

**Territorial Sea Law No. 3037**  
**of 31 December 1977**

**Article 1**  
**Extent of the Territorial Seas**

The territorial seas of the Republic of Korea shall be the area of the seas up to an outer limit of twelve nautical miles measured from the baseline. However, the extent of the territorial seas in the specified area may be determined differently within the limit of twelve nautical miles in accordance with the Presidential Decree.

**Article 2**  
**Baseline**

1. The normal baseline for measuring the breadth of the territorial sea is the low-water line along the coast as marked on large-scale charts officially recognized by the Republic of Korea.

2. In the area of the seas where special geographical circumstances exist, the straight line joining the points as provided for in the Presidential Decree may be employed as the baseline.

**Article 3**  
**Internal waters**

The area of waters on the landward side of the baseline for measuring the breadth of the territorial sea shall be the internal waters.

**Article 4**  
**Boundary with the adjacent or opposite State**

The boundary between the territorial seas of the Republic of Korea and that of an adjacent or opposite State, unless otherwise agreed between the States concerned, shall be the median line every point of which is equidistant from the nearest points on the baselines from which the extent of the territorial seas of each of the two States is measured.

**Article 5**  
**Passage of foreign ships**

(1) Foreign ships enjoy the right of innocent passage through the territorial seas of the Republic of Korea so long as the passage is not prejudicial to the peace, public order or security of the Republic of Korea. When a foreign warship or Government ship for non-commercial purposes intends to pass through the territorial seas, it shall give a prior notice to the authorities concerned in accordance with the Presidential Decree.

(2) A foreign ship shall be considered to be prejudicial to the peace, public order or security of the Republic of Korea, if it engages in any of the following activities in the territorial sea, except, however, when the activities set out in subparagraphs 2 to 5, 11 and 13 have been authorized, approved or given consent by the authorities concerned:

1. Any threat or use of force against the sovereignty, territorial integrity or independence of the Republic of

Korea, or any other manner in violation of the principles of international law embodied in the Charter of the United Nations;

2. Any exercise or practice with weapons of any kind;
  3. The launching, landing or loading of any aircraft;
  4. The launching, landing or loading of any military device;
  5. Submerged navigation;
  6. Any act aimed at collecting information to the prejudice of the security of the Republic of Korea;
  7. Any act of propaganda or instigation to the prejudice of the security of the Republic of Korea;
  8. The embarking or disembarking of any commodity, currency or person contrary to the customs, fiscal, immigration or hygienic regulations of the Republic of Korea;
  9. The discharge of pollutants exceeding the standards as provided for in the Presidential Decree;
  10. Any fishing activities;
  11. The carrying out of any research or survey activities;
  12. Any act aimed at interfering with any systems of communication, or damaging the facilities or installations of the Republic of Korea;
  13. Any other activities which have no correlation with passage as provided for in the Presidential Decree;
- (3) The innocent passage of foreign ships may be suspended temporarily in specified areas of the territorial seas in accordance with the Presidential Decree if such suspension is considered to be essential to the security of the Republic of Korea.

#### Article 6 Stopping of foreign ship

If a foreign ship (excluding foreign warships and Government ships operated for non-commercial purposes; the same shall apply hereinafter) is suspected of having violated the provisions of article 5, the authorities concerned may issue necessary orders or take other necessary measures such as stopping, searching or seizure.

#### Article 7 Punishment

(1) Crew or other passengers on board a foreign ship who have violated the provisions of article 5(2) or (3) shall be punished with penal servitude for a period not to exceed five years or with a fine not to exceed twenty million won, and when the circumstances are considered serious, such ship, its equipment, its catches and other articles may be confiscated.

(2) Crew or other passengers on board a foreign ship who have disobeyed, hindered or evaded the order issued or the measure taken in accordance with article 6 shall be punished with penal servitude for a period not to exceed two years or with a fine not to exceed ten million won.

(3) In case of the violation occurred under paragraph (1) or (2) of this article, the punishment of penal

servitude and fine may be imposed concurrently.

(4) In the application of this article, if the act referred to in this article concurrently constitutes a crime under another law, the heavier punishment prescribed in the respective laws shall be applied.

**Article 8**  
**Exception in the case of a foreign warship and Government ship**  
**operated for non-commercial purposes**

If a foreign warship or Government ship operated for non-commercial purposes or its crew or passengers on board violate this Act or other relevant laws or regulations, such ship may be required to remedy the violation or to leave the territorial seas.

**ADDENDUM**

This Act shall enter into force as of the date prescribed by the Presidential Decree, within 4 months from the date of the promulgation of this Act.