Written Statement by the Republic of Korea

on the naming of sea area between the Korean Peninsula and Japanese archipelago

Republic of Korea would like to ask the secretariat the following statement to be distributed as an Information Note to the Parties present at the Cop 13 meeting.

- Republic of Korea would like to draw the attention of all parties at this meeting to the erroneous use of the appellation "Sea of Japan" in the Japanese proposal (Cop13 prop.4: Balaenoptera acutorostrata) to describe the sea area between the Korean Peninsula and Japanese archipelago.
- There is ongoing dispute between the Republic of Korea and Japan in the naming of the sea area. The Korean government has historically called this body of water "East Sea" for the past 2,000years, while Japanese use the name of "Sea of Japan"
- The Korean government has been making utmost efforts to resolve this naming dispute through dialogue on a bilateral basis, while in the mean time calling for international community to use both "East Sea" and " Sea of Japan" pending a final agreement on a common name for the sea in question. This is also in accordance with the resolutions adopted by the United Nations Conference on the Standardization of Geographical Names(UNCSGN) and the International Hydrographic Organization (IHO) which endorses the principle of the simultaneous use of different names when countries sharing a geographical feature do not agree on a common name.
- Having said that, Republic of Korea would like to kindly request all parties, NGOs and international organizations present at this Meeting to use both names “East Sea” and “Sea of Japan” concurrently until agreement on a common name is reached between the Republic of Korea and Japan.
- Please refer to the position paper for more detailed information on this issue attached herewith.

Non-Paper

I. Regarding the issue of the naming of the sea body between the Korean Peninsula and the Japanese archipelago

1. Historically, the sea area between the Korean Peninsula and the Japanese archipelago has been called the ""East Sea" in Korea for the past 2,000 years. Until the 19th century, this sea area was called such names as the "Sea of Korea," the "East Sea," the "Sea of Japan," or the "Oriental Sea," in maps published in Europe.

2. Even though no single name had been consistently used to designate this body of water during this period, designations containing references to Korea were predominantly found on maps. It is worthy of note that as late as 1870 even many Japanese maps referred to this body of water as the "Sea of Chosun (Korea)" instead of "Sea of Japan."

3. It was not until the Russo-Japanese War (1904-1905) that the term "Sea of Japan" gained wider acceptance. The active promotion by Japan and its enhanced political stature in the world scene during the first half of the 20th century led to the gradual replacement of such names as "Sea of Korea," "East Sea," or "Oriental Sea" with the term "Sea of Japan."

4. This process culminated in the publication of the first edition of "Limits of Oceans and Seas," following a decision by the 1929 Monaco Conference of the International Hydrographic Organization(IHO). This book, which has since been used by cartographers all over the world as an authoritative reference for the designation of maritime features, employed the term "Sea of Japan" for the body of water in question. Yet, at that time under Japanese colonial rule, Korea was deprived of its sovereignty, and had no diplomatic representation on the global stage.

5. Apart from the historical validity of the use of the "East Sea," it is inappropriate to name a sea area surrounded by many countries after a single country. Lying between Korea and Japan and extending north toward Russia, the body of water in question is divided into either the territorial waters or Exclusive Economic Zones(EEZs) of the countries encircling it. There is no possible justification for naming the sea area after one particular country without the consent of the other surrounding countries.

6. Pending a final agreement on a common name for the sea in question, the Republic of Korea is of the view that, as an interim measure, both "East Sea" and "Sea of Japan" should be used simultaneously. Indeed, the International Hydrographic Organization (IHO) and the UN Conference on the Standardization of Geographical Names (UNCSGN) resolutions endorse the principle of the simultaneous use of different names when countries sharing a geographical feature do not agree on a common name.

- The concurrent use of both names by many internationally respected mapmakers is a clear indication that they fully accept the legitimacy of Korea's claims and have decided to respect the relevant resolutions of the IHO and the United Nations.

7. Given the historical background of this sea area and the general principles and practices of international cartography, the Government of the Republic of Korea calls for the names "East Sea" and "Sea of Japan" to be used simultaneously until agreement on a single name is reached.

