrine. Strategically speaking, Russia needs good and stable economic, and hence political, relations with all key countries involved in East Asian processes of integration, processes that encompass all East Asian countries except North Korea.

However, practically all East Asian countries with which Russia is determined to maintain trade and investment partnership, including China, Japan, South Korea, and key Southeast Asian states such as Vietnam, are embroiled in territorial or border conflicts. Obviously, by siding with one of the parties to any of these conflicts, Russia would jeopardize its relations with the other.

Russia cannot afford to make friends with one country by estranging another. It needs, showing the utmost discretion and delicacy, to achieve a subtle balance in its relations with various actors and to seek at least a fragile regional status quo. Neither can Russia ignore the fact that, by joining ad hoc blocs or coalitions formed to deal with territorial conflicts, it would risk being drawn into a conflict that might grow into war any moment.

Russia bases its position on territorial conflicts on respect for the national sovereignty and territorial integrity of states, on the immutability of borders, and on international law. Russia takes a strict position of neutrality on conflicts it is not involved in. Moscow rejects the idea of internationalization of such conflicts – attempts to settle them through multilateral negotiations with the participation of extraregional actors or

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through actions in international courts in which only one party to a conflict participates.

The former Soviet Union protested Japanese attempts to raise the South Kurils problem at a Group of Seven (G7) meeting in Toronto in 1988. Moscow takes the same line on all the East Asian conflicts in which it is not involved.

In a newspaper interview in February 2013, the then Russian ambassador to China, Sergey Razov, said: "Bringing bilateral territorial disputes onto collective, international or regional floors doesn't help find acceptable solutions. Issues of national sovereignty and territorial integrity are very sensitive matters for any country. They need time, patience, and a peaceful atmosphere to be settled properly."¹

Russian Foreign Minister Sergey Lavrov was speaking in the same vein when he said in July 2016 that Russia's position on conflicts in the South China Sea "is determined by what is a natural desire for any normal country to see disputes being settled in a peaceful political and diplomatic way, and directly by the countries involved, without any third-party interference or any attempts to internationalize those disputes."²

Territorial Issues in Russian-Chinese Relations

TERRITORIAL DISPUTES are a major topic in Russian-Chinese relations since China is involved in border or territorial disputes with practically all its neighbors except Russia, disputes that have spanned several decades. China has been taking a tougher stance in them as it boosted its military and economic might.

In the 1960s, China had particularly bitter border conflicts with India and the Soviet Union, which escalated into armed clashes in 1962 and 1969. In the late 1960s, China demanded that Japan hand over the Senkaku islands to it; in 1974, the Chinese occupied the Paracels, and in the 2000s, they became more active in the South China Sea. In recent years, China has used a tactic of building artificial islands in the South China Sea that are large enough to be sites for military facilities.

China's policy is a source of serious concern for neighboring countries. This, in turn, causes diplomatic problems to Moscow as it complicates Russia's task of finding a balance between its relations with China and those with China's adversaries in territorial conflicts.

Russia had disputes with China over the demarcation of parts of their border, and Moscow's handling of them has been a good manifestation of

its position on territorial conflicts. Four decades of negotiations resulted in 2004 in a definitive demarcation agreement that put an end to what had been a constant source of friction between the two countries. Moscow assumes that stability on the Russian-Chinese border is a key condition for Russia's national security and seeks to avoid any moves that could motivate even purely hypothetical suggestions for the revision of its borders with China. This also explains Russia's opposition to any potential changing of national frontiers in the region.

Russia's position in the Chinese-Japanese conflict over the Senkaku (Diaoyu) islands is of great interest in the context of Russian-Chinese relations. Russia's line is determined by the fact that two nuclear powers are involved in this conflict – China as one of the direct parties to it and the United States as a country that, under a security treaty with Japan, is committed to taking armed action to rebuff any external military invasion of territories that are under Japanese administration (Article V of the Treaty of Mutual Cooperation and Security between the United States and Japan). This could spark a global nuclear war.

If this happened, there would be no way for Russia to stay on the sidelines since it is also a nuclear power and is a permanent member of the UN Security Council. Moreover, as a source of escalating military tensions in the East China Sea and because of the increasing risk of its unprovoked and uncontrolled spiraling, this conflict poses a huge danger to Russia's Far Eastern regions.

Moscow takes the position that any effort to settle this conflict should be a bilateral Chinese-Japanese endeavor.

Russia realizes that it would cause irreparable damage to its relations with one of the parties by siding with the other party, which is unacceptable from the point of view of Russia's national interests. In fact, Moscow avoids any discussion of the conflict with either Beijing or Tokyo and is careful not to take any steps that could be seen internationally as evidence of a pro-Chinese or pro-Japanese stance.

