

竹島

TAKESHIMA

Definitive clarifications
as to why Takeshima is
Japan's territory!

With
Q&A

**10 points to
understand the
Takeshima Dispute**

Ministry of Foreign Affairs of Japan

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10 points to understand the Takeshima Dispute

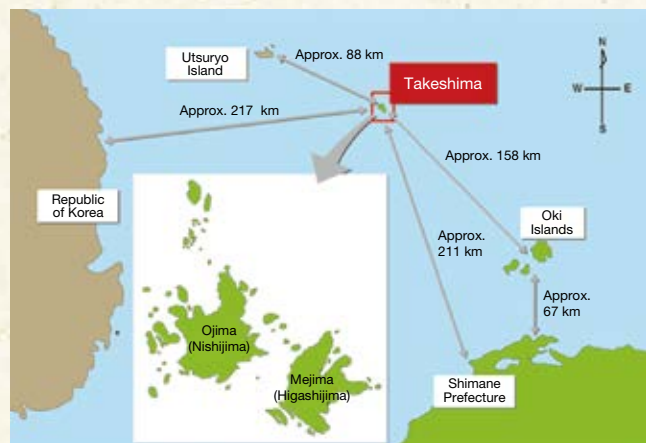
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Japan's Consistent Position on Territorial Sovereignty over Takeshima

- 1 Takeshima is indisputably an inherent part of the territory of Japan, in light of historical facts and based on international law.
- 2 The Republic of Korea has been occupying Takeshima with no basis in international law. Any measures the Republic of Korea takes regarding Takeshima based on such an illegal occupation have no legal justification.
- 3 Japan will continue to seek the settlement of the dispute over territorial sovereignty over Takeshima on the basis of international law in a calm and peaceful manner.

The Republic of Korea has never demonstrated any clear basis for its claims that it had taken effective control over Takeshima prior to Japan's effective control over Takeshima and reaffirmation of its territorial sovereignty in 1905.



[Background to Takeshima]

- Takeshima is located in the Sea of Japan approximately 158 km northwest of the Oki Islands at 37°14' north latitude and 131°52' east longitude. It is part of Okinoshima Town, Shimane Prefecture.
- Takeshima is a group of two main islands (Mejima (Higashijima) and Ojima (Nishijima)) and several dozen smaller islands surrounding them. Its total area is approximately 0.20 square kilometers.
- Both islands are precipitous volcanic islands, and cliffs about the coastline on all sides. The islands have scarce vegetation and drinking water resources.



Doctor! Please tell us the reasons why Takeshima is Japan's territory.

It shows a good attitude that you are trying to learn more about the Takeshima dispute. I am going to start by giving you an easy-to-understand explanation that organizes the dispute into "Ten Points" and a Q&A.



An Outline of the Japanese Position on Sovereignty over Takeshima and the Illegal Occupation by the Republic of Korea

Japan seeks a peaceful resolution to the dispute based on international law and through dialogues.

Japan had established sovereignty over Takeshima in the middle of the 17th century

The fact that Japan has long recognized the existence of Takeshima is made clear by a large number of early documents and maps. In the early 17th century, the Japanese Government formally granted its people the right of passage to Utsuryo Island, and they used Takeshima as a navigational port and an anchorage for ships on their way to Utsuryo Island and as a ground on which to hunt and gather marine resources such as sea lions and abalone. Japan had established sovereignty over Takeshima by the mid-17th century.

In 1905, Japan reaffirmed its sovereignty over Takeshima by Cabinet decision

In the early 1900s, the residents of the Oki Islands of Shimane Prefecture called for a stable environment to conduct their sea lion hunting business, which had become a full-scale industry by then. Against this background, the Cabinet decided to incorporate Takeshima into Shimane Prefecture and reaffirmed its sovereignty over Takeshima. The Cabinet added Takeshima to the State Land Register, established a license system for sea lion hunting, and charged a fee for use of the state land. These exercises of sovereignty were carried out by the Government of Japan peacefully and without protest from other nations. Thus Japan's sovereignty over Takeshima, which by then had already been established, became clearer to other countries in terms of modern international law as well.

The San Francisco Peace Treaty confirmed that Takeshima was Japanese territory

In the process of drafting the San Francisco Peace Treaty (signed on September 8, 1951, effective as of April 28, 1952), which included the ultimate disposition of Japanese territory after World War II, the Republic of Korea requested that the United States add Takeshima to the territories to be renounced by Japan. However, the United States unequivocally rejected this request, noting that Takeshima was "...never treated as part of Korea..." but was Japanese territory. This is proven by diplomatic documents disclosed by the United States government. In this context, the San Francisco Peace Treaty lists "Korea, including the islands of Quelpart, Port Hamilton and Dagelet" as territories that Japan must renounce, while intentionally excluding Takeshima. Thus the treaty, which established the international order post-World War II, affirms that Takeshima is Japanese territory. In addition, after the treaty came into force, the United States notified Japan that it would use Takeshima as a bombing range. Based on the agreement with the United States, Japan designated Takeshima as a bombing range, and announced so to the public. Under the international order after World War II, Takeshima was unequivocally recognized as Japanese territory.

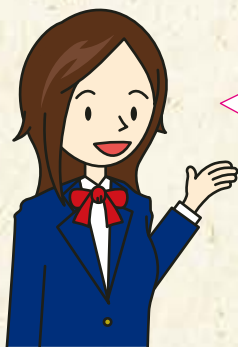
Contrary to International Law, the ROK had begun its illegal occupation of Takeshima immediately prior to the San Francisco Peace Treaty coming into effect

While Japan has proposed the ROK three times in the past that the dispute be referred to the International Court of Justice, the ROK has rejected all such proposals

However, in January 1952, immediately prior to the coming into force of the San Francisco Peace Treaty, the ROK unilaterally established what is known as the “Syngman Rhee Line” and incorporated Takeshima into the ROK side of the line. This action was clearly inconsistent with international law, and the Japanese Government promptly and strongly protested against this act, stating that it did not recognize the line. Nevertheless, the ROK later stationed permanent security personnel on the islands, constructing lodgings, a monitoring facility, a lighthouse, and port and docking facilities. The ROK’s occupation of Takeshima by force has no legal basis whatsoever, and Japan has strongly protested against each of these acts, demanding Korea’s withdrawal. Any measures the ROK takes regarding Takeshima based on this type of illegal occupation have neither legal justification nor any legal effect as grounds for its sovereignty claim.*

Japan has consistently followed the path of a peaceful nation since the end of World War II, and in order to seek a peaceful solution has proposed no less than three times since 1954 that the dispute of territorial sovereignty over Takeshima be referred to the International Court of Justice. However, the ROK has rejected all such proposals. It is extremely regrettable that the ROK, which plays an important role in the international arena, has turned its back on a solution based on international law. Japan will continue to take appropriate measures to resolve this dispute peacefully and calmly in accordance with international law.

* The series of actions carried out by the ROK lacks any evidential power in international law and has no effect on the determination of sovereignty because Japan has continuously protested against it since the very beginning of the territorial dispute triggered by the illegal unilateral establishment of the “Syngman Rhee Line.” In addition, the ROK claims that the occupation of Takeshima is an act to restore its sovereignty. In order to justify its claim, the ROK needs to present proof that Korea had effective control over Takeshima prior to Japan’s effective control over Takeshima and reaffirmation of its territorial sovereignty in 1905. However, the ROK has never demonstrated any such proof thus far.



Has Takeshima been illegally occupied by the ROK despite the fact that it is a part of the territory of Japan, in light of historical facts and based on international law?

That is correct. The ROK illegally occupied Takeshima on a unilateral basis against international law. Japan, which has consistently followed the path of a peaceful nation since the end of World War II, has been seeking a peaceful solution in dealing with this situation. Japan has proposed to the ROK three times in the past that the dispute of territorial sovereignty over Takeshima be referred to the International Court of Justice (ICJ) in order to settle the dispute fairly. However, the ROK has continued to reject all of these proposals.

