

Reflections on the IHO S-23 and the Naming of East Sea

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Abstract: Taking into account the unresolved naming differences of IHO Member States for the same sea area, I propose four alternatives to enable the publication of the 4th edition of IHO Publication S-23. For the sea area between the Korean Peninsula and the Japanese Archipelago, the first alternative could be the most plausible. Naming “East Sea” for the Korean-side sea area and naming “Sea of Japan” for the Japanese-side sea area without the delineation of the limits of each sea would be the most neutral solution, which is also consistent with IHO Technical Resolution A 4.2.6. Delineating the limits of each sea can have the possibility to bring another dispute between Korea and Japan. Another possible solution could be to use “East Sea” for the Korean EEZ (or Korean territorial waters) and to use “Sea of Japan” for the Japanese EEZ (or Japanese territorial waters) with the delineation of limits of each sea.

Introduction

S-23 is an International Hydrographic Organization (IHO) publication referring to “Limits of Oceans and Seas.” The 3rd edition dated 1953 remains the current edition but is out of date. The XI International Hydrographic Conference (IHC) in 1977 with its decision No. 17 tasked the International Hydrographic Bureau (IHB) to undertake a revision of this publication. However, after 35 years, this work has yet to be completed.

It may be noted that the different positions of Korea and Japan in naming the sea area between the Korean Peninsula and the Japanese Archipelago, is a significant reason for the delay of the revision of S-23. Bilateral discussions have taken place between Korea and Japan without any agreement. Various options proposed in naming the sea area between the Korean Peninsula and the Japanese Archipelago have been rejected by one or both of the interested States or did not receive the appropriate majority by IHO Member States. IHO Member States supported the proposal of the Directing Committee of the IHB for the establishment of the S-23 Working Group (S-23 WG). In accordance with its Terms of Reference (ToR), the S-23 WG has been tasked to “produce a revised 4th edition of IHO Publication S-23, Limits of Oceans and Seas, and submit it together with a report of the work of the S-23 WG to the IHB, for the subsequent approval of IHO Member States.” Rules of Procedures (RoP) of the S-23 WG indicate that “decisions of the S-23 WG should generally be made by consensus.”

The S-23 WG, in accordance with its RoP, worked mainly by correspondence and had two face-to-face meetings. The first meeting took place in Monaco on June 1, 2009, organized by the IHB, prior to the 4th Extraordinary International Hydrographic Conference (EIHC) and was attended by 39 delegates from fourteen IHO Member

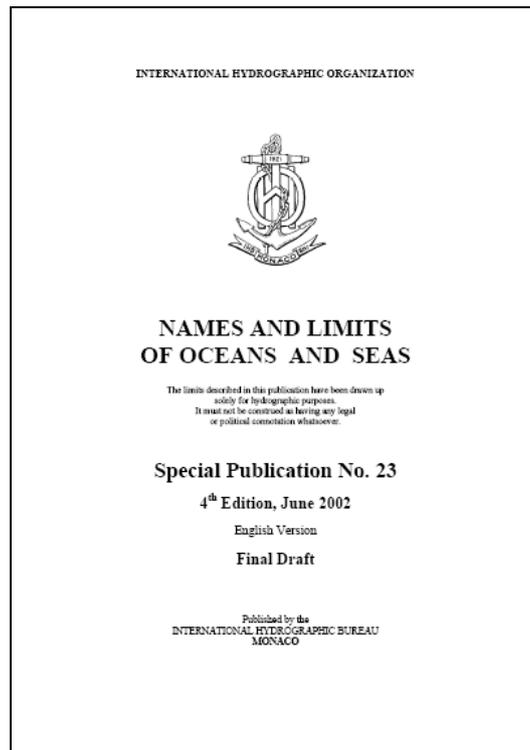


Figure 2. Front Cover of the Final Draft of the 4th Edition of S-23 (2002)

