

Forum: The Special Political and Decolonization Committee (SPECPOL)

Issue: Seeking Diplomatic Solutions for Territorial Conflict with specificity to the Japan-Korea Crisis.

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Introduction:

Territorial conflicts are defined as a disagreement between two or more States about which State exercises sovereignty over a certain part of territory. There are currently more than 150 territorial disputes around the world, mostly in Africa, Asia, and the Pacific region. Territorial conflicts hold significance in the global community as it is directly correlated to the basic rights of countries, sovereignty, and is important for international peace.

Territorial disputes are often closely linked to acquiring natural resources, such as fertile land and minerals, however, are sometimes driven by cultural or religious reasons. It is important for nations to settle such disputes in a diplomatic matter under the realm of international law to prevent further conflict.

Korea and Japan have a long history of disputes as immediate neighbours, with Japan's colonisation of Korea being at the centre of most modern conflicts. Their diplomatic relations started in 1965, following the signing of "Treaty on Basic Relations Between Japan and the Republic of Korea." In terms of geographical conflicts, Korea and Japan has

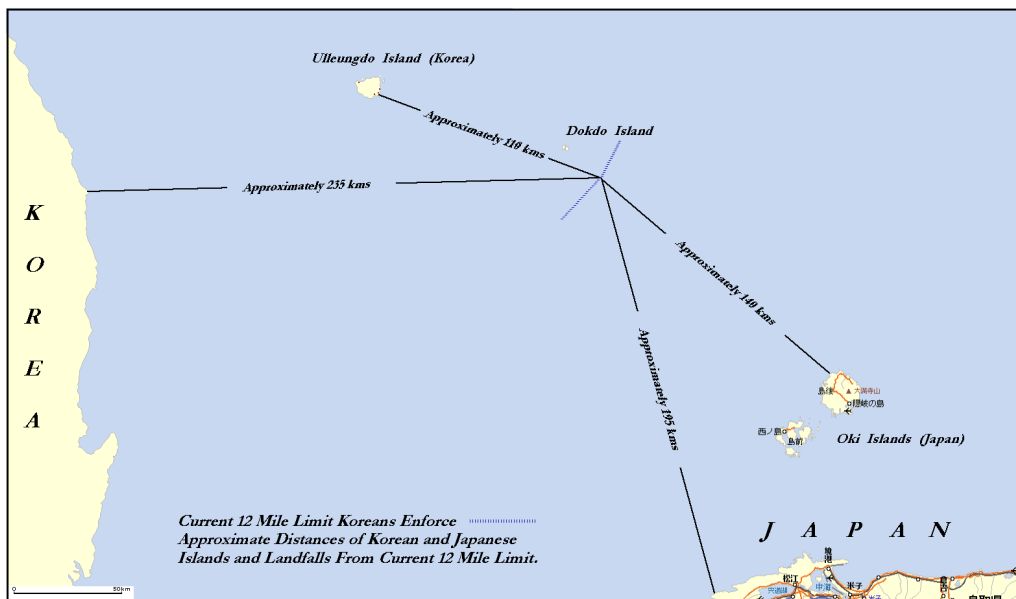
Definition of Key Terms:

- 1) Dokdo Island: The Korean name given to the territory
- 2) Takeshima Island: The Japanese name given to the territory
- 3) Liancourt Rocks: The official name that is internationally recognized

- 4) Exclusive Economic Zone (EEZ): An exclusive economic zone, or EEZ is an area of the ocean, generally extending 200 nautical miles (230 miles) beyond a nation's territorial sea, within which a coastal nation has jurisdiction over both living and nonliving resources
- 5) Joint Economic Development: A potential resolution strategy that involves both countries working together to develop the resources around the Liancourt Rocks, thereby mitigating the territorial dispute

Background information:

The conflict over Liancourt Rocks, known as Dokdo by the Koreans and Takeshima by the Japanese, has been at the centre of Japan and Korea’s rocky diplomatic relations and has lasted over three decades. It constitutes two main islets and 35 smaller rocks, and is located in a rich fishing area that may contain large amounts of natural gas, methane clathrate.