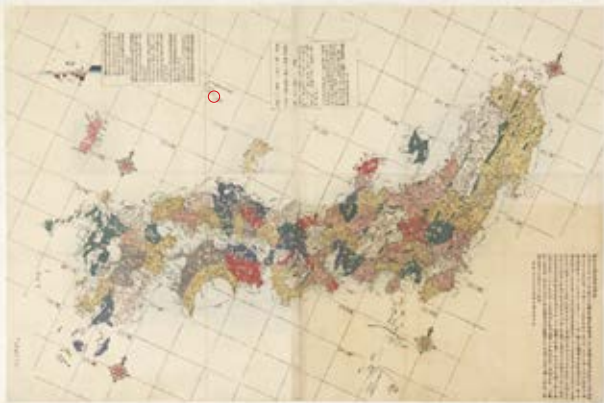


Point
1

Japan has long recognized the existence of “Takeshima”

The fact that Japan has long recognized the existence of Takeshima can be confirmed through various documents and maps

The group of islands currently called Takeshima were once known as “Matsushima,” and the island now called Utsuryo Island used to be known as “Takeshima” or “Isotakeshima.” (Fig. 1) Although the names of Takeshima and Utsuryo Island were temporarily confused due to errors in the charting of Utsuryo Island by European explorers and others, it can be confirmed from a variety of maps and documents that Japan has long recognized the existence of “Takeshima” and “Matsushima.” For example, on many maps, including the *Kaisei Nippon Yochi Rotei Zenzu* (Revised Complete Map of Japanese Lands and Roads – first published in 1779 by Nagakubo Sekisui), which is the most prominent published cartographic projection of



Revised Complete Map of Japanese Lands and Roads (1846)
(Meiji University Library)



Map of Takeshima (circa 1724)
(Tottori Prefectural Museum)

Japan, the locations of Utsuryo Island and Takeshima are accurately recorded at their current positions between the Korean Peninsula and the Oki Islands.

Confusion arose temporarily regarding the name of Utsuryo Island due to errors by European explorers who charted the island

In 1787, the French explorer, Jean-Francois de Galaup, Comte de La Perouse, reached Utsuryo Island and named the island “Dagelet.” After that, the British explorer, James Colnett, also reached Utsuryo Island in 1789 and named it “Argonaut.” However, as there was some inaccuracy in the latitudinal and longitudinal charting, Utsuryo Island ended up being depicted as consisting of two separate islands on the maps subsequently produced in Europe. (Fig. 2)

A doctor named Philipp Franz von Siebold, who had been based on the island of Dejima in Nagasaki, created a “Map of Japan” (1840) in Europe. He had learned from various Japanese documents and maps that two groups of islands which were, from the west, “Takeshima” (the current Utsuryo Island) and “Matsushima” (the current Takeshima), were located between the Oki Islands and the Korean Peninsula. At the same time, he also knew that there were two groups of islands named, from the west, “Argonaut” and “Dagelet” on European maps. Consequently, Siebold listed “Argonaut” as “Takashima” and “Dagelet” as “Matsushima” on his map. (Fig. 2) This caused further confusion by giving a different name, “Matsushima,” to Utsuryo Island, which had consistently been called “Takeshima” or “Isotakeshima.” until then.

The current Takeshima was officially named "Takeshima" in 1905

Thus, the long-held knowledge of "Takeshima" and "Matsushima" in Japan coexisted with the names that subsequently came from the Western world. In this confusion, Japanese who could see "Matsushima" in the distance requested that the government develop the island. The government implemented a field study in 1880 in order to clarify the relationship among the different names of the islands, and confirmed that the island referred to as "Matsushima" in the request was actually Utsuryo Island.

In this way, Utsuryo Island came to be called "Matsushima," which raised the question of what to call the current Takeshima. To resolve this issue, the Japanese Government, while taking into account the opinion of Shimane Prefecture, changed the traditional names, officially naming the current Takeshima as such in 1905.



Fig. 1. Old names



Fig. 2. Late 19th century names



Is it correct that in Japan Takeshima used to be called "Matsushima" and that the island had been known for a long period of time?

Yes. This can also be confirmed from a variety of maps and documents that show that Japan has long correctly recognized the existence of the current Takeshima and Utsuryo Island. During the latter half of the 19th century, Utsuryo Island also became known as "Matsushima," which temporarily caused confusion. Therefore, the present Takeshima was officially named "Takeshima" in 1905.



Point
2

There is no evidence indicating that the ROK has long recognized the existence of Takeshima.

The ROK claims that “Usan Island” as described in old Korean texts and maps is the current “Takeshima”

For example, the ROK claims that, based on descriptions in old Korean texts including the “*Samguksagi*” (History of the Three Kingdoms: 1145), “*Sejong Sillok, Jiriji*” (Geographical Appendix to the Veritable Records of King Sejong: 1454), “*Sinjeung Dongguk Yeoji Seungrum*” (Revised and Augmented Edition of the Survey of the Geography of Korea: 1531), “*Dongguk Munheon Bigo*” (Reference Compilation of Documents on Korea: 1770), “*Man’gi Yoram*” (Manual of State Affairs for the Monarch: 1808) and “*Jeungbo Munheon Bigo*” (Revised and Augmented Reference Compilation of Documents on Korea: 1908), Koreans had long been aware of the existence of the two islands of Utsuryo and Usan, and that this “Usan Island” is the current Takeshima.

It is described that there were bamboo plants cultivated and that many people were living on “Usan Island”

However, whereas the “History of the Three Kingdoms” contains a description of Utsuryo Island, which belonged to Usan Country, becoming a part of Silla in 512, there is no mention of “Usan Island.” Meanwhile, in other ancient Korean documents, “Usan Island” is described as a



Revised and Augmented Edition of the Survey of the Geography of Korea
The Map of Eight Provinces of Korea (Copy)

place where many people lived and large bamboo plants were cultivated, which does not represent the realities of Takeshima and sounds more like Utsuryo Island.

Literature based on less reliable statements by a person called Ahn Yong-bok

The ROK claims that “Usan Island” is Dokdo (the Korean name for Takeshima) based on the description that includes “Usan Island is what the Japanese called Matsushima” in “*Yeojiji*” (Record of Geography: 1656) cited in the “Reference Compilation of Documents on Korea,” “Manual of State Affairs for the Monarch” and “Revised and Augmented Reference Compilation of Documents on Korea” On the other hand, there are more critical studies pointing out that the original text in the “Record of Geography” indicates that “Usan Island” and “Utsuryo Island” refer to exactly the same island and that the description in documents such as the “Reference Compilation of Documents on Korea” do not directly or accurately quote from the “Record of Geography.” Such studies point out that the descriptions in those documents were copied from “*Ganggyegeo*” (Study of National Boundaries: 1756) which had uncritically cited a less reliable statement by a man called Ahn Yong-bok. (→See Point5, Q&A3)

The location and size of “Usan Island” on the map does not coincide with the actual location and size of “Takeshima,” indicating that this island does not exist

In the map attached to the “Revised and Augmented Edition of the Survey of the Geography of Korea,” “Utsuryo Island” and “Usan Island” are described as two separate islands. If, as the ROK claims, “Usan Island” is the current Takeshima, it should have been described as a much smaller island than Utsuryo Island and located east of Utsuryo Island. However, the “Usan Island” on this map is illustrated as being roughly of the same size as Utsuryo Island, and situated between the Korean Peninsula and Utsuryo Island (west of Utsuryo Island), indicating that the island does not exist. (→See Q&A2)

Point
3

Japan had established sovereignty over Takeshima by the mid-17th century at the latest.

Takeshima was being used by fishermen under the official authority of the Shogunate from the early Edo period

In 1618*, Ohya Jinkichi and Murakawa Ichibei, merchants from Yonago, Hōki Province, in Tottori Domain, received permission for passage to Utsuryo Island (then called “Takeshima” in Japan) from the shogunate via the lord of Tottori. Following that, the two families took turns in traveling to Utsuryo Island once each year, and engaging in catching abalone, hunting sea lions and felling trees.

Both families engaged in fishing around Utsuryo Island using ships with the hollyhock crest of the ruling shogunate family on the sails, and usually presented the abalone they caught as gifts to the shogunate and others. Thus they monopolized the management of the island with the de facto approval of the shogunate.

During this period, Takeshima, on the route from Oki to Utsuryo Island, came to be used as a navigational port, docking point for ships, and rich fishing ground for sea lions and abalone.

As a consequence of the above facts, Japan had established sovereignty over Takeshima by the mid-17th century (early Edo period) at the latest.

If the shogunate had considered Utsuryo Island and Takeshima to be foreign territories at the time, it would have banned passage to these islands in 1635 when it issued its directives to close Japan to the outside world and to prohibit Japanese from traveling abroad. However, no such ban was issued.

* Some believe that this was in 1625.