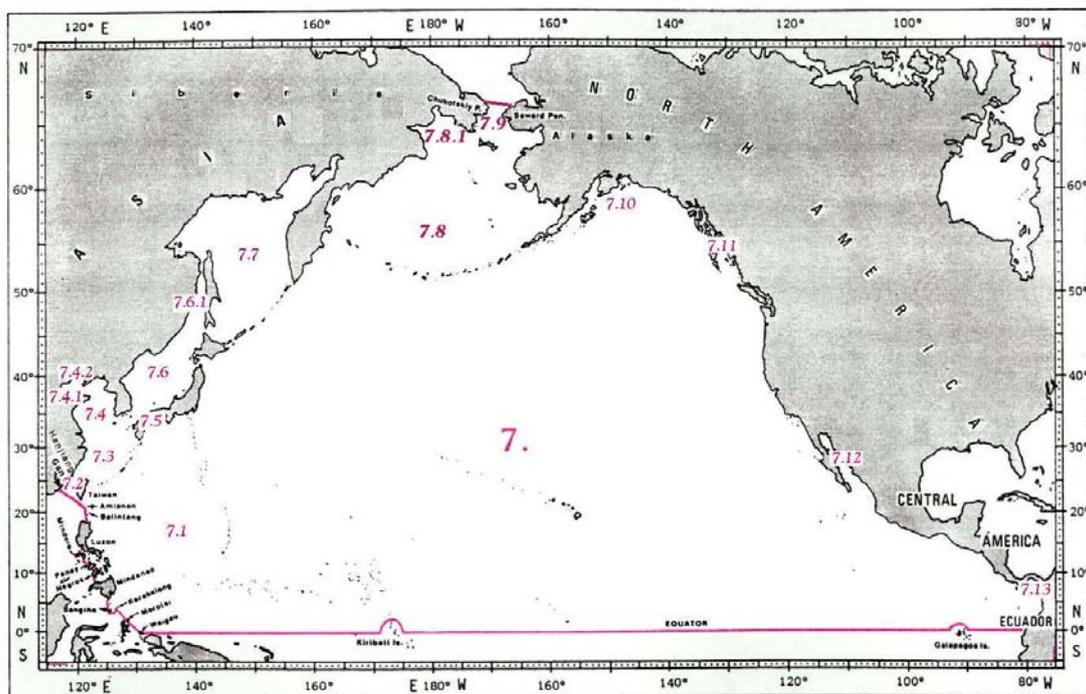


Figure 3. Chartlet-index of North Pacific Ocean and its Sub-divisions in the Final Draft of the 4th Edition of S-23 (2002)

Proposal by Australia and France to the S-23 Working Group

Australian delegate stated that it is clear that there are some sea and ocean areas where national interests are so strong that it will be impossible to reach consensus on a single name. The publication S-23 should be an international reference document that shows the generally agreed names and limits of the sea and ocean areas. Where there are significant national reservations and another name is in use then the alternate name and/or limits are also shown. This will serve the specific purpose of the publication to provide information to support navigation safety.

Australian proposal provides a method of including alternate positions relating to the name or limit of sea and ocean areas and will thus enable a new edition of S-23 to be published. The proposal by Australia to the S-23 WG is as follows.

1. The following text should be added to the front cover of the draft of the 4th edition of S-23:

“The publication S-23 should be considered an international reference document that shows the generally agreed names and limits of the sea and ocean areas in common use. Where there are significant national reservations and another name is in use then the alternate name and/or limits are also shown.”

2. When and only when consensus cannot be reached on the name or limits of a sea or ocean area then the alternative positions are to be included in S-23 by one of the following methods:

- a. the fact that there is a reservation by (an) other member State(s) be included on the main page referring to the sea or ocean area, and details of the reservation, such as a alternative name/limits be clearly detailed in an Annex, or

b. the fact that there is a reservation by (an) other member State(s) be included on the first page referring to the sea or ocean area and a second page for the same sea or ocean area be inserted in S-23 immediately following the first. The second page will show the alternative name(s) or limits of the sea or ocean area where consensus was not reached.

In short, the Australian proposal provided two options for detailing reservations; either use of an “*Annex*” or “*a second page immediately following the first.*” The Australian proposal could form a possible basis for naming of the sea area between the Korean Peninsula and the Japanese Archipelago.

Australia presented a proposal with two options at the 2nd S-23 WG Meeting in Singapore. The first, “*to provide reservations in an Annex*” was presented to S-23 WG Members, and was rejected by Republic of Korea and others thus did not gain consensus. According to the Australian delegate, Australia later agreed that the second option, “*to include a separate page with alternative naming immediately following the first*” need not be formally presented to all working group members as it became clear that this option would not lead to consensus when Japan advised the Australian delegate that it was not acceptable.

Regarding the sea area between the Korean Peninsula and the Japanese Archipelago, the proposal by France is as follows.

1. S-23 sheets covering the sea area between the Korean Peninsula and the Japanese Archipelago

No name at all, but single reference to the ad hoc sections of S-23 (e.g. “See § 52”)

2. S-23, section 52

Endonym KR/KP		Endonym RU		Endonym JP		Exonym ² en	Exonym ¹ fr	Exonym es
동해	Donghae	Япо́нское море	Япо́нское море	日本海	--	East Sea	Mer de l'Est	tbd
						Sea of Japan ³	Mer du Japon	tbd

^{1,2} Exonym in English or French may vary from one nation to another. Each nation can make its own choice in accordance with national toponymy policies.

³ Variant: Japan Sea.

France's proposal can be used in conjunction with the Australian proposal. However, unfortunately, France's proposal was withdrawn by France's delegate for some reason.

