



DOKDO/ TAKESHIMA TERRITORIAL DISPUTE BETWEEN SOUTH KOREA AND JAPAN: IMPLICATIONS TO EAST ASIAN REGION

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Introduction

In the modern era of state sovereignty, territorial disputes are leading sources of conflict and violence in the international system. Recently, a long-standing territorial dispute over the sovereignty of islets is causing tensions between Japan and South Korea. These tensions escalated when Japan issued a Diplomatic Blue Book (DBB) 2016 renewing the country's claim to the South-eastern islets of Dokdo. DBB-2016 was reported to the Japanese Cabinet with claims that historically Dokdo/Takeshima is clearly Japanese territory under international law.¹ The report is the latest in a series of actions that have threatened to undermine the mood for bilateral cooperation in the wake of last year's landmark agreement to resolve the issue of Tokyo's wartime sexual enslavement of Korean women.² Interestingly, Japan also stated that South Korea is the most important neighbor sharing strategic interest at the same time it has not compromising on its territorial claims.

Previously these tensions were escalated when South Korea's President Lee Myung-bak visited the disputed islets on August 10, 2012. It was a first for a South Korean president to visit the uninhabited islets, called Dokdo in South Korea and Takeshima in Japan. It is also called 'Liancourt Rocks' by the U.S. Congress.³ That time, Lee's historic visit served to counter Japan's claims to the islets and prompted Japan to recall its ambassador to South Korea. The Japanese government also summoned Seoul's representative in Tokyo to the Foreign Ministry to register a formal complaint.

Recently, on March 2016, Tokyo also approved a set of updated high school textbooks that repeated Japan's territorial claims to Dokdo. The authorization represented a bolstering of the claims because 27 of the newly approved 35 social studies textbooks -- or nearly 80 percent -- accused South Korea of "illegally occupying" the islets.⁴ South Korea rejects the claims as baloney because the country regained independence from Japan's 35-year colonial rule in 1945 and reclaimed sovereignty over its territory, including Dokdo and many other islands around the Korean Peninsula.

Though, Japan referred to South Korea as Tokyo's "most important neighbor that shares strategic interests in its 2016 diplomatic blue book report and their



bilateral relations has touched new heights with following the agreement on the issue of the sex slaves in December last year. The accord will be the key to opening a new era in the two countries' ties. However, the debate over the sovereignty of the islets has seen many diplomatic stand-offs between Seoul and Tokyo till now.⁵

For Koreans the disputed islets are at the very core of Korean collective self-understanding and national identity. These tiny high sea outcroppings are viewed as a symbol of Korea's colonization, as they were the first pieces of Korean territory to be annexed by the Japanese Empire on February 22, 1905. In this way, *de facto* sovereignty over Dokdo represents the recovered sovereignty by the Korean nation. In the past, Joseon Korea of 1905 was seen as a nation weak enough to fall prey to colonialism. However, the Modern Korea will not lose Dokdo a second time. Dokdo is one of the most important focal points of the national post-colonial imagination, and acknowledging it as a "territorial dispute" is simply not a policy option.

Historical Claims of Both Parties

South Korea's is laying claim on Dokdo through a passage from the oldest Korean official historical text, (*SamgukSagi*), published in the 12th century. It states that *Lee Sabu* of *Silla* conquered *Usan* state in 512 AD. According to the annals of King Sejong, *Sejong-Sillok Jiriji (Geography Section)*, of 1454 and a volume set of *Chosun* government geography books, *Dong'gukYeoji Seungnam (Survey of National Geography of Korea)* of 1531, *Usan* state is referred to *Ullung* Island and its islet, Dokdo.⁶ However, the expanding Japanese empire forced Dokdo under its sovereignty curtailing Korea's diplomatic rights in 1905 and Japan eventually annexed the whole Korean Peninsula in 1910.

