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An Outline of the Territorial Dispute over Takeshima*

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Evidence shows that in the 17th century economic activities were carried out by Japanese people on Takeshima, which Japan officially incorporated into Shimane Prefecture in 1905. Although the Japanese administration thereof was temporarily suspended during the postwar occupation, the sovereignty of Japan over the island was subsequently confirmed during the preparation of the Peace Treaty. In 1952, Korea placed the island within the so-called Syngman Rhee Line, which gave rise to a dispute between Japan and Korea over the attribution of the island. From 1954 onward, Korea has been stationing armed personnel on the island, and thereby *de facto* occupying it.

Korea calls Takeshima as Dokdo. It alleges that the Usando that appears in ancient Korean books since the 15th century refers to Takeshima, and that the 1900 ordinance provided Takeshima (Seokdo) was within the administrative area of Ulleungdo. Also, it claims that the Japanese government determined in 1877 that Takeshima was not Japanese territory.

This paper outlines the historical developments relating to the territorial dispute over Takeshima by dividing it into 21 chronological sections.

I. Previous History

1. Usando in Ancient Korean Books

Korea calls Takeshima as Dokdo. However, it insists that the island was previously called Usando, as recorded in historical and geographical books from the 15th century onward. For example, the sentence “the two islands of Usan and Muleung are located off the coast due east of [Uljin] Prefecture [...]” (the original is in classical Chinese; likewise hereafter) appeared in the *Sejong sillok jiriji* [Geography Section of the Annals of King Sejong’s Reign] (15th century). Also, the sentence “Usando and Ulleungdo, also known as Mureung or Ureung, are located in the sea due east of the prefecture” is found in the *Sinjeung dongguk yeoji seungnam* [Revised and Augmented Edition of the Survey of the Geography of Korea] (16th century). The map of Paldo (eight provinces) and that of Gangwon Province in the same book also depict the island of the same name.¹

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1 In regard to the views of the Japanese and Korean governments, see Tsukamoto Takashi, “Takeshima Ryoyuken o Meguru Nikkan Ryokoku Seifu no Kenkai (Shiryō)” [The Views of the Japanese and Korean Governments on their Sovereignty over Takeshima (Materials)], *The Reference*, No. 617 (2002), pp. 49-70. For the latest views of the two governments, see the websites of the ministries of foreign affairs of both countries. For the account of Usando in the *Sejong sillok jiriji* (Vol. 153, folio 11), see *Joseon wangjo sillok* [Annals of the Joseon Dynasty], Vol. 5 (Seoul: Dongguk Munhwasa, 1956), p. 680. For the record of Usando in the *Sinjeung Dongguk Yeoji Seungnam* (Vol. 45, folio 26), see Dongguk Munhwasa’s facsimile edition (1958), p. 814.

However, doubts arise as to whether “Usan” or “Usando” that appeared in these books truly refer to Takeshima. The sentence in *Sinjeung dongguk yeoji seungnam* above is followed by the explanation stating that “in one theory, Usando and Ulleungdo are one and the same island.” Also, whereas Takeshima is composed of several rock formations where plants do not grow and there is no water, *Daejong sillok* [Annals of King Daejong’s Reign] (15th century) recorded that Kim Rin-u (a person’s name) in February 1417 returned from Usando and presented to the king such local products as giant bamboo, water buffalo skins, raw flax, etc. and that the island had a population of about 15 households and 86 people.² Moreover, the maps in the *Sinjeung dongguk yeoji seungnam* placed Usando in-between the Korean peninsula and Ulleungdo, which does not correspond to the geographical location of Takeshima.

Samguk Sagi [History of the Three Kingdoms] (12th century) records that “Usan-guk [Usan State],” which was in Ulleungdo, surrendered to Silla.³ It is most probable that the ancient Korean books mistakenly described and depicted “Usando” as if it existed separately from Ulleungdo, due to a confusion in transmitting the understanding that Ulleungdo was Usan State.⁴

2. Permission for Development Issued by the Tokugawa Shogunate

Ulleungdo in the Sea of Japan belonged to Korea after its surrender to Silla (see section 1 above). Yet it had been an uninhabited island for a long time. In Japan, this island had been known as Isotakeshima or “Takeshima” since the 16th century. The Tokugawa shogunate granted permission for two families of Yonago (Tottori Prefecture), the Oyas and the Murakawas, to visit this “Takeshima” (Ulleungdo).⁵ The two families sailed to “Takeshima” by turns every year respectively, and held economic activities such as cutting bamboo and trees, fishing seals, and collecting abalone (the abalone was customarily presented to the Shogun). The Takeshima of today was at the time called Matsushima. Matsushima was first used as a landmark for the sailing route from Yonago to “Takeshima” (Ulleungdo) via the Oki Islands. It was also utilized as a fishing site in a later period. Unlike “Takeshima” (Ulleungdo), there is no official document which permitted traveling to Matsushima (the present-day Takeshima). Nevertheless, records of the Oya family indicate that they also fished for sea lions on Matsushima (the present-day Takeshima) under the permission of the Tokugawa Shogunate.⁶

2 See Kawakami Kenzo, *Takeshima no Rekishi-chirigaku-teki Kenkyu* [The Historical Geography of Takeshima] (Kokon Shoin, 1966, reprinted 1996); and Tagawa Kozo, “Takeshima Ryoyu ni Kansuru Rekishiteki Kosatsu” [Historical Examination of the Possession of Takeshima], *Tōyō Bunko Shoho*, No. 20 (1988), pp. 6-52 (written in 1960). For Kim Rin-u’s account in the *Daejong sillok* (Vol. 33, folio 8), see *Joseon wangjo sillok*, Vol. 2 (Seoul: Dongguk Munhwasa, 1955), p. 146.

3 The record of Usan State in the *Samguk sagi*, in the section on Year 13 of King Jijeung (512), can be seen, for example, in p. 32 of the facsimile edition published by the Research Institute for Oriental Cultures Gakushuin University (1986). In Korea there are some discussions based on this *Samguk sagi*, saying that Takeshima was a Korean territory from the 6th century on. However, it is written in the *Samguk sagi* that Usan State is another name for Ulleungdo (“Usan State is located in an island due east of Myeogju [Province]. It is also called Ulleungdo. Its area is 100 *ri* square.”), and there are no records related to Takeshima.

4 There are also maps of Korea from the 18th century on in which “Usan” is depicted on the east side of Ulleungdo. For these maps, see the Addendum in section I.-4 of this paper.

