

Implementing United Nations Resolutions regarding Maritime Feature Names

Dr. Lucie A. Möller
(*Geographical Names Expert, UNGEGN*
Names Research Institute, Pretoria, South Africa)

Abstract

This paper explores the implementation of United Nations resolutions as they apply to the international standardization of maritime feature names. It looks at the role of the United Nations Group of Experts on Geographical Names (UNGEGN) and other scientists in recognizing problems that remain with the implementing of some of these resolutions. Proposals for a new approach are put forward to encourage more of the successes already achieved. This may entail engaging scientists recruited from the natural and social sciences into the existing geographical and linguistic divisions and working groups of the UNGEGN who deal with the formulation of such resolutions. Additionally, to revitalize a new working group focusing exclusively on maritime feature names. Such a task team drawn from divisions and groups, or any other structure necessary, may supplement the work of the experts. These newly formed structures should be supported to continue their valuable work between sessions and conferences of the UN; to concentrate on drafting new resolutions to circumvent stalemates that exist on the standardization of maritime names in dispute, and to share their valuable knowledge on maritime names with the international community through publications and other media outputs.

Introduction

The resolutions on maritime feature names adopted by the United Nations Conferences on the Standardization of Geographical Names, including those features that lie beyond the sovereignty of a single country, e.g. ocean and sea names, undersea features, islands, straits, gulfs, etc. where applicable, have over the years been implemented with a fair amount of success regarding national as well as international standardization.

The names of several contentious maritime features have in most cases been peacefully resolved, internationally standardized and accepted by member states of the United Nations. Resolutions pertaining to these feature names caused no difficulties and were effectively implemented. The Working Group on Maritime and Undersea Feature names could therefore to a great extent complete its functions with regard to undersea feature names. Yet, in some cases the adoption and implementation of resolutions on maritime features, especially those falling beyond a single sovereignty, and those on dual names and exonyms for shared features, remains a vexing problem to the United Nations and its Group of Experts, as well as to the International Hydrographic Organization (IHO) and their member states. A continued stalemate on the interpretation and acceptance of

certain resolutions and the concomitant standardization internationally of certain names therefore still exists.

As each country has the sovereign right to deal with features falling within its territorial waters and therefore to apply names to such features, resolutions to this effect are not the issue here. Where features are shared by countries, e.g. seas and parts of oceans, and where recognition is sought within the international society for their names, the inputs from other scientists, legal advisers and geographical names experts may be sought to resolve the existing disputes. (Möller 2007:61-64; Choo 2007:135-146).

A clearer understanding of the problem of maritime feature names could be reached, if the complex and diverse nature of their naming is better understood. A number of scholars have commented on the role of the UNGEGN in collaboration with the IHO in trying to see the adoption and implementing of UN resolutions on maritime feature names, especially in an effort to update and finalize its publication on *Limits of Oceans and Seas, SP-23*. (Lee 2002:169-173 Kim 2007: 135-145, Raper 2007a: 255-258, Möller 2007:75-77 and Choo 2007:141-142). It was stated that: “The IHO, the Intergovernmental Oceanographic Commission (IOC), and the International Association of Physical Oceanography (IAPO), are all concerned with the naming of oceanographic features falling beyond the sovereignty of countries”, and that “the IHO has to liaise with its member states and therefore refers its brief to the Maritime Zones Acts of the countries concerned who then determine certain criteria for the drawing of navigational charts and maps indicating borderlines, straight base lines from the coastal low tide waterlines and territorial or national waters” (Möller 1999:182). This directs us towards the complexity surrounding the concept of territorial waters, national boundaries and borderlines, maritime zones and the rights of countries beyond their territorial waters.

In addressing these problems, a new look at the rules of procedure and resolutions may help. By engaging more technical and scientific experts and fellow scientists from related fields of knowledge, together with leaders on a diplomatic level (even from member states opposing each other), to propose and draft new resolutions, the remaining issues may be resolved.