After Japan was defeated in World War II, the order by the Supreme Commander of the Allied Powers (SCAP) declared the suspension of the Japanese administrative control over Dokdo. The first president of Korea, Syngman Rhee, announced the 'Presidential Declaration on the Territorial Waters' in 1952, which drew the so-called 'Peace line' including Dokdo on the Korean side. Since then Korea has exercised its territorial sovereignty over Dokdo through various acts such as, constructing a territorial monument in 1953, building a lighthouse in 1954, and a small police detachment on Dokdo since 1954. It also asserted its authority by allowing common citizens to settle there in 1980; building a chopper landing facility in 1981; installing a radar facility in 1993 and building an anchoring facility in 1996. For Koreans, Dokdo is clearly a Korean sovereign territory, and they ignore the Japanese demand to take the issue to the International Court of Justice.

On the other hand, Japan's position regarding the territorial sovereignty over Takeshima is very different.⁷ It claims that Takeshima is a subsidiary to *Oki* Island. While Korea abandoned the uninhabited Dokdo during the 17th century, Japan exercised its control over Takeshima by allowing fishing in its offshore. In 1905,



Japan lawfully gained sovereignty over Takeshima. It argues, the San Francisco Peace Treaty, which determines the territories belonging to the Korean peninsula, did not mention Dokdo/Takeshima explicitly.⁸ The Treaty, signed in September 1951, specifies that ‘Japan, recognising the independence of Korea, renounces all rights, titles and claims to Korea, but no mention is made about Dokdo as belonging to Korea.’⁹ Such correspondence clearly shows that Takeshima has been acknowledged as part of the territory of Japan.¹⁰ As a result, Japan attained control over Takeshima through the *San Francisco Peace Treaty*. Japan has continuously objected to Korean actions on the grounds that they were a breach on territorial sovereignty. Even though Korea has not shown any interest, Japan wants to take this issue to International Court of Justice (ICJ). Japan argues that Korea not responding to Japan’s demand to take this controversy issue to the ICJ is a clear reflection of Korea’s weakness in its claim.¹¹ For Koreans Dokdo is clearly Korean territory, and there is no need to give into Japan’s demand to take the issue to the International Court of Justice.

Thus, both parties are claiming their sovereignty on Dokdo/Takeshima based on their argument. Though Dokdo/ Takeshima is a small set of islets, however, it is significant to understand the historical, geo-strategic, and economic factors which shaped both parties interest on it.

U.S. Strategic Interest & San Francisco Peace Treaty

While preparing a final draft of the San Francisco Peace Treaty, the issue of Dokdo got caught in the web of Cold War politics and Korean War, in which the U.S. wanted to use Dokdo for its strategic interest to contain Communism in East Asia.¹² By not addressing every detail, U.S. negotiations with its Allies could proceed and signing of the Treaty was quick after the Korean War broke out in June 1951 in the Korean Peninsula. On the other hand, when the Cold War intensified and fighting in the peninsula expanded, the rebuilding of Japan and restoration of Japan’s role in Northeast Asia were seen by the U.S. as matters of vital importance. The Allied Powers feared that imposing penalising measures against Japan would devastate its already fragile economy and lead to the rise of Communism. The signing of the Treaty was a necessary step towards repairing U.S.–Japan relations, reviving the Japanese economy and advancing U.S. efforts to insulate Japan from the spread of Communism in East Asia. As a result, the U.S. favoured a speedy end to negotiations, even if issues such as Dokdo’s sovereignty were left unanswered. The completion of the San Francisco Peace Treaty by drafting a short version of the document, which avoided some of the issues that might have required, prolonged negotiations.¹³

Moreover, the decision to eliminate a reference to Dokdo in the Treaty was perhaps influenced by the perceived need to create a geopolitical buffer zone around Japan to halt the spread of Communism. The ability of the U.S. to maintain its presence in South Korea was doubtful, and the situation became gloomy for the U.S. in November 1950 when China entered the War as an ally of North Korea. It seems the fear of losing South Korea to Communism may explain why the draft makers never mentioned granting Dokdo to Korea. If South Korea had complete dominion



over Dokdo, but was then taken over by the North, the Communist forces would have a spot in the East Sea dangerously close to Japan. The decision to exclude any reference to Dokdo in the territorial clause of the Treaty was not based on an assessment of historical claims to Dokdo, but rather on the security dynamics and tension of the emerging Cold War and Korean War.