Location of the islands with distance from Korea and Japan

Initially the rocks were placed under the jurisdiction of the Uldo county however in 1905, Liancourt Rocks was annexed by the Japanese empire prior to its colonisation of Korea. After World War II, the Supreme Commander of the Allied Powers Instruction #677 of January 29, 1946, stated Liancourt Rocks as one of many territories that the Japanese administration was to be suspended from. In the

first to fifth draft of Treaty of San Francisco, which was created for Allied Powers to restore peace with Japan, the Liancourt Rocks was named Korea's territory. However, in the sixth and seventh drafts, made in 1949 and 1950 respectively, it was stated that the territory belonged to Japan. The draft submitted by the UK in April 1951, however, removed the Liancourt Rocks from Japan's territory and placed it within Korea. Finally, the September 1951 version left the Liancourt Rocks ownership undefined.

Japan reiterates its claim to the islands emphasising their sovereignty over the territory since the mid 17th century. However South Korea too expresses their rights over the island claiming that Japan recognised the Liancourt Rocks as Korean in the 1600s. It is quite evident that both nations believe they have historical, cultural and political claims over the island.

Korea and Japan have both taken many steps to assert their dominance over the islands and rebut any claims against their efforts. Few of these steps are:

The Japanese government's Foreign Office submitted a series of documents, issued from November 1946 to June 1947, titled Minor Islands Adjacent to Japan Proper; Parts I-IV, of which Part IV, Minor Islands in the Pacific, Minor Islands in the Sea of Japan described Utsuryo-shima (Ulleungdo) and Take-shima (Dokdo, Liancourt Rocks) as Japanese territory.

On August 5, 1948, ten days before the South Korean government's inauguration, a similar Korean effort was launched. It was headed by a private organisation known as the "Patriotic Old Men's Association," which was directed by Cho Seong-hwan, a former military leader of the KPG. They appealed for the sovereignty of Dokdo (Liancourt Rocks), Ullung Do, Tsushima, and Parang islands.

In 1954, South Korea gained control over the island and currently, a South Korean coastguard garrison and government officials administer the territory.

Current Situation:

Due to historical circumstances, the territorial dispute between the two nations still leads to strain in relations. The islands reside in the Exclusive Economic Zone of both Japan and South Korea, therefore making it even harder to resolve the conflict. Several actions taken by both the Korean and Japanese government in recent years are adding fuel to a fire that has not been put out. These actions not only put a strain on diplomatic ties but instigated hatred amongst people.

Public Opinion:

The ongoing tension has created distaste in amongst both nations populations as well. In a recent survey taken, 79% of the Korean population expressed their negative feelings towards the Japanese claim, which was complimented by a similar reaction from over half the Japanese population.

Diplomatic Ties:

The dispute puts a strain on what could be a prosperous relationship between the two strong Asian countries. Visits made to the island by the Liberal Democratic Party (Japan) in 2011 and Korean President Lee in 2012 significantly increased media coverage of the issue and further ruined relations between both the nations.

Government actions:

Government decisions regarding the ownership of the islands have been made by both country's, who try to reassert their dominance in the area.

Both nations continue to increase their funding for activities that increase the salience of the Liancourt Rocks regional claim. The South Korean government proposed to set aside 4.4 million USD in 2015 to promote its claim to the territory. The Japanese government also spent around 10 million dollars the same year trying to promote the same regional claim. It is quite evident that both countries are funding propaganda wars.

The Korean government over the years has promoted the beauties of the Dokdo islands therefore attracting more than 100,000 tourists who visit the island and take pictures of them with the Korean flag. This has come under huge criticism from Japanese counterparts who claim that these visits are international vacations and need the approval of the Japanese government.

Motivational Factor:

Other than historical claims there are several other factors as to why both nations are persistently fighting over the Liancourt islands and why it could prove as an asset to both nations.

- **Natural reserves:** As 2 nations lacking energy resources, the islands can be a significant source of oil and gas exploration from under the sea such as methane clathrate.
- **Fishing industry:** Being home to over 13 million tons of fish, this could pose not only as a good food source but also increase economic benefits to those in the fishing industry.

It is notable that although there are a few benefits of these islands, their economic benefits are miniscule. The ongoing conflict is more to assert the dominance of both nations and maintain their reputation rather than the actual resources found in the region.

