



CONFRONTATION AND COOPERATION IN THE EAST CHINA SEA: CHINESE PERSPECTIVES

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INTRODUCTION¹

The awkward handshake between Chinese President Xi Jinping and Japanese Prime Minister Shinzo Abe at the November 2014 Asia–Pacific Economic Cooperation (APEC) summit in Beijing marked the re-establishment of top-level bilateral exchanges between China and Japan.² It may have also signalled the beginning of a new thaw in relations between the two countries, which had effectively been frozen since the Japanese Government's purchase of three of the disputed Senkaku/Diaoyu Islands in September 2012. Japan's 'nationalization' of several of the islands led China to initiate regular maritime patrols and to conduct one overflight. This was followed

by a series of standoffs, mostly between maritime law enforcement vessels from China and Japan, and occasionally from Taiwan. In addition, the declaration on 23 November 2013 of a Chinese air defence identification zone (ADIZ) in the East China Sea, which also covers the disputed islands, has led to increasing concerns about incidents involving aircraft from China, Japan and other countries. These tensions have been further aggravated by anger in China over Japan's alleged revisionist stance on its past wartime atrocities, as embodied by Abe's visit to the Yasukuni Shrine on 26 December 2013.³

In 2014 tension in the East China Sea was characterized as being significantly reduced. On 7 November 2014 Chinese State Councillor Yang Jiechi and Japanese National Security Advisor

¹ For general background on the disputes in the East China Sea and other papers in this series see 'Promoting crisis management in the East China Sea', SIPRI, Feb. 2015, <<http://www.sipri.org/research/security/china/promoting-crisis-management-in-the-east-china-sea>>.

² Chin, J. and Jun, H., 'Watch: Xi Jinping's ice-cold handshake with Japan's Shinzo Abe', *Wall Street Journal*, China Real Time blog, 10 Nov. 2014, <<http://blogs.wsj.com/chinarealtime/2014/11/10/watch-xi-jinpings-ice-cold-handshake-with-japans-shinzo-abe/>>.

³ On the situation in the East China Sea see International Crisis Group (ICG), *Old Scores and New Grudges: Evolving Sino-Japanese Tensions*, Asia Report no. 258 (ICG: Brussels, 24 July 2014); and Valencia, M. J., 'The East China Sea disputes: history, status, and ways forward', *Asian Perspective*, vol. 38, no. 2 (Apr.–June 2014), pp. 183–218.

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SUMMARY

● In 2014 the situation in the East China Sea was characterized by a significant reduction in tension. In addition, a meeting between Chinese President Xi Jinping and Japanese Prime Minister Shinzo Abe at the November 2014 Asia–Pacific Economic Cooperation (APEC) summit in Beijing marked the re-establishment of top-level bilateral exchanges between the China and Japan. Based on a four-point principled agreement, both sides announced in January 2015 that they intended to launch a maritime and air crisis management mechanism as soon as possible.

This Policy Brief analyses Chinese perspectives on the risk of both accidental and intentional incident and collision in the East China Sea, as well as on potential crisis management mechanisms that might help to avoid escalation and build trust between the two sides. It argues that, despite the tensions in recent years, many Chinese analysts and officials are keenly aware of the potentially catastrophic consequences of such incidents and have proposed a number of concrete measures to enable a return to a more cooperative relationship between China and Japan.



Yachi Shotaro reached a four-point principled agreement in Beijing aimed at improving bilateral relations. In the agreement, Japan for the first time acknowledged that there were ‘different views as to the emergence of tense situations in recent years in the waters of the East China Sea, including those around the Senkaku/Diaoyu Islands’—although China and Japan disagree on the extent of this acknowledgement.⁴ However, both countries agreed to establish crisis management mechanisms in order to avoid incidents.⁵ Further, in January 2015 both sides agreed to launch a maritime and air crisis management mechanism; aimed at avoiding unwanted clashes in the East China Sea, it consists of three components: a hotline; annual meetings; and the use of a common radio frequency for their ships and aircraft around the islands.⁶

These are welcome developments, as the general proliferation of maritime law enforcement vessels, naval vessels and aircraft in the East China Sea has increased the risk of both accidental and intentional incident and collision. This Policy

Brief aims to provide Chinese perspectives on these risks and on the potential crisis management mechanisms that might help to avoid escalations and build trust between the two sides. Despite the tension in recent years, many Chinese analysts and officials are keenly aware of the potentially catastrophic consequences of such incidents. They have, therefore, proposed a number of concrete measures to enable a return to a more cooperative relationship between the two states.

