

JFIR Webinar

Challenges to Territorial Integrity in the Liberal International Order: A Japanese Response

Conference Papers

March 6, 2024

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The Japan Forum on International Relations (JFIR)

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Program

JFIR Webinar

Challenges to Territorial Integrity in the Liberal International Order: A Japanese Response

Wednesday, March 6, 2024, 8:00 pm-9:30 pm [JST]

Program

Moderator: HOSOYA Yuichi, Professor, Keio University/ Distinguished Research Fellow, JFIR

20:00-20:05 Opening Remarks
WATANABE Mayu, President, JFIR

20:05-21:00 Presentation (10 min. each)
MASUO Chisako, Professor, Kyushu University
Luis SIMÓN, Director, the Centre for Security, Diplomacy and Strategy (CSDS), VUB
ISHII Yurika, Associate Professor, National Defense Academy
Thomas WILKINS, Associate Professor, University of Sydney

21:00–21:25 Panel Discussion, Q&A

21:25–21:30 Wrap-up
HOSOYA Yuichi, Professor, Keio University/ Distinguished Research Fellow, JFIR

Biographies of the Panelists

(In Order of Appearance)



WATANABE Mayu

President, JFIR

Mayu Watanabe is President of the Japan Forum on International Relations (JFIR). She graduated from Chiba University, and received M.A. in Education from the Graduate School of the University of Tokyo in 1997. She joined JFIR in 2000 and was appointed Senior research fellow in 2007, during which period she specialized in global human resource development and public diplomacy. She was appointed Executive Director in 2011 and assumed Senior Executive Director in 2017. She has served as Vice President since 2018. Concurrently she is also serving as President of the Council on East Asian Community (CEAC). Her recent works include “The importance of the G7 and the role of Japan in a multipolar era,” The Foundation for Strategic Research, December 15, 2021, “L’importance du G7 et le rôle du Japon dans un monde multipolaire,” The Foundation for Strategic Research, March 11, 2022, “The role of multilateralism under the shadow of the Ukraine war,” The Foundation for Strategic Research, March 6, 2023,” “Le rôle du multilatéralisme dans un monde post-guerre en Ukraine,” The Foundation for Strategic Research, March 6, 2023.



HOSOYA Yuichi

Professor, Keio University/
Distinguished Research Fellow,
JFIR

Yuichi Hosoya, Ph.D., is professor of international politics at Keio University, Tokyo, and Director, Keio Center for Strategy. Professor Hosoya is also the Director of Research at the Asia-Pacific Initiative (API), Tokyo. Professor Hosoya was a member of Prime Minister's Advisory Panel on Reconstruction of the Legal Basis for Security (2013-14), and Prime Minister's Advisory Panel on National Security and Defense Capabilities (2013). Professor Hosoya studied international politics at Rikkyo (BA), Birmingham (MIS), and Keio (Ph.D.). He was a visiting professor and Japan Chair (2009–2010) at Sciences-Po in Paris (Institut d'Études Politiques), a visiting fellow (Fulbright Fellow, 2008–2009) at Princeton University and Visiting Fellow at Downing College, the University of Cambridge (2021-2022). His research interests include the postwar international history, British diplomatic history, Japanese foreign and security policy. His recent publications include *Security Politics: Legislation for a New Security Environment* (Tokyo: JPIC, 2019); *History, Memory & Politics in Postwar Japan* (Co-editor, Lynne Rienner: Boulder, 2020); *Modern Japan's Place in the World* (Co-editor; Springer, 2023); and *The Transformation of the Liberal International Order: Evolutions and Limitations* (Co-editor; Springer, 2023). His comments often appeared at major international and Japanese media.