5 The time of the issuing of the permission to travel had been thought of as being Genna 4 (1618), based on the records of the Oya family. However, recently research has been published that puts it at in or after Genna 8 (Naito Seichu, *Takeshima (Utsuryoto) o Meguru Niccho Kankei-shi* [A History of Relations between Japan and Korea in regard to Takeshima (Ulleungdo)] (Taga Shuppan, 2000), p. 130; and another research that puts it at Kan’ei 2 (1625) (Ikeuchi Satoshi, “Takeshima Tokai to Tottori-han: Genroku Takeshima Ikken-ko Josetsu” [Travel to Takeshima and the Tottori Domain: Genroku Takeshima Affair, Introduction], *Tottori Chiikishi Kenkyu*, No. 1 (1999), pp. 31-47).

6 It has been documented that it was in ca. Kanbun 1 (1661) that the Oya family obtained authorization. Kawakami, *op. cit. supra* Footnote 2, pp. 73-83.

3. The Shogunal Government's Travel Ban to Ulleungdo

The development of Ulleungdo (the Takeshima of the time) by the Oya and Murakawa families continued peacefully for several decades. Yet in May 1692, they encountered Korean people there for the first time.⁷ In the following year, the Oyas took two Koreans back to Japan so as to show that they could not gather abalone. The two Koreans, one of whom was An Yong-Bok, were sent back to Korea via Tsushima. This incident triggered the negotiation between Japan and Korea over Ulleungdo, Japan having been represented by the So Clan of Tsushima. On January 28, 1696 (March 1 under the Gregorian calendar), the shogunate eventually issued an order banning travel to “Takeshima” (Ulleungdo) by the two families. The shogunate had also received reports from the Tottori domain government in regard to Matsushima (the present Takeshima). However, that order has no mention about Matsushima. No record shows that the present Takeshima was the subject-matter of this Japan-Korean negotiation.

4. The Takeshima Incident

An Yong-Bok, who had been brought back to Japan in 1693, appeared in Oki in May (June under the Gregorian calendar) 1696. He subsequently reached Akasaki (Tottori Prefecture) and tried to make an appeal. The Tottori domain government informed the shogunate of the appearance of Koreans. Interrogation was carried out, but eventually failed due to the problem of language. After the consultation with the So Clan of Tsushima, the shogunate ordered that An “should be persuaded to return home.” In August (September under the Gregorian calendar) 1696, An Yong-Bok and his entourage sailed back home. This sequence of events is known as the Takeshima Incident.

After returning to Korea, An was arrested and punished for the charge of travelling abroad without permission. Like Japan, Korea was also a closed country at the time. A summary of his remarks during the interrogation is recorded in the *Sukjong sillok* [Annals of King Sukjong's Reign]. According to this record, An said (to the effect): He found many Japanese at Ulleungdo. He yelled at them. They replied that they lived on Matsushima and had just happened to be there. He retorted, “Matsushima is Jasando and it, too, belongs to Korea. How dare you live there?” The next morning, he went to Matsushima, where the Japanese were boiling the fish in pots. He hit and broke the pots with a rod and chased them away. Then he went to Ok-gi (Oki) and complained.

Korea alleges that this description shows that An Yong-Bok referred to Jasando or Matsushima, which is the present Takeshima, as a part of Korean territory, and thereby demanded Japanese not to invade the waters around the island. However, there should have been no travel to Ulleungdo in May 1696 when An went there because the shogunate had already banned the travel in January that year. As a result, Japan regards what An said as contradicting the truth, thereby having no probative value. It considers that his remarks were made so as to excuse his own criminal offence.

⁷ In regard to sections 3 and 4, apart from Kawakami, *ibid.*, see Tsukamoto Takashi, “Takeshima Kankei Kyu-Tottori-han Bunsho Oyobi Ezu (Jo, Ge)” [Takeshima-related Documents and Maps of the Former Tottori Domain (1) (2)], *The Reference*, No. 411 (1985), pp. 75-90 and No. 412 (1985), pp. 95-105. A reproduction of original materials “Isotakeshima jiryaku” and “Takeshima kiji” by Uchida Fumie, *et al* is recorded in (Shimane Prefecture) *Takeshima Mondai ni Kansuru Chosa Kenkyu: Saishu Hokokusho, Shiryō-hen* [Final Report of the Research Study on the Takeshima Issue, Reference Part] (2007). Available at http://www.pref.shimane.lg.jp/admin/pref/takeshima/web-takeshima/takeshima04/kenkyuukai_houkokusho/takeshima04_01/takeshima04c.html.

Also, as research from a different perspective, see Ikeuchi Satoshi, “Dai 3 Bu: Genroku Takeshima ikken ko” [Part 3: Considerations on the Genroku Takeshima Incident], *Taikun Gaiko to “Bui”: Kinsei Nihon no Kokusai Chitsujo to Chosenkan* [Tycoon Diplomacy and “Military Prestige”: Japan's International Order and Views on Korea in the Modern Era] (Nagoya University Press, 2006), pp. 243-322; Park Byoung-sup, *An Yong-Bok Jiken ni Taisuru Kensho* [Verification related to the An Yong-Bok Incident] (Hanguk Haeyang Susan Kaebalweon, 2007).

In any event, since An was not a representative of the Korean government, his remarks and behaviors would have little significance. *Sukjong sillok* recorded a question raised by the So Clan to Korea, asking that “Your citizen tried to make an appeal last year. Did your government order this conduct?” The Korean court decided to respond: If there is something we must say, we will dispatch an envoy to Edo; we have no reason to send a clamorous fisherman. The government has nothing to do with what a stupid commoner does upon drifting ashore.⁸

The *Inpu rekinen daizasshu* [Unofficial Chronicle of Inaba Capital⁹] records that when An was brought back to Japan in 1693 (see section 3 above), his ship stopped over in Matsushima (the present-day Takeshima). Also, An stayed with the Oya family in Yonago. His understanding that Matsushima is Jasan (Usan) was probably the result of his experience at that period and Korean traditional knowledge that there are Ulleungdo and Usando. In other words, the Usan (island) which appears in ancient Korean books was, in reality, nothing but an illusion island derived of Usan (State) which was in Ulleungdo (see section 1 above), but An Yong-Bok saw the present Takeshima, heard its name (Matsushima), and assumed that it had to be Usando (if there was an island other than Ulleungdo). However, even if An believed that Matsushima was Usan, it does not follow that Usando appeared in ancient Korean books referring to the present-day Takeshima.¹⁰

Addendum

After this dispute, the Korean government began periodical patrol on Ulleungdo once in several years. As a result, information on the island was accumulated. Maps of Korea made since the 18th century depict Usando on the east of Ulleungdo. However, since there are references to bamboo growing on Usando, and depictions of Usando extremely close to Ulleungdo and mention of the distance between them¹¹, Usando in these maps apparently refers to Jukdo, an islet located two kilometers in distance to the east of Ulleungdo, not Takeshima (Dokdo). Periodic patrol revealed the existence of Jukdo near Ulleungdo, and this was associated with the Usando that appeared in ancient Korean books. Maps depicting Jukdo as Usando piled up until 1899, when the Korean government published *Daehan jeondo* [map of Korea] (edited by the Ministry of Education.¹²).

