

# ХАЛЫҚАРАЛЫҚ ҚАТЫНАСТАР INTERNATIONAL RELATIONS МЕЖДУНАРОДНЫЕ ОТНОШЕНИЯ

## THE PROBLEMATICS OF LIANCOURT ISLAND IN THE INTERNATIONAL DISPUTE BETWEEN SOUTH KOREA AND JAPAN

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**Abstract.** As we know, in the historical practice of international relations, many different conflicts arose due to disputes over the issue of territorial affiliation. However, one of the little-studied in the Kazakh research environment is the conflict over the Liancourt Islands (rocks). This long-term dispute between Japan and South Korea has raised a lot of questions about the significance of the Liancourt Islands and their economic and political value for both countries. The authors consider the problems of the Liancourt Islands from the point of view of geopolitical and geo-economic benefits, since it is the determination of the territorial affiliation of these islands that will mean which side will win or lose this international dispute. In recent years, the dispute over the ownership of the Liancourt Islands has become more and more acute, each side puts forward its own version of the origin and ownership of these islands. Despite the fact that the islands are not large in area and are rocky formations, they have great economic potential, since, according to the latest data, the islands have large deposits of minerals. The territorial dispute over the islands and the problem of belonging to these islands has become, for the two states, a symbol of international influence in the region. The issue of ownership of the Liancourt Islands has a multifaceted nature and a detailed consideration of this issue will allow us to better reveal the essence of the international dispute between South Korea and Japan.

**Keywords:** Liancourt, South Korea, Japan, territorial dispute, economy.

**JEL codes:** F51, F52.

**Аңдатпа.** Халықаралық қатынастар тәжірибесінде аумақтық тиістілігіне байланысты халықаралық даулар мен қақтығыстар жиі байқалады, бірақ қазақстандық зерттеу ортасында Лианкур аралдарына (тастарына) байланысты дауды аз зерттеген мәселелердің біріне жатқызылуға болады. Жапония мен Оңтүстік Корея арасындағы аумақтық дау Лианкур аралдарының маңызы мен екі ел үшін экономикалық және саяси құндылығы туралы сұрақтарды туындайды. Авторлар Лианкур аралдарының мәселелерін геосаяси және геоэкономикалық тиімділік тұрғысынан қарастырады, өйткені дәл осы аралдардың аумақтық тиесілігін анықтау халықаралық дауда қай тараптың жеңетінін немесе жеңілетінін білдіреді. Соңғы жылдары Лианкур аралдарының меншігіне қатысты дау барған сайын шиеленісе түсті, әр тарап бұл аралдардың шығу тегі мен иелігі туралы өз нұсқасын алға тартады. Аралдардың ауданы бойынша үлкен емес және жартасты құрылымдар болғанына қарамастан, олардың экономикалық әлеуеті зор, өйткені соңғы мәліметтерге сәйкес, аралдарда пайдалы қазбалардың үлкен

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кен орындары бар. Аралдарға қатысты аумақтық дау және осы аралдарға тиесілі болу мәселесі екі мемлекет үшін аймақтағы халықаралық ықпалдың символына айналды. Лианкур аралдарына меншік құқығы мәселесі көп қырлы сипатқа ие және бұл мәселені егжей-тегжейлі қарастыру Оңтүстік Корея мен Жапония арасындағы халықаралық даудың мәнін жақсырақ ашуға мүмкіндік береді.

**Түйін сөздер:** Лианкур, Оңтүстік Корея, Жапония, территориялды қақтығыс, экономика.

**JEL codes:** F51, F52.

**Аннотация.** В исторической практике международных отношений было много различных конфликтов, которые возникали из-за споров по вопросу территориальной принадлежности. Однако, одним из малоизученных в казахстанской исследовательской среде является конфликт по поводу Лианкурских островов (скал). Данный многолетний диспут между Японией и Южной Кореей породил массу вопросов о значении островов Лианкур и их экономической и политической ценности для обеих стран. Авторы рассматривают проблематику островов Лианкур, с точки зрения геополитической и геоэкономической выгоды, так как, именно определение территориальной принадлежности данных островов будет означать какая из сторон выиграет или проиграет данный международный спор. За последние годы спор вокруг принадлежности островов Лианкур приобрел все более острый характер, каждая из сторон выдвигает свою версию происхождения и принадлежности данных островов. Несмотря на то, что острова не являются большими по площади и представляют из себя скалистые образования, они обладают большим экономическим потенциалом, так как, по последним данным в островах есть большие залежи полезных ископаемых. Территориальный спор за острова и проблематика принадлежности данных островов стала, для двух государств символом международного влияния в регионе. Проблематика принадлежности островов Лианкур имеет многоаспектный характер и детальное рассмотрение данной проблематики позволит нам лучше раскрыть сущность международного спора между Южной Кореей и Японией.

