

Forum: Six Party Talks (SPT)
Question of: Preventing the escalation of territorial disputes in East Asia
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Introduction

From the recent catastrophes seen in the Ukraine-Russian war, we can see how long-lasting territorial disputes between nations can gradually lead to violence or even war. Again, we are reminded of the UN's responsibility to help prevent these issues from emerging by preventing the escalation of territorial disputes. Wars and fights caused by territorial disputes have been in history for a long time, ranging from the Mexican-American War over Texas and bordering provinces, such as Santa Fe de Nuevo Mexico and Alta California, to the ongoing border attacks between India and Pakistan over the border that they share. ¹Solutions to solving these territorial disputes would need "*Bonds of Unity*" as countries would need to work together and go further than their differences of ideas to come to settlements and methods to move on forward without complications. Resolutions to these disputes will also extend the "*Bonds of Unity*," creating peaceful and mutually helpful relationships between countries.

Territorial disputes usually stem from the long history of conflicts between nations. These territories are usually related to regions with natural resources or cultural, religious, or ethnic importance to the country. The history of conflicts between these countries has led to this region being passed between the nations, maybe even multiple times. Additional treaties are in place to place boundaries between these countries; however, because of the vague unclear wording and the lack of specificity in the treaties, countries bring the conflicts back. For example, the Diaoyu/Senkaku islands have been in a territorial dispute between China and Japan for a long time. China originally controlled the islands until 1895, when Japan took over the islands. ²At the end of World War II, Japan surrendered to the Allied powers and signed the Treaty of San Francisco. This treaty made Japan return most of the territory that they took from China. ³However, the treaty has specifically named certain regions, but the treaty never named the islands. After the US took control of the islands, they gave them back to the Japanese.

¹ Yahuda, Michael. "South Asia | China and the Kashmir Crisis." BBC News. BBC, June 2, 2002. http://news.bbc.co.uk/2/hi/south_asia/2020788.stm.

² "Narrative of an Empty Space." The Economist. The Economist Newspaper. Accessed July 20, 2022. <https://www.economist.com/christmas-specials/2012/12/22/narrative-of-an-empty-space>.

³ Ji, Guoxing. "Policy Paper 19: Maritime Jurisdiction in the Three China Seas." eScholarship, University of California, November 4, 2002. <https://escholarship.org/uc/item/7rq2b069>.

25th Annual Session of the **Seoul Model United Nations**

However, the Chinese citizens were furious, stating that these islands were supposed to be returned to them.⁴

In territorial conflicts, each nation tries to defend and assert its sovereignty over the region through different modes of action. In the past, nations would just use force to invade the area; however, now international law prohibits the use of force to take a territory of a different country. “All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or any other manner inconsistent with the Purposes of the United Nations.” states the UN Charter.⁵ Territorial disputes are very contentious because it deals with the very basis of international law of the fundamental right and sovereignty of countries. The Montevideo Convention was a treaty to create the criteria for statehood that was signed during the Seventh International Conference of American States. Article 1 of the convention states, “a person of international law should possess the following qualifications: (a) a permanent population; (b) a defined territory; (c) government; and (d) capacity to enter into relations with other States.”⁶

Although many conflicts are still ongoing and arise again after a while, some countries have gone into negotiations to create a line of control, which is a border that they have created to split the territory of dispute into agreeable parts so that each country would have their territory. In other instances, countries resolve the issue with an agreement on border and territory, although they may not agree on the recognition of who governs the territory. This is the case for the territory of Taiwan. The Republic of China, also known as Taiwan, believes they govern the land, but The People’s Republic of China maintains the idea that they govern Taiwan.⁷ Another way countries tried to solve these problems is by creating a buffer zone between the states to prevent the states from conquering each other. An example of this is the Korean Demilitarized Zone, also known as the DMZ, between North and South Korea.

⁴ “Clarifying the Senkaku Islands Dispute.” The Wall Street Journal. Dow Jones & Company, September 21, 2010. <https://www.wsj.com/articles/SB10001424052748704129204575505141368553952>.

⁵ “United Nations Charter (Full Text).” United Nations. United Nations. Accessed July 20, 2022. <https://www.un.org/en/about-us/un-charter/full-text>.

⁶ “Montevideo Convention on the Rights and Duties of States.” The Faculty of Law. Accessed July 20, 2022. <https://www.jus.uio.no/english/services/library/treaties/01/1-02/rights-duties-states.xml>.

⁷ projects, Contributors to Wikimedia. “Additional Articles of the Constitution of the Republic of China.” Wikisource, the free online library. Wikimedia Foundation, Inc., October 27, 2016. https://en.wikisource.org/wiki/Additional_Articles_of_the_Constitution_of_the_Republic_of_China.

⁸ projects, Contributors to Wikimedia. “Constitution of the People's Republic of China.” Wikisource, the free online library. Wikimedia Foundation, Inc., April 4, 2022. https://en.wikisource.org/wiki/Constitution_of_the_People%27s_Republic_of_China.