5. The period after Genroku (1688-1704) and before Meiji (1868-1912)

As a result of the travel ban to Ulleungdo, travel to Matsushima (the current Takeshima) by Japanese people ended accordingly, because Matsushima does not have enough economic value by itself. At the

8 The mention of An in the *Sukjong sillok* (Vol. 30, foliates 53-54) is in *Joseon wangjo sillok*, Vol. 39 (Seoul: Dongguk Munhwasa, 1957), pp. 432-433; the account of the “clamorous fisherman” (Vol. 31, foliates 10-11), *Ibid*, pp. 432-433. This fact is also described in an official document passed from the Korean government to the Japan side, which reads, “In regard to the person who drifted ashore last year, people living on the shore make a living from boats and if they encounter a powerful wind, they will be washed by the waves across the border to land in your country [...]. That the man presented a letter means he is guilty of fabrication.” Reproduced in the “Final report, Reference part,” *op. cit.*, *supra* Footnote 7, p. 22 (“Isotakeshima jiryaku, kon”) and p. 213 (“Takeshima kiji,” Vol. 5).

9 The entry of July 24, Genroku 6. Reprinted, as above. See URL in Footnote 7.

10 In Korean literature from the 18th century onward, descriptions appear that Usan is Japan’s so-called Matsushima. (*Dongguk munheun bigo* [Reference Compilation of Documents on Korea], *Man-gi yoram* [Manual of State Affairs for the Monarch], etc.). This is as a result of the *Sukjong sillok* (An’s remarks), and therefore the descriptions in these documents does not prove that the Usan in ancient books before this period referred to Takeshima, or that from the Silla era, Takeshima was a part of Usan-guk (see Footnote 3).

11 See “Takeshima Ryoyuken Kankoku Shucho Kutsugaesu Kochizu Seoul-dai Syozo Bei-kenkyusya San-mai Syokai” [Old Maps Against Korea’s Territorial Claims to Takeshima Housed in Seoul University, Three of which Were Introduced by a US Researcher] *The San’in Chuo Shimpo* (February 22, 2007). This article is about the maps related to surveys by Mr. Gerry Bevers.

12 A folding map in Hyeon Chae, *Daehan jiji* [Korean Geography] (Kwangmunsa, 1901, postscript December 25, 1899).

same time, no record shows that the Korean government patrolled Takeshima in addition to Ulleungdo.

During the Tempo era (approximately 1836), Imazuya Hachiemon of Hamada, a ship merchant, was arrested and executed because he visited “an island belonging to a foreign country” (“Takeshima,” that is, Ulleungdo) to cut down trees and to bring them back to Japan. He was subsequently arrested and executed. The judicial record of this case found that “he went to Takeshima under the pretext of travelling to Matsushima.”¹³ This constitutes proof that, in contrast to “Takeshima” (Ulleungdo), Matsushima (the current Takeshima) was regarded as the island which belongs to Japan.

6. Confusion as to the Names of the Islands

A map of Japan, which was made by Philipp F. von Siebold and was published in Europe in 1840, depicted two islands in the Sea of Japan off the Oki Islands. Siebold named the island closer to Oki as “Matusima/I. Dagelet,” whereas the island far from Oki as “Takasima/I. Argonaute.”¹⁴ Although both islands in reality referred to Ulleungdo, maps made in Europe often depicted them as two separate islands because French and British explorers, who travelled to the Sea of Japan in the 18th century and “discovered” the island, made a mistake in the measurement. At the time of 1840, no map made in Europe identified the present Takeshima.

It was not until 1849 that the present Takeshima was “discovered” by Europeans and was named “Liancourt.” Based on information gathered during the stay in Japan, and on the maps made in Japan in which both Takeshima (Ulleungdo) and Matsushima (the current Takeshima) were depicted, Siebold thought that the Dagelet Island and Argonaute Island that appeared on the maps made in Europe were Matsushima and Takeshima. However, Argonaute Island subsequently disappeared from the maps since it did not exist. Accordingly, the name of Takeshima, which was given to Argonaute Island, also disappeared. As a result, Dagelet Island (Ulleungdo) came to be called Matsushima. From the end of the Edo era to the start of the Meiji era (Translator’s note: in the latter half of the 19th century), various maps made in Europe were imported to Japan, which brought a great deal of confusion as to the names of these islands.

7. Confidential Survey of Korea’s Foreign Relations (1870)

The report of Foreign Ministry officials Sada Hakubo and others who had a trip to Korea after the Meiji Restoration—“Confidential Survey of Korea’s Foreign Relations” (April, 1870)—has a section headed “How Takeshima and Matsushima Came to Belong to Korea.” However, it just says that “Matsushima is a neighboring island of Takeshima and there is no document concerning Matsushima,” and that “the island of Takeshima was settled by the Korean people after the Genroku period, but has now become uninhabited.” It does not mention “how Takeshima and Matsushima came to belong to Korea.” Some Korean commentators allege that this heading constitutes evidence showing that, along with “Takeshima” (Ulleungdo), Matsushima (the present Takeshima) was confirmed to attribute to Korea as a result of the Japan-Korean negotiation or the subsequent Takeshima Incident (see sections 3 and 4 above). From the comparison with other sections, this heading seems to indicate one of the mandates (survey themes)

13 A copy of the court decision is in *Mushuku karikomi ikken* [Arrest of Wanderers], Vol. 1, in the documents carried on from the old shogunate in the National Diet Library collection, reprinted in Jinguishicho (ed.), *Kojiruien: Gaikobu* [Compilation of Old Incidents: Diplomacy Section] (1903), pp. 787-788; Morisu Kazuo, *Hachiemon to sono Jidai: Imazuya Hachieon no Takeshima Ikken to Kinsei Kaiun* [Hachiemon and his Era: The Takeshima Incident of Imazuya Hachiemon and Sea Transport in Modern Era] (Hamada City Education Committee, 2002).