Permission for passage (Copy)
(Tottori Prefectural Museum)



During the Edo Period, how was Japan using Takeshima?

The ROK's claim that they have long recognized Takeshima has no foundation. On the other hand, during the 17th century in Japan, people in this country were using Takeshima as a navigational port, a docking point for ships, and as a rich fishing ground when they were sailing across to Utsuryo Island under the official authority of the government (the Edo Shogunate).



Point 1

Point 2

Point 3

Point 4

Point 5

Point 6

Point 7

Point 8

Point 9

Point 10

Q&A

Point
4

While Japan prohibited the passage to Utsuryo Island towards the end of the 17th century, the lack of a prohibition on passage to Takeshima continued.

Conflicting opinions over the attribution of Utsuryo Island between the Shogunate and the Korean dynasty

With the permission of the shogunate for passage to Utsuryo Island, the Ohya and Murakawa families in Yonago had carried out their monopolistic business activities without intervention for approximately seventy years.

When the Murakawa family traveled to Utsuryo Island in 1692, they encountered many Koreans engaging in fishing on the island. The following year, the Ohya family also encountered a number of Korean people on the island, and brought two of them, Ahn Yong-bok and Pak Eo-doon, back to Japan. At this time, the Korean royal dynasty prohibited its people from traveling to Utsuryo Island.

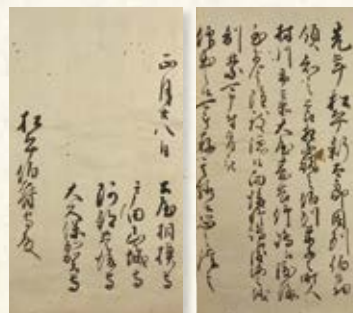
By order of the shogunate, which was now aware of the situation, Tsushima Domain (which served as the contact point with the Korean dynasty during the Edo period) repatriated Ahn and Pak to Korea, and initiated negotiations with Korea requesting that it prohibit its people from traveling to Utsuryo Island. However, there was a conflict of opinion over the attribution of Utsuryo Island and no agreement was reached in these negotiations.

Although passage to Utsuryo Island was banned in order to take into consideration the friendship with the Korean dynasty, passage to Takeshima was not banned

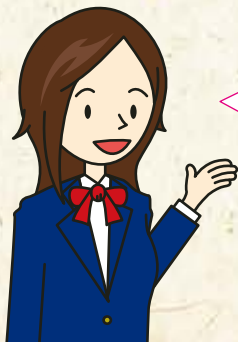
Notified of the failure of the negotiations by Tsushima Domain, the shogunate decided to prohibit passage to Utsuryo Island in January 1696, recognizing that as no Japanese had settled on Utsuryo Island, and that the distance from the Korean Peninsula was shorter than that from Hōki Province, Tottori Domain, it was not wise to ruin a good relationship with a neighboring country for the sake of what was seen as a small unprofitable island, and that it would be sufficient to ban passage to Utsuryo Island because it had not been incorporated into Japan. The shogunate instructed Tottori Domain that passage by Japanese to Utsuryo Island was now prohibited, and ordered Tsushima Domain to inform the Korean dynasty of this decision.

The series of the negotiations concerning the attribution of Utsuryo Island is generally known as the “*Takeshima Ikken*” (Takeshima Affair).

However, actually, passage to Takeshima was not banned. This clearly shows that Japan already regarded Takeshima as its territory at that time.



Rojuhosho (information document issued by Roju) regarding the prohibition on passage to Utsuryo Island (copy) (included in “Official document of Takeshima”) (Tottori Prefectural Museum)



Is it not true that passage to Takeshima was prohibited?

The Edo Shogunate only prohibited the passage to Utsuryo Island, not to Takeshima. This also clearly shows that the Shogunate regarded Takeshima as its territory at that time.



Point
5

The ROK currently refers to the false statement made by Ahn Yong-bok as one of the foundations for its claim to sovereignty over Takeshima.

Statement by Ahn Yong-bok, which the ROK refers to and Questions Raised

Ahn Yong-bok returned to Japan after the shogunate prohibited passage to Utsuryo Island, following which he was repatriated to Korea and interrogated by Korean officials for violating the prohibition of passage to Utsuryo Island. The statement made by Ahn at that time is cited by the ROK today as one of the foundations for its claim to sovereignty over Takeshima.

According to documents held by the ROK, Ahn Yong-bok stated that while in Japan in 1693 he had received a document from the Tokugawa shogunate acknowledging its recognition of Utsuryo Island and Takeshima as territories of Korea, but that the lord of Tsushima had seized this document. However, negotiations between Japan and Korea over fishing around Utsuryo Island began in 1693, when Ahn was taken to Japan then repatriated via Tsushima Domain. Thus, the Tokugawa shogunate would never have given him a memorandum saying that Utsuryo Island and Takeshima were Korean territory when he came over in 1693, and in fact it did not.

Moreover, the documents held by the ROK show that Ahn Yong-bok stated during his visit to Japan in 1696 that he saw many Japanese on Utsuryo Island. However, his visit was after the shogunate had decided to ban passage to Utsuryo Island, and so neither the Ohya nor the Murakawa family was traveling to the island at that time.

The records related to Ahn Yong-bok in the documents held by the ROK are based on the statements made during his interrogation upon his return to Korea after traveling overseas in violation of the national prohibition in 1696. There are numerous inconsistencies with the facts in his statements, including those mentioned above, but they have been cited by the ROK as one of its foundations for claiming sovereignty over Takeshima. (→See Q&A3)



On what grounds is the credibility of the statement made by Ahn Yong-bok deemed to be low?

The statement by Ahn Yong-bok was made during his interrogation upon his return to Korea after travelling overseas in violation of the national prohibition. There are numerous inconsistencies with the facts in his statement.



Point
6

In 1905, Japan reaffirmed its sovereignty over Takeshima through a Cabinet decision.

Clear reaffirmation of Japan's sovereignty over Takeshima

It was in the early years of the 20th century that full-scale sea lion hunting started around Takeshima. However, sea lion hunting soon led to problems of excessive competition; so, in order to stabilize the sea lion hunting business, Nakai Yōzaburo, a resident of the Oki Islands in Shimane Prefecture, submitted a request in September 1904 to three government ministers (the Home Minister, the Foreign Minister, and the Agriculture and Commerce Minister) for the incorporation of the “Lyanko Islands”* into Japanese territory and for a ten-year lease.

Upon this request from Nakai, and after hearing the opinion of Shimane Prefecture, the government confirmed that there were no issues involved in bringing Takeshima under the jurisdiction of the Oki Islands branch office of the Shimane Prefectural Government and that “Takeshima” was an appropriate name for the islands. Accordingly, in January 1905, the Government stipulated, through a Cabinet decision, that the islands would come under the jurisdiction of the Oki Islands branch office of the Shimane Prefectural Government and that the islands would be officially named

“Takeshima.” This was communicated to the Governor of Shimane Prefecture by the Minister of Home Affairs. With this Cabinet decision, Japan reaffirmed its sovereignty over Takeshima.

Based on the Cabinet decision and the ministerial instruction from the Minister of Home Affairs, the Governor of Shimane Prefecture announced in February 1905 that Takeshima was officially named “Takeshima” and that it was under the jurisdiction of the Oki Islands branch of the Shimane Prefectural Government, which was also informed of these matters. These measures were published in the newspapers of the day and were widely publicized.

As the Cabinet Decision stipulated that Takeshima came under the jurisdiction of the Oki Islands branch office of the Shimane Prefectural Government, the governor added Takeshima to the State Land Register, and introduced a license system for hunting sea lions, the hunting of which continued until 1941.

* “Lyanko Islands” was the Japanese colloquial term for Takeshima derived from “Liancourt Islands,” the Western name given to Takeshima. Due to charting errors by European explorers, Utsuryo Island was also called “Matsushima,” and the present Takeshima was called the “Lyanko Islands.”



Cabinet Decision of January 28, 1905 (National Archives of Japan)

The poor interpretation by the ROK that claims “Ishi-jima” was “Dokdo”

The ROK maintains that, with Korean Imperial Ordinance No. 41 of 1900, Utsuryo Island was re-named Utsu Island and the island administrator became the county magistrate. This ordinance stipulated that the region under the jurisdiction of Utsu Island County was “all of Utsuryo Island, Takeshima and Ishi-jima,” and some researchers argue that, although this “Takeshima” refers to a small island called “Jukdo” near Utsuryo Island, “Ishi-jima” (Stone Island) actually corresponds to the current “Dokdo,” because “Ishi” (Dol) is also pronounced as “Dok” in Korean dialect and “Ishi-jima” can be written as “Dokdo” in Chinese characters based on the pronunciation.