25th Annual Session of the **Seoul Model United Nations**

There are a lot of territorial disputes between countries of the Six-Party Talks and outside countries, but there are some that are within the countries within the Six-Party Talks. First, North and South Korea have a territorial dispute about the Korean peninsula. The North Korean Constitution claims that: “The Democratic People’s Republic of Korea is an independent socialist State representing the interests of all the Korean people.”⁹The “all the Korean people” part of Article 1 of the Constitution is referring to all Koreas, North, and South, in the peninsula. On the other hand, Article 3 of the Constitution of South Korea states, “The territory of the Republic of Korea shall consist of the Korean peninsula and its adjacent islands.”¹⁰As stated explicitly, the article is referring to all citizens of the peninsula, containing North Korea. Currently, the countries are held apart by a buffer zone, the DMZ. However, during the Korean War, both nations resorted to violent methods to invade and get the land that they “own,” as stated in their respective constitutions. To this day, there is still animosity between the two countries at their borders, resulting in some shootings.

Another important territorial dispute is the Dokdo/Takeshima island. Korea initially incorporated it into their nation in 1145. The Geography Section of the Annals of King Sejong’s Reign, written in 1454, shows that Dokdo was claimed by Korea. However, Japan claimed it in 1905 to keep watch over Russian naval fleets. “Dokdo was the first Korean territory to fall victim to the Japanese aggression,” says Pyun Yung Tai, the minister of foreign affairs for the Republic of Korea.¹¹After the Korean revolution, World War I and II, and near the end of the Korean War, Japan was forced to return Dokdo to Korea instructed by the Supreme Commander for the Allied Powers Instruction Note (SCAPIN), written in 1946. Dokdo symbolizes Korea’s sovereignty. However, Japan claims that the land is inherently theirs.

There are other territorial disputes including the Yalu/Amrok River, Tuman River, Tannu Uriankhai, Senkaku Islands, Baekdu Mountain, and Abagaitu Islet. The various territorial disputes among the members of the Six-Party Talks pose a danger for a greater conflict arising in the future that might even lead to violence and war between nations.

⁹ projects, Contributors to Wikimedia. “Constitution of North Korea (1972, Rev. 1998).” Wikisource, the free online library. Wikimedia Foundation, Inc., May 28, 2022.

[https://en.wikisource.org/wiki/Constitution_of_North_Korea_\(1972,_rev._1998\)](https://en.wikisource.org/wiki/Constitution_of_North_Korea_(1972,_rev._1998)).

¹⁰ projects, Contributors to Wikimedia. “Constitution of South Korea.” Wikisource, the free online library. Wikimedia Foundation, Inc., June 23, 2022. https://en.wikisource.org/wiki/Constitution_of_South_Korea.

¹¹ “Mofa Republic of Korea.” Dokdo, Beautiful Island of Korea. Accessed July 20, 2022. <https://dokdo.mofa.go.kr/eng/>.

Definition of Key Terms

Territorial Dispute

Territorial disputes are disagreements over the sovereignty over geographical boundaries and regions between different states or nations. Many territorial disputes are over border territories that hold valuable natural resources or hold special importance to countries. Territorial disputes often are embedded in the history of countries. Territorial disputes can escalate to violent wars and invasions. All member nations of Six-Party Talks have been in some sort of territorial dispute before. All of the countries, except the United States, still have territorial disputes with other countries in Asia.

Sovereignty

Sovereignty gives authority to a state or entity to control. According to B.T. Sumner, “ownership of territory is significant because sovereignty over land defines what constitutes a state.”¹² Countries take part in territorial disputes to obtain sovereignty over the region. Sovereignty recognizes the official ownership of a region by a nation or state.

Buffer Zone

A buffer zone is an area between two different states that act as a neutral region to prevent nations from invading each other. Buffer zones are usually demilitarized and made to prevent violence, especially when used in times of territorial disputes. An example of a buffer zone is the DMZ between North and South Korea. This neutral zone is used as a temporary solution to territorial disputes as it prevents invasions.

Irredentism

Irredentism is the political movement to attempt to take back territories that the state or nation has politically or ethnically lost or displaced. The mentality behind irredentism is that they want to regain their “wrongfully lost” territories. It is often used as a claim when taking part in expansionism. This word is closely associated with revanchism, which is seeking revenge for lost territory.¹³ The best example of irredentism in Asia is China. China successfully attempted to regain sovereignty over Hong Kong that

¹² Sumner, Brian Taylor. “Territorial Disputes at the International Court of ... - Duke Law Research.” Accessed July 20, 2022. <https://scholarship.law.duke.edu/cgi/viewcontent.cgi?article=1227&context=dlj>.

¹³ Driver, Strobe. “Irredentism, Nationalism and a Looming Asia-Pacific War.” E, April 29, 2018. <https://www.e-ir.info/2018/04/13/irredentism-nationalism-and-a-looming-asia-pacific-war/>.

they politically lost in the past. Another example is the Russian invasion of Ukraine, which was based on the ideology of irredentism.

Natural Resources

Natural resources are materials that are from nature that can be used for commercial or industrial purposes. Many territorial disputes are over regions with natural resources because each country wants to profit from the resources that can be found in that area. For example, the South China Sea, an area with a lot of lucrative oils and minerals, is being fought over by multiple countries.¹⁴ Natural resources allow the economy of nations to prosper and improve.