**Ключевые слова:** Лианкур, Южная Корея, Япония, территориальный спор, экономика.

**JEL codes:** F51, F52.

## Introduction

Japan and South Korea are not only close neighbors, but also important partners in both the economic and military-political spheres. The state of relations between them largely determines the political and economic climate in Northeast Asia.

The Liancourt rocks (South Korea calls it "Tokto" and Japan calls it "Takesima") are located in the East Sea, 215 km from mainland Korea and 211 km from the main Japanese island of Honshu. The nearest South Korean island of Ullindo is 87.4 km away, and the nearest Japanese territory - Oka island-is 157.5 km away.

The Liancur cliffs consist of two main islands and 33 small islands with many small reefs. After the end of World War II (1939-1945), the international community witnessed a rivalry between South Korea and Japan for ownership of Tokto/Takesima.

Both countries argue with each other on the basis of various factors, from historical facts, international law and nationalism. South Korea's main argument is that although Tokto belongs to it historically, geographically, and is based on international law, Japan claims that it bought the islands because the region was terra nullius or a draw.

Historically, the United States considered the Liancourt Rocks a sovereign territory of Japan (Pedrozo, 2016). However, shortly after the end of the Korean War, the

US position changed to "neutral". Since 1953, the United States has maintained neutrality on the issue of sovereignty, calling on both sides to resolve their differences peacefully, on a bilateral basis, or through third-party intervention. The US position was confirmed in 2014 by a representative of the State Department: "nothing has changed in our policy regarding the Liancourt Rocks. We do not take a position regarding the sovereignty of these islands" (Pedrozo, 2016). The position of the United States is understandable, given that it has contractual obligations to both disputing parties and is concerned that the ongoing separation of the islands may prevent the United States from forming a united front against China's confidence in the East and South China Seas.

Compared to Japan's territorial disputes with Russia and China, English-language books on a territorial dispute ("territorial dispute" or "territorial conflict") between Japan and Korea are relatively limited.

However, many articles have been published on this topic in academic journals, and a small number of these publications analyze the resolution of conflicts on the islands.

In order to fill this gap in research, this article presents a systematic analysis of territorial disputes using conflict analysis methods, as well as approaches to changing conflicts in terms of Peace Research and

conflict resolution.

### Methods and materials

The history of the dispute began when Japan won the Russo-Japanese War (1904-1905). During the war, Japan considered the potential of the Ullindo and Liancourt cliffs to monitor the activities of the Russian Navy. Thus, Japan built a watchtower and installed a telegraph underwater communication line as an early warning system for any Russian attack. Due to Liancourt's strategic location, on January 28, 1905, the Cabinet of Ministers of Japan unanimously decided to register it as "Takesima" on February 22 of the same year (Akimoto, 2020).

In addition, a notification was issued that Takesima was under the jurisdiction of Siman prefecture. Since this region was accepted as terra nullius, Tokyo granted it Rights by giving the islands a Japanese name. Thus, we can conclude that the victory of Japan in the war against the Russians began the occupation of Tokto (Kang, 2013).

The Koreans tried to officially protest the illegal incorporation by sending their representatives to the second Peace Conference held in The Hague (Netherlands) in 1907. However, they failed because Korea's sovereignty was in the hands of the Japanese in accordance with the Ylsa Treaty of 1905.

The treaty made the Korean Peninsula an imperial protectorate of Japan. Five years later, Japan officially occupied the Korean Peninsula for 35 years in accordance with the Japanese-Korean Treaty of 1910. Thanks to this annexation, Takesima came under the control of Japan. From the point of view of Japanese politicians, the fact that he was considered terra nullius and the signing of these treaties in 1905 and 1910 allowed the Imperial Government to legally seize Tokto as Takesima.

Unfortunately, the issue of Tokto/Takesima membership became more complicated when the San Francisco Peace Treaty of 1951 did not mention the sovereignty of the islands.