14 In regard to this section, see Kawakami, *op. cit.*, *supra* Footnote 2, pp. 9-50.

which were assigned to Sada *et al.* However, the “Draft Instruction to Those Being Sent to Korea,” prepared by the Foreign Ministry and approved by the Dajokan (Translator’s note: the present Cabinet), contains no section having a similar heading for such a mandate. Consequently, the details are unknown.¹⁵

8. The Matter of Including Takeshima and Another Island in the Land Registry (1877)

In October 1876, when officials of the geography division of the Ministry of Home Affairs visited Shimane Prefecture, they obtained information on travel to Takeshima in the old feudal era. They subsequently asked the editor of the Shimane Prefecture land registry for details. With reference to the records including that of the Oya family, the acting Shimane Prefecture governor responded to this request by submitting “Enquiry as to the inclusion of Takeshima and another island in the Sea of Japan in the land registry” to the Minister of Home Affairs.

The “Takeshima” in this enquiry refers to Ulleungdo, and “another island” refers to Matsushima (to which passage also took place in the Edo era), that is, the present-day Takeshima. The reason that Shimane Prefecture sought instruction to include both islands in the registry is that, for “Takeshima,” they recognized that (according to Oya family record) the ban on travel there in 1696 (see section 3 above) was a measure taken only after the shogunal government acquired a certificate by which the Korean side acknowledged that “Takeshima” (Ulleungdo) was Japanese territory (*Takeshima Tokai Yuraiki Nukigaki hikae* [Copy of Excerpts from the Record of Trips to Takeshima]),¹⁶ while for “another island,” it is reasonable to suppose that if “Takeshima” were to be included in the land registry, then Matsushima should also not be forgotten.

On receiving the enquiry from Shimane Prefecture, the Ministry of Home Affairs, based on records of the Japan-Korean negotiations in the Genroku period (the 17th century), sent an enquiry to the Dajokan, in February 1877, stating as follows: “Since we received an inquiry about the jurisdiction of Takeshima from Shimane Prefecture as shown in a separate paper, we examined the matter [...]. Judging from the attached documents we examined, the island appears to be of no concern to our country. But to take or to dispose of a territory is an important matter, so we would like to make an enquiry by way of precaution with these documents.” In response, the Dajokan, on March 29 of the same year, instructed: as proposed by the Ministry of Home Affairs, “Takeshima and another island should be considered as being of no concern to our country.”¹⁷

In summary, Shimane Prefecture received an enquiry from the Ministry of Home Affairs regarding “Takeshima” (Ulleungdo); it replied with the request to include “Takeshima and another island” (“another island” being Matsushima) in the land register; The Ministry of Home Affairs assumed that Takeshima

15 For the “Confidential Survey of Korea’s Foreign Relations,” see *Dai Nihon Gaiko Bunsho* [Great Japan Diplomacy Documents], Vol. 3 (Nihon Kokusai Kyokai, 1938), pp. 131-138 (reprinted by Nihon Gaikobunsho Hanpukai, 1955). For the “Draft Instruction to Those Being Sent to Korea,” see the same publication, Vol. 2, Book 3, pp. 265-268.

16 The *Takeshima Tokai Yuraiki Nukigaki hikae* is reprinted in Oya Fumiko, *Oya-ke Komonjyo* [The Oya Family Old Records] (1984). An alternative version in the Tottori Prefectural Museum Collection is reproduced in the “Final report, Reference part” in Footnote 7.

17 Hori Kazuo, “1905 nen Nihon no Takeshima Ryodo Hennyu” [Japan’s 1905 Incorporation of Takeshima], *Chosenshi Kenkyukai Ronbunshu*, No. 24 (1987), pp. 97-125. For documents related to the incident, see “Nihonkai-nai Takeshima hoka Ittō Chiseki-hensan-kata Ukagai” [Inquiry as to the Land Registration of Takeshima and Another Island in the Sea of Japan] in *Kōbunroku* [Records of the Meiji Government] (1877). Part 1 of the section on the Ministry of Home Affairs; and “Nihonkai-nai Takeshima hoka Ittō o Hantogai to Sadamu [Decision to Exclude Takeshima and Another Island in the Sea of Japan from National Territory] in *Dajō Ruiten* [Compilation of Selected Dajōkan Documents], Part 2, Vol. 96, No. 19. Available at JACAR Ref. A07060000300, *Kōbunroku*, Vol. 25 (1877), *Naimusho-ukagai* (1) [original document in the National Archives of Japan], and JACAR Ref. A07060000100, *Dajō Ruiten*, Part 2, Vol. 96, Chiho 2, Gyoseiku 2 (1871–77) [original document in the National Archives of Japan].

was of no concern to Japan, based on the 17th century records related to “Takeshima” (Ulleungdo); and the Dajokan instructed that “Takeshima and another island” were of no concern to Japan. As a result, Matsushima was also decided to be of no concern to Japan, despite the fact that Matsushima was not the subject-matter of the Japan-Korea negotiation held in the 17th century (see section 3 above), and that the documents related to the negotiation being attached to the enquiry sent to the Dajokan after consideration by the Ministry of Home Affairs related only to “Takeshima” (Ulleungdo). Note, however, that the central government (Ministry of Home Affairs and Dajokan) possibly regarded both Takeshima and Matsushima as (referring to) Ulleungdo because maps and marine charts made in the Meiji period named Ulleungdo as Matsushima influenced by maps and charts made by European countries (see section 6 above), even if Shimane Prefecture assumed Matsushima as the present-day Takeshima.¹⁸

9. Korean Ordinance 41 of 1900

Imperial Edict No. 41 of the Empire of Korea (on October 12, 1897, Korea changed its name to the Empire of Korea), which was named as “the matter of renaming Ulleungdo as Uldo and upgrading the office of the head to *gunsu* (county magistrate)” (dated October 25, 1900), provided in its Article 2 that “the location of the county office is designated as Daehadong, and its jurisdiction shall be over the whole of Ulleungdo, Jukdo and Seokdo.¹⁹” Korea sees “Seokdo” (stone island in Chinese characters) in this ordinance as Dokdo/Takeshima. According to Korea, this ordinance placed Takeshima under the jurisdiction of Ulleungdo (Uldo County). (“Jukdo” in the ordinance refers to an islet near the coast of Ulleungdo. See addendum to section 4). In the Korean language, “dol” means stone or rock. Yet there is a dialect in which “dok” also means rock. According to Korea, residents of Ulleungdo began to call Takeshima as “Dok” island, which is written in Chinese characters having a meaning of “stone island.”²⁰

The name of Seokdo appears only in this ordinance. In order to establish that Seokdo in this ordinance definitively refers to Takeshima, further evidence will be required. Assuming *arguendo* that Seokdo in this ordinance refers to Takeshima (though the ordinance could be seen as the manifestation of the sovereign will of Korea towards the island), the ordinance did not accompany any act of taking possession of the island in the relevant period, which is an indispensable element of territorial acquisition under international law. As a result, this ordinance could not constitute the Korean territorial title to the island of Takeshima.

