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## Comments by the Republic of Korea On S-23 WG Letter No.03/2011

With reference to the S-23 WG Letter No.03/2011 (“S-23 Working Group Reporting to Member States”) dated 24 May 2011 and proposals contained therein, the Republic of Korea wishes to make the following comments:

### 1. On Report of S-23 Working Group to Member States

- The Chair Group’s proposal to include the “Proposals to Member States: Way Forward” (Section 4 of Annex C) in the S-23 WG Report is inappropriate. It is the mandate of the S-23 WG, not the entire membership of the IHO, to produce the draft 4<sup>th</sup> edition of S-23. According to the TOR, the IHO Member States are to give “*subsequent approval*” for the draft 4<sup>th</sup> edition of the S-23, not specific comments on how to improve the document. Above all, the WG must first find a common position through consensus before presenting a particular proposal to the IHO Member States.

### 2. On Future Course of Actions for the S-23 WG

- It must be noted that with regard to the proposal contained in S-23 WG Letter No.02/2011 dated 21 March 2011, only a small number of countries (six) indicated support while a greater number of countries (thirteen) either opposed the proposal or offered alternative views.<sup>1</sup> Furthermore, two out of three directly concerned countries, the Republic of Korea and the Democratic People’s Republic of Korea, have clearly expressed their objections to the way forward. Consequently, it is evident that this proposed way forward is not a feasible solution to resolve the issue at hand.

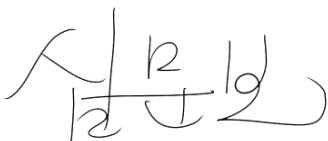
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<sup>1</sup> Since the circulation of the S-23 WG Letter No.03/2011, three more members of the S-23 WG have submitted their comments to the IHB. As of 2 June 2011, nineteen (19) responses have been posted on the IHO website.

- In the absence of consensus, discussions in the WG must continue taking the views of directly concerned parties fully into account. The Republic of Korea takes the firm position that “East Sea” should be used concurrently with “Japan Sea”. This simultaneous use of two names fulfills the function of the S-23 effectively and complies with the IHO Technical Resolution A.4.2.6. It also serves to enhance navigational safety in the sea area where the name “East Sea” is currently used at both the domestic and international levels. It is the method supported by the Republic of Korea and the Democratic People’s Republic of Korea, the two directly concerned parties, and also by two other members of the S-23 WG.
- The Republic of Korea would like to emphasize that it remains open to any constructive suggestions for a resolution of this pressing issue. We recognize that there are other options on the table that warrant equal attention from the WG. A case in point is the Final Draft of the S-23 in 2002 that left the pages blank on the sea area between the Korean Peninsula and the Japanese Archipelago. The two volume approach suggested by the Chair of the 17<sup>th</sup> IHO Conference in 2007 is another option the WG may further explore.

The Republic of Korea believes that a balanced and impartial approach on the part of the Chair Group is essential at this crucial juncture. In this regard, we welcome the Chair Group’s statement in the reference S-23 WG Letter No.03/2011: “The Chair Group of the S-23 acts on the decisions taken, respects and treats fairly all comments and amendments offered by members of the S-23 WG.”

Regarding the text and structure of the draft report of S-23 Working Group to Member States (Annex C), the Republic of Korea shall provide additional comments in due course.



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