Ongoing Naming Dispute about the Sea Area between the Korean Peninsula and the Japanese Archipelago

A list of three areas of concern was identified and circulated by IHB. The three areas of concern are (1) sea area between the Korean Peninsula and the Japanese Archipelago, (2) Malacca Strait, and (3) South China Sea – East China Sea. According to the IHB, the majority of the responses received from IHO Member States about the areas of concern refer to the issue of naming the sea area between the Korean Peninsula and Japanese Archipelago. Three groups of positions can be recognized from the responses. Those which support one name with reservations to be inserted in an Annex, those which support the different names to appear on the relevant page and not in the Annex and those, which is the majority, indicating that the countries concerned must come to an agreement before moving to an update with some additional comments and views. The position of both Republic of Korea and Democratic People's Republic of Korea is that both names "East Sea" and "Japan Sea" should be used simultaneously on the same

page in S-23.

It is clear that consensus has not been reached among S-23 WG Members on all of the “areas of concern.” Australian delegate points out that it is apparent that the root cause of not reaching consensus on S-23 is due to political pressures relation to strong national positions rather than differences over technical depiction of names and limits. France’s withdrawal from the working group highlighted this fact and subsequent statements by working group members have confirmed it. S-23 WG must decide whether S-23 is to be a technical hydrographic publication and thus proceed to resolve national disagreements using the technical methods, or accept that political imperatives have the over-riding importance, accept that these cannot be solved by the IHO and recommend the withdrawal of the S-23 publication from the IHO catalogue. In fact, the naming of geographical features is inherently intertwined with political matter. Furthermore, Australian delegate argues that there are already internationally recognized means for displaying differing names for the same geographical feature in use by UNGEGN (United Nations Group of Experts on Geographical Names) and adopted by the IHO. For example, in the final draft of the 4th edition of S-23 in 2002, an agreement between England and France was reached for using dual names, namely, “English Channel/La Manche.” In a similar vein, “East Sea” should be used concurrently with “Japan Sea.” It is very important that this dual naming is in line with IHO Technical Resolution A 4.2.6.

The naming of the body of water separating the Korean Peninsula and the Japanese Archipelago is a matter for negotiation between neighboring states. However, taking into account the unresolved naming differences between Republic of Korea and Japan for the same sea area, Republic of Korea proposes a plausible alternative to enable the

publication of the 4th edition of IHO Publication S-23. The option is to publish names and spatial details of the sea area in question incorporating dual naming principles according to IHO Technical Resolution A 4.2.6. By the same token, United Nations Resolution on the Standardization of Geographical Names III/20 also clearly recommends that when countries sharing a given geographical feature do not succeed in agreeing on a common name, it should be a general rule of international cartography that the name used by each of the countries concerned will be accepted. Basically based on the important recommendation of the IHO Technical Resolution A 4.2.6, Republic of Korea proposes that the body of water separating the Korean Peninsula and the Japanese Archipelago should have dual names, namely, “East Sea / Sea of Japan.”

The names “East Sea” and “Sea of Japan” should be used simultaneously to designate the sea area between the Korean Peninsula and the Japanese Archipelago, on the following grounds:

Until the 19th century, various names had been used to designate the sea area concerned such as “Sea of Joseon (ancient Korean Dynasty),” “East Sea,” and “Oriental Sea,” while “Sea of Japan” had not been widely used even in Japan. Moreover, many maps at that time did not show any names for this sea area.

With the rise of Japan as a regional power in Asia in the late 19th and early 20th centuries, the sea area had become widely known as “Sea of Japan.” Korea, on the other hand, was unable to present its views on naming the sea area when the first and second editions of the “Limits of Oceans and Seas” were published in 1928 and 1937 respectively, since it was under Japanese colonial rule. When the third edition was published in 1953, Korea was in the midst of the Korean War.

Historically, the name “East Sea” has been used for the past 2,000 years in Korea.

Currently, 75 million people living on the Korean Peninsula use the name “East Sea.” The use of “East Sea” in world maps and media outlets has steadily increased. In addition, the simultaneous use of the names “East Sea” and “Sea of Japan” is consistent with the fundamental principles of the IHO.

The IHO adopted Technical Resolution A 4.2.6 in 1974, which essentially provides that if two or more countries sharing a given geographic feature under a different name cannot agree on a common name, each of the names should be accepted. This general rule of international cartography is also confirmed by the United Nations Conference on the Standardization of Geographical Names in its resolution III/20 adopted in 1977.

Lying between Korea and Japan and extending north towards Russia, the sea area includes the territorial waters and exclusive economic zones of the countries encircling the area, and several countries have jurisdiction and sovereign rights over it. It would therefore be inappropriate to name the sea area after one particular country without the consent of other surrounding countries.