10. Territorial Incorporation by Japan (1905)

In September 1904, an entrepreneur living in Shimane Prefecture submitted a petition which was named as “Request for incorporation of Ryanko Island into territory and for a concession thereof” to the three ministers of the Ministry of Home Affairs, the Ministry of Foreign Affairs, and the Ministry of Agriculture and Commerce. The “Ryanko Island” here is a corrupted version of the Western name for Takeshima, Liancourt (see section 6 above). The gist of the request was as follows: this solitary island in the distant

18 Sugihara Takashi, “Takeshima Hoka Itto no Gi Honpo Kankei Korenashi ni Tsuite Saiko: Meiji 14 Nen Oya Kensuke Hoka Ichi-mei no Matsushima Kaitaku Negai o chushin ni” [The Matter of Takeshima and Another Island being of no Concern to Japan Revisited: With Special Reference to the Request to Cultivate Matsushima of Kensuke Oya and others], available at http://www.pref.shimane.lg.jp/admin/pref/takeshima/web-takeshima/takeshima04/takeshima04-1/takeshima04_j.html.

19 *Kwanbo*, No. 1716 (October 27, 1900), reproduced in *Gu Hanguk gwanbo* [Official Gazette of Former Korean Empire] 9, Vol. 7, Final Part (Seoul: Asia Munhwasa, 1973), p. 1113.

20 Sin Yong-ha, *Joseon wangjo eui Dokdo Ryeongyu wa Ilbon jegukjueui eui Dokdo chimryak* [Korean Dynasty’s Possession of Dokdo and Invasion of Dokdo by Imperialistic Japan], *Hanguk dokrib undong-sa yeongu*, Vol. 3 (1989), pp. 43-117.

sea is an ideal place for hunting sea lions, although it had not been paid due consideration because of its geographical location; the skins of the sea lions could be used as a substitute for leather, and the oil is not inferior to whale oil, while the flesh and bones could be made into powder for fertilizer; the petitioner had an intention to make an investment in this island to exploit this marine mammal; however, since the attribution of this island was unknown, he was afraid of the interference with the business by foreign countries; he anticipated that the marine resource would be exhausted by over-hunting unless restriction on exploitation is provided; therefore, the petitioner requested an official incorporation of Takeshima into Japan's territory, and a concession thereof for 10 years.”²¹

On 28 January 1905, after hearing the opinions of Shimane Prefecture (Shimane Prefecture had further asked the opinion of the Oki Island governor, who, based on marine charts originating in the West that depicted Ulleungdo as Matsushima, diverted the name of “Takeshima” which was another name for Ulleungdo to this island, which were to be incorporated into Japan's territory, and replied that “Takeshima is an appropriate name for the island”), and based upon a request submitted by the Minister of Home Affairs, the Cabinet of Japan decided to incorporate Takeshima as a part of Japanese territory. It states that:

[w]e have examined the proposal made by the Minister of Home Affairs concerning the uninhabited island, which is located at 37° 9' 30" N and, 131° 55' E. and 85 nautical miles northwest of the Oki Islands. The gist of the proposal is that there is no evidence of occupation by any other countries; a national named Nakai Yozaburo recently petitioned to incorporate the island, and to grant a concession thereof; he has already begun sea lion hunting at the island since 1903; for that purpose, he built a hut for fishery, transferred laborers, and got proper fishing gear; it is necessary to confirm the affiliation and the name of the island; the island shall be called Takeshima, shall belong to Shimane Prefecture, and shall be put under the jurisdiction of the governor of the Oki Islands from now on. We found that occupation of the island was established under international law, as evidenced by documents indicating that Nakai Yozaburo had moved to the island in 1903 and had been engaging in fishery there. We thereby conclude that nothing prevents the incorporation of the island into Japanese territory, making it belong to Shimane Prefecture, and putting it under the jurisdiction of the governor of the Oki Islands. Consequently, a Cabinet decision is made as requested.²²

Having received the Cabinet decision, the Minister of Home Affairs instructed the governor of Shimane Prefecture to announce the decision. The governor of Shimane Prefecture announced the Shimane Prefecture Notification No. 40 dated 22 February 1905, which states that “[i]t is determined that the island located at the north latitude of [...] is called Takeshima, belongs to this prefecture, and is under the jurisdiction of the governor of the Oki Islands.”²³

21 Nakai's petition (“Riankoto Ryodo Hennyu Narabini Kashisage negai”) can be found in *Teikokuhanto Kankei Zakken* [Miscellaneous Matters Related to Imperial Territory] (Diplomatic Archives of the Ministry of Foreign Affairs of Japan collection, foreign diplomacy records, 1.4.1.7).

22 Documents related to the Cabinet decision are in *Kobunruiju*, Part 29, Vol. 1, Political Administrative Areas. Available at the website of the Japan Center for Asian Historical Records; JACAR Ref. A01200222600, *Kobunruiju*, Part 29, Vol. 1 (1905), Seiko, Teikoku Gikai, Gyoseiku, Chiho Jichi, Zassai (National Archives of Japan).

23 An image of the notification is on the website of Shimane Prefecture http://www.pref.shimane.lg.jp/soumu/web-takeshima/takeshima_photo/#a04. Also, see Kawakami, *op. cit.*; and Tamura Seizaburo, *Shimane-ken Takeshima no Shinkenkyu* [New Research on Takeshima, Shimane Prefecture] (Reproduced and Amended Edition, Administrative Section, Administrative Department, Shimane Prefecture, 2010).