Arbitration and Adjudication

Arbitration is a method of resolution of a dispute, when an arbitrator, a third party, participates to help decide on the issue. The arbitrator helps the countries come to a solution to the territorial dispute. This is a way for the resolution to be more unbiased and fair. An example of an arbitrator can be the International Court of Justice. These judges help to adjudicate the dispute and come to a resolution.

¹⁴ Li, Lea, Thomas Leung, and Karif Wat. "China's Ongoing Border Disputes." South China Morning Post. Accessed July 20, 2022. <https://www.scmp.com/video/china/3099112/explained-history-chinas-territorial-disputes>.

Timeline of Key Events

September 5, 1905 Treaty of Portsmouth

To formally end the Russo-Japanese War, the Treaty of Portsmouth was signed.¹⁵ Japan also wanted official confirmation and recognition of the sovereignty of Sakhalin, which they captured. Roosevelt proposed a solution to divide Sakhalin. However, Witte said that Japan should keep Sakhalin, but Japan should also lower the claims for reparations.¹⁶ The United States had a significant role in this treaty. Roosevelt got the Nobel Peace Prize for his efforts in the peace negotiations.

December 26, 1933 - Montevideo Convention on the Rights and Duties of States

The Seventh International Conference of American States was held in Montevideo, Uruguay in 1933. During this conference, they signed the Montevideo Convention, which contains the definitions, rights, and duties of statehood. These articles have been recognized internationally as many organizations and entities see them as an accurate representation and statement on statehood. Article 1 states, “The state as a person of international law should possess the following qualifications: (a) a permanent population; (b) a defined territory; (c) government; and (d) capacity to enter into relations with the other states.” Article 3 further states, “The political existence of the state is independent of recognition by the other states.” Finally, Article 11 states, “The contracting states definitely establish the rule of their conduct, the precise obligation not to recognize territorial acquisitions or advantages that have been obtained by force whether this consists in the employment of arms, in threatening diplomatic representations, or in any other effective coercive measure...”¹⁷ Territorial disputes came up as regions wanted their sovereignty to claim statehood, as stated by Article 1, but also because they wanted to be recognized by other nations as a separate entity for Article 2. Article 11 states that it is prohibited to use military and violent force to gain sovereignty over any region or area.

September 8, 1951 - Treaty of San Francisco

The Treaty of San Francisco is a treaty that includes war reparations during World War II. This treaty worked to end the imperial power of Japan and returned full sovereignty to regions that Japan had

¹⁵ “Text of the Treaty.; Signed by the Emperor of Japan and Czar of Russia.” The New York Times. The New York Times, October 17, 1905.
<https://www.nytimes.com/1905/10/17/archives/text-of-the-treaty-signed-by-the-emperor-of-japan-and-czar-of.html?scp=6&sq=order%2Bof%2Bmeiji&st=p>.

¹⁶ Kowner, Historical Dictionary of the Russo-Japanese War, p. 300-304.

¹⁷ Kreijen, Gerard, and Robert Yewdall Jennings. *State Failure, Sovereignty and Effectiveness: Legal Lessons from the Decolonization of Sub-Saharan Africa*. Leiden: Boston, 2004.

25th Annual Session of the **Seoul Model United Nations**

obtained sovereignty over. Japan also compensated reparations to those who were victims of Japanese war crimes. This treaty formally declares Japanese abandonment of any rights to Korea, Taiwan, Hong Kong, the Kuril Islands, and other regions.¹⁸ Japan also agreed to give up many islands under its sovereignty, such as the Bonin Islands and the Ryukyu Islands, to UN trusteeship. The treaty also included the end of future military aggression based on the guidelines of the UN Charter. However, territorial disputes rose as part of the description of which islands Japan renounced sovereignty to was vague. Examples of territorial disputes include the Dokdo/Takeshima dispute, Kuril Island dispute, and the Senkaku Island dispute.

October 19, 1956 - Soviet–Japanese Joint Declaration

The Soviet Union did not sign the Treaty of San Francisco because the Soviets thought that there was no prevention of Japanese militarism. The Soviet Union signed a Joint Declaration with Japan in 1956 to end the state of war and create diplomatic relations with each other.¹⁹ As part of Article 9 of the declaration, the Soviet Union agreed to give Japan the Habomai Islands and the island of Shikoton. Japan tried to solve territorial disputes in this declaration by adding clauses, but the Soviet Union wanted to leave territorial disputes for a different time. Japan constantly demanded all four Kuril islands, and this is where the Kuril islands dispute began.²⁰

June 17, 1971 - Okinawa Reversion Agreement

The Okinawa Reversion Agreement was between the United States and Japan. Its main goal was to reverse Article III of the Treaty of San Francisco. The United States agreed to return the sovereignty of the Ryukyu Islands and Okinawa Prefecture, but also added a condition that the American military would be able to use the islands.²¹ The United States agreed to the transfer of ownership of the islands to help maintain peace and create strong relations within democratic countries.

1985 - North Korea - Soviet Union Border Agreement

¹⁸ Hara, Kimie. "50 Years from San Francisco: Re-Examining the Peace Treaty and Japan's Territorial Problems." *Pacific Affairs* 74, no. 3 (2001): 361–82. <https://doi.org/10.2307/3557753>.