Environmental Aspect:

The dispute has not only created a wedge in Japanese-Korean relations but has also caused immense environmental damages in the region. Both the Japanese and Korean government have been accused of felling trees and killing the Japanese sea lions that reside there. Furthermore due to the irregularities of ownership of the islands, no nation has been able to properly develop the area. As a result of this, the sewage system is heavily outdated and malfunctioning therefore causing immense damage to the aquatic life and sea pollution. Sea water has started to turn milky white and the calcification of

the corals are spreading therefore making it imperative to address the development of the island.

Major Parties Involved and Their Views

USA:

On August 10, 1951, a secret diplomatic correspondence known as the Rusk documents were provided to South Korea, outlining the then-US stance on territorial sovereignty regarding the Liancourt Rocks and explaining why the US considered it to be Japanese territory.

North Korea:

North Korea criticised Japan's sovereignty over the territory and advocated for South Korean control of the islands.

South Korea:

Due to South Korea's direct proximity to North Korea, they are heavily involved in this situation. Additionally, this territorial dispute has sparked nationalistic tension in South Korea.

UN:

The UN has not taken any stance nor provided any public opinions on the issue. However, due to the discussion of this topic being brought to the UN, they are involved as a moderator for debate on this topic.

UNSC:

As a whole, the UN holds a high involvement in this topic due to it being discussed across multiple UN committees. One of these committees is the UNSC (United Nations Security Council). This committee holds a high relevance to this topic as they are a committee where territorial disputes are commonly discussed.

UN Involvement, Relevant Resolutions, Treaties and Events

It is notable that over the span of the centuries, there has been no interference or mediation by the UN in solving the dispute. However there have been efforts and treaties created by other nations in order to mediate the crisis.

- The 1951 San Francisco Peace Treaty with Japan and the Territorial Disputes in East Asia, September 1951
 - Although the treaty assigned Japan the Liancourt islands post world war 2, due to its vague nature and multiple drafts, the treaty could be interpreted by some as recognising Korea's right over the islands.
- Reference to the International Court of Justice, 1954
 - Japan proposed referral to the International Court of Justice under request from the United Nations however this was rejected by the Korean government who believed they still have sovereign rights over the islands. Japan has recently considered publicising the crisis at the ICJ unilaterally.
- The Basic Treaty for the Restoration of Korean-Japanese Relations, 1965
 - A treaty signed aimed at ending the ongoing disputes between the two nations at the time. The treaty did not, however, cover the aspects of the Liancourt rocks as leaders knew it would cause a wedge between the efforts of mending relationships. Both government sit with the same attitude today, hence stalling the process of fixing relations

There are several international agencies that could potentially contribute to solving this issue as seen with several other territorial disputes seen before. These include the International Arbitral Tribunals, the International Court of Justice, the Permanent Court of Arbitration and the Permanent Court of International Justice. It is notable that although both countries have spoken about bringing the case up to any of the courts, neither have followed through it.

Possible Solutions

Territorial disputes are extremely difficult to settle as governments are unwilling to accept any terms that will result in their loss of territory. Therefore, when it comes

into forming solutions, its important to research on ways to solve the dispute keeping in mind the importance for both nations to maintain friendly relations. These solutions need to be diplomatic, effective and sustainable. Potential ideas include,

- 1) Taking inspiration from other similar territorial disputes.

The Aland settlement was regarding a similar territorial dispute between Sweden and Finland was able to be resolved using the assistance of the League of Nations. It is deemed one of the most successful settlements when it comes to assuring regional peace and security.

- 2) Conciliation or other forms of facilitation by third parties.

The chosen third party should have as little political/diplomatic ties with respective nations as possible, in order to carry out a fair and equitable facilitation.

- 3) Negotiations on economic gains and profit

- 4) Implementing a strategy of Joint economic development

Owing to the fact that the islands are home to several resources that can benefit both the nations involved, a solution which involves sharing resources and benefits could potentially help resolve the conflict as well as further cooperation and diplomatic ties between the two nations

- 5) A 'freeze the dispute' approach

Cooperation between the two nations would not only be beneficial to the stability of the geographical location but also to both nations itself. This form of approach would be cooperating on an agreement involving freezing any activity and dispute regarding the territory therefore allowing both nations to further their relations

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