A comment by Mr. Eunil Lee, oceanographer of the National Oceanographic Research Institute (2007) summarizes this: “*Wherever references to maritime features are in dispute and names are not fully recognized, two or more perspectives should be allowed in the discussions namely 1) the human perspective where social scientists come in, and 2) the natural sciences perspective. Unfortunately, usually the political representatives are allowed to overshadow the contingents from some countries*”.

In the treatment of contentious names, the idea to revisit all branches of toponymy (such as national heritage, commemorative naming, recognition of names from minority language groups, etc.), should be emphasized. This would entail research into these related fields, i.e. to investigate all possible socio-cultural, economic and political factors involved, and to ascertain whether the names have a longstanding historical but also current application (Choo 2007b:137, 143-145).

Another approach could be to look at situations elsewhere in the world where solutions were found to contentious names of features. Since it is necessary to include and recognize the rights of all countries concerned, this inclusive bi-lateral and multi-disciplinary approach should be the starting point for international standardization of

contentious names. With it an “... analysis of the UNCSGN Resolutions, with specific focus on the degree of the implementation and reporting of the result, would be another ... contribution” (Choo 2007a:145). This is exactly the aim and function of the Working Group on Evaluation and Implementation and has been proposed by its members as an ongoing activity (Raper 2007b:12; Möller 2007:81–82).

Existing structures of UNGEGN: their role and functions

The UNGEGN comprises divisions based on geographical and linguistic compositions, and working groups composed of experts designated by governments of the member states of the UN. Geographical and other experts are invited by the UNGEGN to participate in their individual capacity as leaders in their field of knowledge. Every five years a UN Conference on the Standardization of Geographical Names is held. At these conferences problems relating to the standardization of geographical names are deliberated upon and solutions sought. Resolutions are either adopted or rejected. When they are acceptable to all countries concerned who participate in these sessions and conferences, they are subsequently ratified by the UN ECOSOC. Implementation of these resolutions ensures optimal standardization of geographical names (of which ocean and sea names form a part), at national and international levels, with the concomitant economic and social benefits including the avoidance of tensions, promotion of mutual understanding and avoidance of conflict between countries (Raper 2007a: 11).

In the *Statutes of the UNGEGN (Chapter IV: Composition and the Rules of Procedure, Chapter II: Membership and composition)*, Rule 2 makes provision for and states that: “*The Group of Experts shall consist of experts in the field of cartography/linguistics designated by Governments of States members of the respective divisions*” and “*All experts participating in the sessions of the Group shall serve in their personal capacity as individuals of recognized competence and experience in their respective fields*” (Lee & Möller 2002:11,13–14).

This approach may be limited in that only certain fields of expertise form part of the composition and membership of the UNGEGN to be representative of the fields of knowledge required in deliberating on maritime feature names. Although it is recognized that these experts are leaders in their respective fields, and have sufficient competence and experience, it may be felt that not enough is done by the designated divisions and groups of the UNGEGN to recruit scientists from related fields in other countries. This may be only part of the problem, but perhaps an underlying reason why delays are experienced in getting newly drafted UN resolutions relating to these features implemented. This situation is often exasperated by some governments sending only state officials, political and diplomatic delegates who are not suitably qualified to participate on divisional and group level in the sessions of UNGEGN or in the UN Conferences where these resolutions are to be adopted and ratified.

A revisit of the *Aims* of the UNGEGN shows that these are:

- “(b) To **emphasize the importance of standardization of geographical names at the national and international levels and to demonstrate the benefits to be derived from such standardization ...**
- (d) To study and **propose those principles, policies and methods suitable for resolving problems of national and international standardization.**”
- (e) To play an active role, by facilitating the supply of scientific and technical help, in

particular to developing countries, in creating mechanisms for the national and international standardization of geographical names.

(f) To provide a vehicle for liaison and coordination among Member States, and between member States of international organizations, on work associated with the standardization of geographical names.

(g) To implement tasks assigned as a result of the resolutions adopted at United Nations Conferences on the Standardization of Geographical Names.” (Lee & Möller 2002: 7-9).

In the light of the main *Functions* the following support the view on and activities relating to resolutions regarding these feature types:

“(b) to provide continuity for activities between conferences; and to provide leadership in the implementation of resolutions adopted at conferences’ ...