During the peace negotiations, the discussions concerned Japan's recognition of South Korea's sovereignty, as well as the denial of all rights, titles, and claims to Korea, including Kelpart island (Jejudo), Port Hamilton (Comundo), and Dagelet

(Ulleungdo). During the development of the project, both South Korea and Japan tried to support the United States in terms of Tokto/Takesima sovereignty. Preparing the project was difficult, as some projects claimed Takesima's sovereignty to belong to Japan, while others proposed South Korea as the rightful owner (Mayali, Yoo, 2018).

On September 8, 1951, a peace treaty was officially signed between the Allied powers and Japan in San Francisco, but the final document did not mention the status of Tokto/Takesima.

The decision not to include the status of Tokto/Takesima in the treaty may have been due to security reasons that influenced the need to create a safe place from the invasion of North Korea during the Korean War (1951-1953). Thus, it can be assumed that Tokto/Takesima became a geopolitical buffer zone for Japan and the United States to limit the spread of communism in the East Asian region.

After such actions, it can be said that the Korean nation was disappointed, as a result of which the Korean President declared sovereignty over the adjacent sea or Lee line to the first South Korean President Lee son Man (1948-1960) on January 18, 1952. The jurisdiction of the Rhee Line extended an average of 60 nautical miles off the coast of South Korea and off of Tokto. This statement indirectly sent a signal to Japan that Tokto is South Korean territory. The Lee line basically replaced the MacArthur line and drove the Japanese out of the East Sea. Many Japanese ships were captured and shelled because fishermen broke the net. Therefore, Japan officially protested (Bae, 2012).

Japan demanded that the Takesima conflict be referred to the International Court of Justice (ICJ), but this request was not supported by South Korea. In January 1965, Japanese Foreign Minister Shiina Etsusaburo (1964-1966) arrived in Seoul to propose a solution to the Takesima problem, and South Korea again refused to satisfy this request. The normalization agreement between South Korea and Japan was not included (Ismail, 2017). Later, South Korea needed Japan's help for its economic development. Any conflict threatened Japan's share. Finally, both countries agreed to resolve the dispute through diplomatic channels. However, the fact that South

Korea is a former colony of Japan made it difficult to resolve the dispute. Between 1965 and 2004, bilateral relations were good, despite long-standing resentments about Dokdo/Takeshima. However, in January 2004, the situation worsened when South Korea issued stamps depicting various Dokdo paintings. Postage stamps, known as the "nature of the Tokdo", renewed the bilateral conflict. Japanese official argued that the release of the Dokdo stamp violated the spirit of cooperation. On this issue, South Korea stressed that Dokdo is part of its territory, assuring the Japanese that it is a violation of Korean sovereignty. In response, Japan decided to release its own set of Takeshima stamps, but then abandoned it due to deterioration. Two years later, the Dokdo/Takeshima problem was again raised when the Japanese Coast Guard planned to conduct a naval Survey near the islands in April 2006. This plan caused a negative reaction among South Koreans. According to the survey, South Korea has stepped up security around Dokdo and arrested Japanese coastguards. The Japanese argued that the region is within its exclusive economic zone, which means that South Korea does not need to get its consent. Since Dokdo was the first Korean territory colonized by Japan, Ro Mu Hyun, then Prime Minister of South Korea, viewed the island as a symbol of Korean sovereignty and criticized Japan's actions and demanded that they be held accountable for the difficulties they caused. As a result, Korea officially apologized for its previous occupation of the territory. With the intervention of the United States, both Jaolan and South Korea eventually retreated.

In the 1990s, the leaders of Japan and South Korea tried to overcome the heavy burden of the colonial past with the slogan of building "future-oriented relations". At the turn of the millennium, these relationships even experienced a certain explosion. Its symbol was the joint holding of the 2002 World Football Championship.

In addition to the postage stamp and sea exploration stories, tensions between South Korea and Japan over Dokdo/Takesima usually escalated when the Japanese published their own history textbooks. Japanese-approved textbooks are of concern to the South Korean government, as it has been accepted that the

educational materials contain distorted realities and controversial stories, such as descriptions of Japanese colonization and the coercion of women to engage in sexual activities. Controversial textbooks usually provoked a reaction from Koreans. For example, on April 5, 2005, about 3,000 demonstrators set fire to Japanese-related videos in front of the Japanese Embassy in Seoul, protesting against the approval of textbooks. South Korean officials condemned the action, although Japanese officials claimed to have corrected the problem.