Confrontation and risk perception

In addition to the deterioration of political relations in the past two years, there has also been a steady proliferation of maritime law enforcement vessels, naval vessels and aircraft in the East China Sea. One Chinese military analyst called it a ‘tit-for-tat struggle’ between the two sides.⁷ However, data provided by the Japanese Coast Guard shows that the number of Chinese patrols around the Senkaku/Diaoyu Islands declined in October 2013.⁸ This trend has continued. In the first six months of 2014, a total of 40 Chinese vessels were counted near the islands by Japan, an average of 6.6 ships per month. The respective figure for the first half of 2013 was 94 vessels, an average of 15.6 vessels per month. Between September and November 2014 there has been a slight increase in the number of Chinese vessels, with an average of 10 vessels per month being spotted.⁹

⁴ Keck, Z., ‘Japan has not recognized Senkaku Island dispute’, *The Diplomat*, 11 Nov. 2014, <<http://thediplomat.com/2014/11/japan-has-not-recognized-senkaku-island-dispute/>>.

⁵ Chinese Ministry of Foreign Affairs, ‘Yang Jiechi meets national security advisor of Japan Shotaro Yachi: China and Japan reach four-point principled agreement on handling and improving bilateral relations’, 7 Nov. 2014, <http://www.fmprc.gov.cn/mfa_eng/zxxx_662805/t1208360.shtml>; and Japanese Ministry of Foreign Affairs, ‘Regarding discussions toward improving Japan–China relations’, 7 Nov. 2014, <http://www.mofa.go.jp/a_o/c_m1/cn/page4e_000150.html>.

⁶ ‘China and Japan eye early launch of East China Sea crisis management mechanism’, *South China Morning Post*, 13 Jan. 2015, <<http://www.scmp.com/news/china/article/1679027/china-and-japan-eye-early-launch-east-china-sea-crisis-management>>.

⁷ Chinese People’s Liberation Army (PLA) analyst, Interview with authors, Stockholm, July 2014.

⁸ Fravel, M. T. and Johnston, A. I., ‘Chinese signaling in the East China Sea?’, *Washington Post*, 12 Apr. 2014.

⁹ Japanese Ministry of Foreign Affairs (MFA), *Trends in Chinese Government and*



Nevertheless, the risk of incident and collision remains high. Due to the lack of high-level political contacts and institutionalized crisis management mechanisms between China and Japan, such incidents could easily spiral out of control. Consequently, Chinese officials and experts do not rule out the possibility of escalations in the East China Sea. In April 2014 Admiral Wu Shengli, Commander-in-Chief of the People's Liberation Army Navy (PLAN), emphasized the grim and uncertain nature of the East China Sea situation and stated that there was a possibility of misfires or other minor incidents that could lead to armed conflict. He also noted that China was studying how to defuse minor incidents and stressed the necessity of maritime mechanisms in the event of unexpected encounters between the Chinese and Japanese navies.¹⁰

One Chinese military analyst has identified four possible types of sea and air incident in the East China Sea that would lead to various levels of escalation:

1. *A collision between law enforcement ships or aircraft outside of the territorial sea of the disputed islands.* This would constitute a low degree of confrontation and leave more room for mediation.
2. *An incident within the territorial waters of the islands after*

'confrontational activities' on both sides. These may cause military conflict because neither side will be willing to give up.

3. *The landing of persons from one side on the islands.* This would lead to a military confrontation and the situation would certainly escalate.
4. *An incident in the air or at sea as a result of reconnaissance or tracking activities.* Such an incident, similar to the 2001 incident over the South China Sea involving a United States surveillance aircraft, would carry the risk of further escalation.

