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## **Bilateral Meeting between the Republic of Korea and Japan: Further Comments**

Dear Vice-Admiral Alexandros MARATOS,

I am writing to you with regard to the bilateral meeting between the Republic of Korea and Japan held on 4 November 2011 in Tokyo on the issue of naming of the sea area between the Korean Peninsula and the Japanese Archipelago. As you are aware, the Republic of Korea has already informed you on 25 November 2011 of the results of the bilateral consultations.

Japan has recently circulated a 'Reference Paper' containing its summary of the meeting, as appears on the IHO Website, to the members of the S-23 Working Group. Regrettably, we found that Japan's summary did not reflect a balanced and accurate account of the meeting, and even ran counter to the spirit of cooperation and respect for other members which is always crucial for finding a constructive and shared solution to the issue.

In this regard, we feel obliged to clarify the points contained in Japan's summary as follows.

## ■ Administrative matters relating to the meeting

As for the matter of reporting to the IHO, the understanding reached during the Tokyo meeting was that the Republic of Korea and Japan separately prepare a draft summary after the meeting and see whether it is feasible to provide the S-23 WG Chair Group with an agreed-upon text. Contrary to what Japan argues by saying that “*the ROK side refused to discuss the draft agreed summary*”, the Republic of Korea did provide comments on Japan’s draft and conveyed its view that Japan’s draft did not adequately reflect the discussions during the meeting. Accordingly, upon disagreement, both sides took the path of reporting separately to the Chairman.

On the issue of publicity, Japan insisted throughout the process of preparing for the meeting that the bilateral consultations between the two countries be kept completely secret from the public. Given the great importance of and attention of the public to the meeting, the attempt to maintain such extreme secrecy was unrealistic. Hence, the Republic of Korea exercised flexibility and took a reasonable position that, if asked by press, each side might confirm basic information, such as the date and venue of the meeting, while not disclosing the substance of the meeting to the public.

## ■ Legitimacy of the use of “East Sea” side by side with “Japan Sea”

As attested to in numerous historical documents, the name “East Sea” has been used to refer to the sea area between the Korean Peninsula and the Japanese Archipelago for a long time. The name “Japan Sea” became widely used internationally with the publication of the first edition of the S-23 in 1929, when Korea was unable to present its views as it was under Japanese colonial rule. The third and most recent edition of the S-23 was published in 1953 when Korea was in the midst of the Korean War. Therefore, any argument for the sole use of the name “Japan Sea” does not have legitimacy and cannot be justified. A fair representation of “East Sea” in the fourth edition of the S-23 would mean restoring the name with historical legitimacy to its rightful place.

Furthermore, it should also be noted that the name “East Sea” is gaining wide acceptance internationally and the use of both names, “East Sea” and “Japan Sea”, is on the steady increase. It is only right that this international trend should be fully reflected in the fourth edition of the S-23 which the IHO members have worked hard for decades to make the most up-to-date guide for names and limits of oceans and seas. Failure to

reflect this clear fact that has been evident since the publication of the third edition of the S-23 nearly 60 years ago would indeed render the new S-23 incomplete.

In its summary, Japan alleges that the Republic of Korea is taking actions to “*pressure governments as well as private sector map publishing and companies around the world*” for the use of “East Sea”, and goes on to argue that “*this should not be tolerated*”. These are indeed unfriendly remarks given the fact that many governments, internationally respected cartographers and the media are using “East Sea” concurrently with “Japan Sea” based on their own professional judgment.

As we conveyed to Japan during the bilateral meeting, the Republic of Korea holds the firm position that “East Sea”, which is used both domestically and internationally, should be used concurrently with “Japan Sea”. This position is based on a balanced and flexible approach.

- It is in accordance with the relevant Resolutions such as the IHO Technical Resolution A4.2.6 of 1974 and the Resolution III/20 of the United Nations Conference on the Standardization of Geographical Names (UNCSGN) of 1977.
- The concurrent use of different names has precedents in the previous editions of the S-23, including the final draft of the 4<sup>th</sup> edition of 2002.
- It effectively fulfills the function of the S-23, being far more readily comprehensible to users as well as enhancing navigational safety in the sea area where both names are currently being used.
- It is the most simple, reasonable and inclusive solution as it does not exclude one name at the expense of the other.

#### ■ **The ROK’s efforts to restore the name “East Sea”**

The Republic of Korea has been raising the issue of the naming of the sea area between the Korean Peninsula and the Japanese Archipelago in the international arena for decades. We brought this issue to the attention of the UN Member states for the first time at the Sixth UNCSGN in 1992. Even prior to that, there were persistent disputes regarding the naming of the sea area between the Korean Peninsula and the Japanese Archipelago. For example, during the process of negotiations on the Fisheries Agreement between the Republic of Korea and Japan of 1965, the two parties, unable to reach agreement, decided to use their respective names to refer to the sea area between the two countries.

The 1966 International Convention on Load Lines which Japan refers to deals with the limits to which ships may be loaded without affecting maritime safety, not the naming of sea areas. The Republic of Korea's accession to the Convention in 1969 does not in any way represent its acceptance of the sole use of "Sea of Japan" (Japan Sea).

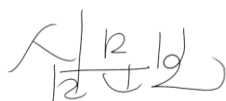
Regarding the "Way Forward" (as proposed in the S-23 WG Letter No. 06/2010) which Japan refers to, the Republic of Korea would like to point out that there was no consensus on the proposal in the S-23 WG. This lack of consensus on the proposed "Way Forward" has been repeatedly confirmed by WG members as well as the Chair Group (see S-23 WG Letter No. 02/2011 and Annex C to S-23 WG Letter No. 03/2011). Even Japan explicitly admitted it by stating that "*the WG could not reach a consensus on the Chairman's proposal in the S-23 WG Letter No. 06/2010*" in its letter of 8 August 2011 addressed to the Chairman.

The Republic of Korea, like many other S-23 WG members, had high hopes for the ROK-Japan meeting. Therefore, Japan's pronounced position of no flexibility in considering no other option than the single and exclusive use of "Japan Sea" throughout the meeting was a great disappointment to us. More than anything else, the Republic of Korea was disappointed with the misleading and unfriendly summary presented by Japan on the Tokyo bilateral meeting.

Nevertheless, we stand ready to continue our efforts to resolve this issue through dialogue, embracing an honest and flexible approach as we have always done. The Republic of Korea has agreed to the various proposals made by the IHB and other members of the IHO in the past, such as the unpublished final draft of the S-23 of 2002, publication of two volumes of the S-23, and a trilateral meeting between the IHB Directing Committee, Japan and the Republic of Korea.

The Republic of Korea shares the view held by other members of the S-23 WG that the best approach may be to seek to resolve this issue bilaterally. We will seek to make progress on the issue through close consultations among the countries directly concerned.

Yours sincerely,



Moon Bo SHIM

Representative of the Republic of Korea to the S-23 WG