Moreover, the government planned to build amenities and infrastructure in Dokdo that could provide human life. However, the Ministry of National Defense of Korea rejected the idea, fearing an escalation of a potential military conflict between Seoul and Tokyo. In addition, the ministry believes that the deployment of armed forces on the islands may be interpreted by the international community as a disputed area, which will weaken Seoul's sovereignty over Dokdo. Such a step will give Tokyo the opportunity to be ready for use. Verbal clashes between Seoul and Tokyo continued despite attempts to maintain normality in bilateral relations.

In 2012, the situation escalated again when then – South Korean President Lee Myung-bak (2008-2013) suddenly visited Dokdo. This was the first visit of the president of South Korea. This visit was perceived as a nationalist and symbolic position. This action angered the Japanese government, and Tokyo temporarily summoned the Japanese Ambassador to Seoul. At the same time, Japan threatened not to comply with its currency agreement with South Korea. Finance Minister Jun Azumi said at a press conference on August 17, 2012 that if Japan decides to stop the currency swap, it will dramatically affect the value of the Korean won. In addition, Korean exports showed high inflation rates. Subsequently, imported products were cheaper than Korean ones. So, although the swap deal ended in 2012, both governments eventually decided to restore it.

Currently, Japanese-South Korean relations have cooled to the lowest level in history. Both Tokyo and Seoul see the reasons for this in the growing nationalism in the partner country. This situation is reflected



in the unprecedented negative growth in the perception of public opinion of the neighboring country, both Korean and Japanese. Political conflicts between Tokyo and Seoul also affect trade and economic ties.

## Results

The purpose of this article is to analyze how domestic policy contributes to the Liancur rocks dispute, as well as to determine the role of this issue in the strategic rapprochement between Japan and South Korea.

In this article, the arguments arising in the leading arbitration decisions and decisions on territorial disputes apply to disagreements between the Republic of Korea and Japan on the territorial issue of Liancur rocks. First, this article describes factual data and contradictory statements regarding the Liancourt Rocks. Secondly, the relevant cases on territorial disputes were explained and analyzed.

Tokto significantly expands the territory and airspace of Korea, although it is true that it remains a small and rocky island. Located halfway from the East Sea, Tokto includes rich fishing areas and mineral deposits, and also plays an important role in national defense as a coastal protection base in the East Sea.

The Watchtower in tokto was built by the Japanese Army in 1905 during the Russo-Japanese War. They took some of the classified information through the Watchtower and attacked the Russian Baltic Fleet. Due to the importance of the aforementioned Tokto, Japan is accused of territorial disputes over ies (Special Economic Zones) (Ismail, 2017).

It is known that the economic value is, in particular, the island of Tokto, where the cold current of North Korea and the warm current of Tsushima from the South intersect, is a fishing area with a large number of migratory fish, as it is rich in plankton. The main sources of income for fishermen are migratory fish such as salmon, trout, cod, as well as Alaska Pollack, catfish, squid and Sharks.

The military value of Dokdo was fully demonstrated in the Battle of the Don sea during the Russo-Japanese war in 1905. At that time, Japan ignored the dominance of

Korea, and the island was renamed "Takeshima". During the Russo-Japanese war of 1905, by a decision of the Japanese Department of internal affairs, Eungido, through a government notification to Shimanae-Hyun, Japan unilaterally joined its administrative jurisdiction. Then, on August 19, 1905, they built a watchtower in Dokdo and won a major victory over the Russian Navy. The current Korean government has established a highly effective air defense radar base and approved it as a strategic base. He can easily obtain military information for the security of the country. According to the North Gyeongsan province, the ocean will be a science base. From 1998 to 2001, with an investment of 7.2 billion won, a structure of 50 Peng was created at a distance of about 800 m northwest of Dokdo (*Daegu Daily Newspaper, December 4, 1998*). Through the base, it will be easy to understand the state of the ocean around Dokdo. It is also expected to overcome the study of the Earth's environment, support the activities of the ocean industry and effectively prevent ocean pollution, as well as the high impact factor of the weather forecast, through the accurate input of ocean state data.