(e) to create any necessary structure to supplement the work of divisions and to deal with issues beyond the scope of a division. ...

(h) to maintain liaison with international organizations dealing with related subjects and encourage UNGEGN divisions to participate in the United Nations regional and other cartographic conferences. ...

(i) To work at the highest possible national, international and United Nations levels to interrelate toponymy and cartography.

(j) To make standardization principles and standardized geographical names available as practical information for as wide a user community as possible, through all appropriate media.”

The dissemination of information on standardized names is stated here as an important output of the UNGEGN. This underlines the recommendations made by Raper (2007b:12-13) for new resolutions, and Choo (2007:144) who suggested that research into these problematic cases should be done by “a more indirect and technical approach rather than direct and political ...”

Existing resolutions on maritime feature names

The existing resolutions on maritime feature names are summarized under “*Maritime and Undersea Feature Names*”, and the “*Treatment of names of features beyond a single sovereignty*”. (Resolution I/8 A & B and III/21 and IV/12 in Lee & Möller (2002:77-79, 80-82 & 104-108), and Raper (2007b:15-18, Appendix). Resolutions pertaining specifically to maritime features in shared waters or beyond a single sovereignty are the only ones causing confusion at this stage. They read:

Resolutions regarding the “Treatment of names of features beyond a single sovereignty, Res. I/8 A “The Conference

Recognizing that some features common to, or extending across the frontiers of, two or more nations have more than one name applied to them,

Further recognizing that the names of some features of this kind have different applications or extent,

- 1. Considers that it is preferable that a common name or a common application be established, wherever practicable, in the interests of international standardization;*
- 2. Recommends that the geographical names authorities of the nations concerned attempt to reach agreement on these conflicting names or applications.”*

The specific resolutions on *Maritime feature names* referring to liaison and co-operation are Resolution III/21 and IV/12: (Lee & Möller 2002, 107-108):

III/21

(The Conference)

Noting that the International Hydrographic Organization has designated a technical committee to recommend improvements in procedures for naming oceans and seas and their integral subdivisions - referred to as maritime features beyond the limits of national jurisdiction, ...

- 1. Expresses its appreciation to the International Hydrographic Association for its offer to assist in United Nations programmes related to maritime features;*
- 2. Recommends that the United Nations Group of Experts on Geographical Names coordinate its programmes with those of the International Hydrographic Organization.*

IV/12

Maritime and undersea feature names

“The Conference, Observing that work in maritime features has not been finished, but should be further coordinated with similar work of the International Hydrographic Office...

- 1. Recommends that the task of the Working Group should be limited to maritime features”.*

Paragraph 1 of Resolution IV/12 is to be followed up in the new proposal of either engaging existing working groups or reinstating a working group on maritime feature names to revisit problematic names and resolutions for implementation.

An improvement to the composition and structure of the relevant working groups of the UNGEGN, as it relates to drafting of resolutions, should ideally entail expanding their memberships to include legal advisors and political analysts in debates within divisions and working groups. Such groups may help in formulating watertight resolutions, and through continued negotiations reach some form of consensus to resolve the remaining contentious names of maritime features. Up to now, countries concerned have been advised to find solutions acceptable to all of them, taking into account any relevant resolutions, or else to agree to differ and to report the outcome of these discussions to future conferences (Choo 2007:143-144).

Role of the Working Group on Evaluation and Implementation

Apart from reinstating a working group on maritime features, a further proposal to promote the effective implementation of UN resolutions, is to employ the Working Group on Evaluation and Implementation to resolve issues surrounding the names of maritime features. Since its inception the Working Group has done remarkable work in this respect. Implementation of the aims and objectives, and the resolutions of UNGEGN are realized through continued meetings, training courses and a number of indispensable documents that have been collated.

Its brief lies in Resolutions V/4 which established the Group and entails *inter alia*: to “review the resolutions adopted by the United Nations conferences on the standardization of geographical names and report on their implementation” (Lee & Möller 2002: 181). It was to liaise with representatives of various geographical and linguistic divisions as represented by their countries, and with conveners of working groups of the UNGEGN. This implies: “finding ways and means of effectively implementing relevant

resolutions on the standardization of geographical names by these countries.”

