

Discussion

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I am very honored to be invited to participate in the 20th international seminar on Sea Names as a discussant. Our session is related to international relations, legislation, organization and geographical naming. All three papers are read addressing naming issues in the context of history, international relations and international law.

All the speakers made excellent presentations in this session. I am grateful to professor Alexis Dudden, professor Andrey Kovsh and professor Erik Franckx for their excellent presentations. It was of great help for me to understand a lot of important issues on Sea Names from the view point of history, international relations and international law. I have no questions but some comments about their presentations.

And I don't have enough time to make detailed comments on all three presentations, I am going to talk about interrelationship between international law and international relations in the historical context of Northeast Asia. I think it would be easier to understand Naming dispute between Korea and Japan if we see that issue through the interdisciplinary lens.

We know that 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. But Korea and Japan are not cooperating at all about the East Sea/Sea of Japan Naming Issue.

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.

How then, should the naming issue and maritime delimitation be understood and approached between Korea and Japan? As professor Alexis Dudden explained, the role of

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East Sea as a corridor in the context of the imperial Japan's invasion of Korea is very significant for us Koreans. So, the answer is that international law and international relations should play an important role cooperatively as well as collaboratively in the context of history in order to solve these issues.

It can be said that international law and international relations are two separate, but overlapping disciplines. It means that they are increasingly viewed as a single discipline. It is because they are not necessarily in fundamental conflict with each other in terms of their positions on international affairs. Accordingly, international organizations are important arenas for the relevant state parties to address issues, conflicts or disputes as they could make agreements through negotiations therein. As professor Erik Franckx explained, international bodies like IHO or UNGEGN can be used as such arenas for the settlement of naming issue in the near future.

Therefore, it is important to understand not only the political and economic implications of the naming issue but also legal aspects and analysis of the issue.

In the international society, there are two peaceful ways to resolve the conflict or dispute: one is legal settlement, and the other is political settlement. With respect to the legal settlement, because the international adjudication needs both parties' consents, it is almost impossible for the naming issue to be solved that way. Instead, considering the historical implications of the naming issue between Korea and Japan, it may be the most realizable political or diplomatic solution that Japan makes its political decision and therefore abandons its claim to the unilateral use of Sea of Japan over the seas between Korea and Japan.

Taking into account the relations between international law and international relations as two possible approaches to the naming issue between Korea and Japan, the two countries should continuously think over what could be a real solution to the problem and its implications. As regards settlement of international disputes, whether it is legal or political, there are two modes solution, that is, one is perfect solution and the other is real solution. As former President Richard Nixon said, perfect solution is a mission impossible in international relation, unless relevant states go to wars. Therefore, as regards this delicate naming issue between Korea and Japan, I think real solution is to use East Sea and Sea of Japan simultaneously for the time being. Because it is not that serious or critical issue to the two states. Pursuing a perfect solution in the naming issue/conflict in East Asia is undesirable as well as meaningless. Perfect solution means using East Sea or Sea of Japan unilaterally.