Maritime Territorial Disputes In The Asia Pacific Region: A Critical Appraisal
Taiwan Studies Program

(Ghent University; University of Groningen; Georg-August Universität Göttingen / Georg-August Universität Göttingen Stiftung Öffentlichen Rechts; Department of International and Cross-Strait Education, Ministry of Education, Taiwan)

Workshop

Ghent University, 20-21 April 2017

Venue: ‘The Abt’: Lange Kruisstraat 4, 9000 Gent

Registration for participation (non-paper presenters): Email to Prof. Yih-Jye Hwang: jayhwang@live.co.uk

I. OVERVIEW

During the past decade, maritime disputes in the Asia-Pacific region have escalated to the point where regional order is being affected and armed conflict cannot be entirely ruled out. In July 2016, a judgment by an international tribunal in The Hague ruled overwhelmingly in favour of claims by the Philippines to rocky outcrops in the South China Sea, a verdict provocatively disputed by Beijing. More recently, Rex Tillerson, Trump’s nominee for Secretary of State said on 11 January 2017 that the United States would prevent China from accessing islands it claims in the South China Sea. The Chinese newspaper Global Times reacted to his remarks by warning that any move to blockade the islands could provoke a ‘large-scale war’. In the East China Sea, the uninhabited East China Sea islands, called Senkaku by Japan and the Diaoyu by China are at the centre of a diplomatic row between Japan and China, and both countries send patrol vessels and aircraft there routinely, raising concerns of an accidental collision or other risks. Indeed, maritime territorial disputes are arguably among the most pressing security issues facing the Asia Pacific region. Areas in the East and South China Seas are heavily contested by various states, and many states in the region have significant interests in peace and security driving them to strategically and legally adjust their policies towards each other. Important questions to raise are:

- What are the domestic implications of the maritime territorial disputes in the region?
- How do maritime territorial disputes change the dynamics of Asian security and the power balances between great powers in the region, and how has the shifting power balance impacted management of the disputes?
- How have middle powers in the region handled the maritime affairs?
- How do the territorial disputes in the South and East China Seas change the current normative order for maritime governance in the future and what are their implications for international law?
Where will outside powers especially the European Union and its member states stand and what actions should they take?

This workshop intends to examine some recent developments in the Asia-Pacific region after the UN arbitration and the election of Donald Trump. It will provide participants a special opportunity to assess the current situation in the region from a variety of disciplinary perspectives in intensive discussions and brainstorming sessions over the above questions. Panels will engage on relevant historical, legal, political and military issues, and discuss the wider geo-strategic implications for the region.

II. OBJECTIVES

The project is located in the research areas Politics and International Relations, International Law, Comparative Politics, as well as Area Studies. The research team aims to provide a deeper account of maritime territorial disputes in the Asia-Pacific region. Through disseminating the research findings the project will:

- raise awareness about maritime issues challenging the Asia Pacific region in Belgium;
- provide a platform for regional and international academics and policy makers to exchange views on maritime security in the Asia Pacific region with a special focus being given to the South and East China Seas;
- foster academic and policy debate on the relationships between maritime security, identity, governance, conflict and public international law;
- offer scholars, practitioners, the business community, media, and the general public with a more complete and nuanced understanding of the territorial disputes in the Asia-Pacific region;
- strengthen existing academic ties between Belgium, the rest of the EU, and Taiwan.

III. SCHEDULE

**Day 1: Thursday, 20 April 2017**

<table>
<thead>
<tr>
<th>Time</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>11:30-12:50</td>
<td>Registration and Sandwich Lunch</td>
</tr>
<tr>
<td>12:50-13:00</td>
<td>Opening Remarks</td>
</tr>
<tr>
<td>13:00-14:40</td>
<td>Panel 1: History, Culture And Identity In The Territorial Disputes Of The East And South China Seas</td>
</tr>
<tr>
<td>14:40-15:00</td>
<td>Break</td>
</tr>
<tr>
<td>15:00-16:40</td>
<td>Panel 2: International Rule Of Law And Maritime Governance In The East And South China Seas</td>
</tr>
<tr>
<td>16:40-17:00</td>
<td>Break</td>
</tr>
<tr>
<td>17:00-18:00</td>
<td>Panel 3: The European Union And The Territorial Disputes Of The East And South China Seas</td>
</tr>
<tr>
<td>19:00-21:30</td>
<td>Conference Dinner</td>
</tr>
</tbody>
</table>
Day 2: Friday, 21 April 2017

09:30-11:10  Panel 4: Geopolitics of the Territorial Disputes In The East And South China Seas
11:10-11:30 Break
11:30-13:10 Panel 5: Middle Powers In The Territorial Disputes Of The East And South China Seas
13:10-13:30 Closing Remarks

IV. PROGRAMME

The workshop includes the following five panels:

PANEL 1

History, Culture And Identity In The Territorial Disputes Of The East And South China Seas

Most of the disputes in the South China Sea have existed for quite a while. This stream looks into the domestic politics of the South and East China Sea coastal countries including China, Japan, Taiwan and ASEAN’s member states. It aims to examine how the territorial disputes have shaped, and been shaped by the domestic development of the countries in the region. This stream is particularly interested in: (1) the factors that drive the claimants’ interests in offshore territories; (2) the implications of nationalism; and (3) the maritime aspirations that have been incorporated into national narratives and geopolitical considerations.