The analyst acknowledged that collisions and incidents could severely damage bilateral relations and called for greater awareness on both sides.¹¹

STRENGTHENING BILATERAL MECHANISMS FOR MARITIME CRISIS MANAGEMENT

Traditionally, the Chinese strategic community has had little interest in crisis management, perceiving it as a tool for the weaker side in a conflict. However, Chinese analysts are becoming increasingly aware of the risks of further escalation and have been looking at various confidence-building measures (CBMs) and cooperative and communication agreements in order to mitigate the risk of incident and the outbreak of conflict in the East China Sea.¹² One Chinese military analyst suggests that both sides

Other Vessels in the Waters Surrounding the Senkaku Islands, and Japan's Response: Records of Intrusions of Chinese Government and Other Vessels into Japan's Territorial Sea (Japanese MFA: Tokyo, 11 Nov. 2014), <http://www.mofa.go.jp/region/page23e_000021.html>.

¹⁰ '中日軍方高層同時表態: 東海有衝突可能' [Chinese and Japanese high-level military officials both state the possibility of conflict in the East China Sea], *CRNTT*, 23 Apr. 2014, <<http://hk.crntt.com/doc/1031/4/5/0/103145032.html?coluid=7&kinid=0&docid=103145032&mdate=0423101146>>.

¹¹ Chinese PLA analyst, Interview with authors, Stockholm, July 2014.

¹² Zhang, T., 'Building trust between China and Japan: lessons learned from bilateral interactions in the East China Sea', SIPRI Policy Brief, Feb. 2015, <http://books.sipri.org/product_info?c_product_id=492>.



could cooperate on the protection of sea lines of communication in East Asia, with open trade routes being a common interest of both countries.¹³ Another People's Liberation Army (PLA) analyst opines that the concept of 'shelving disputes and jointly developing maritime resources' could still form the basis for resolution of disputes between China and Japan, despite the apparent lack of success of earlier attempts. The example of the Chunxiao/Shirakaba gas field is a case in point: although China and Japan reached a 'principled consensus' on the joint development of the area on 18 June 2008, the cooperation fell apart shortly afterwards.¹⁴

Another Chinese military analyst argues that both sides are currently in 'a state of serious strategic mutual suspicion'.¹⁵ However, the heightened tension in recent years has led to greater crisis management awareness on both sides and also to the adoption of some tacit measures 'that were left open to interpretation' (各自表述, *gezi biao shu*) in order to reduce tensions around the islands. Such undeclared measures would enable both sides to reduce tensions while saving face, both domestically and internationally. For instance, a reduction in the number of patrols could reduce the risk of incident. In the words of the analyst: 'ships just go there to underline Chinese sovereignty claims, this does not need to be done every week'.¹⁶

¹³ Chinese PLA analyst, Interview with authors, Stockholm, July 2014.

¹⁴ Chinese PLA analyst, interview with authors, Stockholm, July 2014; and Valencia (note 3).

¹⁵ Chinese PLA analyst (note 14).

¹⁶ Chinese PLA analyst, Interview with authors, Stockholm, July 2014.

EXISTING MECHANISMS

The November 2014 agreement between China and Japan might enable both sides to move beyond tacit agreements towards more institutionalized and durable crisis management and communication mechanisms. In order to achieve this, both sides can build on bilateral and multilateral mechanisms that have already been established or discussed, including the 2014 Code for Unplanned Encounters at Sea (CUES), the China–Japan maritime communication mechanism, and the China–Japan High-level Consultation on Maritime Affairs.¹⁷

The 2014 Code for Unplanned Encounters at Sea

CUES was signed into effect on 22 April 2014 by the naval chiefs of 25 states—including China, Japan and the USA—at the Western Pacific Naval Symposium (WPNS) in Qingdao, China.¹⁸ The Asia–Pacific region's first code of conduct for unplanned encounters between navy ships and aircraft, CUES outlines how

¹⁷ In addition, in Mar. 2009 the foreign ministers of China and Japan agreed to conclude the China–Japan Maritime Search and Rescue (SAR) Cooperation Agreement. The agreement stipulates that the 2 countries share information on distress calls and planned emergency courses of action, and coordinate effective SAR operations. Although not security related, the agreement could form an important communication channel between the two countries' coast guards. Zhu, S., '野田访华或将签署中日海上搜救协定' [Noda visits China and signs the SAR agreement], *Cankaoxiaoxi*, 26 Dec. 2011, <<http://china.cankaoxiaoxi.com/2011/1226/9479.shtml>>.