¹⁹ "Texts of Soviet-Japanese Statements; Peace Declaration Trade Protocol." *The New York Times*. The New York Times, October 20, 1956. <https://www.nytimes.com/1956/10/20/archives/texts-of-sovietjapanese-statements-peace-declaration-trade-protocol.html?sq=Soviet-Japanese%2BJoint%2BDeclaration&scp=1&st=p>.

²⁰ Brown, James D J. *Japan, Russia and Their Territorial Dispute: The Northern Delusion*. Routledge, n.d.

²¹ Mitchell, Jon. "What Awaits Okinawa 40 Years after Reversion?" *The Japan Times*, February 18, 2013. <https://www.japantimes.co.jp/life/2012/05/13/general/what-awaits-okinawa-40-years-after-reversion/#.UVzWnavwJ8J>.

25th Annual Session of the **Seoul Model United Nations**

The Soviet Union and North Korea signed an agreement to draw a border between the two nations. They claim that this border goes along the middle of the Tumen River. Both nations agreed that the Noktundo island is part of Russia. However, South Korea did not acknowledge this agreement. South Korea continues to claim that Noktundo is part of Korean territory.

February 25, 1992 - Law on the Territorial Sea and the Contiguous Zone

The Law on the Territorial Sea and the Contiguous Zone of the People's Republic of China was put into effect at the 24th meeting of the Standing Committee of the National People's Congress on 25 February 1992. The law is mostly about China expressing its right to exercise sovereignty over its territory. China claims in this law that they have sovereignty over Taiwan, islands around China, and also the South China Sea. Article 10 states that countries and ships that cross the borders without any permission would be immediately evicted.²²

November 1, 1994 - United Nations Convention on the Law of the Sea III

Arvid Pardo, an ambassador of the United Nations addressed in his speech to the General Assembly about the issues between nations affecting relations on seas. This convention had the goals to maintain peace and create peaceful relations between nations. UNCLOS also proposed a dispute resolution system. This resolution system started with the obligation to settle this dispute in non-violent methods. Both parties of the dispute propose a solution to the dispute, but if the parties don't agree, the resolution encourages the parties to share their perspective on the dispute and the settlements that have been proposed. If these methods don't work, the convention encourages the parties of the dispute to resort to a third party, such as the International Tribunal for the Law of the Sea or the International Court of Justice²³

November 4, 2002 - Declaration on the Conduct of Parties in the South China Sea

Members of ASEAN signed the Declaration on the Conduct of Parties in the South China Sea in Phnom Penh in 2002. This declaration emphasizes the freedom of navigation in the South China Sea. It also tries to create and maintain friendly relations between nations and their governments by resolving jurisdictional disputes through peaceful means. The declaration also states, "The Parties undertake to

²² Fitzmaurice, Gerald. "Some Results of the Geneva Conference on the Law of the Sea. Part I. The Territorial Sea and Contiguous Zone and Related Topics." *The International and Comparative Law Quarterly* 8, no. 1 (1959): 73–121. <http://www.jstor.org/stable/755157>.

²³ Severino, Rodolfo C. "ASEAN and the South China Sea." *Security Challenges* 6, no. 2 (2010): 37–47. <http://www.jstor.org/stable/26459936>.

25th Annual Session of the **Seoul Model United Nations**

exercise self-restraint in the conduct of activities that would complicate or escalate disputes and affect peace and stability including, among others, refraining from action of inhabiting on the presently uninhabited islands, reefs, shoals, cays, and other features and to handle their differences in a constructive manner.”²⁴

July 2008 - Ongoing - Escalations of Dokdo/Takeshima Dispute

Dokdo/Takeshima, also known as the Liancourt Rocks, is one of the most contentious territorial disputes in Asia. In 2008, the Japanese Ministry of Education told Japanese textbook publishers to include Takeshima as Japanese territory. They went on to encourage teachers to teach their students on Japanese territory that they claimed included Takeshima. However, South Korea had sovereignty over Dokdo/Takeshima. The South Korean government and citizens were outraged and they recalled its ambassador to Tokyo, a sign of discontent. The Japanese did the same when Lee Myung-bak, the South Korean president of that time, visited Dokdo/Takeshima. More recently, the two countries have gone into a trade war. The Dokdo/Takeshima dispute is one of the reasons why the relationship between South Korea and Japan has been very rocky.^{25,26,27}

²⁴ “Declaration on the Conduct of Parties in the South China Sea.” Maritime Awareness Project. Accessed July 20, 2022.

<https://map.nbr.org/2020/10/declaration-on-the-conduct-of-parties-in-the-south-china-sea/#:~:text=The%20Declarati on%20on%20the%20Conduct,in%20the%20conduct%20of%20activities.>

²⁵ Sang-hun, Choe. “Desolate Dots in the Sea Stir Deep Emotions as South Korea Resists a Japanese Claim.” The New York Times. The New York Times, August 30, 2008.

<https://www.nytimes.com/2008/08/31/world/asia/31islands.html>.

²⁶ “Dokdo Dispute Bursts Back into Flame.” Korea JoongAng Daily. Accessed July 20, 2022.

<https://koreajoongangdaily.joins.com/2008/07/14/politics/Dokdo-dispute-bursts-back-into-flame/2892325.html>.