The Convener of this Working Group, Prof. Ki-Suk Lee, has for years been pro-actively engaged in calling meetings on sea names, by implication evaluating and implementing the resolutions of the UN. He visited several countries to consult with experts and scientists in related fields; has organized many seminars and conferences on the names of maritime features; produced numerous publications, e.g. the *Statutes, Rules of Procedure and Resolutions of the UNGEGN* (which was distributed to more than 80 member states who attended the 8th UN Conference in Berlin) and his book *Ocean Atlas of Korea (East Sea)*. He acted *de facto* as liaison person between the UNGEGN and the IHO to promote the implementation of UN resolutions regarding maritime features.

Other experts in this group have in the same vein supported and promoted the implementation of resolutions and continued to promote the work of the UNGEGN through training courses, lectures, papers and publications, e.g. the *United Nations Documents on Geographical Names* by Raper (1996), containing an alphabetical list of resolutions by subject for easy reference. This book was distributed to more than 60 countries worldwide, including libraries of ministries, departments, embassies and other offices of state.

Applying the rules of Procedure

The UNGEGN, though mainly limited to membership from cartographers and linguists, has rules to follow for other scientists to be incorporated. The “*Statutes, Rules of Procedure and Resolutions on Geographical Names*” (Lee & Möller 2002:7-13, 19) make provision for and recommend engaging experts from specific fields of knowledge.

First of all there is Rule 22, *Invitation to specialists (technical advisers)*

*“A person with **specialized knowledge of particular aspects of the standardization of geographical names** may be invited to place before the Group of Experts his/her specialized knowledge. Such a person will be invited only when official approval of the invitation has been obtained from his/her Government.”*

This last sentence of Rule 22 is perhaps where many experts and scientists from certain countries are, for political reasons, not given the opportunity by their governments to share valuable knowledge and make meaningful inputs. Often government representatives are sent on a continuously rotating basis to meetings of the UNGEGN and UN Conferences, whereby the continuity of activities and expertise is lost. This erodes the good work of dedicated experts and the implementation of resolutions since often political issues become stumbling blocks in what could otherwise be peaceful and fruitful negotiations.

Within countries the government departments need to recruit scientists who may be trained as geographical names experts to serve in geographical names boards and to represent their countries as delegates at the UN Conferences. Ideally they should come from relevant departments, e.g. surveys and mapping agencies, naval and maritime institutions, telecommunications, postal services, etc.

Ultimately they have to deal with the application of resolutions referring to naming of geographical features, also maritime features, where a high degree of accuracy is necessary since the designation and identification of such features relate to a safe and secure naval environment. Since these feature names are vital in the drawing of maritime and navigational charts their unequivocal references are of paramount importance.

Fortunately Rule 39 and Rule 41 of the *Procedures* open a possibility for “*Inter-sessional working groups*” and “*Participation by non-members of the Group*”: “*Representatives designated by the specialized agencies and observers designated by other intergovernmental organizations and by non-governmental organizations invited to the session may participate, ... in the deliberations of the Group and its working groups on the invitation of the Chairman or the convener of a working group on questions within the scope of their activities*”. This option makes provision for inclusion of competent scientists from non-governmental but specialized fields and has worked well in the past to counteract the appointment of political representatives only.

The UNGEGN in adherence to the Charter of the United Nations, has declared among some salient points, that (i) “*The standardization of geographical names must be based on the achievements of science in relation to both language treatment and the technical means of processing and generating toponymic data.*” It has been the ideal forum for geographical names experts and other scientists, with their inputs of valuable information, to debate and draft new resolutions, and thereby to counteract the existing stalemates with regard to maritime feature names.

