The Study of the Sovereignty over Dokdo Island

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Dokdo - Ulleungdo

The location of Dokdo-2

East Sea

The location of Dokdo-3
The official map of Japan by Edo-Shogunate (1821): There is no Dokdo.

The official map of Japan by Meiji Government (1877): There is no Dokdo.
The map of Korea, made in Japan (1894), with Dokdo and Ulleung-do.

Dokdo can be seen from Ulleung Island.
• Oki local Japanese government reported to Edo-syogunate that Ulleung-do and Dokdo belonged to Gwanwon-Province of Joseon(Korea) in 1696.

• Japanese former Prime Minister Yoshihiko Noda explained to the Japanese National Diet three key points why Dokdo is Japanese territory on August 24th, 2012.

• This event was broadcast live worldwide for the purpose of maximizing the propaganda effects.
1) The first reason for the Japanese claim over Dokdo: Japan asserts that it had established its ownership of Dokdo in the mid-17th century.

• (1) This assertion is based on the facts that fishermen of Tottori-han (present day Tottori Prefecture) had visited Ulleungdo, the main island of Dokdo, and Dokdo often for 70 years from around 1625 to 1693.

• (2) There are several records that those fishermen stayed on Dokdo and fished in the waters near by Dokdo.

• (3) In accordance with such facts, Japan argues for it’s the first practical sovereignty, alleging that there is no counter evidence for Korea.
• **TRUTH :** However, in 1696 the Samurai-led Edo shogunate, asked the Tottori governor who frequented Ulleungdo and Dokdo if there was any island related to Tottori-han except Ulleungdo.

• This fact reveals that the Edo Shogunate was not even aware of Dokdo’s existence.

• The governor was quoted as saying, “There is Matsushima (the Japanese name of Dokdo at that time), which is not our territory. And Matsushima does not belong to any province of Japan.”

• This meant that Dokdo did not belong to Japan.
Matsushima (=Dokdo) is not our territory. And Matsushima does not belong to any province of Japan (The report of Tottori-han in 1696).

- Official documents of Japan, published in 1870 and 1877 based on reviews of late 17th century records, concluded that Ulleungdo and Dokdo Islands are part of Korea, thus acknowledging Korea’s sovereignty over these islands at that time.

- Japan has claimed its established sovereignty from the mid-17th century, but at the end of the century, it actually admitted that Korea (Joseon) was entitled to Dokdo.
2) In 1870, the Japanese Ministry of Foreign Affairs reported to the Japanese Government that Ulleungdo (Takeshima: 竹島) and Dokdo (Matsushima: 松島=独島) were Korean (Joseon’s: 朝鮮) territory.

3) In 1877, the Dajokan (the Imperial Japanese Council of State) conveyed their opinion to the Ministry of Home Affairs that Takeshima (Ulleundo) and Matsushima (Dokdo) were not Japanese territory.

- The first page of the document states that Takeshima (Ulleundo) and its outer island (Dokdo) have no relation with our country (Japan).”
Also the 5th page of the same document states, “The outer land is Matsushima (松島 = Dokdo).” However, Japanese scholars refute that “the outer island of Takeshima (Ulleungdo) should not be regarded as Dokdo.”

However, the annexed Dajokan Directive map provides the definite evidence that the two islands which were not Japanese territory were Ulleungdo and Dokdo.
The island located below Ulleungdo was Matsushima (Dokdo). The Japanese Government concluded that the two islands were not Japanese territory but Joseon’s, reflecting a historical truth.

- As admitted in old Japanese documents, Dokdo belongs to Joseon (Korea).
- It is an absolute fabrication that Dokdo is indigenous Japanese land.
(2) The second reason presented by the former Prime Minister: Dokdo was officially consolidated into Oki islands, Shimane Prefecture in 1905.

Dokdo at that time was said by Japan to be terra nullius (land belonging to no one), and was incorporated within Shimane Prefecture based upon occupation.

But, the Japanese Ministry of Domestic Affairs at that time was opposed to the incorporation saying that the country did not need to alert the world Powers that Japan could swallow up the entire Korean Empire by taking up the rocky outcrop, which was possibly Korean territory.