MASUO Chisako

Professor, Kyushu University

Chisako T. MASUO is a Professor of international relations at the Faculty of Social and Cultural Studies, Kyushu University and an Adjunct Fellow at the Japan Institute of International Affairs (JIIA), who focuses on Chinese foreign and maritime policies. She was given the Nakasone Yasuhiro Award of Excellence in 2021 for her contribution to China studies and policy discussions regarding China's Coast Guard Law. She worked with late Harvard professor Ezra F. Vogel as his research assistant before obtaining the Ph.D. from the University of Tokyo in 2008 and served as his coordinate research scholar at Harvard-Yenching Institute in 2014-15. She was fortunate to have visiting fellowship at Chinese Academy of Social Sciences and at China Foreign Affairs University in 2019. She has written papers and conducted extensive research activities not only in Japanese, but also in English and Chinese.

[Recent Publications]

1. Chisako T. Masuo, "Fighting Against Internal and External Threats Simultaneously: China's Police and Satellite Cooperation with Autocratic Countries", *IJI Papers*, Istituto Affari Internazionali (Rome), Jan. 10, 2023, [link](#).
2. Chisako T. Masuo, "China's 'National Spatial Infrastructure' and Global Governance: Chinese Way of Military-Civil Fusion (MCF) over the Ocean", *Maritime Affairs* (Journal of the National Maritime Foundation of India), 17:2 (27 Jan 2022), pp. 27-42.
3. 益尾知佐子 (Chisako T. Masuo), 『中国の行動原理：国内潮流が決める国際関係』 (*China's Behavioural Principles: International Relations Determined by the Domestic Currents*), 中公新書 (Chuko Publishing), 2019.



Luis SIMÓN

**Director, the Centre for Security, Diplomacy
and Strategy (CSDS), VUB**

Luis Simón is a Director of the Research Centre for Security, Diplomacy and Strategy (CSDS) and a Research Professor in International Security at the Brussels School of Governance (BSoG-VUB). He is also the Director of the Brussels office of the Elcano Royal Institute. Luis is a frequent lecturer on geopolitical and strategic affairs at several universities and defence colleges. His research has appeared in prestigious journals, such as Security Studies, International Affairs, The Journal of Strategic Studies, Geopolitics, Survival, Orbis or The RUSI Journal. He is also an Associate Fellow at the Royal United Services Institute (RUSI) and the Baltic Defence College, and a member of the editorial board of Parameters: The US Army War College Quarterly. Earlier, he was a postdoctoral FWO Fellow at the School of International and Public Affairs (Columbia University) and a visiting fellow at the School of Advanced International Studies (Johns Hopkins University). Luis holds a PhD in International Relations from the University of London, and a Master's degree from the Institute d'Etudes Politiques de Paris (Sciences Po).

His current research interests include the evolution of U.S. geostrategy and its impact upon the transatlantic relationship; European geopolitics and security; the future of NATO; and changing geostrategic dynamics in Asia and their implications for Europe.



ISHII Yurika

Associate Professor, National
Defense Academy

Yurika Ishii is an Associate Professor at the National Defense Academy of Japan, where she is in charge of the law of the sea and public international law courses. Her areas of interest include general public international law, the law of the sea, and international/transnational criminal law. She achieved LL.B. from the University of Tokyo, Faculty of Law (Political Science Course), LL.M. from Cornell Law School (with Rotary Ambassador Scholarship), and Ph.D from the University of Tokyo, Graduate Schools for Laws and Politics with a thesis on international regulation of economic crimes, which was published as *International Regulation of Transnational Crimes* (Yuhikaku, 2017; Japanese; Awarded the 51st Adachi Mineichiro Award). Her latest work includes *Japanese Maritime Security and Law of the Sea* (Brill, 2022; Awarded the 39th Ohira Masayoshi Memorial Award).



Thomas WILKINS

Associate Professor, University of Sydney

Dr Thomas Wilkins is a tenured Associate Professor at the University of Sydney, and currently a Japan Foundation Fellow and Visiting Scholar at the National Graduate Institute for Policy Studies (GRIPS) in Tokyo. He holds non-resident Senior Fellowships at The Pacific Forum, Australian Strategic Policy Institute (ASPI) and Japan Institute for International Affairs (JIIA).