In Western media, one sometimes comes across the idea that Russia uses its position on territorial conflicts in the East China Sea as a means of pressure on Japan. The practically simultaneous passage of Russian and Chinese warships near the Senkaku/Diaoyu islands during a Russian-Chinese naval exercise in 2016 was interpreted by some observers as a show by Russia of solidarity with China. Japanese newspaper *Sankei Shimbun* even saw it as a signal to Japan – the fact that a Russian ship and a Chinese vessel sailed past the Senkakus practically simultaneously

was construed by the paper as an obvious message from Moscow that Russia was prepared to join forces with China to take action against Japan, and hence as a potential bargaining chip in negotiations on the “Northern Territories.”³

However, Russian warships had been appearing in the vicinity of the Senkakus before as well, and that never involved any breaches of international law. The reason for the exceptional impact of the 2016 incident was Japan’s hypersensitivity to any form of military cooperation between China and Russia. Incidentally, China does not officially support Russia on the Crimea issue or on the issues of the independence of Abkhazia and South Ossetia, maintaining diplomatic neutrality on those matters. Since 2014, no Chinese naval vessel has called into any Crimean port, although China and Crimea have established business contacts, and a large Crimean delegation visited a regional forum in China late in 2015.⁴ Hence Russia and China have no moral obligations to each other and base all their actions in the international arena on their national interests.

Russia’s Position on Conflicts in the South China Sea

RUSSIA’S POSITION on conflicts between China and neighboring countries in the South China Sea is based on the same principle of seeking a solution on the bilateral basis without any third-party intervention. “Russia is not a party to any [South China Sea] territorial disputes, and will not be drawn into them,” Russian Foreign Ministry spokeswoman Maria Zakharova said at a briefing on June 10, 2016. “Neither do we intend to take anyone’s side. We strongly believe that a third-party meddling in the dispute would only fuel tensions in the region.”⁵

One reason why Russia’s position on South China Sea conflicts has come under the spotlight lately is speculation among foreign experts to the effect that Russia and China are forming an alliance of sorts to deal with territorial conflicts in the East China Sea and South China Sea. Joint Sea-2016, the first Russian-Chinese naval exercises in the South China Sea, aroused a great deal of interest. Besides live-fire exercises and rescue operations, the Russian large anti-submarine ships (destroyers) *Admiral Tributs* and *Admiral Vinogradov* and Chinese vessels that took part in the maneuvers, held in September 2016, implemented also a landing operation with the capture of an island.⁶ Moreover, the Joint Sea-2016 scenario included a detectable plan to train joint action against the U.S. Navy, which intensively counteracts Chinese military activity in the

region.⁷ The fact that Joint Sea-2016 took place at a time when China was stepping up its naval activity in the region led Japanese expert Yu Koizumi to interpret the exercises as a show by Russia of solidarity with China in its territorial conflicts.⁸

Russian President Vladimir Putin added fuel to the fire by commenting on a July 2016 ruling of Permanent Court of Arbitration in The Hague that satisfied a suit from the Philippines, denying China the right to the 200-mile exclusive economic zone around the Spratlys and arguing that China's construction of artificial islands in their vicinity did irreparable damage to the ecosystems of local coral reefs.⁹

At a meeting with Chinese President Xi Jinping on the sidelines of the Group of 20 (G20) summit in Hanzhou, Putin said that Russia did not interfere in the disputes over the islands but supported China's non-recognition of the tribunal's ruling.¹⁰ Russia takes the position that any arbitration process must be started by both parties to a dispute. The ruling could not be considered just for the very reason that China had not taken the Spratlys issue to The Hague tribunal, Putin argued.¹¹

Russia's participation in Joint Sea-2016 represented no departure from its basic principles of neutrality and non-interference by third parties. Russia and China hold joint naval exercises on an annual basis, using international waters and different sites for them each year, and the maneuvers have no specific political implications. A Russian Defense Ministry spokesman told Russian news agency Interfax that these exercises "are not directed against any other states and have nothing to do with any changes in the military-political situation in that region," and that their purpose is to rehearse "joint action in the sea, such as defending maritime communications and looking for and rescuing distressed vessels."¹² Putin's above-cited statement reflected Russia's non-acceptance of the practice where an international court deals with a territorial dispute without one of the parties represented in the litigation and issues a ruling on it. Neither, obviously, does Russia need any such judicial case to be used as a precedent for dealing with its dispute with Japan over the South Kuril Islands, a dispute that Moscow would under no circumstances want to be a court case.

The point of coincidence of the interests of Russia and China in the South China Sea is that both countries are against the involvement of extraregional actors in the territorial disputes in that region. However, many Southeast Asian countries, worried by China's pushiness, do opt for multinational political and legal mechanisms and seek the intervention of

third parties, primarily the United States. Among countries relations with which are highly important for Russia economically and politically, are Vietnam, Thailand, the Philippines, and Indonesia. Russia cannot ignore their position. Besides political considerations, namely fears of losing much of its respectability because of what those nations would see as a pro-Chinese bias, Russia is running economic cooperation projects with Southeast Asian countries that affect the interests of China, and that is also an important fact.