However, the Ministry of Foreign Affairs, urgently persuaded other government organizations to include Dokdo in Japanese territory at the cabinet meeting in January 1905.
The islets were declared terra nullius on January 28th, 1905 and thus incorporated into Shimane prefecture on February 22nd under the name Takeshima which was the former Japanese name of Ulleungdo.

The Japanese government had referred to Dokdo by the name Matsushima in their history, but pretended to forget the historical fact.

The claim of terra nullius cannot be valid as Japan had already presented related official documents in 1870, stating that Matsushima (Dokdo) was Joseon territory and in 1877, that it was not Japanese territory.

The Japanese government was deceptive in suggesting that Dokdo was a newly discovered island in order to separate Dokdo’s incorporation from the official documents. In 1905 the Japan government pretended that Dokdo had no name.
• In 1900, the Korean Empire issued Imperial Edict No. 41 that Dokdo, marked as Seok-do (石島), meaning the stone (石) island (島), belonged to Ulleung County.

• Main content of Imperial Edict No. 41: "Ulleung County should govern the entire areas of Ulleungdo, Jukdo, and Seok-do (Dokdo)."
• Japan contends that Seokdo is not Dokdo, however, but rather that it is Gwaneum-do (觀音島).

• As Gwaneum-do has alternative names Kkaksae-seom and Dohang (島項), it had no reason to be called Seokdo. Dokdo is the only island matching the name Seokdo, which means “Stone Island”.

• According to ‘the True Record of Joseon Dynasty’, in 1882 King Gojong wanted to change the name of Usan-do, Dokdo’s old name, because the name of Usan-do was one of old Ulleungdo’s names.

• He suggested temporarily using the name Song-do instead of Usan-do.
In 1882, King Gojong decided to allow Ulleungdo to be populated.

- In 1403 King Taejong declared that Ulleungdo could not be inhabited because many Joseon people did not want to serve in the army of Joseon, so they escaped from the mainland and hided on Ulleungdo.
- From 1403 to 1882 Ullueungdo was uninhabited. However, King Gojong decided to change the policy in order to protect it from Japanese occupation.

- As a result, the first migrants to Ulleungdo amounted to about 120 people.
- About 90% of them came from Jeolla province, the southwest region of the Korean peninsula.
- They called Dokdo Dol-seom. ‘Dol’ means stone (石) and ‘seom’ means island (島) in original Korean.
- The name of Seok-do (石島) in Imperial Edict No. 41 is an expression of the Chinese characters for Dol-seom.
- The words ‘Dol’ and ‘seom’ are original Korean so they don’t have the Chinese characters.
• ‘Dol’ changed to ‘dok’ because of the Jeolla province dialect, so Dol-seom changed to Dok-seom.

• ‘Seom’ also changed to ‘do’ which means island in the Korean pronunciation of the Chinese character ‘島’.

• **Because of that** Dol-seom changed to Seokdo in the Chinese caracter, and changed to Dok-seom, Dokdo.

• The Japanese warship, Niidaka, wrote the first record of the name of Dokdo in 1904.

• **The warship Niidaka** recorded in its voyage log on September 25th, 1904 that, “Korean people write the name of these islets as Dokdo (独島), and our (Japanese) fishermen call them as Lianco-do, the shortend form of Liancort Rocks, a French name of these islets.” (韓人之を独島と書し、本邦漁夫等略してリアンコ島と称せり)

• One year before the Japanese incorporation of Dokdo in 1905, we can recognize that Korea had created the name of Dokdo.

• **At that time** Japanese people had forgotten the name Matsushima, because they didn’t visit Dokdo regularly for over 200 years. They didn’t think of Dokdo as their territory after the late 17th Century.
• It is noteworthy that the incorporation was secretly pursued.

• After that, Japan, having silenced all the superpowers, was able to force the Eulsa Treaty upon Korea in November 1905, depriving the country of all its diplomatic powers.

• After concluding the Eulsa Treaty, public servants of Shimane Prefecture visited Governor Shim Heungtaek of Ulleung County and informed him of Japan's newly established sovereignty over Dokdo as there was no longer any need for the Japanese government to hide what it had done.

• Shim Heung-Taek submitted a report to Gangwon-do Province stating “our county’s territory Dokdo (独島) was annexed to Japan.”

• This demonstrates that Ulleung county governor Shim Heung-Taek himself wrote the phrase ‘our county’s territory Dokdo (独島)’.