Speakers:
- Edmund FRETTINGHAM (Leiden University, Netherlands)
  ‘Ontological Security And The Disputes Over The Senkaku/Diaoyu Islands In The East China Sea’
- Florian SCHNEIDER (Leiden University, Netherlands)
  ‘Digital Nationalism In China: Selling Sovereignty On The Web’
- Hitomi KOYAMA (Ryukoku University, Japan)
  ‘On The Gesture Of “I Prefer Not To”: Rethinking Maritime Territorial Disputes, Historical Claims, And Refusals Before The Law In East Asia’

Chair: Yih-Jye HWANG (Leiden University)
Discussant: Young-Chul CHO (Chonbuk National University, South Korea)

PANEL 2

International Rule Of Law And Maritime Governance In The East And South China Seas

This stream focuses on new developments in maritime governance giving particular attention to the Philippines-China arbitration case at the Arbitration Tribunal, which is a widely noticed case in the international community. It aims to present a thorough analysis of: (1) the Arbitral Tribunal’s decision; (2) potential impact on the
international rule of law; as well as (3) the implications of the arbitration award for the South (and East) China Sea situations going forward. Papers in this stream could deal with the utility of international law in managing and resolving the South China Sea disputes, whether the Tribunal’s rulings have helped define the rights and obligations of the parties concerned and create an opportunity for cooperation and if so, in what ways?

Speakers:
- Marcel BRUS (Groningen University, Netherlands)
  ‘The South China Sea Arbitration: Unsettling Dispute Settlement?’
- Chi-Ting TSAI (National Taiwan University, Taiwan)
  ‘China’s Response To The Legalization Of The South China Sea Arbitration’
- Qi XU (Groningen University, Netherlands)
  ‘Reflections On The Jurisdictional And Merits Awards Of The South China Sea Arbitration: From The Perspective Of Third Parties’

Chair: Young-Chul CHO (Chonbuk National University, South Korea)
Discussant: Christopher LAMONT (Groningen University, Netherlands)

PANEL 3
The European Union And The Territorial Disputes Of The East And South China Seas

The territorial disputes of the East and South China Seas have impacted on a range of issues in the critical economic and environmental issues beyond the coastal communities. Those issues include, but not limited to, the environmental impact caused by human activities (i.e. artificial islands), legal obligations to cooperate over environmental protection, and trade and sea lanes of control in the region (most notably China’s Maritime Silk Road initiative). This stream focuses the following questions: (1) What is the evolution of EU Policy toward the territorial disputes and shifting the balance of power in the Asia-Pacific region? (2) What is the role of the European Union in mitigating the mounting tensions in the Asia-Pacific region?

Speakers:
- Sven BISCOP (University of Gent, Belgium)
  ‘The EU, China and Asia: Playing Its Trump Cards’
- Anja JETSCHKE (Georg-August-Universität Göttingen)
  TBC

Chair: Florian SCHNEIDER (Leiden University, Netherlands)
Discussant: Lindsay BLACK (Leiden University)

PANEL 4
Geopolitics of the Territorial Disputes In The East And South China Seas

This stream focuses on the geopolitics of the territorial disputes in the South and East China Seas. This stream is interested in strategic policies of related great powers and
relations among them. Papers in this stream may relate to: (1) the extent to which China’s rise has brought about the re-emergence of the territorial disputes in the region; (2) the role of the United States and its rebalance towards Asia policy; (3) major powers’ position over the South and East China Sea, their strategic motivations and how they have perceived one another’s actions

Speakers:

- Tanguy STRUYE (Catholic University of Louvain, Belgium)
  ‘The Obama Legacy And The Way Forward In The South China Sea’
- Christopher LAMONT (Groningen University, Netherlands)
  ‘U.S. Foreign Policy And The South China Sea Under The Trump Administration’
- Bruno HELLENDORFF (GRIP, Belgium)
  ‘South China Sea Disputes: Looking Beyond The “Arms Race” Narrative’

Chair: Lindsay BLACK (National Taiwan University / Leiden University)
Discussant: Edmund FRETTEINGHAM (Leiden University, Netherlands)

PANEL 5
Middle Powers In The Territorial Disputes Of The East And South China Seas

In view of rising tensions between great powers in the region, it is important to study how the middle powers in the region such as Taiwan, South Korea and ASEAN member states have handled maritime affairs. Pertinent to the discussion on these issues are analyses of: (1) what the challenges posed for those middle powers are; (2) any misperceptions or security dilemmas between claimants; (3) the implications of economic interdependence for the foreign policies of the middle powers vis-à-vis the South China Sea; and (4) the extent to which strengthening middle powers in the region as an independent third pole rather than an ally of one or the other side could, in the long-term, be a peaceful way out.

Suggested Speakers:

- Young-Chul CHO (Chonbuk National University, South Korea)
  ‘South Korea’s Geopolitical Senses Of The Senkaku/Diaoyu Territorial Dispute In Northeast Asia’
- Lindsay BLACK (National Taiwan University / Leiden University)
  ‘Asia’s Evolving Security Order: Japan’s Response To The South China Sea Dispute’
- Elena Atanassova-Cornelis (University of Antwerpen)
  ‘Japan, China And Regional Strategic Uncertainties In The Asia-Pacific: Security Perceptions And Responses In The East China Sea’

Chair: Yih-Jye HWANG (Leiden University)
Discussant: Hitomi KOYAMA (Ryukoku University, Japan)