Geological value Dokdo was created as a result of underwater volcanic activity before the formation of Ullindo between 4500,000 and 2500,000 years ago during the "Pliocene epoch" of the 3rd Cenozoic Era. Compared to the creation periods of ullindo and Jejudo, Dokdo is the oldest of them. From a geological point of view, Dokdo is a volcanic sea that for a long time hardened the lava burning by the activity of the underwater crust in the East Sea. Dokdo was originally a single island, including Dongdo and Seodo, but the soft rocks were naturally cut off by repeating the action of wind erosion and water erosion. As a result of coastal erosion, sharp and steep sea cliffs cut with a knife were formed, and in addition to the Tidal platform, such as the North Seodo and the West Coast were formed. Dokdo, which has a unique geological structure, is a very important example from a geological point of view. Lava from the sea floor and cataclasite breccia (crushed fracture by rapid cooling) come to the surface of the water and explode, and then come into contact with the air. The rocks formed by this process consist of trachyte, andesite, and intrusive rocks as

treasures of petrology. The formation of a volcanic sea mountain on the surface of the water is a rare occurrence. Due to erosion and shrinkage activity, it is difficult to maintain its original shape for a long time, but Dokdo is an international geological monument reflecting the process of evolution of the sea mountain.

Japan has stored research data on the hydrate layer and then installed a test product system. On June 17, 1998, an unprecedented layer of gas was discovered on the continental shelf. As for the map showing the oil discovery points of China and Japan at a distance of 50 km from South-Eastern Ulsan, the oil-bearing region was occupied by 30 drilling operations from the East China Sea, South-Eastern Ulsan, from the coast of Dokdo to the coast of western Japan. On the vast continental shelf of 300,000 km<sup>2</sup> (175 drilling with Japan on 380,000 km<sup>2</sup>) and including 12 drilling with a foreign company were officially carried out in accordance with the oil research commitment clause for the sale of oil on the continental shelf of the Korean Peninsula. Referring to the estimated map of the distribution of the "hydrate" layer in the East Sea and the tendency of the Russian Institute of science to find oil, it is highly likely that Dokdo island has a large number of offshore oil resources and, therefore, is economically profitable. The cost of the island will be higher (*Cabinet Secretariat Commissioned Research Project, 2017*).

### Discussions and Conclusion

South Korean claims South Korean claims to Tokto date back to the 18th century, when Usanguk was annexed by the Silla dynasty in 512 BC. Usanguk was an island kingdom consisting of Ullindo and Tokto. In addition, South Korea also claims that along with Tokto Ullindo, it was popular not only in Japan, but also in Europe. On the map of the kingdom of Korea, drawn in 1737 by the French geologist Jean Baptiste Bourignon d'anville, Toto was known as Tien-Chan-Tao, which is an old Chinese name "Usando", as well as the Chinese name "Ullindo". Therefore, it is appropriate to say that Tokto is a Ullindo app owned by Korea (*Ismail, 2017*). Political instability in the royal family at the beginning of the Joseon dynasty led to the plowing of the seas by Japanese pirates.

The Joseon government could not ensure Ullindo's safety. Therefore, the Joseon government pursued a policy of free islands in 1416. Although many residents were evacuated, some were engaged in agriculture and fishing. After the Japanese invasion of Busan and Seoul led by Toetomi Hideyoshi in 1592 and 1598, the government ordered the evacuation of the remaining civilians. In many cases, the Japanese recognized Tokto's sovereignty in their ancient documents. On a map of three neighboring countries compiled by the Japanese military scientist Hayashi Shihei in 1785, Ullengdo and Tokto were designated as the property of Joseon.

In 1693, during the An Yong Bok incident, when Korean and Japanese fishermen fought for fishing rights, Japan again recognized that Tokto belonged to Joseon (*Min, 2019*). During the Tokugawa Shogunate, Japanese fishermen were forbidden to go under sail and fish around these islands. In other words, the shogunate regarded Joseon as the rightful owner of Tokto. South Korea has always claimed that there were fewer levers to fight Japan because of the Japanese colonization of the Korean Peninsula. For example, Korea was helpless, and Tokto was annexed to Siman prefecture during the Russo-Japanese war in 1905. In addition, since Ullindo and Tokto were no longer independent, Korea did not have the right to protest against the Japanese incorporation. For South Korea, the Cairo Declaration of 1943 and the Potsdam Declaration of 1945 effectively put an end to Japanese colonialism and forced it to abandon all occupied territories, including Tokto. South Korea also determined that the withdrawal of SCAPIN No. 677 by the Allied powers defined Japan's territory as consisting of the four main islands of Hokkaido, Honshu, Kyushu, Shikoku, and about 1,000 small islands. In addition, the records of the Supreme Commander for the Allied Powers Instruction Notice (SCAPIN) state that Ullengdo, Tokto and Jejudo were expelled from the territory of Japan. Indirectly, Tokto's sovereignty was transferred to the US military government in Korea from January 29, 1946, until the establishment of South Korea on August 15, 1948. Most importantly, the declaration of independence of the American Tokto was included in the fifth section of SCAPIN No. 677. It clearly