• After that the Korean government proclaimed that the incorporation of ‘Dokdo’ into Japan would never be true and ordered the governor to pay attention to the Japan’s future actions, making it clear that Dokdo was a part of Korea.
• The Japanese government insisted that Korea tacitly accepted Japan’s incorporation of Dokdo because they did not react with any protest against Japan’s declaration.

• However Korea, being militarily-annexed by Japan in 1904, was not in a position to protest the claim.

• Korean Emperor Gojong sent emissaries around the world to plead for assistance in Japan’s annexation of Korea.

• In March 1907, Emperor Gojong sent emissaries to the Hague Peace Conference to protest Japan’s annexation of Korea.
• **At that time,** Emperor Gojong was unable to protest directly against Japan.

• Emperor Gojong sent a secret letter to the Hague Peace Conference stating, “Korean Emperor never has yielded his independent right to foreign intervention.”

• **In July 1907,** Imperial Japan forced Emperor Gojong to abdicate the throne and disbanded the Korean Military. At the same time, Japan forced Korea to sign the unfair and biased “Jeongmi 7-Point Treaty” to control Korea in terms of diplomatic power and even domestic affairs.

• The Cairo Declaration in 1943 made it clear that territorial acquisitions by invasion were invalid.

• **As for** Noda’s second point, evidence suggests that Korea had practically ruled Dokdo before 1905.

• For example, the two countries signed a fisheries agreement in 1889 and agreed to impose taxes on ships of either country in coastal waters of the other.

  **In accordance with** the agreement, the Japanese Consulate in Busan paid tax to the Joseon government after collecting taxes from Japanese ships which fished near Ulleungdo.

• The ships then got fishing licenses for their activities in the region.

• Their operation at the end of the 19th century in Ulleungdo mainly focused on catching shellfish and harvesting seaweed.
• **There are also** a record (1902) of the Japanese Consulate in Busan that Japanese fishermen went to Dokdo to catch shellfish due to a lack of shellfish around Ulleungdo, and another record in Japan wrote that sea lions disturbed their fishing near Dokdo.

• **Japanese fishermen** brought shellfish from Dokdo to Ulleungdo and exported them to Japan.

• The governor of Ulleungdo levied taxes on the exports, demonstrating a strong evidence that Ulleungdo and Dokdo were under Korea’s jurisdiction in the late 19th century since imposing tax is a sovereign power of a country.

• **Thus,** Dokdo was not terra nullius before 1905 because it had an owner -- namely Korea.

• **This completely** annuls Japan’s claim of sovereignty over Dokdo based upon its 1905’s occupation of terra nullius.
• (3) **Noda put forth as the third reason for Japanese sovereignty over Dokdo the refusal by the US Department of State of Korea’s request to include Dokdo within the articles relating to Korea’s territorial sovereignty when the San Francisco Peace Treaty was being drafted in July 1951.**

• Noda is quoted as saying “Korea has illegally occupied Dokdo up to now by declaring the **Syngman Rhee Line** which Koreans called the **Peace Line**”.

• This remark should not be overlooked as it is the **essence of Japan’s theory** of unlawful occupation of Dokdo by Korea.
We can find that Japan distorted facts here, too.

- The Japanese government exaggerated the sole view of the U.S. as if all the Allied Forces had reached an agreement.

- It is true that the U.S. tried strategically to make Dokdo Japanese territory at that time.

- However, many countries among the Allied Powers maintained that Dokdo belonged to Korea, and the sole view of the U.S. does not constitute the conclusion of the San Francisco Peace Treaty.
• **Furthermore,** the U.S. rejection letter, 'Letter by Rusk' of Korea’s request related to the Treaty articles was secretly sent to Korea without the consent of the Allied Powers, and thus the San Francisco Peace Treaty did not define Dokdo as a part of Japan.

• **In this sense,** Japan has made a false case, too. The Allied Powers’ viewpoint of Dokdo was clearly illustrated in SCAPIN 677 issued by the General Headquarters of the Supreme Commander for Allied Powers in 1946, which stated that Dokdo was under Korea’s jurisdiction.
The SCAPIN-677 Directive stated that Dokdo was Korean territory in 1946.

