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REFERENCE:

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15 September 2009

Excellency,

I wish to refer to discussions, held at your request, concerning the use of the term "Sea of Japan" by the United Nations. In these discussions, you shared with me certain documents and statements that are publicly available and expressed concern that they stated, *inter alia*, that the term "Sea of Japan" had been "authorized" by the United Nations and that it is the "policy" of the United Nations to employ this term as the "standard geographical term" in its official documents. You have asked that the United Nations take action to correct these statements as they do not correctly reflect the reasons why the United Nations employs the term "Sea of Japan" in its official documents.

In the first instance, I am pleased to inform you that the United Nations has not "authorized" the use of the term "Sea of Japan", and its use by the United Nations Secretariat does not in any way constitute an official position or policy, but rather a practice which is based upon a comprehensive and internal review of available reference sources on this question. The United Nations employs the term "Sea of Japan" because current common cartographic practice indicates that this term continues to be the most commonly used and widely recognized designation for the sea area concerned. This is also what I communicated to you in my letters of 26 November 2008 and 28 May 2009 respectively.

Furthermore, this practice is without prejudice to the position of any Member State of the United Nations regarding this particular designation. The use by the United Nations of this term does not therefore constitute a basis for arguing that it constitutes the "standard geographical term" which other States should also employ. As indicated above, the United Nations uses this term because current cartographic practice indicates that it is the most commonly used and widely recognized designation for the sea area concerned.

His Excellency
Mr. Park In-kook
Permanent Representative of
the Republic of Korea to the United Nations
New York

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I also wish to reiterate that it is the policy of the United Nations to include a standard disclaimer in its documentation to the effect that the designations employed and the presentation of material on maps do not imply the expression of any opinion whatsoever on the part of the Secretariat of the United Nations concerning the legal status of any country, territory, city or area or of its authorities, or concerning the delimitation of its frontiers or boundaries. Accordingly, United Nations maps denoting the "Sea of Japan" bear a disclaimer to the effect that the boundaries and names shown do not imply official endorsement or acceptance by the United Nations.

Finally, as I indicated in my letter to you of 28 May 2009, we trust that States will work together with a view to reaching a mutually acceptable position on this issue, bearing in mind that the use by the United Nations of the term "Sea of Japan" in no way constitutes either an official position or policy nor an endorsement of that term and is without prejudice to the position that States may take with respect to this matter.

I trust that you will find the above clarifications useful.

Yours sincerely,

Patricia O'Brien
Under Secretary-General for Legal Affairs
The Legal Counsel

cc: Mr. Nambiar
Mr. Akasaka
Ms. Malcorra