The international bodies concerned with naming and standardization of maritime feature names have in this way, found solutions for most cases within the legal parameters of the maritime and territorial acts of the countries concerned. Although UNGEGN’s “decisions be of a recommendatory character” only, it definitely falls within its brief to act as a “consultative collegiate” (Lee & Möller 2002:8). In this, it should be given more power by the UN and IHO member states by allowing a voting system to implement resolutions relating to international standardization of features in shared or international waters, not only to debate and draft them.

Proposals for a new approach

The proposals for drafting of new resolutions (1) within extended working groups or by (2) the resuscitation of a working group on maritime feature names may enable open and fair discussions on maritime names in dispute.

The problem of resolutions on maritime feature names being ignored, misinterpreted or not implemented at all by certain countries, highlights the need for cognizance to be taken of the diverse and complex nature of such feature names. The sensitivity around maritime names within the international community and its sphere of international relations (especially the economic and political ramifications), must be carefully considered.

These proposals have been raised by several UN experts in the past (Möller, 2007:61–84, Raper 2007b:13) and are embedded in the *Rules of Procedure* and *Resolutions* of the UNGEGN. To bring in scientists from the human perspective as well as the natural sciences, with some legal and political advisors into the deliberations, may improve the communication channels between the international bodies concerned with maritime feature names, and among member states of such organizations.

Of course many of these scientists already serve in organizations that deal with maritime names, and the role that experts have played over the years in liaising with these organizations is well-known. Their involvement in discussions with fellow scientists in international forums is proven in the outcome of sound and useful dissemination of information: atlases, maps, naval charts, other scientific documents and

publications.

(i) Establishing new structures

In advancing the mediation processes between countries who are in dispute over names of shared features, or where some names have not yet been accepted internationally by all member states, links should be sought with fellow experts in relevant inter- and non-governmental structures and organizations in other countries to initiate negotiations. These experts should ideally serve on naming boards within countries (Choo 2007:137, 145), in names societies and in ministries concerned with maritime features.

In most countries this procedure works well, e.g. most resolutions of the UNGEGN regarding the recording and publication of standardized geographical names in documents, publications, maps and atlases have been implemented with great success through co-operation of government departments in conjunction with scientific organizations. This is evident in several programs of the UNGEGN which were brought to completion because of the co-operation between experts and scientist from various disciplines. Reference can be made to the list of Country Names, the US Geological Survey with its *Atlas of the Antarctic*, the publications of the US Board on Geographical Names, and many other products.

The proposal here is to provide expert knowledge even if this has to be done through other structures, e.g. inter- or non-governmental task teams. Since the need is for mediating towards solutions on maritime features, they could be invited to serve on a resuscitated Working Group on Maritime Feature Names or on the Working Group of Evaluation and Implementation. This may diffuse the difficulties with implementation of resolutions on some maritime feature names and promote better understanding of the real issues, with due consideration of scientific data.

(ii) Inclusive bi-lateral and multi-disciplinary approaches

Where contentious names continue to cause conflict between countries and in the effective communication worldwide, or where some resolutions on such maritime names are not acceptable, the UNGEGN and IHO should strive towards more inclusive and bi-lateral representation from the countries concerned when drafting resolutions.

Since the subject of maritime features in shared waters is complex and of a diverse nature, we need to look at a multi-faceted approach. As suggested by Choo (2007:137,138, 144-145) value may be added to these debates with information on cultural, historical, heritage and national identity issues. This could impact positively on the bi-lateral talks between countries with due acknowledgement of each others rightful use of sea names, each in their own language. The alternative, to opt for a common exonym, has also been proposed.

Although we hear that experts in the international society may feel fatigued by the continued debate on some maritime names in dispute (Choo 2007: 144), and that politicians themselves are beginning to make tentative moves to solve the problematic exceptions, some of these cases may not be solved without an indirect political approach, but even this with a view that: "All approaches and considerations would have to be based on the general UNGEGN principles and UN Resolutions on the standardization of geographical names".

Where names have become contentious simply because countries can or will not acknowledge each others right to give names to features lying in shared waters, only the principle of fair acknowledgement and mutual respect may bear significant weight in bilateral negotiations. Names remaining in dispute give rise to worldwide communication gaps, also in the printed media. It may delay the printing of maps and atlases or result in incomplete sets of these publications being produced. Since specific names are then either omitted from such publications or duplicate editions have to be prepared, a state of confusion remains in the international society with respect to the names of these features.