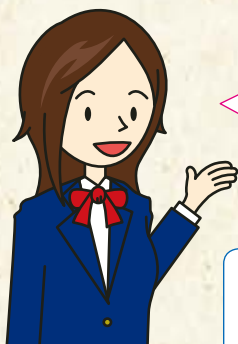
Takeshima Fishery Company at the beginning of the 20th century (Kokon Shoin)

However, if “Ishi-jima” corresponds to the current “Takeshima” (“Dokdo”), then a number of questions arise, including why the Imperial Ordinance of 1900 did not use “Dokdo” as the island’s name, why it used “Ishijima,” and why the name “Usan Island” (or another name), which the ROK claims to be the former name of Takeshima, was not used.

Even if these questions are answered, there is still no evidence that the ROK had control over Takeshima when the imperial ordinance was promulgated. Therefore it is considered that Korea had never established sovereignty over Takeshima. (→See Q&A4)



Sea lion hunting on Takeshima (Privately owned photograph courtesy of the Takeshima Archive of the Shimane Prefectural Government)



The fact that Takeshima became incorporated into Shimane Prefecture through the Cabinet decision in 1905 clearly shows that Takeshima has been Japan’s territory.

That’s right. The ROK claims that the “Ishi-jima” mentioned in the Imperial Ordinance of 1900 corresponds to the current “Takeshima” (“Dokdo”). This claim is vague and raises questions. Unlike the ROK, Japan reaffirmed its sovereignty over Takeshima through the Cabinet decision of 1905, and continued to carry out the exercises of sovereignty peacefully by adding Takeshima to the State Land Register as well as establishing a license system for sea lion hunting. In this way, Japan’s sovereignty over Takeshima, which had already been established in the 17th century, became clearer to other countries in terms of modern international law as well.



Point
7

In the process of drafting the San Francisco Peace Treaty, the ROK requested that the United States add Takeshima to the territories to be renounced by Japan. However, the United States rejected that request.

In 1951, the ROK submitted a letter to the United States requesting sovereignty over Takeshima

The San Francisco Peace Treaty, signed in September 1951, stipulated that Japan should recognize the independence of Korea, and that Japan should renounce all rights, titles and claims to “Korea, including the islands of Quelpart, Port Hamilton and Dagelet.”

Upon learning of this section drafted by the United States and the United Kingdom, in July 1951 the ROK submitted a letter to Dean G. Acheson, the Secretary of State of the United States, from Yang Yu Chan, ROK Ambassador to the United States. This letter contained the following statement: “My Government requests that the word ‘renounces’ in Paragraph A, Article Number 2, should be replaced by ‘confirms that it renounced on August 9, 1945, all rights, titles and claims 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’.” (Note 1)

San Francisco Peace Treaty

CHAPTER II
TERRITORY Article 2, section (a)

Article 2

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

(b) Japan renounces all right, title and claim to Formosa and the Pescadores.

(c) Japan renounces all right, title and claim to the Kurile Islands, and to that portion of Sakhalin and the islands adjacent to it over which Japan acquired sovereignty as a consequence of the Treaty of Portsmouth of 5 September 1905.

(d) Japan renounces all right, title and claim in connection with the League of Nations Mandate System, and accepts the action of the United Nations Security Council of 2 April 1947, extending the trusteeship system to the Pacific Islands formerly under mandate to Japan.

(e) Japan renounces all claim to any right or title to or interest in connection with any part of the Antarctic area, whether deriving from the activities of Japanese nationals or otherwise.

(f) Japan renounces all right, title and claim to the Spratly Islands and to the Paracel Islands.

Article 2 of the San Francisco Peace Treaty

KOREAN EMBASSY
WASHINGTON, D. C.

July 19, 1951

Your Excellency,

I have the honor to present to Your Excellency, at the instruction of my Government, the following requests for the consideration of the Department of State with regard to the recent revised draft of the Japanese Peace Treaty.

1. My Government requests that the word "renounces" in Paragraph a, Article Number 2, should be replaced by "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 Quelpart, Port Hamilton, Dagelet, Dokdo and Parangdo."

2. As to Paragraph a, Article Number 2, in the proposed Japanese Peace Treaty, my Government wishes to point out that the provision in Paragraph A, Article 4, does not affect the legal transfer of vested properties in Korea to the Republic of Korea through decision by the Supreme Commander of the Allied Forces in the Pacific following the defeat of Japan confirmed three years later in the Economic and Financial Agreement between the Republic of Korea and the United States Military Government in Korea, of September 11, 1948.

3. With reference to Article 9, my Government wishes to insert the following at the end of Article 9 of the proposed

/s/ Peace Treaty
Washington D C

...ion of such agreements existing
...e will remain in effect."
...the renewed assurances of

You Chan Yang
You Chan Yang

1. My Government requests that the word "renounces" in Paragraph a, Article Number 2, should be replaced by "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 Quelpart, Port Hamilton, Dagelet, Dokdo and Parangdo."

[(Note 1) See the underlined part]

Letter from ROK Ambassador to the United States, Yang You Chan, to the United States Secretary of State, Dean G. Acheson (Copy)

The United States clearly denied the claims of sovereignty made by the ROK

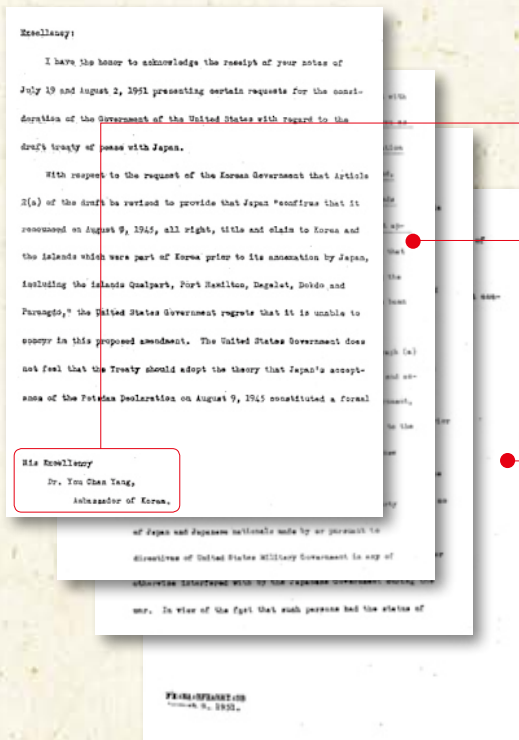
In response to this request from the ROK, in August of the same year the United States submitted a letter (an excerpt of which is shown below) from Dean Rusk, United States Assistant Secretary of State for Far Eastern Affairs, to Ambassador Yang, and in it clearly denied the claims of the ROK.

“...the United States Government does not feel that the Treaty [the San Francisco Peace Treaty] should adopt the theory that Japan’s acceptance of the Potsdam Declaration on August 9, 1945, constituted a formal or final renunciation of sovereignty by Japan over the areas dealt with in the Declaration. As regards to 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.” (Note 2)

Based on this correspondence, in the San Francisco Peace Treaty, it is obvious that Takeshima was affirmed as a territory of Japan.

The report by Ambassador Van Fleet after visiting the ROK in 1954 and returning to the United States also states that the United States concluded that Takeshima was a territory of Japan and the island was not included among the islands that Japan released from its sovereignty under the San Francisco Peace Treaty.



**His Excellency
Dr. You Chan Yang,
Ambassador of Korea.**

in the Declaration. 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. It is understood that

[(Note 2) See the underlined part]

**For the Secretary of State:
Dean Rusk**

Letter to ROK Ambassador to the United States, Yang Yu Chan, from the United States Assistant Secretary of State for Far Eastern Affairs, Dean Rusk (Copy)

- Point 1
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Point
8

Takeshima was designated as a bombing range for the U.S. Forces in Japan.

This proves further that Takeshima was recognized as Japanese territory within the international order of post-World War II

In July 1951, while Japan was still under Allied occupation, the Supreme Commander for the Allied Powers designated Takeshima as a bombing range for the U.S. Forces by SCAPIN No. 2160.