²⁷ Tasevski, Olivia. “Islands of IRE: The South Korea–Japan Dispute.” The Interpreter. The Interpreter, April 27, 2020. <https://www.lowyinstitute.org/the-interpreter/islands-ire-south-korea-japan-dispute>.

Position of Key Member Nations and Other Bodies

South Korea

South Korea has been part of many long-standing territorial disputes. One of the disputes that became hostile was the contention on the Dokdo islands. This dispute goes deep into the history of the two nations. For South Korea, the possession of the Dokdo islands represents the opposition against the Japanese colonial ages of Korea when Koreans were executed, taken advantage of, etc.²⁸ It is a symbol of pride and independence. Recently, South Korean citizens have been protesting on the island of Dokdo that the island is a territory of the Republic of Korea. South Korea wants more compensation for Korean forced “comfort women” to fix the bilateral relationship with Japan.²⁹

North Korea

North Korea has a strong alliance with China. The Korean war tightened their relationship. Although they seem to have a friendship, there are still border disputes between the two countries. North Korea claims that the Korean kingdom in history has conquered parts of China and it was their territory. However, China replied that they do not consider the past conquering of China as relevant to the territorial discussions.³⁰ Mount Paektu is one of the disputes between these two nations. For North Korea, this mountain has been the point of much propaganda. For example, one propaganda story states that Kim Jong Il was born in a camp on Mount Paektu.³¹

China

China strongly opposes the idea that other countries get involved in its territorial disputes, especially the United States after they publicly showed national interest in getting involved. China wants its disputes to remain as bilateral issues that would be solved only by the nations in the disputes. China thinks that US intervention in these disputes is for the sole purpose of rebalancing power away from

²⁸ “Meaning of Dokdo to Koreans.” Friendly Korea. Accessed July 21, 2022. <http://korea.prkorea.com/wordpress/english/2012/03/13/meaning-of-dokdo-to-koreans/#:~:text=Also%2C%20Dokdo%20is%20the%20symbol%20of%20pride%20in%20Koreans.&text=However%2C%20failing%20to%20abandon%20its,militarism%20from%20ever%20reviving%20again.>

²⁹ “[Editorial] Japan's New Diplomatic Bluebook Repeats Inaccurate Claims on ‘Comfort Women,’ Dokdo.” [Editorial] Japan's new diplomatic bluebook repeats inaccurate claims on "comfort women," Dokdo : Editorial & Opinion : News : The Hankyoreh. Accessed July 21, 2022. http://english.hani.co.kr/arti/english_edition/english_editorials/993019.html.

³⁰ Gomà Pinilla, Daniel. “Border Disputes between China and North Korea.” China Perspectives. French Centre for Research on Contemporary China, April 19, 2007. <https://journals.openedition.org/chinaperspectives/806>.

³¹ “Kim Jong-Un: North Korean Leader Rides up Mount Paektu.” BBC News. BBC, December 4, 2019. <https://www.bbc.com/news/world-asia-50655693>.

25th Annual Session of the **Seoul Model United Nations**

China from a hidden standpoint, contributing to the increasing tensions between nations of dispute.³² China believes that territorial disputes with North Korea are less important than their alliance, so they dismiss most of the territorial issues. China gave North Korea 80% of the islands in the Yalu and Tumen Rivers.³³

Japan

Japan has been in various territorial disputes on islands around their sea. Japan believes that territorial disputes represent the overwhelming power of China on nearby nations. Japan also thinks that this is where they can show their independence without the US's help in disputes with strong nations such as China. Japan has been taking its territorial disputes with China very seriously, almost to the brink of war, as a rebalancing strategy to regain regional power from China. Japan has been buying islets from Private Japanese owners to regain its territories. Many regions that Japan claims sovereignty over are resource-rich islands in the East China Sea. Japan claims sovereignty over the Kuril Islands because the islands are inhabited by ethnic Japanese.³⁴

Russia

Russia has several territorial disputes with East Asian countries. Russia controls the Kurile Islands that Japan claims sovereignty over. Other disputes include Senkaku (Diaoyu) Islands, the Tokto (Takeshima) Islands, Paracel Islands, and the Spratly Islands. A lot of Russia's stance on territorial disputes is based on its trades and investment relationships.³⁵ Russia is in disputes over the East China and the South China Sea as they have a lot of natural resources.

United States

United States diplomacy in Asia has been heavily dependent on territories in East Asia. It is a U.S. policy that the United States does not have territories in this region and that they do not take the side or position of a specific country in territorial or sovereignty disputes. The United States would rather take

³² Ryall, Julian. "Chinese, Japanese Ships Face off Again near Diaoyu amid Rising Tension." South China Morning Post, February 22, 2021.

https://www.scmp.com/week-asia/politics/article/3122630/chinese-japanese-chase-each-other-near-disputed-diaoyu-islands?module=perpetual_scroll_1&pgtype=article&campaign=3122630.

³³ Gomà Pinilla, Daniel. "Border Disputes between China and North Korea." China Perspectives. French Centre for Research on Contemporary China, April 19, 2007. <https://journals.openedition.org/chinaperspectives/806>.