¹⁸ See Western Pacific Naval Symposium, 'Twenty five countries to participate in WPNS', [n.d.], <<http://wpns.mod.gov.cn/>>; and Yang, Y., 'Western Pacific Naval Symposium closes', *Xinhua*, 23 Apr. 2014, <http://news.xinhuanet.com/english/china/2014-04/23/c_133284689.htm>.



navies should communicate and manoeuvre during unexpected or casual meetings in order to reduce miscalculations and prevent further tension or conflict.¹⁹ However, CUES is not legally binding and does not apply to encounters within a country's territorial waters, leaving unresolved the question of whether disputed areas such as the Senkaku/Diaoyu Islands are included.

Zhang Junshe of the PLA's Naval Research Institute stated that the adoption of CUES would promote communication between navies, increase the effectiveness of control of maritime risk by reducing miscalculation, minimize the risk of collision on the high seas, and promote maritime security and stability in the region.²⁰ Senior Colonel Zhou Bo, Director of the Center for International Security Cooperation, described CUES as a 'professional naval code among different navies'.²¹

Despite Chinese praise for CUES as a milestone document, Chinese actors are quick to caution against using the code as a tool to promote the interests of other actors in the region. When Japan's Minister of Defence, Itsunori Onodera, stated during the WPNS press conference that he hoped to propose an action plan to prohibit ships or aircraft from locking on their radars and other dangerous behaviour. Yang Yujun, a Chinese Ministry of National Defense

(MND) spokesperson, cautioned that 'no concerned party should deliberately distort or make selective interpretations of the technical specifications of CUES' multilateral framework'.²² Xu Hongmeng, a PLAN Vice Admiral, also emphasized the voluntary nature of CUES and added that it would have no impact on conduct in the disputed territories in the East China Sea and the South China Sea: 'You can't say that it's related to the issues in the South and East China Sea—this is about the navies of many countries . . . This will not influence those issues'.²³ Similarly, Senior Captain Ren Xiaofeng, the head of the PLAN's Maritime Security Policy Research Division, said that China and other states should hold bilateral discussions on when and where CUES should be implemented.²⁴

In addition to signing CUES, both China and the USA signed two agreements on military confidence-building measures during the 2014 APEC summit, one of which was a maritime code of conduct that includes guidelines for ship operators when they sail near each other at sea.²⁵ This agreement demonstrates China's willingness to participate in naval codes of conduct and could be a promising sign for a future China–Japan

¹⁹ Page, J., 'Pacific navies agree on code of conduct for unplanned encounters', *Wall Street Journal*, 22 Apr. 2014.

²⁰ “海上意外相遇规则” 获得通过 [‘Code of Conduct’ adopted], *Beijing Times*, 23 Apr. 2014, <http://epaper.jinghua.cn/html/2014-04/23/content_82760.htm>.

²¹ Han, B., 'Code of conduct agreed during WPNS in China', CCTV.com, 23 Apr. 2014, <<http://english.cntv.cn/2014/04/23/VIDE1398193439062177.shtml>>.

²² Chinese Ministry of National Defense, '有关方面不应曲解或选择性解读海上意外相遇规则' [Concerned parties should not distort or make selective interpretations of CUES], 24 Apr. 2014, <http://news.mod.gov.cn/headlines/2014-04/24/content_4505223.htm>.

²³ Rajagopalan, M., 'Pacific accord on maritime code could help prevent conflicts', Reuters, 22 Apr. 2014.

²⁴ Page (note 19).

²⁵ Glaser, B., 'A step forward in US–China military ties: two CBM agreements', Asia Maritime Transparency Initiative, 11 Nov. 2014, <<http://amti.csis.org/us-china-cbms-stability-maritime-asia>>.



maritime agreement. Nevertheless, China, Japan and the USA continue to have different views about what is covered by CUES—both geographically and functionally. One Japanese analyst noted that it is unclear where CUES applies: does it apply only on the high seas or does it include a country's exclusive economic zone (EEZ) or even disputed areas within territorial waters? According to a Chinese analyst, the USA insisted that CUES should be applied both on the high seas and in the EEZs, while China prefers to limit CUES to the high seas. According to the analyst, CUES does not mention the EEZs and questions about the application of CUES still need to be resolved.²⁶ Until then, the applicability of CUES in the Senkaku/Diaoyu Islands dispute remains doubtful.