Thus, the intensity of the Korean War helps to explain why recognising Korea's sovereignty over Dokdo might have seemed to be inconsistent with the strategic interests of the U.S. The status of Dokdo remained controversial after the Treaty was signed in September 1951.

Strategic and Economic value of Islets

At a strategic level, the location of the islets is highly sensitive.¹⁴ Dokdo's military value was clearly demonstrated at the 'Great Sea Battle of the East Asia', which was the last battle of the Russo-Japanese War in 1905. The reason Japan was able to win the Russo-Japan war in 1905 on the East Sea so easily was because it established and utilised an observation tower on Takeshima in August 1905.

Today, South Korea maintains a radar system and is managing the islets as a strategic base. Korea can easily detect Russia's Pacific fleet as well as movement of North Korea and Japan's navy. If occupied by Japan, it could be used by Japan in the same way in order to observe military activity and to prevent potential threats from Russia, China and North Korea. Some studies have explored the substantive values of Dokdo/Takeshima and the surrounding area.¹⁵ Dokdo/Takeshima has value for fisheries, where the cold current from the north and warm current from the south meet, and has abundant plankton and plentiful migratory fish. Moreover, the geographic location makes it easily accessible to fishing boats and it is a place for fishermen to take a break.

On the other hand it has got geological and oceanic value as well. It is an international geological remain that shows the evolution of the seabed terrain. Moreover, the waters surrounding Dokdo/Takeshima can be used to accurately measure ocean status, which can help make weather forecasts with greater accuracy. In addition, it can be used as a base for environmental research, ocean industry research and effective prevention of ocean pollution. The value of the islet described above is substantial; nevertheless there are other factors that add more value to it. On an ecological point of view, marine plants in the islet are different from those of the North Sea or Jeju Island and have a unique ecosystem that is close to the characteristics of subtropical climate zones in the northern hemisphere.

Dokdo/Takeshima is known for its seabed resources. The territorial waters of the East Sea surrounding the islet contain gas hydrates.¹⁶ Gas hydrates are a crystalline solid consisting of gas molecules that store an immense amount of natural gas, with major implications as an energy resource.¹⁷ Gas hydrates were first discovered in the 1930s, but did not gain much attention because of the availability of crude oil and natural gas. However, there is increasing interest in gas hydrates



since oil reserves are fast depleting, and there is a greater demand for clean energy sources for environmental protection.¹⁸ In fact, Japan's technology on gas hydrates is among the most advanced in the world along with Russia and the U.S.A.¹⁹ In a world where states are worried about oil shortages and uncertainty and fluctuation of the crude oil prices at the International market, Japan is trying to deploy its gas hydrate technology on a commercial scale by 2016. Given the value of seabed resources, Japan is uncompromisingly claiming Takeshima.²⁰ From the South Korean perspective, losing Dokdo would be like legitimising Japanese colonial rule. The Koreans think that as long as they have effective jurisdiction, there is no point taking the risk of losing the islands. And, more importantly, taking the case to the ICJ would appear to validate Japanese claims to the islands.

Fisheries Treaty in 1990's

As a part of normalisation of ties with Japan, South Korea signed an agreement concerning fisheries in 1965. In the first Fisheries Agreement concluded in 1965, a distance of 12 nautical miles (nm) from the coast was designated as an Exclusive Fishing Zone (EFZ). However, the 1994 U.N. Law of the Sea Convention stipulated 200 nm from the coast as the definition of an exclusive economic zone (EEZ). Accordingly, a new Korea-Japan Fisheries Agreement was needed as some waters between the two countries overlapped. However, when Korea measured its EEZ from Dokdo, it extended to the claimed EEZ of Japan, resulting in a deadlock in negotiations and stalled the overall bilateral relationship. As a result, a New Korea-Japan Fisheries Agreement was concluded in 1998 designating Dokdo as 'the centre of the boundary waters' – similar to high-seas status in which neither side can argue for exclusive rights.²¹ For fishing purposes, they agreed to place Dokdo/Takeshima in the neutral zone through the new Korea-Japan Fishery treaty in 1998, which designates Dokdo as 'the centre of the boundary waters' – similar to high-seas status in which neither side can argue for exclusive rights. However, the South Korean government explained in the Korea-Japan Fisheries Agreement, the EEZ is only limited to fishing, and the negotiations to 'decide on the frontiers of the EEZ' is an ongoing agenda.