In regard to this decision and notification, Korea alleges that the occupation of the island was invalid because the island had been a part of Korean territory: Takeshima was not *terra nullius* which can be an object of occupation under international law; also, notification was not given to Korea. Japan counters to these arguments as follows: the Cabinet decision and the notification issued by the prefecture were to confirm and display its territorial sovereignty over the land which had been a part of Japanese territory in accordance with modern international law; the decision and the notification was in accordance with Japanese practice at that time (for example, the case of Minamitorishima Island in 1898), and was thereby legally valid; Takeshima was not a part of Korean territory at that time and before; international law does not require states to notify other states when it comes to occupy a territory. Furthermore, Korea also claims that, since this incorporation took place during the Russo-Japan War, while taking advantage of a request from the private-sector, in fact the incorporation took place for military purposes such as the construction of a watch-tower and to use the island as a transit point for undersea electric cables.²⁴ This claim also takes as a prerequisite the idea of Takeshima's being Korean territory.

After the incorporation of Takeshima, Shimane Prefecture amended its fisheries control regulation (prefectural directive), designating sea-lion fishing in Takeshima as fishing which requires prior concession. It granted concessions to four people, including Nakai Yozaburo. Since Takeshima is public land, procedures to rent were followed. The charge was imposed and paid every year.

11. The Report of Ulleungdo Magistrate Sim Heung-Taek (1906)

In August 1905, Matsunaga Bukichi, the Governor of Shimane Prefecture, visited Takeshima, which was followed by a further survey by Jinzai Yoshitaro, Chief of the Third Department of the Prefectural Office in March 1906. He led a group including experts in fisheries, agriculture, hygiene, measurements and so on. Following the survey, Jinzai visited Ulleungdo, and had a meeting with Sim Heung-Taek, the magistrate of the island. During the meeting, Jinzai notified Sim of the incorporation of Takeshima into Japan, stating that “[y]our island and Takeshima, the latter being under our jurisdiction, are close to each other [...] [W]e thereby request your kind cooperation in all things.” According to a recollection of a person who accompanied Jinzai, Sim did not express any particular opinion in regard to Takeshima.²⁵ Yet he sent a report to the governor of Gangwan Province which stated “Dokdo, which belongs to our county, is located in the sea approximately 100 ri from this county [...]. A group of Japanese officials came to my office and told me that they are on a visit to Dokdo for inspection as it is a part of Japanese territory now.” Having received the report, the province informed the government, and the government directed the province to carry out further investigations.²⁶

In this way, the Government of Korea took notice of the incorporation of Takeshima into Japanese territory. What is important in this respect is that Sim Heung-Taek assumed that Takeshima belonged to his county. However, no record shows that the Government of Korea did protest against the Government of Japan. It only directed the province to conduct further investigations (in this regard, it is also alleged that Korea was not in a position to protest at that time, because Japan was going to annex Korea entirely; also, Japan had already deprived Korea of its sovereignty in terms of diplomacy by the Japan-Korea

24 As reference materials, see Kim Byung Ryull (translated by Han Song), *Meiji 38 Nen Takeshima Hennyu Shoshi* [A Short History of the Incorporation of Takeshima in 1905] (Inta Shuppan, 2006); Naito Seichu and Kim Byeong Ryeol, *Shiteki Kensyo Takeshima/Dokdo* [Historical Verification of Takeshima/Dokdo] (Iwanami Shoten, 2007); Song Byeong-gi (translated by Park Byeong-seop), *Ulleungdo, Dokdo (Takeshima) Rekishi Kenkyu* [Historical Research on Ulleungdo and Dokdo (Takeshima)] (Shinkansha, 2009).

25 Okuhara Fukuichi (Hekiun), *Utsuryoto oyobi Takeshima* [Ulleungdo and Takeshima] (Hokosha, 1907).

26 Sin Yong-ha, *op. cit.* A photograph of the Instruction Note can be found on the website of Korean Foreign Ministry.

Protectorate Treaty of November 17, 1905). Sim Heung-Taek' report constitutes the first Korean record where the name of Dokdo—the Korean name for Takeshima—appears.

12. Annexation of Korea (1910)

The Japan-Korea Annexation Treaty was concluded on August 22, 1910, and came into effect on August 29 (at the same time, an ordinance, “[t]he Matter of Changing the Name of “Kankoku” to “Chosen,” was promulgated). It was not the case that Takeshima, as part of Korea, became part of Japanese territory as a result of the annexation of Korea. Moreover, Takeshima was not put under the jurisdiction of the Chosen Sotokufu (Japanese Colonial Government of Korea) after the annexation.

13. The Second World War

In August 1945, Japan accepted the Potsdam Declaration and surrendered to the Allied Powers. Clause 8 of the Potsdam Declaration states that “the terms of the Cairo Declaration shall be carried out, and Japanese sovereignty shall be limited to Honshu, Hokkaido, Kyushu, Shikoku, and such minor islands as we determine.” The Cairo Declaration states that Japan “will also be expelled from all other territories which she has taken by violence and greed,” and also that the three great powers (US, UK and China), “mindful of the enslavement of the people of Korea, are determined that in due course Korea shall become free and independent.” The acceptance of the Potsdam Declaration, and the Japanese Instrument of Surrender concluded on September 2, 1945, confirmed the future independence of Korea, and made the Allied Powers possible to determine the fate of the attribution of small islands of Japan. However, since Takeshima did not belong to Korea, it was not an island that shall be taken from Japan in accordance with the independence of Korea. Also, the island was not a “territory that Japan had taken by violence and greed,” which shall be taken from Japan. As a result, it was expected that Takeshima would remain as a part of Japan.²⁷

14. SCAPIN No. 677 and No. 1033

The Supreme Commander for the Allied Powers Instruction Note (SCAPIN) 677 of January 29, 1946, on “Governmental and Administrative Separation of Certain Outlying Areas from Japan” directs the Government of Japan to cease exercising governmental or administrative authority over “any area outside of Japan,” and for the purpose of the directive, Japan was defined to exclude “Utsuryo (Ulleung) Island, Liancourt Rocks (Take Island) and Quelpart (Saishu or Cheju) Island,” together with other adjacent islands. However, in light of the competence of the GHQ/SCAP, this Note only refers to administrative competence, and does not deal with the disposition of territory. In fact, the Note states that “[n]othing in this directive shall be construed as an indication of Allied policy relating to the ultimate determination of the minor islands referred to in Article 8 of the Potsdam Declaration.”