His research interests cover a range of Indo-Pacific security issues including Japanese and Australian foreign and strategic policies, alliances and regional security architecture, and middle power diplomacy. He has published reports or policy briefs for think tanks such as The Sasakawa Peace Foundation (SPF), East Asia Institute (EAI), Singapore, and Centre for Security, Diplomacy and Strategy (CSDS), Brussels, (in addition to the above). His academic research has appeared in journals such as *Asia Policy*, *Review of International Studies*, and *Australian Journal of International Affairs*, and his monograph, *Security in Asia-Pacific: The Dynamics of Alignment*, is published with Lynne Rienner Press.

Talking Points

(In Order of Appearance)

China's Expanding Domestic Governance and the International Order

MASUO Chisako

Compared to ten years ago, Senkaku Islands issue receives less international attention nowadays. In reality, however, China continues to apply the salami slicing tactics over them, and slowly increasing the pressure against Japan. It is particularly noteworthy that China is attempting to incorporate the islands into its domestic governance and to shift the international perception over the islands after spring 2020.

China had never claimed the Senkaku Islands prior to December 1971. In contrast, Japan had governed the islands since 1895. Therefore, the legitimacy of China's claim had not been recognized widely in the international society. However, in the spring of 2020, China began chasing of all the Japanese fishing vessels that enter the territorial seas of the islands and attempted to remove them from the water. Around the same time, Chinese diplomats also changed their descriptions on the islands. They reversed the facts from black and white by asserting that Japan was challenging China's peaceful administration of the "Diaoyu Islands" and demanded it to stop. In addition, Chinese fishing vessels that previously operated in large numbers in the nearby waters dramatically decreased in number over the past three years. Furthermore, in January 2024, Chinese Coast Guard vessels began issuing eviction warnings to Self-Defense Force aircrafts flying over Senkaku Islands airspace. In short, China is changing the ontological foundation surrounding the islands to reverse Japan's control, in an effort to establish its governance on the assumption that it has ruled them for a long time.

The author believes that this change has been made by the Territorial Spatial Program that China launched in FY2021. It seeks to incorporate all of China's claiming territories and "jurisdictional water" into China's national governance using spatial and information infrastructure, including satellites and undersea surveillance equipment. The Philippines and Taiwan are suffering from the same Chinese pressure just like Japan. Since it uses a network of satellites and other technologies surrounding the earth, China's surveillance capability has in fact already been extended beyond its territory. As the case of its police cooperation extended to the South Pacific island nations shows, China is also trying to use this infrastructure to form a "global partnership network" (Central Foreign Affairs Work Conference, December 2023). As China's maritime strategy is already transforming its approach toward the developing countries, the nations that adhere to a "rule-based order" must strengthen their preparedness against it from a broader perspective.

Challenges against the Liberal International Order, Territorial Maritime Disputes and the Role of International Law

ISHII Yurika

The focus of the presentation centers on international law norms regarding territorial and maritime title, comparing these with the rules concerning the use of force. This involves exploring the legal principles and standards that govern the sovereignty and rights of states over land territories and maritime zones, such as territorial waters, exclusive economic zones (EEZs), and continental shelves. It examines how international law defines and regulates the acquisition, delimitation, and management of these areas, alongside how it addresses disputes arising from competing claims. It acknowledges the challenges and constraints faced by the international legal system in resolving disputes between states, particularly in matters of territorial and maritime claims, which include the jurisdictional limitations of international courts and tribunals and the effectiveness of these mechanisms in enforcing rulings and achieving compliance. Nevertheless, the principles and jurisprudence under international law should serve as the basic reference point for managing and resolving territorial disputes in these regions.

In the East Asian and Southeast Asian regions and Indo-Pacific region, the application of these international law norms has been both complex and contentious, given the area's history of territorial disputes and the strategic importance of its maritime zones. Practices in these regions illustrate the challenges of applying international legal principles to disputes that are deeply influenced by historical claims, national interests, and geopolitical considerations. For example, disputes in the South China Sea involve overlapping territorial claims and maritime rights assertions based on strategic military interests. Similarly, territorial disputes between Japan and its neighbors over islands reflect the difficulties in reconciling historical claims with international legal standards. The regional practices highlight the dynamic interaction between international law, state behavior, and regional geopolitics.

