

# **COMPILATION OF CONSTITUTIONAL AND LEGISLATIVE PROVISIONS ON TREATY PRACTICE OF THE REPUBLIC OF KOREA**

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## IMPORTANT NOTES

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This document was last amended in December 2012.

## **1. Constitution of the Republic of Korea, 1987**

[Extracts of relevant provisions]

...

### **Article 6:**

- (1)** Treaties duly concluded and promulgated under the Constitution and the generally recognized rules of international law shall have the same effect as the domestic laws of the Republic of Korea.
- (2)** The status of aliens shall be guaranteed as prescribed by international law and treaties.

...

### **Article 60:**

- (1)** The National Assembly shall have the right to consent to the conclusion and ratification of treaties pertaining to mutual assistance or mutual security; treaties concerning important international organizations; treaties of friendship, trade and navigation; treaties pertaining to any restriction in sovereignty; peace treaties; treaties which will burden the State or people with an important financial obligation; and treaties related to legislative matters.
- (2)** The National Assembly shall also have the right to consent to the declaration of war, the dispatch of armed forces to foreign states, or the stationing of alien forces in the territory of the Republic of Korea.

...

### **Article 73:**

The President shall conclude and ratify treaties; accredit, receive or dispatch diplomatic envoys; and declare war and conclude peace.

**Note:**

The full text of the Constitution of the Republic of Korea is available, both in English translation and as officially adopted in the Korean language, on the official website of the Constitutional Court of Korea at:

- [http://www.ccourt.go.kr/home/att\\_file/download/Constitution\\_of\\_the\\_Republic\\_of\\_Korea.pdf](http://www.ccourt.go.kr/home/att_file/download/Constitution_of_the_Republic_of_Korea.pdf)
- [http://www.ccourt.go.kr/home/information/low02\\_view.jsp?board\\_id=344&comm\\_id=B0002&pg=1&sch\\_sel=&sch\\_txt=&gubun=21&gubun\\_sub=](http://www.ccourt.go.kr/home/information/low02_view.jsp?board_id=344&comm_id=B0002&pg=1&sch_sel=&sch_txt=&gubun=21&gubun_sub=)

## 2. Statutory provisions related to treaty practice

### Government Organization Act, 2008

[Extracts of relevant provisions]

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#### Article 25 (Ministry of Foreign Affairs and Trade):

(1) The Minister of Foreign Affairs and Trade shall administer diplomatic relations, administer trade negotiations with foreign countries, and conduct the general management and coordination of trade negotiations with foreign countries, administer the coordination of duties on international relations, treaties and other international agreements, the protection of and support for Korean nationals abroad, the policy-making on overseas Korean residents and perform research and analysis on international situations.

...

#### Note:

The full text of the Government Organization Act (in English translation) can be accessed on the official website of Korea's Ministry of Government Legislation:  
<http://www.moleg.go.kr/english/korLawEng?pstSeq=54793&rctPstCnt=3&searchCondition=Ttl&searchKeyword=government+organization+act>