The China–Japan maritime communication mechanism

Negotiations on the creation of the China–Japan maritime communication mechanism began with a joint working-group meeting in Beijing on 21 April 2008 between the Japanese Ministry of Defense (MOD) and the Chinese MND.²⁷ Representatives from the Japan Maritime Self-Defense Force (JMSDF), the Japan Air Self-Defense Force (JASDF), the Chinese PLAN and the PLA Air Force (PLAAF) also attended. At the third working-group meeting in June 2012, China and Japan agreed that, in principle, the maritime communication mechanism would include three elements: (a) a hotline

to enable crisis communications; (b) annual meetings to include working-level discussions; and (c) in the case of unplanned encounters between PLAN and JMSDF ships, an agreement to communicate in English via VHF radio channel 16 or, if within sight, by international signal flags (which also relates to CUES norms).²⁸ Other specific issues, such as the physical location and encryption of the hotline, were unresolved.

At a June 2014 press conference Onodera, the Japanese Minister of Defence, stated that Chinese and Japanese leaders had reached an agreement on the contents of the China–Japan maritime communication mechanism and that it could soon be put into effect.²⁹ Furthermore, during a meeting between the Chinese Ambassador to Japan, Cheng Yonghua, and the Japanese Vice-Minister for Foreign Affairs, Akitaka Saiki, Cheng reportedly stated that China was ready to restart discussions on the maritime communication mechanism.³⁰ Former Chinese State Councillor Tang Jiaxuan and Ambassador Cheng also support holding discussions on the maritime communication mechanism as soon as possible.³¹ In September 2014 China and Japan agreed, in principle, to restart consultations

²⁸ Przystup, J., Bradford, J. and Manicom, J., 'Japan–China maritime confidence building and communication mechanisms', *PacNet*, no. 67 (2013).

²⁹ Nan, Z., '日妄称战机接近视频不符事实 要求中方删除' [Japan claims that warplane close encounter is not true, asks China to rescind the allegation], *Xinhua*, 13 June 2014.

³⁰ Li, M., '驻日大使: 日本政要渲染中国威胁是冷战思维' [Chinese Ambassador to Japan: Japanese government exaggerating China threat is cold war-style thinking], *Phoenix*, 16 June 2014, <http://news.ifeng.com/a/20140616/40756434_0.shtml>.

³¹ Nan (note 29).

²⁶ Chinese and Japanese military and coast-guard analysts, Interviews with authors, Stockholm, July 2014.

²⁷ Chinese and Japanese military and coast-guard analysts (note 26).



on a maritime liaison mechanism between their respective defence departments and, as of November 2014, were planning the details of a meeting on the issue.³²

The China–Japan High-level Consultation on Maritime Affairs

In May 2012 the first China–Japan High-level Consultation on Maritime Affairs was held in Hangzhou, China. Unlike the China–Japan maritime communication mechanism meetings, which were restricted to military forces, the high-level meeting was attended by representatives from all maritime agencies. The meeting was followed in June 2012 by an agreement between China and Japan to establish crisis communication mechanisms, including a hotline.³³ The Chinese Ministry of Foreign Affairs and the Japanese Ministry of Foreign Affairs led the first meeting, which was primarily a confidence-building measure. Discussions on scheduling the second meeting in Japan appeared to have stalled in late 2012 or early 2013.³⁴ However, in September

2014 the consultation process was restarted at a meeting in Qingdao. In January 2015 the third round of meetings of the China–Japan High-level Consultation on Maritime Affairs were held in Yokohama, Japan. During these meetings the two ministries of defence agreed to include airspace in their discussions, changing the name of the maritime crisis management mechanism to the maritime and aerial crisis management mechanism. The next meeting is expected to be held in China in the second half of 2015.³⁵

Some experts caution against being overly optimistic about the consultation process. Gao Hong, Deputy Director of the Institute of Japanese Studies at the Chinese Academy of Social Sciences, praises the process as a positive step towards breaking the deadlock in relations between the two countries, although it remains to be seen if the next meeting will be able to achieve tangible results, given that complex maritime issues cannot be solved after just one or two consultations.³⁶

POLICY IMPLICATIONS

Many Chinese analysts are concerned about the risk of incident in the East China Sea and have

³² Chinese Ministry of Foreign Affairs, 'Spokesperson Hua Chunying's regular press conference', 25 Sep. 2014, <<http://milano.china-consulate.org/eng/fyrth/t1195074.htm>>; and Bai, R. and Hou, L., '国防部: 中日防务部门正协商重启海上联络机制专家组磋商' [Ministry of Defense: Chinese and Japanese Ministry of Defense currently in discussions to restart the JCMCM], Chinese Social Sciences Net, 31 Oct. 2014, <http://www.cssn.cn/dzyx/dzyx_jlyhz/201410/t20141031_1383308.shtml>.