In the context of maritime disputes, it is notable that there are several relevant cases that are relevant to the current situation in the South China Sea and East China Sea, including the International Court of Justice (ICJ), *Alleged Violations of Sovereign Rights and Maritime Spaces in the Caribbean Sea* (Nicaragua v. Colombia) of 2022. The presentation will discuss the recent developments of the law of the sea by referring the latest events.

Reflections on “International Order”

Thomas WILKINS

The term “international order” can be used in two ways.

First, it can describe the objective prevailing structural conditions of the international system. An order could be *unipolar*, *bipolar*, or *multipolar*, for example. At the *global* and *regional* levels this objective type of order may differ. Furthermore, the *economic* and *security* order, globally and regionally, may evince distinctive patterns.

Second, it can subjectively describe the type of order that a state, or groups of states, wish to achieve, and which they aspire to impose upon a regional or globally. This is where state preferences for a “liberal” or “rules-based” order come in. In this sense, it’s not an objective descriptor, but rather a values-based policy objective.

In the first meaning, it is clear that structural shifts in the distribution of power within the global system are occurring. The rise of major powers such as China, India, and perhaps Brazil and others, alongside significant “middle powers”, both traditional ones like Australia and Canada, and “emergent” ones such as Turkey or Indonesia are reshaping polarity. The increasing appetite for the “global south”, including major, middle, and minor states also impacts upon the global order as they seek to get their voices heard. “Western” dominance of the global system based upon economic and military supremacy, is nearing an end and the institutions that represented the old order are being undermined or duplicated by “revisionist” or “reformist” powers.

This leads us to the second meaning, which is: what will the new or reformed order look like? The Western powers – the Euro-Atlantic and democracies of East Asia and Australasia - have a clear preference for the maintenance of the “liberal international order”. Based upon “universal values” such as freedom, democracy and human rights, open markets and international law, this order conferred prosperity and a degree of peace upon these powers and many others around the world. It was taken as self-evident that this was a global good. Moreover, it was backed by Western military and economic primacy, in particular, a period of American unipolarity after the end of the Cold War.

But since the liberal international order locked in Western values and Western material dominance into the system – for example in the IMF and World bank - it was only a matter of time before dissatisfied powers, great and small, would challenge this order. Along with changes in the global distribution of power away from the West and to other centres of power such as China, India, and Brazil, this order is no longer tenable. Those “revisionist” powers seeking to displace the old order have found allies among the “have nots” of the “Global South” – countries resentful of Western hubris and keen for alternatives to being excluded or marginalised in Western-led governance structures.

Though China and other rising powers benefitted from the economic liberalism of the liberal international order, they were never subscribers to the “values” side of it. Instead, the West deluded itself that they would come around over time and democratise. This did not happen, now Beijing spearheads a coalition of authoritarian regimes that directly challenge the “liberal” aspects of the old

order. Revisionist states demonstrate this through their own national transgressions of the principles of the liberal international order – for example the invasion of Ukraine and Beijing’s refusal to recognise international law in the South China Sea.

But notably, as well as undermining the liberal order from *within* – through the UNSC and WTO, for example, – they are competing with it, by creating new institutions in which none of the “liberal” assumptions apply. The BRICS, with its attendant financial instruments, the Shanghai Cooperation Organisation, the Asian Infrastructure Investment Bank and the Belt and Road Initiative are testament to this. In these fora, the only “values” shared are general opposition to the West.

The liberal international order is not dead. It survives *within* the countries that subscribe to it in the West and governs interactions between themselves. But it has lost traction as a global organising principle. Instead, a less values-oriented version of the liberal international order – known as the “rules-based order” has devolved from it. In the latter, Western countries seek to de-emphasise “universal values” in their interactions with third party states.

Now that Western states lack overwhelming material primacy, they will have to be more adept in the means they use to shape global and regional order. They will have to decide whether they seek to cooperate with non-Western led governance structures, or oppose them. It’s possible that we could be faced with two opposing and parallel systems of global governance in future. While this does not mean abandoning the deeply-ingrained “liberal” principles of the West, these will need de-emphasising in certain states and regions where the West seeks to compete with Chinese or other visions of order.