SCAPIN No. 1033—issued on June 22, 1946, with the heading of “Area Authorized for Japanese Fishing and Whaling”—provides that “Japanese vessels or personnel thereof will not approach closer than twelve (12) miles to Takeshima [...] nor have any contact with said island.” However, it adds that “[t]he present authorization is not an expression of allied policy relative to ultimate determination of

²⁷ In regard to the descriptions in sections from No. 13 to No. 16 and the sources, see Tsukamoto Takashi, “San Furansisuko Joyaku to Takeshima: Beigaikobunshoshu Yori (Shiryō)” [The San Francisco Treaty and Takeshima: excerpts from *Foreign Relations of the United States (Materials)*] *The Reference*, No. 389 (1983), pp. 51-63; Tsukamoto Takashi, “Heiwa Joyaku to Takeshima (Sairon)” [The Peace Treaty and Takeshima, Revisited], *The Reference*, No. 518 (1994), pp. 31-56.

national jurisdiction, international boundaries or fishing rights in the area concerned or in any other area.” The line delineating the extent of the maritime area to which Japanese fishing ships could access was called the MacArthur Line.

Addendum

Various research being posted on websites recently point out that: (1) immediately after the issuing of SCAPIN 677, an official of the General Headquarters for the Allied Powers stated during a meeting with a Japanese official to the effect that “[t]he determination of the area of Japan by this Instruction Note has no connection at all with the disposition of territory. This issue shall be decided at a peace conference in the future”; (2) a report issued by the US Army Military Government in Korea in August 1947 (in the section related to the MacArthur Line) states that the “final disposition of the island’s jurisdiction awaits peace treaty.”²⁸

15. Drafting of Peace Treaty by the US and UK

From March 1947 onward, the US Department of State prepared and revised the draft of a peace treaty with Japan. The drafts up to November 1949 placed Takeshima outside of the lines which were supposed to delimit Japanese territory, and instead included Takeshima in the clause stipulating the renunciation of Korea by Japan.

William Sebald, the acting political advisor in Japan and the head of the GHQ Diplomatic Section, was asked to provide his opinion on the draft dated November 2, 1949. In a telegram to the Secretary of State dated November 14, and in a letter dated November 19, Sebald suggested the modification of the draft by stating that “Japan’s claim to these islands (Takeshima) is old and appears valid.” In accordance with this proposal, the draft dated December 29, 1949, provided that:

[t]he territory of Japan shall comprise the four principal Japanese islands [...] and all adjacent minor islands, including the islands of the Inland sea (Seto Naikai), Tsushima, Takeshima (Liancourt Rocks), [...] (Article 3(1)).

As a result, Takeshima was explicitly added to the list of islands that were supposed to remain as a part of Japan (accordingly, Takeshima was also dropped from the clause stipulating the renunciation of Korea by Japan).

After August 1950, John Foster Dulles, advisor to the Secretary of State, led the preparation of the draft. He provided a much more concise draft as compared to the previous ones. It did not contain any list of the islands which are to remain as a part of Japan. However, there was no change in the fact that Takeshima is possessed by Japan. At the same time, the UK also prepared a draft by its own initiative. As in the earlier version of US drafts, the UK draft of April 1951 drew lines around Japan to indicate the territories where sovereignty of Japan would remain. It placed Takeshima on the outside of the lines. As a result of US-UK consultation in Washington in May 1951, however, the UK proposal was withdrawn. The clause stipulating the renunciation of Korea was agreed in the revised US-UK draft dated June 1951 as follows:

28 For (1), Diplomatic Archives of the Ministry of Foreign Affairs of Japan collection, foreign diplomacy records, 1.4.1.7; for (2), see Shimane Prefecture’s website at <http://www.pref.shimane.lg.jp/admin/pref/takeshima/web-takeshima/takeshima08/iken-C.data/1947.8archives.pdf>

Japan, recognizing the independence of Korea, renounces all right, title, and claim to Korea, including the islands of Quelpart, Port Hamilton and Dagelet (Article 2(a)).

16. Request by Korea to Revise the Draft Treaty and Refusal by the US

On July 19, 1951, the Korean Ambassador to the United States delivered a letter addressed to the US Secretary of State requesting revisions to the draft peace treaty with Japan. It requested that the draft article 2(a) (see section 15 above) should be replaced as follows:

Japan, recognizing the independence of Korea, confirms that it renounced on August 9, 1945, all right, title and claim to Korea and the islands which were part of Korea prior to its annexation by Japan, including the islands [of] Quelpart, Port Hamilton, Dagelet, Dokdo and Parangdo.

Dean Rusk, US Assistant Secretary of State—on behalf of the Secretary of State—replied in his letter dated August 10, 1951, as follows:

The United States Government regrets that it is unable to concur in this proposed amendment [...]. As regards the island of Dokdo, otherwise known as Takeshima or Liancourt Rocks, this normally uninhabited rock formation was according to our information never treated as part of Korea and, since about 1905, has been under the jurisdiction of the Oki Islands Branch Office of Shimane Prefecture of Japan. The island does not appear ever before to have been claimed by Korea.

As a result, Korean request for revision was rejected.

17. The San Francisco Peace Treaty

The Treaty of Peace with Japan was signed in San Francisco City on September 8, 1951, and came into force on April 28, 1952. As in the US-UK revised draft (see section 15 above), the clause on the renunciation of Korea (Article 2(a)) provides that “Japan, recognizing the independence of Korea, renounces all right, title, and claim to Korea, including the islands of Quelpart, Port Hamilton, and Dagelet.” Korean authors assume that the status of Takeshima as determined by SCAPIN No. 677 (see section 14 above) became definite because no provision in the Peace Treaty stipulates otherwise. However, in light of historical developments as examined in sections 15 and 16 above, it is clear that this is a misunderstanding. Rather, the Peace Treaty definitely determined that Takeshima attributes to Japan.

II. Occurrence of Territorial Dispute

1. The Syngman Rhee Line

On January 18, 1952, the Korean President issued the Proclamation of Sovereignty over Adjacent Seas, and established the so-called Syngman Rhee Line on the high seas around the Korean Peninsula. The MacArthur Line (see section I-14 above), which had been established under the orders of the Occupying Forces, was supposed to expire when the San Francisco Peace Treaty came into effect and Japan restored sovereignty. Korea feared that Japanese fishing vessels would flood the adjacent seas of Korea (in reality, the MacArthur Line was abolished on April 25, 1952, before the Peace Treaty came into force). The Syngman Rhee Line (known in Korea as the Peace Line) put Takeshima on the Korean side of the water. On January 28, 1952, the Government of Japan objected to this illegal line drawn on the high sea, and stated that:

Korea appears to assume the territorial rights over the islets in the Japan Sea known as Takeshima [...]. The Japanese Government does not recognize any such assumption or claim by the Republic of Korea [...].