In July 1952, right after the San Francisco Peace Treaty came into effect, in response to the desire of the U.S. Forces to continue to use Takeshima as a training area, the Japan-U.S. Joint Committee, established as the consultative body for the implementation of the Japan-U.S. Administrative Agreement (an agreement based on the former Japan-U.S. Security Treaty, which was later succeeded by the current Japan-U.S. Status of Forces Agreement), designated Takeshima as a bombing range for the U.S. Forces stationed in Japan.

The Ministry of Foreign Affairs published this fact in its official gazette.

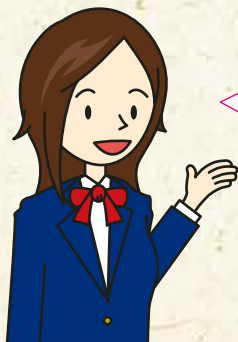
However, because local residents wished to engage in sea lion hunting, abalone fishing and seaweed harvesting in the waters around Takeshima, and the U.S. Forces had stopped using Takeshima as a bombing range as of the winter of 1952, in March 1953 the Joint Committee decided to release Takeshima from the designation of a bombing range for the U.S. Forces.

The Japan-U.S. Administrative Agreement stipulated that the Joint Committee should serve as the means for consultation in making determinations about facilities and areas in Japan. Therefore, the fact that Takeshima was discussed by the Committee and the fact that the island was designated as an area for use by the U.S. Forces stationed in Japan clearly indicate that Takeshima is part of the territory of Japan.

九、竹島爆撃訓練区域
 (一) 区域
 北緯三七度一五分、東経一三
 一度五二分の点を中心とする直
 径一〇マイルの円内
 (二) 演習時間
 毎日二十四時間



Official gazette reporting that Takeshima has been designated as bombing range for the U.S. Forces (July 1952).



Is it correct that Takeshima was also recognized as Japanese territory under the international order after World War II?

That's correct. The United States requested the use of Takeshima as a bombing range for the U.S. Forces in Japan because they recognized Takeshima as being Japan's territory.



Point
9

The ROK delineated the so-called “Syngman Rhee Line” on the high seas in contravention of international law, and illegally occupied Takeshima as a unilateral act.

The “Syngman Rhee Line” was unilaterally established by ignoring international law

In January 1952, the President of the ROK, Syngman Rhee, issued a declaration concerning maritime sovereignty, with which he established the “Syngman Rhee Line.” Establishment of this line, encompassing the island of Takeshima and a large area of water with fisheries jurisdiction, was a unilateral act in contravention of international law.

In March 1953, the Japan-U.S. Joint Committee decided to release Takeshima from the designation of a bombing range for the U.S. Forces. This enabled Japanese to resume fishing around Takeshima, but it was confirmed that Koreans were also engaging in fishing around the island. In July of the same year, a Japanese patrol vessel of the Maritime Safety Agency (now the Japan Coast Guard) demanding that Koreans engaged in illegal fishing leave Takeshima was fired upon by Korean authorities who were protecting the Korean fishermen.

The ROK’s security personnel are stationed on Takeshima in order to continue its illegal occupation of the island

In June 1954, the ROK Ministry of Home Affairs announced that the ROK Coast Guard had dispatched a permanent battalion to Takeshima. In August of the same year, a vessel of the Maritime Safety Agency on patrol near Takeshima was fired on from the island, and with this incident it was confirmed that ROK security personnel had been stationed on Takeshima.

Since then, the ROK has kept security personnel stationed on Takeshima and constructed lodgings, a monitoring facility, a lighthouse, and port and docking facilities.

The establishment of the Syngman Rhee Line constitutes an illegal delineation of the high seas, and the occupation of Takeshima by the ROK constitutes an illegal occupation undertaken without basis in international law. No measures taken by the ROK during its illegal occupation concerning Takeshima have any legal justification. Such acts can never be accepted in light of Japan’s position regarding its sovereignty over Takeshima. Japan has strongly protested against each and every measure taken by the ROK and has demanded the withdrawal of said measures each time.



Syngman Rhee Line

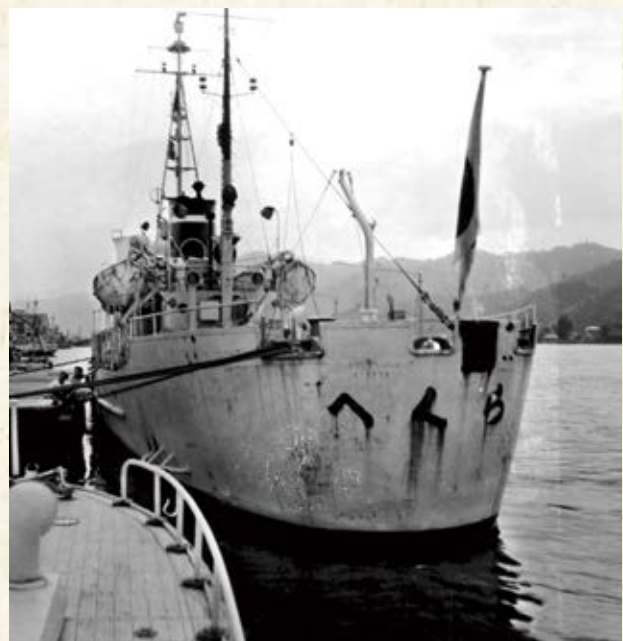


Photo of the Japan Coast Guard patrol vessel that was fired upon (1953) (Photograph courtesy of The Yomiuri Shimbun)

Point 1

Point 2

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Q&A

Point
10

Japan has been repeatedly proposing to the ROK that the dispute over the sovereignty of Takeshima should be referred to the International Court of Justice (ICJ). However, the ROK is refusing these proposals.

Aiming to realize a peaceful settlement of the dispute based on international law

Following the establishment of the Syngman Rhee Line by the ROK, Japan has repeatedly protested strongly against each action by the ROK; actions that include the ROK's own claims of sovereignty over Takeshima, fishing activities around Takeshima, firing on patrol vessels, and the construction of structures on the islands.

For the peaceful settlement of the dispute, Japan proposed in September 1954 to the ROK with a note verbale that this dispute over the sovereignty of Takeshima be referred to the International Court of Justice (ICJ). However, the ROK rejected the proposal in October of the same year (Note 1) In addition, on the occasion of the foreign ministerial talks in March 1962, Zentarō Kosaka, the then Minister of Foreign Affairs of Japan, made a proposal to Choi Duk Shin, the then Minister of Foreign Affairs of the ROK, to refer

the dispute to the ICJ, but this proposal was again not accepted by the ROK.

In addition, in August 2012, Japan delivered another note verbale to propose referring the dispute on the sovereignty over Takeshima to the ICJ once again, after Lee Myung-bak, the then President of the ROK, became the first ever Korean president to visit Takeshima. However, the ROK rejected Japan's proposal in the same month (Note 2).

Note 2: The ICJ has jurisdiction over a dispute only when all parties to the dispute have agreed to seek its settlement in the Court. Since 1958, Japan has accepted the ICJ's compulsory jurisdiction even when another country brings a unilateral suit against it without Japan's consent, as Japan respects the rule of law in the international community. However, the ROK does not take the same stance. As a result, even if Japan refers the case unilaterally to the ICJ, it has no jurisdiction as long as the ROK does not accept it.

Note 1: Referral to the ICJ was also suggested to the ROK by the US in 1954. In the report he made on his return home, Ambassador Van Fleet noted that "though the United States considers that the islands are Japanese territory our position has been that the dispute might properly be referred to the International Court of Justice and this suggestion has been informally conveyed to the Republic of Korea."



Report by Ambassador Van Fleet (Copy)

a group of barren, uninhabited rocks. When the Treaty of Peace with Japan was being drafted, the Republic of Korea asserted its claims to Dokto but the United States concluded that they remained under Japanese sovereignty and the Island was not included among the Islands that Japan released from its ownership under the Peace Treaty. The Republic of Korea has been confidentially informed of the United States position regarding the islands but our position has not been made public. Though the United States considers that the islands are Japanese territory, we have declined to interfere in the dispute. Our position has been that the dispute might properly be referred to the International Court of Justice and this suggestion has been informally conveyed to the Republic of Korea.

Answering the questions regarding
the Takeshima Dispute

Q & A



- Q1 In international law, does geographical proximity of an island to a nation's territory have any significance with regard to sovereignty over that island?
- Q2 Is Takeshima mentioned in Korean period documents or maps in the ROK?
- Q3 What sort of person was Ahn Yong-bok?
- Q4 Prior to the Japanese government's incorporation of Takeshima in 1905, is there any proof that Korea owned the islands?
- Q5 Was Takeshima included in the "territories which Japan has taken by violence and greed" in the Cairo Declaration?
- Q6 Was Takeshima placed outside Japanese territory by SCAP after World War II?



