

## Discussion

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Thank you, Mr. Chairman.

I am very honored to be invited to participate in this important and meaningful international seminar on Sea Names as a discussant.

All three speakers read excellent papers in this session. I am deeply grateful to professor Christoph WAACK, Mr. Mladen KLEMENCIC, and professor Anton GOSAR for their presentations. It was of great help for me to understand a lot of important issues on Sea Names, Border and Disputed Territories in Eastern Europe.

As I don't have enough time to give a detailed account of all three presentations, I am going to explain the meaning of maritime boundaries and naming issues in the Northeast Asian States. And then I make brief comments on the 3 papers as well as one or two questions to the speakers.

The seas around the Korean peninsula is semi-enclosed seas, as stipulated by Article 122 of the UNCLOS. So all coastal states around those seas have the duty to cooperate as prescribed by Article 123 of this convention.

Cooperation on the exercise of jurisdiction may proceed smoothly only when delimitation issues in the EEZs or continental shelves are resolved. Also, naming disputes are going to be settled if maritime boundary delimitation is completed in these areas. Currently, Northeast Asian states have provisionally established bilateral fisheries agreements and joint continental shelf development regimes instead of boundary delimitation agreements.

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How then, should maritime delimitation be understood and approached? This begs the question of the fundamental meaning of maritime delimitation for each of the Northeast Asian nations. For example, if it is possible to establish a maritime order without maritime delimitation, it would not be necessary to delimit maritime boundaries in haste, at the risk of dealing with territorial issues, which will not bring about satisfactory outcomes for all coastal states. In that light, the bilateral fisheries agreements and a JDZ agreement among Korea, China, and Japan were realistic options, in that they minimized the territorial conflict through the use of the overlapping zones.

Ultimately, boundary issues and naming issues have to be resolved through international cooperation and concession, based on a new framework under international law of the sea. In this context, it can be said that international boundaries are multifunctional - that is, besides their territoriality, they are maintained and changed by historical, geographical, cultural, political, and economic factors combined. Hence, in modern society, where interdependence and exchange are considered significant, it is important to establish cooperative relations in consideration of these different factors under the concept of "open boundaries."

Now, I'd like to make brief comments on the three papers.

Firstly, I was able to learn a lot from professor Waack's paper about the political impact of the European Union's integration on the boundary delimitation. I also was able to understand that there should be a gap between reality and ideals through Bordering and Ordering in the process of the European Union's integration. Based on this understanding, I have a question about professor Waack's presentation. I'd like to know if there were any remaining boundary or territoriality issues between Poland and Germany after the reunification of the two Germanies. For example, 6 decades ago, there was a serious boundary issue such as the Oder-Neisse Line related problem. According to professor Waack's paper at page 62, there is no such dispute.

Secondly, according to the paper, Maritime boundaries and geographical names in the Adriatic Sea read by Mr. KLEMENCIC, it was interesting to know that there are considerable similarities in geographical conditions between the Adriatic Sea and the

*East Sea*. I hope that the *East Sea* becomes a good example of cooperation regarding maritime boundary delimitation and naming issue between Korea and Japan, just like the Adriatic Sea does between relevant States.

Thirdly, as regards professor GOSAR's paper, I realized that complete settlement of boundary/border disputes in the Balkans is not expected to be realized in the near future. It is because political disputes and racial conflict became quite complicated thereof. So, it is significant to establish the basis for the settlement of disputes through coexistence and cooperation in the region of the Balkans. There should be a gradual change in the political environment in the Balkans.