• **The joint UK and US draft** of the San Francisco Peace Treaty with Japan (July 1951) excluded the name of Dokdo.

• The **Korean government** therefore requested the U.S. Department of State to include it in the Korean territory clause.

• **The U.S. Department of State,** led by John Foster Dulles, reviewed Korea’s request and sent the ‘Letter by Rusk’ to the Korean Government.

• The following is the key point in the ‘Letter by Rusk’.
“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 jurisdiction of Oki Islands Branch Office of Shimane prefecture of Japan. The island does not appear ever before to have been claimed by Korea”

This is the original text of the key message from ‘Letter by Rusk’. Japanese government have offered this document to establish that Dokdo is Japanese territory.

Letter by Rusk

or final renunciation of sovereignty by Japan over the areas dealt with 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 the Korean Government's request that 'Parangdo' be included among the islands named in the treaty as having been renounced by Japan has been withdrawn.
However, many American documents, refer to the ‘Letter by Rusk’ as a confidential document transferred in secret only to the Korean Government.

James Alward Van Fleet, Presidential envoy under Dwight D. Eisenhower mentioned in his Asian tour report (August 1953):

“The Republic of Korea has been confidentially informed of the United State position regarding the Islands but our position has not been made public.”

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4. Ownership of Dokto Island

The Island of Dokto (otherwise called Liancourt and Takeshima) is in the Sea of Japan approximately midway between Korea and Honshu (131.80°E, 36.20°N). This Island is, in fact, only 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.
The Letter by Rusk was the document sent to Korean government only confidentially and even the U.S. Embassy in Korea was unaware of it, thus their proclamation that they regarded Dokdo to be Korean territory. (from a letter sent to the Department of State from the U.S. Embassy in Korea, Nov. 1952)

John Foster Dulles served as the U.S. special envoy to the Peace Treaty with Japan, and later became U.S. Secretary of State. He acknowledged in an address that the ‘Letter by Rusk’ represented only the view of the U.S.

“The US view re Takeshima is simply that of one of many signatories to the treaty.” (from a document recorded by U.S. Secretary of State John Foster Dulles in 1954)
Department of State

Tokyo 136, repeated 3 Sept 51.

Department views of peace treaty negotiations and US administration decisions which would lead Japan of her international agreements to their former position in dispute with ROK over sovereignty questions. However, we have not had any knowledge of formal statement US position to ROK in Rusk note August 10, 1951, but not been communicated to Japanese. Department believes may be advisable or necessary at some time inform Japanese Government US position on Takeshima.

Difficultly this point in question of timing, as we do not wish to allow issues to develop difficultly between negotiations or interfere otherwise further their chances in their controversing, especially as light May current issues pending with ROK.

Despite US view peace treaty a determination under terms Potsdam Declaration and that treaty itself takes precedence to Japan. Despite our participation in

Potsdam and Georgetown accords under Administration agreement, it does not necessarily follow US substantially responsible for evoking or interfering in Japan's international disputes, territorial or otherwise, arising from Peace Treaty. Any fight or taking simply that of one of many signatories to Treaty.

Article 21 was framed for purpose settling treaty disputes. New element

Dispute with ROK over sovereignty Takeshima. However, to best our knowledge

Formal statement US position to ROK in Rusk note August 10, 1951, has not been communicated to Japanese. Department believes may be advisable or necessary at some time inform Japanese Government US position on Takeshima.

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Article 21 was framed for purpose settling treaty disputes. New element

not mentioned.
• **In the meantime**, no country demanded that Korea had to depart from Dokdo when Korea announced the Declaration of Sovereignty over Neighboring Seas in 1952 asserting that the islets were its territory.

• It was because the Allied Powers had no choice but to admit that Dokdo had been ruled by the Republic of Korea since it had been established 1948, and they tacitly agreed on Korea’s action even though the San Francisco Peace Treaty had not yet taken effect.

• **The Declaration was** legitimate self-defence made in a peaceful way at a time when Japan could overrun Korea’s fishing grounds based on the fact that the two countries had not signed any treaties.

• **As Japan’s claim of sovereignty over Dokdo is wrong** and Dokdo is not a disputed island, Korea has no basis to assent to Japan’s referral of the Dokdo issue to the International Court of Justice.
An image of Korean peninsula appears on the East Islet of Dokdo.