Perhaps the “Free and Open Indo-Pacific” is a good example of this practical compromise. It encompasses free and open democratic principles, and emphasis on economic prosperity and connectivity, and a stable and peaceful security environment, based upon adherence to mutually acceptable rules and norms, including respect for international law. Effectively, it is “liberal international order *light*”. In this respect it holds greater potential for co-opting regional parties, such as ASEAN, and other developing countries who are keen to collaborate with the West.



Appendix: About The Japan Forum on International Relations (JFIR)

The Japan Forum on International Relations, Inc. (JFIR or The Forum) is a private, non-profit, independent, and non-partisan organization dedicated to improved understanding of Japanese foreign policy and international relations. The Forum takes no institutional position on issues of foreign policy, though its members are encouraged not only to analyze but also to propose alternatives on matters of foreign policy. Though the Forum helps its members to formulate policy recommendations on matters of public policy, the views expressed in such recommendations represent in no way those of the Forum as an institution and the responsibility for the contents of the recommendations is that of those members of the Forum who sign them alone.

The Forum was founded on March 12, 1987 in Tokyo on the private initiative of Dr. OKITA Saburo, Mr. HATTORI Ichiro, Prof. ITO Kenichi, and 60 other independent citizens from business, academic, political, and media circles of Japan, recognizing that a policy-oriented research institution in the field of international affairs independent from the government was most urgently needed in Japan. On April 1, 2011, JFIR was reincorporated as a “public interest foundation” with the authorization granted by the Prime Minister in recognition of its achievements.

JFIR is a membership organization with three categories of membership, namely, (1) corporate, (2) associate corporate, and (3) individual. As for the organizational structure of JFIR, the “Board of Trustees” is the highest decision-making body, which is in charge of electing the “Directors” and of supervising overall activities of JFIR, while the “Board of Directors” is an executive body, which is in charge of the management of day-to-day operations of JFIR.

<p>■Board of Directors</p> <p>WATANABE Mayu <i>President</i> KAMIYA Matake <i>Vice President</i> ITO Wakako <i>Executive Director</i> KIKUCHI Yona <i>Executive Director</i> TAKAHATA Yohei <i>Executive Director</i> KAWAI Masahiro <i>Director</i> HANDA Haruhisa <i>Director</i> ITO Tsuyoshi <i>Director</i> WATANABE Hirotaka <i>Director</i></p>	<p>■Board of Trustees</p> <p>ARIMA Tatsuo OHYA Eiko HAKAMADA Shigeki SAKAMOTO Masahiro HIRONO Ryokich SUGIMURA Miki ISHIKAWA Hiroshi SUZUKI Keisuke IYYAMA Toshiyasui TAKAHARA Akio KANEHARA Nobukatsu TERAGUCHI Tomoyuki KIUCHI Minoru WATANABE Toshio KUROYANAGI Nobuo</p> <hr/> <p>■Auditors</p> <p>SAKAI Kazumi WATANABE Kenichi</p>
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The Forum’s activities are composed of seven pillars such as “Policy Recommendations,” “e-Forum,” “Research Programs,” “International Exchanges,” “International Frameworks,” “Information Gathering,” and “PR and Enlightenment.” Of these pillars of activities, one important pillar is the “e-

Forum: Hyakka-Seiho” which means “Hundred Flowers in Full Bloom” (<http://www.jfir.or.jp/cgi/m-bbs/>). The “e-Forum,” which started on April 12, 2006, is open to the public, functioning as an interactive forum for discussions on foreign policy and international affairs. All articles posted on the e-Forum are sent through the bimonthly e-mail magazine “Meru-maga Nihon Kokusai Foramu” in Japanese to about 10,000 readers in Japan. Furthermore, articles worth attention for foreigners are translated into English and posted on the English website of JFIR (<http://www.jfir.or.jp/e/index.htm>) as “JFIR Commentary.” They are also introduced in the e-mail magazine “JFIR E-Letter” in English. “JFIR E-Letter” is delivered bimonthly to about 10,000 readers worldwide.

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