II. Regarding the Misinterpretation of the Practice of the Secretariat of the United Nations Concerning the Naming of the Sea Area between Korea and Japan

In the following, the Republic of Korea submits that Japan's mis-statement of the position of the UN Secretariat on the naming of the sea area between Korea and Japan is misleading and entirely unacceptable.

1. With regard to the issue of the naming of the sea area between Korea and Japan, the Japanese Government maintains the position that the "Sea of Japan" is internationally established as the standard name to be applied to the sea area in question. The Government of the Republic of Korea has long made clear, on the basis of historical evidence and established international practices, that the proper name for the sea in question is not "Sea of Japan," but "East Sea," and that, pending settlement of the dispute over the naming of the sea, both names should be used together.

2. In an attempt to support its assertion, the Japanese Government, among other things, has cited the practice of the United Nations Secretariat of using the name of "Sea of Japan" in its documents. Apart from any debate on the naming of the sea, the ROK submits that Japan's reference to the UN Secretariat's position on the issue is misleading and improper. One such example can be found on the official homepage of the Japanese Ministry of Foreign Affairs (www.mofa.go.jp/policy/maritime/japan) in the article entitled "The Policy of the United Nations Concerning the Naming of "Sea of Japan."" The article includes the following statements: "In March 2004, the United Nations Secretariat confirmed its policy that "Sea of Japan" is the standard geographical term and as such is to be used in official documents of the United Nations.... It is confirmed that the name "Sea of Japan" is authorized by the United Nations..... The United Nations Secretariat clarifies its position that it observes the prevailing practice of the single use of "Sea of Japan," explaining that dual designation breaches the prevailing practice and infringes the neutrality of the United Nations."

3. The fact is that the practice of the UN Secretariat of using the most widespread term in the absence of an internationally agreed standard does in no way "authorize" the name as "the standard geographical term." It cannot and should not be used as an example to corroborate the argument by one side of the naming dispute, not least given the rationale for such policy as clarified by the UN Secretariat itself as follows:

- The practice of the UN Secretariat is to use, in the absence of an internationally agreed standard, the most widespread and generally recognized denomination. This practice is without any prejudice to the position of any Member State of the United Nations on a particular appellation and does not imply the expression of any opinion whatsoever on the part of the Secretariat of the United Nations.

- The use of an appellation by the Secretariat based on the practice is without prejudice to any negotiations or agreements between the interested parties and should not be interpreted as advocating or endorsing any party's position, and can in no way be invoked by any party in support of a particular position in the matter.
- Other international organizations do not necessarily have to follow the practice of the UN Secretariat while the Secretariat would explain its position in the case of their inquiry related to the said issue.

4. Furthermore, the Government of the Republic of Korea has consistently maintained the position that the policy of the UN Secretariat of using the name "Sea of Japan" as the most common and widespread denomination for the body of water in question until a negotiated solution is found by the parties concerned is itself unacceptable. In this regard, the Korean Government has been explicitly requesting the rectification of the policy of the UN Secretariat on the following grounds :

- First, in the case that there is a dispute regarding the appellation to be applied to a given geographical feature, the relevant resolution that should be invoked in the UN system is Resolution III/20 of the UN Conference on the Standardization of Geographical Names(UNCSGN) adopted in 1977 which recommends that if countries sharing a given geographical feature fail to agree on a common designation, the name used by each of the countries concerned should be accepted. The import of the Resolution should be respected as an internationally established principle and the secretariats of the organizations in the UN system should adopt this principle.
- Second, considering that the UNCSGN and other international fora are discussing the appellation of the sea body in question and the UNCSGN is recommending the resolution of the dispute through dialogue between the parties concerned, the use by the UN Secretariat of a particular geographical term violates the cardinal principle of neutrality and impartiality of the Secretariat vis-à-vis all Member States.
- Third, the Chair's Summary of the 8th UNCSGN held in September 2002 states that "Individual countries cannot impose specific names on the international community and standardization can only be promoted when a consensus exists." The Government of the Republic of Korea stresses therefore that the practice and position of the UN Secretariat also run counter to the direction adopted by the relevant international conferences.

5. The naming of geographical features in the official documents of international organizations is a highly sensitive issue and should be based on agreement reached between the Member States concerned. Otherwise, the international organizations in question should respect the internationally agreed practices and principles which support the simultaneous use of the names claimed by the parties concerned.