The current edition of S-23 does not reflect the names of oceans and seas in an appropriate manner. It is highly desirable to publish a revised version of the current edition. The major responsibility of the S-23 WG is to consider all possible means and ways to produce the 4th edition of S-23, and to report them to the IHC. Accordingly, S-23 WG should comprehensively examine various constructive proposals that have been made to publish the 4th edition of S-23. For example, S-23 WG should investigate the final draft of the 4th edition in 2002, the two-volume approach that was proposed by the former IHC chairman, Williams, and specially IHO Technical Resolutions, and United Nations Resolutions on the Standardization of Geographical Names.

In order to efficiently expedite the publication of the 4th edition of S-23, all of

discussions and procedures should be considered in the S-23 WG. The S-23 WG should examine the responses and all other relevant documents in order to develop possible solutions for areas of concern. However, in the preparation of the 4th edition of S-23, IHO Technical Resolutions should be the most important elements for solutions for areas of concern.

A lot of efforts and endeavors were already put to prepare the final draft of the 4th edition of S-23 in 2002, it would be logical to use the final draft as a starting point for discussion in order to produce the 4th edition of S-23. The purpose of the S-23 WG is to produce a revised draft of the 4th edition of S-23 based on the work that has been done in the past. Since the preparation of the draft of the 4th edition of S-23 in 1986, a lot of efforts had been made by the IHB to prepare the final draft of the 4th edition of S-23 in 2002. In this regard, it is important to acknowledge the efforts to prepare the final draft in 2002. For the progress of S-23, it is very reasonable to use the 2002 final draft as a cornerstone in producing a revised draft of the 4th edition of S-23. To ignore the last final draft in 2002 that involved a lot of efforts of the IHB might hamper the credibility of the IHO that pursues the progress of S-23.

In addition to the technical and scientific issues associated with the S-23, the S-23 WG should consider the political aspects of the S-23 because delineating limits of seas and naming of seas are inherently intertwined with political issues among neighboring states.

Conclusion

Taking into account the unresolved naming differences of IHO Member States for the

same sea area, I'd like to propose four alternatives to enable the publication of the 4th edition of IHO Publication S-23. These four options are as follows.

- (1) The first option is to use dual names, falling each name within territorial waters or EEZs without (or with) the delineation of the limits of each sea.
- (2) The second option is to publish names and spatial details of the sea area in question incorporating dual naming principles according to IHO Technical Resolution A 4.2.6 and also have any IHO Member States' reservations recorded with details depicted at appendix.
- (3) The third option is to publish names and spatial details of the sea area in question as submitted by the differing IHO Member States, and then issue a page addendum when the issues relating to the dispute sea name or limits is resolved. Again the IHO Member States' reservations can be depicted in appendix.
- (4) The fourth option is to publish the 4th edition of IHO Publication S-23 without pages of the sea names and spatial details of the sea area, and issue a page addendum when the issues relating to the sea area is resolved.

For the sea area between the Korean Peninsula and the Japanese Archipelago, the first option could be the most plausible. Naming "East Sea" for the Korean-side sea area and naming "Sea of Japan" for the Japanese-side sea area without the delineation of the limits of each sea would be the most neutral solution, which is also consistent with IHO Technical Resolution A 4.2.6. Delineating the limits of each sea can have the possibility to bring another dispute between Korea and Japan. Another possible solution could be to use "East Sea" for the Korean EEZ (or Korean territorial waters) and to use "Sea of Japan" for the Japanese EEZ (or Japanese territorial waters) with the delineation of

limits of each sea.

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요약: 본 논문은 IHO 회원국 간에 몇몇 바다의 명칭 표기에 대한 의견 차이가 여전히 지속되고 있는 현 시점에서 IHO S-23 제4판의 발행에 도움이 될 수 있는 네 가지 대안을 제시하였다. 한반도와 일본 열도 사이의 바다 지역에 대해서는 네 가지 대안 중에서 첫 번째 대안이 가장 적절할 수 있다. 바다의 경계를 표현하지 않으면서 한국 쪽의 바다에는 동해로 표기하고 일본 쪽의 바다에는 일본해로 표기하는 것이 가장 중립적인 해결책이 될 수도 있다. 이 대안은 IHO 기술적 결의 A 4.2.6에도 부합한다. 이 경우에 IHO S-23 지도 상에서 동해와 일본해 간의 경계를 획정하는 것은 한일간의 분쟁의 소지가 될 수도 있다. 다른 가능한 해결책으로는 IHO S-23 지도 상에 바다의 경계를 표현하면서 한국 EEZ(또는 한국 영해)에는 동해로 표기하고 일본 EEZ(또는 일본 영해)에는 일본해로 표기하는 방법이 있을 수도 있다.