³⁴ Tasevski, Olivia. "Islands of IRE: The South Korea–Japan Dispute." The Interpreter. The Interpreter, April 27, 2020. <https://www.lowyinstitute.org/the-interpreter/islands-ire-south-korea-japan-dispute>.

³⁵ Zheng, Krystal. "Russia's Position on Territorial Conflicts in East Asia." East View Press, April 12, 2022. <https://www.eastviewpress.com/russias-position-on-territorial-conflicts-in-east-asia/>.

25th Annual Session of the **Seoul Model United Nations**

the position to support freedom of navigation on these seas. Furthermore, the United States strongly opposes countries that resort to violent or intimidating methods to assert their sovereignty on territories. Recently, the Obama Administration took steps to involve the US more in these disputes. They wanted countries in East Asia to comply with international law during territorial disputes. The US-Japan Security Treaty, a treaty that states that the United States is responsible to protect "the territories under the Administration of Japan.", keeps the United States connected to these territorial disputes.³⁶

³⁶ “Maritime Territorial Disputes in East Asia: Issues for Congress.” EveryCRSReport.com. Congressional Research Service, May 14, 2014.
<https://www.everycrsreport.com/reports/R42930.html#:~:text=The%20most%20serious%20sets%20of,the%20Diaoyutai%20Islands%20by%20Taiwan.https://www.everycrsreport.com/reports/R42930.html#:~:text=The%20most%20serious%20sets%20of,the%20Diaoyutai%20Islands%20by%20Taiwan.>

Suggested Solutions

As many territorial disputes can lead to violent altercations and even war, it is important to solve the problem effectively. Two types of solutions can be used to tackle the issue of territorial disputes. The first type is the direct solution that tackles the problem of territory and sovereignty itself. The other type is the indirect solution that strives to solve this issue through methods that do not involve directly the border lines and territory.

First, when involving a direct resolution, border lines must be drawn to indicate the sovereignty and jurisdiction of countries. If a region is divided by a borderline, states would not have any overlapping region, allowing each nation to have full sovereignty over part of the region. An example of this is the border between Russia and North Korea. After the nations agreed on a line to be the border, the islands' sovereignty was easier to determine.

If both countries cannot agree on a single line to be the border between both nations, they can create a zone of an intermediary character, allowing both nations to exercise jurisdiction. An example is the Japan-Republic of Korea fishery agreement of 1999. This agreement created a large zone in the Sea of Japan where ships from both countries were allowed to fish and cooperate to conserve the biosystem. Both nations were able to expand their fishing industry. However, some issues may arise as management of the intermediary zone is difficult and the islands and natural landforms become a point of conflict.

Another method is to lower the border barrier, allowing a more free flow of goods and people. This solution is a mix of the previous two resolutions.³⁷ Although a border shows the nation of sovereignty in the region, it will allow both countries to interact with the full region. By lowering the border barrier, the countries can promote free trade and the globalization of the economy.

However, coming to previous resolutions can be difficult in countries with varying intentions and priorities. One solution that is often proposed is to solve disputes peacefully through arbitration and adjudication. Arbitration and adjudication usually require a third party, such as an international court. This solution strives for a fair way to come to a consensus on the border between the two countries and the sovereignty of the region. It also promotes a democratic way to solve international disputes.

Although solving disputes in an international court is ideal, many countries such as China and Japan think that the involvement of third parties is more detrimental to the issue, expanding the gap

³⁷ Okano, Masataka*. "How to Deal With Border Issues: A Diplomat-Practitioner's Perspective ." Accessed July 21, 2022. https://src-h.slav.hokudai.ac.jp/publicn/eurasia_border_review/no1/04_Okano.pdf.

between the countries' diplomacy. As more third-party countries participate in the attempt to solve the issue, the dispute might become on a larger scale. By allowing the countries directly involved to solve the issue, they can find what each country wants. In some disputes, one country only wants natural resources while another country wants sovereignty for historical purposes. When differences like such happen, they can come to a compromise that gives sovereignty to one country but natural resource extraction rights to the other country.³⁸

Parties can also resort to using indirect solutions. One indirect solution is the use of economic cooperation and partnerships. As countries' economic cooperation develops and becomes complex, it becomes complicated to continue territorial disputes, recognizing mutual economic harms. The reason why a lot of territorial disputes are in a state of stalemate is that countries that are neighbors are usually important trade partners. Territorial disputes harm the trade between the nations. For example, we have seen Japan and South Korea's trade wars in 2019-2020. The Japanese government removed South Korea from their "white list," which is a list of prioritized trading. This led the South Korean government and citizens to boycott Japanese products. Japan put strict controls on materials crucial to semiconductors, South Korea's top export product, ruining the relationship between the two countries.³⁹

Economic cooperation can help the countries come to a peaceful solution or even stay in the status quo, to prevent their economy from being affected. Solving territorial disputes with an agreement is a great way to improve relations between neighboring nations. This is important for national security and for creating "*Bonds of Unity*."