states that the definition of Japan in this directive applies to all future directives, memoranda and orders at headquarters, unless otherwise specified. From this point of view, we can conclude that Tokto's sovereignty remained inaccessible to the US military government in South Korea. Therefore, South Korea holds the view that the transfer of sovereignty was carried out before the establishment of the country itself. This means that Tokto was, in fact, an automatically indivisible territory from the hands of the Americans to the newly created South Korea. Japan's demands to prove takezima's sovereignty have strengthened Tokyo's efforts to gain support from domestic and international powers. For example, Japan published a pamphlet called "10 issues of Takesima" in 2008. According to Japan, the earliest Japanese records documenting Takesima ownership date back to the 17th century (*Chang, 2020*). At that time, Ullundo was known as Utsure or Takesima during the Edo period (1603-1867). During this time, two Japanese families from Yonago, a province of Hoki named Ohya and Murakawa, received permission from the Tokugawa shogunate in 1618 to fish for takeshimat and collect the sea source, which was offered to the Shogun as a tribute.

Furthermore, Japanese fishermen used Matsushima, or modern Takesima, as a navigation port and a place for catching sea lions. As mentioned above, in 1962, a dispute arose between Korean and Japanese fishermen over the right to fish in Takesim. In the end, this led to the capture of Korean fisherman an Yong Bock. By transferring the Andes to the Joseon government, the Japanese expressed a written protest against the invasion of the territory of Takezima by Korean fishermen. However, the Joseon government said that Ullindo belongs to Joseon, and it regularly sends its officials to patrol Ullindo. As a result of the investigation and interpretation of Tottori Prefecture, the Japanese declared Takezima not part of Japanese territories. However, Japan claims that Takesima's sovereignty was never discussed during The an Yong Bok incident (*Min, 2019*). In addition, both countries discussed fishing rights and the ban on Japanese passage to Takesima, but they claim that the Matsushima issue was not raised. Although the Tottori domain in 1693 confirmed that Japan had no control

over Ullindo, Japan expressed the opinion that Matsushima was a stopover for Japanese fishermen. Subsequently, the Japanese argued that if Tokugawa Matsushima was recognized as foreign territory, it should be banned in accordance with Sakoku's policy, which banned foreigners from entering Japan in 1653. In addition, according to Sekisui Nagakubo's book "Kaisei Nippon Yohi Rotei Zendzu", published in 1779 (a revised detailed map of Japanese lands and roads), this proves that Takesima was part of Siman prefecture. The location of Takesima and Matsushima is recorded precisely between the Korean Peninsula and Oka island. More, in a written request sent in 1681 by the third generation of the Oya Shogunate Tokugawa family, the following description is given: on the way to Takesima (Utsure island), there is a small island of about 20 Cho (an ancient Japanese unit of length, about 109.1 meters). No grass or trees. The island consists of rocks. Twenty - five years ago, with the permission of the Shogun, through Abe Shirogoro, I sailed on a boat to the island. On this small island, I hunted with a few seahorses and collected fish oil. The distance from dugo Fukuura on Okinoshima island to this small island is about 60 miles (*Ismail, 2017*).

Japan also claimed that the rapid growth of sea lion hunting in the late 20th century led to the fact that one of the inhabitants of Oka island, Youro Nakaya, wanted the legal right to work there, so in 1904 he asked the government for permission. The goal is to monopolize the sea lion hunting business. Nakai was given a three-year lease from 1905-1908. According to this application, Takesima was duly registered in the state land register and included in Siman Prefecture in 1905. To emphasize its power over takezima, Japan created a system for issuing licenses for hunting sea lions until 1941. Thus, the above claimed that Japan, in addition to being aware of the existence of the island, actively conducted economic activities in Matsushima by its citizens. In addition, it was believed that Japan granted sovereignty to the region by licensing and using Matsushima's economic resources. South Korea's statements about an Yong Bock's activities on the claimed island were questioned by the Japanese government. It stated that his visit occurred only after the