In international law, does geographical proximity of an island to a nation's territory have any significance with regard to sovereignty over that island?



No. Under international law sovereignty over a certain territory is not recognized solely due to its physical closeness to one's own territory.

The ROK alleges that the geographical proximity of Takeshima to Utsuryo Island proves that Takeshima is geographically part of Utsuryo Island. However, in international law, geographical proximity itself has no significance with regard to territorial sovereignty. This understanding is apparent in precedents set by international courts.

For example, back in the 1920s, when the United States and the Netherlands disputed sovereignty over the Island of Palmas, the Arbitration court ruled: "The title of contiguity, understood as a basis of territorial sovereignty, has no foundation in international law...." Furthermore, recently, in its Judgment in the case con-

cerning the Territorial and Maritime Dispute between Nicaragua and Honduras in the Caribbean Sea (2007), the ICJ did not recognize the geographical proximity that Nicaragua claimed should be involved as an element in determining sovereignty over maritime features of the disputed area. Additionally, in the case concerning the dispute over the islands of Ligitan and Sipadan between Indonesia and Malaysia (2002), the ICJ rejected the contention of Indonesia that the two islands, 40 nautical miles from an island in regard to which sovereignty was not disputed, were islets belonging to it.

Q2

Is Takeshima mentioned in Korean period documents or maps in the ROK?

A

No. While the ROK claims that the Usan Island listed in their period documents and maps is the current Takeshima, there are no grounds for this claim. (→See Point 2)

Period documents that the ROK claims as proof:

The ROK claims, using Korean period documents, that it has been aware of the two islands of Utsuryo Island and Usan Island for centuries, and that Usan Island is none other than the current Takeshima. However, no proof has been found for the ROK's claim that the Usan Island in Korean period documents is in fact the current Takeshima.

For example, in *Sejong Sillok, Jiriji* (Geography Section of the Annals of King Sejong's Reign: 1454) and *Sinjeung Dongguk Yeoji Seungnam* (Revised and Augmented Edition of the Survey of the Geography of Korea: 1531), the ROK claims that the two islands of Usan and Utsuryo are listed as being in the sea to the east of the prefecture of Uljin, which means that this Usan Island is Takeshima. However, *Sejong Sillok, Jiriji* notes that "In the Shilla Period, it was called Usan Province. It was also called Utsuryo Island. The land is a hundred square *ri*." (新羅時稱于山國一云鬱陵島地方百里), and in *Sinjeung Dongguk Yeoji Seungnam* it is referred to in the following: "In one theory, Usan and Utsuryo are originally the same island. Its area is a hundred square *ri*." (一說于山鬱陵本一島地方百里). These documents do not contain anything specific regarding Usan Island; they contain only writings concerning Utsuryo Island. There are also Korean documents that clearly show that Usan Island is not the current Takeshima. For example, Volume 33 of the *Annals of King Taejong*, covering February of the 17th year of his reign (1417), contains the statement that "Royal Inspector Kim In-u returned from Usan Island and brought local products as tribute, including large bamboos [...]. He also brought back three residents

of the place. There were about fifteen families living on the island for a total of 86 men and women." (按撫使金麟雨還自于山島 獻土產大竹水牛皮生苧綿子撿撲木等物 且率居人三名以來 其島戶凡十五口男女并八十六) However, there is no bamboo on Takeshima, nor could 86 people live there.

The ROK claims that the *Dongguk Munheon Bigo* (Reference Compilation of Documents on Korea: 1770) and other documents which state "Utsuryo and Usan are all land belonging to Usan Province, and Usan is called Matsushima in Japan," but these documents dating from the 18th century or later are based on an unreliable statement by a man named Ahn Yong-bok who had illegally entered Japan in 1696 (refer to Q&A (3)). In addition, although editors of documents in the 18th and 19th centuries may have written "Usan is called Matsushima in Japan," this does not mean that the "Usan" mentioned in the 15th century *Sejong Sillok Jiriji* (Geographical Appendix to the Veritable Records of King Sejong) or the 16th century *Sinjeung Dongguk Yeoji Seungnam* (A Revised Edition of the Augmented Survey of the Geography of Korea) is in fact Takeshima.

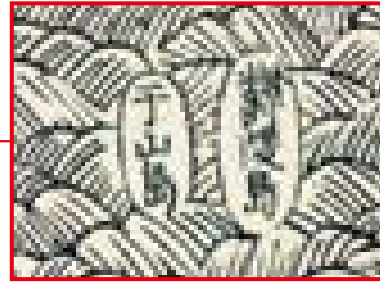
Period maps that the ROK claims as proof*:

The ROK also insists that Korean maps dating from the 16th century show Takeshima as Usan Island, but the Usan Island shown on Korean maps to date is not Takeshima.

* Note that in terms of international law, maps that are not associated with treaties are not considered to be a basis for territorial claims, and even maps associated with treaties have only a supplementary meaning as the intent of the treaty signers is expressed in the main text.

For example, the map attached to Sinjeung Dongguk Yeoji Seungnam (Revised and Augmented Edition of the Survey of the Geography of Korea), “The Map of Eight Provinces of Korea,” shows the two islands of Utsuryo Island and “Usan Island.” If “Usan Island” is assumed as Takeshima, as the ROK claims, then this island should have been depicted as an island far to the east of, and much smaller than,

Utsuryo Island. However, the “Usan Island” in this map is between the Korean Peninsula and Utsuryo Island, and is shown to be about the same size as Utsuryo Island. Therefore, the “Usan Island” in the Map of Eight Provinces of Korea is either Utsuryo Island shown as two islands, or a non-existent island, and not Takeshima, which is far to the east of Utsuryo Island.



(Enlarged map)

Revised and Augmented Edition of the Survey of the Geography of Korea
The Map of Eight Provinces of Korea (Copy)

In maps of Korea dating from the 18th century, Usan Island appears to the east of Utsuryo Island. However, this Usan Island is not the current Takeshima.

This haejang bamboo or “Simon bamboo” is a type of bamboo grass, but as the rocky islands of Takeshima are unable to grow this sort of vegetation, this Usan Island cannot be Takeshima. Note that haejang bamboo grows on Jukdo,* an island about 2 km to the east of Utsuryo Island. This suggests that the “Usan Island” shown in the Utsuryo Island Map is in fact Jukdo.

For example, in the Utsuryo Island Map connected with Bak Seok-chang’s inspection tour of Utsuryo Island in 1711, “Usan Island” is shown to the east of Utsuryo Island, but there is a note there that reads “the so-called Usan Island, field(s) of haejang bamboo.”



Jukdo

Survey Map of Utsuryo Island by the Navy Hydrographic Department
* Jukdo is a small island about 2 km east of Utsuryo Island

The noted Korean cartographer, Kim Jeong-ho, created a map called the *Cheonggudo* in 1834, which in the Utsuryo Island Map shows a long, narrow island called "Usan" to the east of Utsuryo Island.

This map includes distance markings (one distance marking is ten Korean *ri*, about 4 km) on all four sides, so distances are clear. From the fact that the island is

only shown about 2 or 3 km from Utsuryo Island, and from its shape, it is clearly Jukdo, which is about 2 km to the east of Utsuryo Island (and not Takeshima, which is about 90 km away).

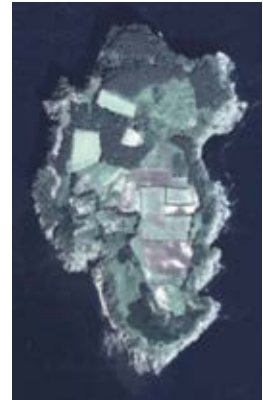
In other words, the "Usan" shown on maps of Korea from the 18th century is probably Jukdo.



Utsuryo Island Map from the Cheonggudo (1834) (Copyright Tenri Library, Tenri University)



"Usan" in the "Cheonggudo" map (1834) is also Jukdo



The current Jukdo

Maps which showed Jukdo, about 2 km to the east of Utsuryo Island, as "Usan" were created in the modern era. The *Daehanjeondo*, printed by the Academic Editorial Bureau of the Korean Empire in 1899, is a

modern map with lines of latitude and longitude, and it too shows "Usan" right by Utsuryo Island. This "Usan" is also Jukdo, and not the current Takeshima.