³⁸ Mitchell, Sara. "Territorial Disputes." obo. Accessed July 21, 2022. <https://www.oxfordbibliographies.com/view/document/obo-9780199743292/obo-9780199743292-0178.xml#:~:text=Territorial%20disputes%20can%20be%20resolved,borders%20in%20the%20long%20run.>

³⁹ Kim, Catherine. "The Escalating Trade War between South Korea and Japan, Explained." Vox. Vox, August 9, 2019. [https://www.vox.com/world/2019/8/9/20758025/trade-war-south-korea-japan.](https://www.vox.com/world/2019/8/9/20758025/trade-war-south-korea-japan)

Bibliography

- Brown, James D J. *Japan, Russia and Their Territorial Dispute: The Northern Delusion*. Routledge, n.d.
- “Clarifying the Senkaku Islands Dispute.” *The Wall Street Journal*. Dow Jones & Company, September 21, 2010. <https://www.wsj.com/articles/SB10001424052748704129204575505141368553952>.
- “Declaration on the Conduct of Parties in the South China Sea.” Maritime Awareness Project. Accessed July 20, 2022. <https://map.nbr.org/2020/10/declaration-on-the-conduct-of-parties-in-the-south-china-sea/#:~:text=The%20Declaration%20on%20the%20Conduct,in%20the%20conduct%20of%20activities>.
- “Dokdo Dispute Bursts Back into Flame.” *Korea JoongAng Daily*. Accessed July 20, 2022. <https://koreajoongangdaily.joins.com/2008/07/14/politics/Dokdo-dispute-bursts-back-into-flame/2892325.html>.
- Driver, Strobe. “Irredentism, Nationalism and a Looming Asia-Pacific War.” *E*, April 29, 2018. <https://www.e-ir.info/2018/04/13/irredentism-nationalism-and-a-looming-asia-pacific-war/>.
- Fitzmaurice, Gerald. “Some Results of the Geneva Conference on the Law of the Sea. Part I. The Territorial Sea and Contiguous Zone and Related Topics.” *The International and Comparative Law Quarterly* 8, no. 1 (1959): 73–121. <http://www.jstor.org/stable/755157>.
- Gomà Pinilla, Daniel. “Border Disputes between China and North Korea.” *China Perspectives*. French Centre for Research on Contemporary China, April 19, 2007. <https://journals.openedition.org/chinaperspectives/806>.
- Hara, Kimie. “50 Years from San Francisco: Re-Examining the Peace Treaty and Japan’s Territorial Problems.” *Pacific Affairs* 74, no. 3 (2001): 361–82. <https://doi.org/10.2307/3557753>.
- Ji, Guoxing. “Policy Paper 19: Maritime Jurisdiction in the Three China Seas.” eScholarship, University of California, November 4, 2002. <https://escholarship.org/uc/item/7rq2b069>.
- “Kim Jong-Un: North Korean Leader Rides up Mount Paektu.” *BBC News*. BBC, December 4, 2019. <https://www.bbc.com/news/world-asia-50655693>.
- Kim, Catherine. “The Escalating Trade War between South Korea and Japan, Explained.” *Vox*. Vox, August 9, 2019. <https://www.vox.com/world/2019/8/9/20758025/trade-war-south-korea-japan>.
- Kreijen, Gerard, and Robert Yewdall Jennings. *State Failure, Sovereignty and Effectiveness: Legal Lessons from the Decolonization of Sub-Saharan Africa*. Leiden: Boston, 2004.
- Li, Lea, Thomas Leung, and Karif Wat. “China's Ongoing Border Disputes.” *South China Morning Post*. Accessed July 20, 2022. <https://www.scmp.com/video/china/3099112/explained-history-chinas-territorial-disputes>.

25th Annual Session of the **Seoul Model United Nations**

“Maritime Territorial Disputes in East Asia: Issues for Congress.” EveryCRSReport.com. Congressional Research Service, May 14, 2014.

<https://www.everycrsreport.com/reports/R42930.html#:~:text=The%20most%20serious%20sets%20of,the%20Diaoyutai%20Islands%20by%20Taiwan.https://www.everycrsreport.com/reports/R42930.html#:~:text=The%20most%20serious%20sets%20of,the%20Diaoyutai%20Islands%20by%20Taiwan.>

“Meaning of Dokdo to Koreans.” Friendly Korea. Accessed July 21, 2022.

<http://korea.prkorea.com/wordpress/english/2012/03/13/meaning-of-dokdo-to-koreans/#:~:text=Also%2C%20Dokdo%20is%20the%20symbol%20of%20pride%20in%20Koreans.&text=However%2C%20failing%20to%20abandon%20its,militarism%20from%20ever%20reviving%20again.>

Mitchell, Jon. “What Awaits Okinawa 40 Years after Reversion?” The Japan Times, February 18, 2013.

<https://www.japantimes.co.jp/life/2012/05/13/general/what-awaits-okinawa-40-years-after-reversion/#.UVzWnavwJ8J>.

Mitchell, Sara. “Territorial Disputes.” obo. Accessed July 21, 2022.

<https://www.oxfordbibliographies.com/view/document/obo-9780199743292/obo-9780199743292-0178.xml#:~:text=Territorial%20disputes%20can%20be%20resolved,borders%20in%20the%20long%20run.>

“Mofa Republic of Korea.” Dokdo, Beautiful Island of Korea. Accessed July 20, 2022.

<https://dokdo.mofa.go.kr/eng/>.