Implications to the Region

Perhaps the territorial tussle between Japan and Korea can affect their bilateral relations for a time being. However, in the long run the dispute could jeopardise U.S. policy in the Asia-Pacific region where both countries have a strong relationship with the United States.

Moreover since Japan is a close neighbour to South Korea, and has strong economic relations with more than U.S. \$40 billion worth of goods and services being exchanged. Seoul has a lot to lose from isolating Japan and this tension at waters might hamper its growing economy since South Korea's economy is in reviving stage after the economic crises. The tussle between two countries may also have a spillover effect on the other economic partners in the Asia Pacific region as well. For instance, Australia is not immune to these tensions and it has major economic stakes with the both countries. South Korea is Australia's fourth-largest



trading partner and the third-largest export destination for Australian commodities. Similarly, Japan is the second-largest export destination for Australian commodities.

At a strategic level, Canberra has similar strategic interests including North Korea's nuclear issue in the region, which could be harmed by the current tensions between South Korea and Japan. Any escalation of tensions between South Korea and Japan could potentially undermine Australia's affable relations with both countries.

On the other hand, the disagreement between Japan and South Korea over the Dokdo/Takeshima dispute can sabotage U.S. plans for improved defence ties with the two countries and also hurt Washington's efforts to isolate unpredictable North Korea and an increasingly assertive China. As of now, the official U.S. policy holds a neutral position over the sensitive Dokdo/Takeshima dispute and urges the two allies to work together on the issue. Nevertheless in future the U.S. is unlikely to show much patience if relations between South Korea and Japan continue to deteriorate in the face of Chinese advancement in the region. However, a view through the lenses reveals that, a complex knot of political, economic, historical, legal, geographical and emotional issues has been involved on this territorial dispute and as of now it is clear that there is no simple solution to solve the dispute.

References:

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2. Japan's Cabinet Secretariat recently launched an English website called Takeshima Archives Portal, offering various reference materials on the islets, including documents supporting Tokyo's territorial claims. Takeshima is the Japanese name for Dokdo. The South Korean ministry has a website available in 12 different languages to promote Seoul's sovereignty over the islets.
3. Liancourt Rocks is a third name used by the international community in place of Korea's Dokdo and Japan's Takeshima. The US Congressional Library provides the standard to categorize topics in major US universities, research institutes, and public libraries. The name Liancourt Rocks derives from Le Liancourt, the name of the French whaling ship that first spotted Dokdo/Takeshima in 1849.
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 13. Ibid
 14. After the division of Korea into two separate entities in 1945 where southern part is being called as Republic of Korea (South Korea) and northern part is called as Democratic People’s Republic of Korea (North Korea) the islets has been located in the waters of South Korea’s EEZ.
 15. Changgwon Park, “Sea Resources Surrounding Dokdo and Its Strategic Value”, *Military Forum*, vol. 44, no.3, Winter 2005, pp.6–27.
 16. Youngbae An, “The Secret of the Layer of Natural Gases in Korea’s East Sea,” *New East Asia*, vol.34, no.2, September 1998, pp.414–427.
 17. In fact in June 2005, the development agency of the Korean government discovered about 600 million tons of gas hydrates (an amount equivalent to 30 years of Korean natural gas consumption) in the seabed approximately 100 kilometers south of Ullung Island.
 18. Gas hydrate has the advantage in that hardly any air pollution from carbon dioxide occurs in combustion.



19. Japan has a Committee on the Development of Hydrates within the Japanese Earthquake Research Center, which is a subsidiary of the government. Leading Japanese oil companies, university research centers, exploratory technician teams are all part of this Committee.
20. In addition, from Japan's point of view, there is another reason why research and the development of gas hydrate is important. Global warming has become more serious recently, and the rising ocean temperature causes the dissociation of gas hydrates, which are currently safely under the sea.
21. As for the fishing activities in their surrounding seas, Korea and Japan had had a fisheries pact since 1965.