Tokugawa Shogunate banned him from entering the island. Similarly, neither the Ohya family nor the Murakami family visited the island. Thus, from the point of view of the Japanese government, an Yong Bock's testimony was mainly made by a man guilty of violating the national prohibition policy in his country. Japan also accepted the United States' refusal to recognize South Korean claim to Tokto as an attempt to strengthen its claims to Takesima. During the conclusion of the San Francisco Peace Treaty of 1951, South Korea asked Takesima to be included in the list of regions that Japan should refuse. However, this request was rejected by the United States and Takesima stated that it was never part of Korean territory. This is stated in one of the reports of US Ambassador Van Fleet, published in 1986. The United States (Takesima) came to the conclusion that it would remain under Japanese sovereignty, and the island was not included in the list of islands that Japan liberated from its property in accordance with the peace treaty. In 1947, the US Armed Forces released the legal records of Supreme Commander for the Allied Powers Instruction Notice (SCAPIN) and decided to use Takesima as a military training ground (Chang, 2020). To protect the Japanese government, the issuance of U.S. notifications to allow and communicate with the Japanese on this issue was perceived as a recognition that Takesima was part of Japanese territory.

Territorial disputes can create instability and tension, which leads to a complete conflict. Failure to resolve such conflicts creates tension not only for the Warring States, but also for the international community. Although South Korea refuses to refer the case to the International Court of Justice, there are other ways to resolve this issue. These include international arbitration and mediation. International arbitration as mentioned above, the refusal to accept the decision of the International Court of Justice does not allow legal proceedings. In addition to judicial regulation, international arbitration is one of the leading methods of resolving disputes and conflicts. Mediation, in addition to arbitration, is another form of dispute resolution between two or more parties. The UN Charter, in its Article 33 (1), lists mediation as a peaceful method of resolving international disputes.

The Tokto/Takesima issue has become an obstacle to high-level cooperation between South Korea and Japan. This is due to differences in views; South Korea still holds its bitter past firmly as a former colony. Japan, on the other hand, has failed to understand the sensitivity of South Korea and refuses to recognize the brutality of the colonial period. Disagreements were expressed in a dispute that belonged to Tokto / Takesima. In addition, the San Francisco Peace Treaty of 1951 and the basic relations Treaty of 1965 did not resolve the conflict. While the agenda of the San Francisco peace agreement was to ensure US interests in East Asia, the main 1965 agreement was mainly aimed at Economic Cooperation and compensation for South Korea (Pollmann, 2015). The behavior of the two countries at different times led to an escalation of tension. The president's visits, the issue of postage stamps, as well as surveys are just a few of the acts in which Japan and South Korea participated. This, of course, increased distrust of the relationship. As society moves towards a new world order, it is very important that the conflict is resolved responsibly. Although national borders are blurred in many regions of the world, this is not the case in East Asia. Therefore, South Korea and Japan should choose an international court, international arbitration, or an intermediary method of resolving the issue. Another idea is to create a joint administration of Tokto and Takesima between South Korea and Japan. Failure to solve this problem can have serious consequences not only for Seoul and Tokyo, but also for the region as a whole.

Today the dispute between the countries continues actively. For example, in 2021, a Japanese restaurant added a provocative dish of rice "islands" and curry to the menu, which resembles a disputed territory in shape and designates a Japanese flag on it. The reaction from South and even North Korea was not long in coming. The South Korean newspaper Dong-A-Ilbo pointed out that this is a "typical cheap trick" of the Japanese, and the North Korean website Uriminzokkiri warned that the dish reveals "Japan's ambitions to seize the islands."

The frequent stay of Koreans in Dokdo before and after the "free island" policy



proves that Dokdo was never terra nullius and was always under Korean rule. Consequently, the Japanese occupation of

Dokdo was illegal. Thus, it can be argued that Dokdo is part of Korean sovereignty

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## ОҢТҮСТІК КОРЕЯ МЕН ЖАПОНИЯ АРАСЫНДАҒЫ ХАЛЫҚАРАЛЫҚ ДАУДАҒЫ ЛИАНКУР АРАЛЫНЫҢ ПРОБЛЕМАТИКАСЫ

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## ПРОБЛЕМАТИКА ОСТРОВА ЛИАНКУР В МЕЖДУНАРОДНОМ СПОРЕ МЕЖДУ ЮЖНОЙ КОРЕЕЙ И ЯПОНИЕЙ

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