

OP-ED CONTRIBUTOR

## Who Owns the Skies?

By KISHORE MAHBUBANI  
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SINGAPORE — China’s surprise Nov. 23 announcement of an expanded “air defense identification zone” over the East China Sea has caused much consternation in the region. The zone’s conditions require aircraft to identify themselves and maintain contact with the Chinese authorities when flying through it. Aircraft must report flight plans and follow instructions; failure to do so, the Chinese warned, could elicit “emergency defensive measures.”

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In Japan, the move has been interpreted as promoting China’s territorial claim to the disputed Senkaku Islands (Diaoyu to the Chinese), rocky outcrops administered by Japan at the southern end of the new air defense zone. China’s airspace grab achieved the unusual result of uniting Japan and South Korea.

The announcement also came just days before Vice President Joseph R. Biden Jr. visited the region — and last week’s visit was dominated by the controversy. First, he had to reassure Prime Minister Shinzo Abe of Japan and then make a “very direct” case to President Xi Jinping of China against the zone. The result has been a standoff.

China told Mr. Biden that its position was “principled,” and rejected the charge that its action was reckless. But China also looked weak when initially it did nothing after America flew two B-52 bombers on Nov. 26 through the air defense zone — a tactic copied by Japan and South Korea, which sent undeclared military aircraft into the zone.

In short, this will not go down as China’s finest hour in international diplomacy. Yet China may, unwittingly, have done the world a favor. Until this declaration, few people had heard of “air defense identification zones.” Even fewer were aware that several countries had created such zones without any multilaterally agreed upon rules to govern their establishment.

The United States ordained the first air defense zone: over North America in 1950. It also set one up over Japan during its post-World War II occupation of that country. Japan inherited the claim to that airspace in 1969.

Since these zones were first established, however, the world has changed beyond recognition. In today’s situation, any unilateral move by a country has an immediate impact on its neighbors and on the world as a whole.

It may, in fact, serve America’s interests to take the lead on formulating multilateral rules. In 2003, President Bill Clinton wisely posed the question to his fellow Americans of whether the United States “should be trying to create a world with rules and partnerships and habits of behavior that we would like to live in when we’re no longer the military, political, economic superpower in the world.” Whether or not Mr. Clinton was thinking of China’s rising power, this latest play in the East China Sea certainly suggests China’s ambition to compete for superpower status.

Responding to China’s declaration of the new zone, the U.S. State Department noted, “Freedom of overflight and other internationally lawful uses of sea and airspace are essential to prosperity, stability and security in the Pacific.” These lawful uses, which

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include commercial air traffic, are protected by the Law of the Sea Treaty — an accord that has been ratified by 166 out of 193 member states in the United Nations. Sadly, the only major country that has not ratified it is the United States. Congress is not yet convinced that it is in America’s interest to create multilateral rules, preferring to reserve the right to act unilaterally.

Leading American figures have long urged China to act as a “responsible stakeholder” in the global system. But the best way for the United States to convey such encouragement is through deeds, not words.

Do we really want to live in a world where each country follows the example of America and China and establishes unilateral claims to international airspace? This hardly seems wise at a time when global air traffic has doubled every 15 years since 1980 and is forecast to double again over the next 15 years.

Recognizing the threat that noncompliance might pose to civilian aircraft, the Federal Aviation Administration advised American commercial airlines to abide by China’s rules. This concession also helped China save face, but we are moving toward a more dangerous world if we permit every country the right to create air defense zones with distinct and different rules. A multiplicity of rules will lead to confusion for civilian airlines and pilots. Instead, we should create simple and clear multilateral rules binding for all countries.

U.S. officials accompanying Mr. Biden said that the status of the new zone is now “up to China.” But the world needs the United States to take the lead. The question is whether America will give up its own claim to unilateral action to do so.

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