“Montevideo Convention on the Rights and Duties of States.” The Faculty of Law. Accessed July 20, 2022. <https://www.jus.uio.no/english/services/library/treaties/01/1-02/rights-duties-states.xml>.

“Narrative of an Empty Space.” The Economist. The Economist Newspaper. Accessed July 20, 2022.

<https://www.economist.com/christmas-specials/2012/12/22/narrative-of-an-empty-space>.

Okano, Masataka*. “How to Deal With Border Issues: A Diplomat-Practitioner's Perspective .” Accessed July 21, 2022. https://src-h.slav.hokudai.ac.jp/publicitn/eurasia_border_review/no1/04_Okano.pdf.

projects, Contributors to Wikimedia. “Additional Articles of the Constitution of the Republic of China.”

Wikisource, the free online library. Wikimedia Foundation, Inc., October 27, 2016.

https://en.wikisource.org/wiki/Additional_Articles_of_the_Constitution_of_the_Republic_of_China

projects, Contributors to Wikimedia. “Constitution of North Korea (1972, Rev. 1998).” Wikisource, the free online library. Wikimedia Foundation, Inc., May 28, 2022.

[https://en.wikisource.org/wiki/Constitution_of_North_Korea_\(1972,_rev._1998\)](https://en.wikisource.org/wiki/Constitution_of_North_Korea_(1972,_rev._1998)).

25th Annual Session of the **Seoul Model United Nations**

projects, Contributors to Wikimedia. “Constitution of South Korea.” Wikisource, the free online library. Wikimedia Foundation, Inc., June 23, 2022.

https://en.wikisource.org/wiki/Constitution_of_South_Korea.

projects, Contributors to Wikimedia. “Constitution of the People's Republic of China.” Wikisource, the free online library. Wikimedia Foundation, Inc., April 4, 2022.

https://en.wikisource.org/wiki/Constitution_of_the_People%27s_Republic_of_China.

Ryall, Julian. “Chinese, Japanese Ships Face off Again near Diaoyus amid Rising Tension.” *South China Morning Post*, February 22, 2021.

https://www.scmp.com/week-asia/politics/article/3122630/chinese-japanese-chase-each-other-near-disputed-diaoyu-islands?module=perpetual_scroll_1&pgtype=article&campaign=3122630.

Sang-hun, Choe. “Desolate Dots in the Sea Stir Deep Emotions as South Korea Resists a Japanese Claim.” *The New York Times*. The New York Times, August 30, 2008.

<https://www.nytimes.com/2008/08/31/world/asia/31islands.html>.

Severino, Rodolfo C. “ASEAN and the South China Sea.” *Security Challenges* 6, no. 2 (2010): 37–47. <http://www.jstor.org/stable/26459936>.

Sumner, Brian Taylor. “Territorial Disputes at the International Court of ... - Duke Law Research.” Accessed July 20, 2022.

<https://scholarship.law.duke.edu/cgi/viewcontent.cgi?article=1227&context=dlj>.

Tasevski, Olivia. “Islands of IRE: The South Korea–Japan Dispute.” *The Interpreter*. The Interpreter, April 27, 2020. <https://www.lowyinstitute.org/the-interpreter/islands-ire-south-korea-japan-dispute>.

Tasevski, Olivia. “Islands of IRE: The South Korea–Japan Dispute.” *The Interpreter*. The Interpreter, April 27, 2020. <https://www.lowyinstitute.org/the-interpreter/islands-ire-south-korea-japan-dispute>.

“Text of the Treaty.; Signed by the Emperor of Japan and Czar of Russia.” *The New York Times*. The New York Times, October 17, 1905.

<https://www.nytimes.com/1905/10/17/archives/text-of-the-treaty-signed-by-the-emperor-of-japan-and-czar-of.html?scp=6&sq=order%2Bof%2Bmeiji&st=p>.

“Texts of Soviet-Japanese Statements; Peace Declaration Trade Protocol.” *The New York Times*. The New York Times, October 20, 1956.

<https://www.nytimes.com/1956/10/20/archives/texts-of-sovietjapanese-statements-peace-declaration-trade-protocol.html?sq=Soviet-Japanese%2BJoint%2BDeclaration&scp=1&st=p>.

“United Nations Charter (Full Text).” United Nations. United Nations. Accessed July 20, 2022.

<https://www.un.org/en/about-us/un-charter/full-text>.

25th Annual Session of the **Seoul Model United Nations**

Yahuda, Michael. "South Asia | China and the Kashmir Crisis." BBC News. BBC, June 2, 2002.

http://news.bbc.co.uk/2/hi/south_asia/2020788.stm.

Zheng, Krystal. "Russia's Position on Territorial Conflicts in East Asia." East View Press, April 12, 2022.

<https://www.eastviewpress.com/russias-position-on-territorial-conflicts-in-east-asia/>.

"[Editorial] Japan's New Diplomatic Bluebook Repeats Inaccurate Claims on 'Comfort Women,' Dokdo."

[Editorial] Japan's new diplomatic bluebook repeats inaccurate claims on "comfort women," Dokdo

: Editorial & Opinion : News : The Hankyoreh. Accessed July 21, 2022.

http://english.hani.co.kr/arti/english_edition/english_editorials/993019.html.