On February 12, Korea refuted this argument by invoking SCAPIN No. 677 and the MacArthur Line, which allegedly supports and confirms Korea's sovereignty over Takeshima. This was the first time that the two governments exchanged their respective views on the sovereignty over Takeshima. Japan put forth further a counter-argument on April 25.

2. Exchanges between Japan and Korea

From the start of 1953 onward, both Japan and Korea erected and dismantled territorial markers, and protested each other against intrusions into territorial waters. In July 1953, a Japanese patrol boat was fired on by Koreans who had landed on Takeshima. On July 13, the Government of Japan sent a message to the Government of Korea indicating historical and legal basis showing that Takeshima is a part of Japanese territory. On September 9, Korea replied and asserted its sovereignty over Takeshima, by indicating "evidence" such as the Usando in ancient books (see section I-1 above) and the report of Sim Heung-Taek (see section I-11 above) (first exchange of views). On February 10, 1954, the Government of Japan issued a statement which fully refuted these arguments. On September 25, Korea issued a counter-statement (second exchange of views). On September 20, 1956, the Government of Japan issued a further counter-argument. On January 7, 1959, the Government of Korea issued a counter-statement (third exchange of views). On July 13, 1962, the Government of Japan issued a further counter-argument.²⁹

In addition to these interchanges of statements explaining the respective basis of sovereignty over the island, there have been many other protests and rebuttals arising out of incidents such as the establishment of a lighthouse on Takeshima and issuing of a stamp featuring a design of Takeshima by Korea.³⁰

On September 25, 1954, the Government of Japan proposed to the Government of Korea to bring this territorial dispute before the International Court of Justice.³¹ On October 28, 1954, Korea rejected this proposal.

3. Normalization of Diplomatic Relations between Japan and Korea

The negotiations towards normalization of diplomatic relations between Japan and Korea, which had taken place intermittently from the autumn of 1951 onward, developed rapidly after the agreement on the issue of properties and claims by the Ohira-Kim Jong-pil meeting in November 1962. On June 22, 1965, the Treaty on Basic Relations and various relevant agreements were signed. In regard to the Takeshima, the Exchange of Notes Constituting an Agreement Concerning the Settlement of Disputes was concluded. It provides:

²⁹ For the exchanges between the governments of Korea and Japan, including source materials, see Tsukamoto, *supra* Footnote 1.

³⁰ "Takeshima Ryoyu Mondai ni Kansuru Nikkan Ryokoku Seifu-kan no Oshu" [Exchanges Between the Governments of Japan and Korea on the Issue of Takeshima Territorial Rights], *Toki no Horei Bessatsu: Nikkan Joyaku to Kokunaiho no Kaisetsu* [Special issue of Toki no Horei: Commentary on Japan-Korea Treaties and Related Legislations] (1966), pp. 223-228.

³¹ Public Information and Culture Affairs Bureau, Ministry of Foreign Affairs, "Takeshima no Ryoyuken Mondai no Kokusai Shiho Saibansho e no Futaku ni tsuki Kankoku Seifu ni Moshiire ni tsuite" [Concerning the Proposal to the Korean Government to Bring the Takeshima Dispute before the International Court of Justice], *Kaigai Chosa Geppo*, Vol. 4, No. 11 (1954), pp. 64-71. On the occasion of the meeting between the foreign ministers of Japan and Korea in March 1962, as well, Japan proposed submitting the dispute to the International Court of Justice.

Unless otherwise agreed, the two Governments shall settle disputes between the two countries primarily through diplomatic channels and, when they fail to do so, shall seek settlement by conciliation in accordance with procedures to be agreed upon between the two Governments.

The Government of Japan assumes that this agreement (the Exchange of Notes) is supposed to resolve the dispute over Takeshima, whereas the Government of Korea asserts that the Exchange of Notes is not applicable because Takeshima is a part of its own territory and there is no dispute over the island.³²

4. Current Situation

Since the summer of 1954, Korea has been stationing armed personnel on Takeshima and occupying it. Even today, a considerable number of personnel station there by turns. Concrete-made buildings and a heliport were constructed. Korea also carries out various kinds of surveys by sending experts to the island. Maps were made based on detailed measurements. Amounts of soils were brought so as to plant the island. It was reported that a large-scale wharf facility was constructed in 1996, which was followed by the construction of a facility for conducting marine research in 2010.

Korean citizens are keenly interested in Takeshima. Many written works, including masters' and doctoral dissertations have been published. Despite the fact that Korea had declined Japan's proposal to bring the dispute before the International Court of Justice (see section II-2 above), an international arbitration moot was held in October 1977 at Seoul National University, as an event to commemorate the 60th birthday of Prof. Yi Han-gi, author of various works relating to Takeshima.³³ Furthermore, a song called "Dokdo is our Territory" was made. Several Koreans registered their addresses to "Dokdo." Also, the National Assembly Library of Korea made a branch on "Dokdo."

The Government of Japan periodically sends out patrols to observe the state of Takeshima from the adjacent seas. Based upon the survey, it has been protesting Korea's illegal occupation of the island every year. Whenever there is a new development, the Government of Japan issues a further objection.

Although a new Japan-Korea Fisheries Agreement was signed in November 1998, which came into effect in January 1999, the maritime delimitation of the economic zones has not yet been carried out, partially due to the existence of the dispute.

In March 2005, Shimane Prefecture enacted a bylaw establishing February 22 as "Takeshima Day" by the initiative of members of the local parliament (it is associated with the 1905 Shimane Prefecture Notification No. 40; see section I-10 above).

32 Tanita Masami, "Funso no kaiketsu" [Dispute Settlement], *Toki no Horei Bessatsu: Nikkan Joyaku to Kokunaiho no Kaisetsu* (1966), pp. 98-105; "Kankoku Kokkai Gijiroku: Joyaku Kyotei o Meguru Nikkan Ryokoku Kenkai no Soiten, (4) Takeshima (Dokdo) to Funso Shori ni tsuite no Giron" [Korean National Assembly Records: Differences in Japan's and Korea's Views in Regard to Treaties and Agreements, Discussion on Takeshima (Dokdo) Dispute], *Chuo Koron* (1965), pp. 164-168.

33 In regard to the arbitration moot, see *Hyeondae gukjebeob non: Gi Dang Yi Han-gi baksa hwagab ginyeom nonmunjib* [Modern International Law: Liber Amicorum Dr. Yi Han-gi in Honor of His 60th Birthday] (Seoul: Bakyongsa, 1978), pp. 465-494.