Daehanjeondo
(Photograph courtesy of Toyo Bunko)



Q3

What sort of person was Ahn Yong-bok?

A

Ahn Yong-bok was a Korean person who came to Japan twice at the end of the 17th century. The ROK cites his statement as one of the foundations for its claim to sovereignty over Takeshima. However, he was not a person who represented Korea, and his statement is inconsistent with the facts and thus lacks credibility. (→See Point 2, 5)

Ahn Yong-bok was a Korean man who set out to go fishing at Utsuryo Island (which was called “Takeshima” in Japan at the time) in 1693, was taken to Japan by the Ohya family, and who then returned to Japan of his own volition in 1696 to sue Tottori Domain. However, after that, he was arrested and interrogated by the Korean authorities for leaving the country without permission. Under interrogation, Ahn said that he met Japanese on Utsuryo Island and accused them of infringing the border, and that, having heard Japanese were living on Matsushima, he considered Matsushima to be Jasan Island, which was also Korean territory. This is how the story later developed in Korean documents that Usan Island and today’s Takeshima (or “Dokdo” in Korean) were connected.

The ROK uses this statement by Ahn Yong-bok as one of its proofs of sovereignty over Takeshima.

This statement by Ahn Yong-bok was recorded in the *Annals of King Sukjong* in the 9th month of the 22nd year of the reign of King Sukjong (1696). However, the same document (for February of the following year) records the repudiation by the Korean dynasty of Ahn’s actions, and so we can see that Korea recognized that his actions did not represent Korea (See Supplemental 1). In addition, there are a number of aspects in his statement which do not match the reality, so it lacks credibility (See Supplemental 2).

Supplemental 1: Ahn Yong-bok does not represent Korea.

It is clear from the following points that Ahn Yong-bok did not represent Korea.

Ahn Yong-bok’s trip to Japan is evaluated as follows in the *Annals of King Sukjong*.

“The Dongnae government official Yi [Sejae世載] told the king that the emissary from Tsushima asked, ‘A man of your country attempted to charge us with a complaint: is this the doings of your court?’ (去秋貴國人有呈單事出於朝令耶). In response to this, Yi stated that ‘If there is something to explain here, an official interpreter will be sent to Edo, and there is no reason we would send a fisherman, as if we were afraid (若有可弁送一訊於江戶顧何所憚而乃送狂蠢浦民耶). [...] The Border Defense Council of Joseon stated that ‘...the government of Korea has nothing to do with what ignorant people who are blown by the winds may say.’ (...至於漂風愚民設有所作為 亦非朝家所知) The reply to this effect to the Tsushima emissary was conferred over, and the king gave his consent (請以此言及館倭允之).” (From *Sukjong 23rd year*)

Note: Tsushima Domain was the only official route for diplomacy and trade between Japan and Korea in the Edo period.

The Korean dynasty's repudiation was passed on to Japan in a letter sent to the lord of Tsushima Domain from Yi Seon-bak, Deputy Vice-Minister for Protocol:

“With regard to the man who drifted ashore last year, those who live on the seaside make their living sailing, and when caught in a storm, they are immediately driven before the waves to arrive at your country (昨年漂氓事濱海之人率以舟楫為業颯風焱忽易及飄盪以至冒越重溟轉入貴國). [...] If there was a charge laid by him, he committed crime of forging a letter (...若其呈書誠有妄作之罪). Therefore we have already exiled him in accordance with the law (故已施幽殛之典以為懲戢之地).”

Ahn Yong-bok's boat was flying a flag which read, “Taxation General of the Two Islands of Utsuryo Island, Joseon. Vassal Ahn on Board,” and Ahn styled himself “Tax Inspector for the Two Islands of Utsuryo and Usan.” This title was made up, and Ahn himself admitted this identity fraud. The “Tax Inspector” or “Auditor-General” that Ahn Yong-bok called himself referred to a tax collector for the islands of Utsuryo and Usan. Ahn apparently believed that Usan Island was a large populated island.

Supplemental 2: Credibility of Ahn Yong-bok's statements

There are numerous discrepancies in Ahn Yong-bok's statements, making them unreliable.

Ahn Yong-bok came to Japan twice. The first time was in 1693, when he was taken to Japan as proof that there was no fishing to be had around Utsuryo Island (called “Takeshima” in Japan at the time). The second time was in 1696, when he smuggled himself to Japan to lodge a protest with Tottori Domain, and was expelled by the domain. Ahn's statements recorded in the *Annals of King Sukjong* are a summary of the written statements made when he was interrogated by

the Border Defense Council of Joseon on his return. According to this summary, when Ahn first came to Japan, he obtained a letter from the shogunate stating that Utsuryo Island and Usan Island were Korean territory, but Tsushima domain took it from him. However, negotiations between Japan and Korea over fishing around Utsuryo Island began when Ahn was taken back to Japan and repatriated via Tsushima Domain, so the Tokugawa shogunate would never have given him a letter saying that Utsuryo Island and Usan Island were Korean territory when he came over in 1693, before such negotiations were started.

In addition, when Ahn Yong-bok came to Japan in May 1696, he stated that there was a large number of Japanese on Utsuryo Island. However, in January, the sea travel licenses granted to the Ohya and Murakawa families were repealed, because the shogunate had already decided to ban passage to Utsuryo Island and passed the directive on to Tottori Domain. The ROK claims that the shogunate decided to forbid travel to Utsuryo Island as a result of Ahn's visit to Japan in 1696, but Ahn arrived four months after the shogunate forbade travel to the island.

Ahn Yong-bok was interrogated on his return to Korea. It is recorded that he said to the Japanese, “Matsushima is Jasan (Usan) Island and therefore also our country's land, why do you dare live there?” (松島即子山島、此亦我國地、汝敢住此耶). That year, there were no Japanese travelling to Utsuryo Island, so this story cannot be true. It seems that Ahn Yong-bok believed that people could live on Usan Island. When he went fishing at Utsuryo Island in 1693, he was told by his companions that the island to the north-east of Utsuryo Island was Usan Island (*Takeshimakiji*), and when he was taken to Japan, he said that he saw “a large island, much bigger than Utsuryo Island” (*Byeonrye Jibyoo*). Ahn said, “Matsushima is Jasan (Usan) Island.” It is assumed that he learned the name “Matsushima” (today's Takeshima) during his stay in Japan, and connected it with Usan Island which was traditionally drawn in Korean picture maps. However, saying that “Matsushima is Jasan Island” is, in terms of names, not actually referring to today's Takeshima.

Q4

Prior to the Japanese Government's incorporation of Takeshima in 1905, is there any proof that Korea owned the islands?

A

No, the ROK has not shown any proof that they owned the islands of Takeshima.

(→See Point 2 ,6, Q&A 2)

For example, the ROK states that the Usan or Usan Island appearing in Korean period documents from the Joseon period such as the “*Sejong Sillok Jiriji* (Geography Section of the Annals King Sejong’s Reign: 1454)” and the “*Sinjeung Dongguk Yeoji Seungnam* (Revised and Augmented Edition of the Survey of the Geography of Korea: 1531)” is Takeshima, and so it has always been its territory.

However, “Usan” in Korean period documents and maps is either another name for Utsuryo Island, or the separate smaller island off the coast of Utsuryo Island (Jukdo), and not Takeshima.

The ROK insists that it established a county in Utsuryo Island by Korean Imperial Ordinance No.41 (1900) (Note), and established the area under the jurisdiction of Utsu Island County as “the entire island of Utsuryo Island and the islands of Jukdo and Sokdo (石島 *ishi-jima*),” and that this Sokdo is Dokdo (the Korean name for Takeshima).

However, the ROK has yet to present any clear proof that this Sokdo is in fact Takeshima. In addition, even if, hypothetically, the ordinance did refer to Takeshima, the Korean Empire never exercised actual control over Takeshima around the time of that ordinance, and so Korean territorial rights over it were never established.

Note: In 1882, the Korean dynasty abolished its “Empty Island” policy regarding Utsuryo Island, which it had maintained for 470 years, and started to develop the island. Later, in June 1900, Korea and Japan carried out a joint survey since there were a large number of Japanese residing on Utsuryo Island. The Korean Empire (Korea changed its name from *Joseon* to *Daehan Jeguk*, the “Great Han Empire,” in October 1897) enacted the imperial ordinance No.41 to rename Utsuryo Island as “Utsu Island” and to make the Island Administrator County Magistrate, based on the report of this survey (U Yong-jeong’s *Uldo-gi*), having considered the necessity of “exchange with foreign travelers and traders”. In Article 2 of this ordinance the jurisdiction of Utsu Island County was set as “the entire island of Utsuryo Island and the islands of Jukdo and Ishi-jima.” However, it is not certain where this suddenly appearing “Ishi-jima” actually was.