Vietnam is the best example. Russian companies Gazprom and Rosneft are involved in developing hydrocarbon oil fields in a disputed part of the South China Sea. In April 2012, Gazprom and Vietnamese oil company PetroVietnam signed an agreement to develop two offshore gas fields in the vicinity of the Spratlys. China protested, claiming that the area to be developed under the agreement included parts of what it declares its exclusive economic zone. Vietnam has also bought considerable amounts of Russian weapons for use in the South China Sea. These include six diesel-electric submarines of the *Varshavyanka* class.¹³

This cooperation between Russia and Vietnam gives a degree of ambiguity to Russia's position on South China Sea conflicts. However, from China's point of view, there are no political motives behind it and it is not directed against Chinese interests, and therefore is a "lesser evil" than Vietnamese-American military cooperation. It is a common point of view in China that Russia's purpose of cooperating with Vietnam is to strengthen its influence in Asia and not to gain any advantage over China.¹⁴

The Territorial Dispute Between Russia and Japan

THE TERRITORIAL DISPUTE between Russia and Japan is a burning issue in their relations. The two countries have never signed a peace treaty, which would have settled it, and two and a half decades of negotiations have been fruitless. There is realization both in Tokyo and in Moscow that the reason is a fundamental difference in approaches of both sides.

The main source of discord is the assessment by the two countries of the results of World War II. Russia considers the South Kurils part of its territory under agreements between the Allies on the postwar world order. Russia takes the position that all these agreements are unchangeable, a principle that Japan refuses to accept. Moscow's "anti-revisionist" posi-

tion on the South Kurils issue is not merely a stance in negotiations but a manifestation of the ultimate basis of Russian statehood. Tokyo, on the other hand, argues that the world has changed and that the “historical injustice” done to Japan by the “Soviet aggression” and the “behind-the-scenes collusion” between the Allies should be righted. The South Kurils issue has become part of Japan’s general campaign for a definitive verdict on the results of World War II and its policy of seeking the status of a “normal” country.

The unresolved South Kurils problem to some extent affects Russia’s position on Japan’s other territorial disputes with its neighbors, namely the Senkaku and Tokto islands issues. Japan is an important political and economic partner of Russia, and so, with bilateral relations already marred by having such a painful problem, Moscow is careful to avoid any moves that would unnecessarily cause further frictions, for instance gestures of solidarity with China on the Senkaku dispute or with South Korea on the Tokto issue.

Russia recognizes the existence of the South Kurils issue and is willing to discuss it, and this makes this dispute different from other East Asian territorial and border conflicts, where the country controlling a disputed area rules out the existence of any problem and refuses to hold talks with the other party. Moreover, Russia would welcome Japan’s participation in the development of the South Kurils. During a visit of Russian President Putin to Japan in December 2016, the two countries agreed to declare the islands a zone for joint economic activities.

Joint economic activities are not an essentially new method of defusing a border conflict. Another example is a Japanese-Chinese agreement of 2008 on the joint development of an offshore gas field in the East China Sea, which has never been put into practice. Therefore, Russian-Japanese economic cooperation on the South Kurils, if it is a success, might provide experience to be used in dealing with other territorial conflicts in the region.

RUSSIA DOES NOT NEED any territorial conflicts to escalate. Territorial disputes fuel tensions in bilateral relations between Japan and China, Japan and South Korea, China and Southeast Asian countries, and this aggravates what is already a complicated political situation in the Far East. Hotbeds of war near the Far Eastern borders of Russia not only pose

security threats to the country but also hamper processes of economic integration of East Asian countries, whereas Moscow sees its participation in these processes as a factor in the economic development of Siberia and the Russian Far East.

Russia maintains a neutral stance on territorial conflicts in which it is not involved. Although Russia sticks to the principle that, in any territorial conflict, it must be the business of its parties alone to seek a settlement, Russia's neutrality means that it can play a major mediatory role in such conflicts.

In seeking to prevent the politicization of territorial conflicts, Russia attaches priority importance to international law. Our position is that the parties to a conflict must strictly comply with the principle of non-use of force and that any changes of frontiers must be based on international legal mechanisms and on agreements between the parties concerned. For example, dealing with the South China Sea conflicts should primarily be based on the United Nations Convention on the Law of the Sea, signed in 1982, and the Declaration on the Conduct of Parties in the South China Sea, signed by the Association of Southeast Asian Nations (ASEAN) and China in 2002.

Russia believes that creating a new security architecture for Asia-Pacific that would be a collective system free from any blocs and based on international law may clear the way for settling the territorial conflicts in the region. Russia sees regional discussion formats such as Asia-Pacific Economic Cooperation (APEC), the ASEAN Regional Forum (ARF), and the ASEAN Defence Ministers' Meeting (ADMM) as one of the ways to build such an architecture. Such a system might provide effective means of defusing some of the conflicts and resolving others. Simultaneously, it would involve rules and norms that would curb the expansionist ambitions of extraregional actors, primarily the United States.

NOTES

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⁵ http://www.mid.ru/foreign_policy/news/-/asset_publisher/cKNonkJE02Bw/content/id/2313531#16

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