Perhaps a new publication on maritime feature names that includes all the required minimum background information, (geographical location, extent, history, language, etymology, etc.) of the features and their names, may in the interim enable access to this vital information by a wide range of users.

Since UNGEGN experts recognize problems with certain resolutions concerning maritime feature names, they need to renew their efforts to draft resolutions that may (i) circumvent the highly politicized issues through finer diplomatic wording; and (ii) elaborate on them with clear and concise technical and scientific information as to the origins, extent and measure of the features that the names refer to. (See Kim, 2007: 135-137 and Raper 2007a: 246-247). As alternative a new approach of viewing politics between countries is offered by Choo (2007:144): “that any discussions on international politics would entail ... a negotiated “give-and-take political menu of options” to the parties concerned.

If the procedure could be revised, say to approach each country separately in a vis-à-vis mediation process, even on a higher political and inter-governmental level in bilateral talks, the benefits of international standardization of maritime names for each of these nations could be made clear. To keep discussions on mutual common ground, i.e. the effective international recognition of these names, the successful standardization of the names could be achieved. Then recognition in the international community of names being equal in status and in application could become a reality.

(iii) Effective implementation of resolutions through research

Murphy (1999:144) did detailed research into these aspects around dual or shared names giving an indication of the complex perspective and levels of involvement of countries, and suggested fine diplomacy from all parties concerned, also policy makers, where deep disagreements remained. A resuscitated Working Group on Maritime Feature Names could mediate in these deliberations more actively and involve all role players in solving controversial cases of maritime names.

In instances where a feature is a commonly shared area for economic and other uses, resolutions for standardization should be effectively worded to avoid political conflict between the countries, e.g. where there is difficulty in determining precise borderlines or where such demarcation lines may overlap. If dual names can not be accepted for a shared feature, an exonym name may be the only solution although this may be contrary to existing UNGEGN resolutions, and the potential for dispute may remain.

This would entail further research as to the desirability or acceptability of such equal status names. Alternatively, what the benefits or not, of exonym references to a shared maritime feature, may hold for the countries directly affected.

A summary of the relevant international principles, procedures and applications of

maritime acts and laws of the seas to such maritime features, as well as existing resolutions of the UNGEGN, will have to be considered again in the light of new scientific findings and inputs from experts as they redraft pending resolutions. (Raper 1999:5-7, Möller 2007:80-82 and Raper 2007b:255-258).

Although Raper (2007b:5) warns that “the plurinymity of maritime features is sometimes problematic in international context, leading to confusion and perhaps even conflict”, such dual names or exonym forms for shared sea features, may then be indicated with equal status. If accepted and standardized internationally, they may be used on maps, maritime charts and world atlases to benefit all member states.

It would enable cartographers, commercial mapmakers and other publishers to use and add in equal parentheses if need be, such names into their cartographic and other products, e.g. dictionaries, the electronic media, the Encarta and the Google Earth Systems, or other forms of application that may be developed.

With the above proposals countries may be encouraged to put their case to the international community seeking support for the use of their names by adhering also to “the general rule of cartography as stated in the UNCSGN resolution III/20 (1977), namely the joint consultation among countries concerned and multiple recognition of different names pending the agreement on a common name.” (Lee 2002:174). This may then serve as an indication that the legal, sovereign rights of the countries concerned have been taken into consideration and acknowledged.

Summary

As suggested above thorough research into the names of maritime features is required when drafting or implementing resolutions. Are they beacons of a specific nation’s cultural heritage and its national identity? Careful diplomatic mediation is necessary to see if their application not only reflects political assertiveness, but also understanding and respect of neighbouring countries. This may ensure recognition in the international society and the cultural and economic benefits of a peaceful resolve.

In the interim, it is imperative to involve working groups and to disseminate information on maritime feature names as they become internationally recognized and standardized. The progress made with updated and new resolutions as well as publications on these maritime feature names is an invaluable contribution to the international community.

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