According to the report of the survey carried out prior to this ordinance, the length of Utsuryo Island was 70 *ri* (approx. 28 km), its width was 40 *ri* (approx. 16 km), and its circumference was 145 *ri* (...全島長可為七十里廣可為四十里 周廻亦可為一百四十五里). Also, it is stated, in the “Request for Cabinet Decision Regarding the Change of Name of Utsuryo Island to Utsu Island and the Change from Island Administrator to County Magistrate” (1900) by Yi Kon-ha, Minister of the Interior, that “...the area of the island concerned is 80 *ri* on the long axis (32 km*) and 50 *ri* across (20 km*).” From these facts, it is clear that Takeshima, about 90 km away, was outside the scope, and that Ishi-jima is not Takeshima. Given that relatively large islands exist in the area around Utsuryo Island (within a few kms of the island) called Jukdo and Gwannumdo, there is a possibility that “Ishi-jima” meant one of these islands.

* 1 *ri* (Japan) = about 10 *ri* (Korea) = about 4 km

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Q&A

Q5

Was Takeshima included in the “territories which Japan has taken by violence and greed” in the Cairo Declaration?

A

No, it was not.

(→See Point 7)

The ROK alleges that Takeshima falls under the “territories which Japan has taken by violence and greed” in the Cairo Declaration (1943) announced by the leaders of the United States, the United Kingdom and China during World War II. However, Takeshima has never been Korean territory, whereas Japan had established sovereignty over the islands no later than the middle of the 17th century, reaffirmed it with the islands’ incorporation into Shimane Prefecture by cabinet decision in 1905, and has exercised its sovereignty peacefully

and continuously. This makes it clear that Takeshima was not territory that Japan took from Korea.

The ultimate determination of territory following a war is done by a peace treaty or other forms of international agreements. In the case of World War II, it was the San Francisco Peace Treaty that legally determined Japan’s territories, and the Cairo Declaration does not have any ultimate legal effect on the determination of Japanese territory. It is confirmed in the San Francisco Peace Treaty that Takeshima is Japanese territory.

Q6

Was Takeshima placed outside Japanese territory by SCAP after World War II?

A

No, it was not. SCAP had no authority regarding the disposition of territory.

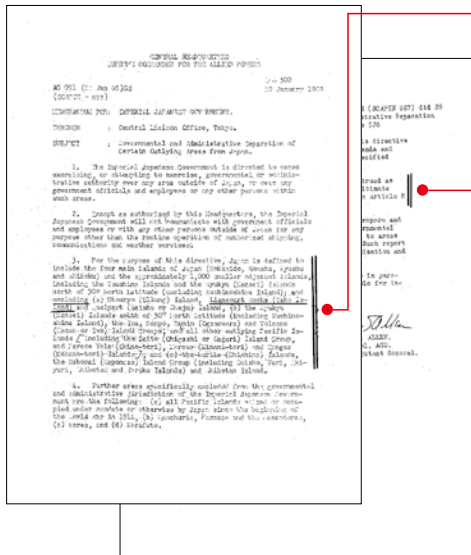
The ROK claims that SCAPIN (Supreme Commander for the Allied Powers Instruction Note) No. 677 (See Supplemental 1) and No. 1033 (See Supplemental 2) place Takeshima outside Japanese territory. However, both of the directives explicitly stipulate that it’s not an expression of allied policy relative to ultimate determination of territory, although the ROK makes no mention of this. The Korean position is therefore untenable.

It is the San Francisco Peace Treaty (effective in 1952) that decided the territory of Japan after the War. Therefore it is clear both in terms of fact and in terms of international law that the treatment of Takeshima by SCAP before that Treaty came into force has no effect on sovereignty over Takeshima.

Supplemental 1: SCAPIN No. 677

In January 1946, the General Headquarters for the Supreme Commander for the Allied Powers ordered the Japanese Government to provisionally cease exercising or attempting to exercise political or administrative authority over certain outlying areas based on SCAPIN No.677. Paragraph 3 of the directive provides that "For the purpose of this directive, Japan is defined to include the four main islands of Japan (Hokkaido, Honshu, Kyushu and Shikoku) and the approximately 1,000 smaller adjacent islands, including the Tsushima Islands and the Ryukyu (Nansei) Islands north of 30° North Latitude (excluding Kuchinoshima Island)." The directive then listed Takeshima along with Utsuryo Island, Jeju Island, the Izu Islands, the Ogasawara Islands, etc. as the areas "excluded."

However, Paragraph 6 of the directive clearly states that "Nothing 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." (Article 8 of the Potsdam Declaration: "...Japanese sovereignty shall be limited to the islands of Honshu, Hokkaido, Kyushu, Shikoku and such minor islands as we determine.") The claim of the ROK completely ignores this.



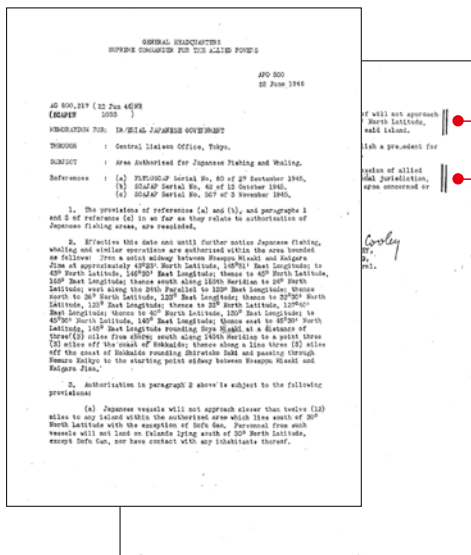
3. For the purpose of this directive, Japan is defined to include the four main islands of Japan (Hokkaido, Honshu, Kyushu and Shikoku) and the approximately 1,000 smaller adjacent islands, including the Tsushima Islands and the Ryukyu (Nansei) Islands north of 30° North Latitude (excluding Kuchinoshima Island); and excluding (a) Utsuryo (Ullung) Island, Liancourt Rocks (Take Is- land) and Quelpart (Saishu or Cheju) Island, (b) the Ryukyu (Nansei) Islands south of 30° North Latitude (including Kuchinoshima Island), the Izu, Nanpo, Bonin (Ogasawara) and Volcano (Kazan or Iwo) Island Groups, and all other outlying Pacific Islands including the Daito (Ohigashi or Oagar) Island Group, and Parece Vela (Okino-tori), Marcus (Minami-tori) and Ganges (Nakano-tori) Islands, and (c) the Kurile (Chishima) Islands, the Habomai (Hapomaze) Island Group (including Suisho, Yuri, Akiyuri, Shibotsu and Taraku Islands) and Shikotan Island.

[Outline: (Note 1) See the underlined part]

6. Nothing 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.

[(Note 2) See the underlined part]

SCAPIN No. 677



3.(b) Japanese vessels or personnel thereof will not approach closer than twelve (12) miles to Takeshima (37°15' North Latitude, 131°53' East Longitude) nor have any contact with said island.

[(Note 3) See the underlined part]

5. The present authorization is not an expression of allied jurisdiction, international boundaries or fishing rights in the area concerned or in any other area.

[(Note 4) See the underlined part]

SCAPIN No. 1033

Supplemental 2: SCAPIN No. 1033

In June 1946, SCAP expanded the area authorized for Japan's fishing and whaling (the so-called "MacArthur Line") by SCAPIN No. 1033. Paragraph 3 of the directive stipulates that "Japanese vessels or personnel thereof will not approach closer than twelve (12) miles to Takeshima (37°15' North Latitude, 131°53' East Longitude) nor have any contact with said island."

However, Paragraph 5 of the directive explicitly provides that "The present authorization is not an expression of allied policy relative to ultimate determination of national jurisdiction, international boundaries or fishing rights in the area concerned or in any other area." The claim of the ROK completely ignores this as well.

The MacArthur Line was abolished on April 25th, 1952, and with the San Francisco Peace Treaty coming into force three days later, on the 28th of April, the directives for cessation of governmental authority necessarily became invalid.

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