³³ Smith, S., 'A Sino-Japanese clash in the East China Sea', Council on Foreign Relations, Apr. 2013, <<http://www.cfr.org/japan/sino-japanese-clash-east-china-sea/p30504>>.

³⁴ Przystup, J., Bradford, J. and Manicom, J., 'Japan–China discussions on maritime confidence building and communication mechanisms', US National Defense University, Washington, DC, 8 Aug. 2013, <http://csis.org/files/publication/130808_Japan_China_Maritime_CBMs_Chart.pdf>.

³⁵ Japanese Ministry of Foreign Affairs, 'The third round meeting and working group meetings of Japan–China High-level Consultation on Maritime Affairs', Press release, 22 Jan. 2015, <http://www.mofa.go.jp/press/release/press4e_000603.html>; and 'China, Japan agree to launch maritime, aerial crisis management mechanism', Xinhua, 29 Jan. 2015, <http://news.xinhuanet.com/english/china/2015-01/29/c_133956686.htm>.

³⁶ Pan, S., '中日时隔两年多重启海洋事务高级别磋商' [China and Japan resume High-level Consultation on Maritime Affairs after 2 years], *Beijing Times*, 25 Sep. 2014, <http://epaper.jinghua.cn/html/2014-09/25/content_130041.htm>.

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made constructive proposals for management mechanisms to mitigate tension and reduce the risk of incident. Moreover, the Chinese side has been studying how to defuse minor incidents. Despite the lack of progress in agreeing crisis cooperation and communication mechanisms, both China and Japan have made efforts in recent years to establish various CBMs and cooperative and communication agreements. While CUES is not legally binding, its adoption could promote communication between the Chinese and Japanese navies. In contrast, while Chinese and Japanese leaders seem to have reached an agreement on the contents of the China–Japan maritime communication mechanism, it is still unclear when this agreement will officially be signed and put into effect. The China–Japan High-level Consultation on Maritime Affairs to establish crisis communication mechanisms, including a hotline, saw little progress until recently. The latest meetings in Qingdao and Yokohama indicate renewed willingness from both sides to increase efforts to develop the much needed crisis communication mechanisms and can be viewed as a positive step forward.

The November 2014 handshake between President Xi and Prime Minister Abe at the recent APEC summit marked the re-establishment of top-level bilateral exchange and could signal the beginning of a thaw in China–Japan relations. The four-point principled agreement and the Xi–Abe meeting provide a unique opportunity for both

sides to establish institutionalized and durable crisis management mechanisms that actually work in a crisis and are not immediately dismantled as a result of unrelated political developments. However, mutual lack of trust remains a key obstacle to the establishment of crisis management mechanisms between China and Japan. Just one day after Xi and Abe met in Beijing, the two countries were involved in a diplomatic spat about differing interpretations of the four-point principled agreement.³⁷ This disagreement illustrates the challenges that both sides face in moving forward from a situation where the focus has been on avoiding further escalations to one in which China and Japan can concentrate on solving the underlying causes of their maritime dispute in the East China Sea. The announcement in January 2015 by both China and Japan of their intention to launch a maritime and air crisis management mechanism as soon as possible marks another positive step in this direction.

³⁷ Japanese Ministry of Foreign Affairs, 'Press conference by Minister of Foreign Affairs Fumio Kishida', 11 Nov. 2014, <http://www.mofa.go.jp/press/kaiken/kaiken4e_000123.html#topic2>; '中方回应日本外相钓鱼岛言论敦促日方谨言慎行' [China responds to Japanese Foreign Minister's remarks on the Diaoyu Islands, urges Japanese side to be careful in its words and actions], 12 Nov. 2014, <<http://news.163.com/14/1112/15/AAS1VVB00014JB6.html>>; and 'China slams Japan's Diaoyu claim', *Global Times*, 13 Nov. 2014, <<http://www.globaltimes.cn/content/891560.shtml>>.