

TIAS 3097
Oct. 1, 1953

MUTUAL DEFENSE TREATY

Between the UNITED STATES OF AMERICA
and the REPUBLIC OF KOREA

- Signed at Washington October 1, 1953
- Ratification advised by the Senate of the United States of America, with an understanding, January 26, 1954
- Ratified by the President of the United States of America, subject to the said understanding, February 5, 1954
- Ratified by the Republic of Korea January 29, 1954
- Ratifications exchanged at Washington November 17, 1954
- Proclaimed by the President of the United States of America December 1, 1954
- Entered into force November 17, 1954

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the Mutual Defense Treaty between the United States of America and the Republic of Korea was signed at Washington on October 1, 1953 by their respective Plenipotentiaries, the original of which Treaty in the English and Korean languages is word for word as follows:

MUTUAL DEFENSE TREATY
BETWEEN
THE UNITED STATES OF AMERICA
AND
THE REPUBLIC OF KOREA

美 合 衆 國
大 韓 民 國
相 互 防 衛 條 約

The Parties to this Treaty,
Reaffirming their desire to live
in peace with all peoples and all govern-
ments, and desiring to strengthen the
fabric of peace in the Pacific area,

Desiring to declare publicly
and formally their common determina-
tion to defend themselves against ex-
ternal armed attack so that no potential
aggressor could be under the illusion
that either of them stands alone in the
Pacific area,

Desiring further to strengthen
their efforts for collective defense for
the preservation of peace and security
pending the development of a more
comprehensive and effective system
of regional security in the Pacific area,

Have agreed as follows:

ARTICLE I

The Parties undertake to settle
any international disputes in which they
may be involved by peaceful means in
such a manner that international peace

本條約의當事國은모든國民
과모든政府외平和的으로
生活하고저하는希望은再確認
하며또한太平洋地域에있어서
의平和機構을鞏固히할것은
希望하고當事國中어느一國이
太平洋地域에있어서孤立하여
있다는幻覺을어떠한潜在的
侵略者도가지지않도록外部로
부터의武力攻撃에對하여自身
은防衛하고저하는共通의決意
을公々然히또한正式으로宣言
할것은希望하고또한太平洋
地域에있어서더욱包絡的이고
效果的인地域的安全保障
組織이發達된때까지平和외
安全을維持하고저集團的防衛
은爲한努力을鞏固히할것은希望
하여다음과같이同意한다.

第一條

當事國은關聯된지도모르는어
떠한國際的紛爭이라도國際
的平和외安全과正義을危殆昏
계하지않는方法으로平和的乎

and security and justice are not endangered and to refrain in their international relations from the threat or use of force in any manner inconsistent with the Purposes of the United Nations, or obligations assumed by any Party toward the United Nations.

段에 의하여 解決하고 또한 國際關係에 있어서 國際聯合의 目的이 나 當事國이 國際聯合에 對하여 負擔한 義務에 背馳되지 않는 方法으로 武力의 威脅이나 武力의 行使를 삼갈 것은 約束한다.

ARTICLE II

The Parties will consult together whenever, in the opinion of either of them, the political independence or security of either of the Parties is threatened by external armed attack. Separately and jointly, by self help and mutual aid, the Parties will maintain and develop appropriate means to deter armed attack and will take suitable measures in consultation and agreement to implement this Treaty and to further its purposes.

第 二 條
 當事國中 어느 一國의 政治的獨立 또는 安全이 外部로부터의 武力攻擊에 의하여 威脅을 받거나 되고 어느 當事國이든지 認定할 때에는 언제든지 當事國은 서로 協議한다. 當事國은 單獨적으로나 共同으로나 自助와 相互援助에 의하여 武力攻擊을 阻止하기 爲한 適切한 手段을 持續하여 強化시킬 것이며 本條約을 實行하고 그 目的을 推進할 適切한 措置를 協議와 合意下에 取할 것이다.

ARTICLE III

Each Party recognizes that an armed attack in the Pacific area on either of the Parties in territories now under their respective administrative

第 三 條
 各 當事國은 他 當事國의 行政支配下에 있는 領土와 各 當事國이 他 當事國의 行政支配下에 合法的으로 들어 오고 認定하든 今後의

control, or hereafter recognized by one of the Parties as lawfully brought under the administrative control of the other, would be dangerous to its own peace and safety and declares that it would act to meet the common danger in accordance with its constitutional processes.

ARTICLE IV

The Republic of Korea grants, and the United States of America accepts, the right to dispose United States land, air and sea forces in and about the territory of the Republic of Korea as determined by mutual agreement.

ARTICLE V

This Treaty shall be ratified by the United States of America and the Republic of Korea in accordance with their respective constitutional processes and will come into force when instruments of ratification thereof have been exchanged by them at Washington.

領土에 있어서他當事國에對한 太平洋地域에 있어서의武力攻撃은自國의平和와安全을危殆롭게하는것이라고認定하고 共通한危險에對處하기爲하여各者의憲法上の手續에따라 行動할것을宣言한다.

第四條

相互의合意에依하여美合衆國의陸軍,海軍과空軍은大韓民國의領土內外그附近에配備하는權利를大韓民國은이를許與하고 美合衆國은이를受諾한다.

第五條

本條約은美合衆國과大韓民國에依하여各者의憲法上の手續에 따라批准되어야하며그批准書가兩國에依하여外信託,에서交換되었을 때에効力を發生한다.

ARTICLE VI

第六條

This Treaty shall remain in force indefinitely. Either Party may terminate it one year after notice has been given to the other Party.

本條約은無期限으로有効하다. 이二當事國이은其他當事國에通告한後一年後에本條約은終止시킬수있다.

IN WITNESS WHEREOF the undersigned Plenipotentiaries have signed this Treaty.

以上의證據로서下記全權委員은本條約에署名한다.

DONE in duplicate at Washington, in the English and Korean languages, this first day of October 1953.

本條約은一九五三年十月一日에 '서울'에서英文及韓國文으로 두번으로作成됨.

FOR THE UNITED STATES OF AMERICA:

美合衆國을爲해서

John Foster Dulles^[1]

FOR THE REPUBLIC OF KOREA:

大韓民國을爲해서

Y. T. Pyun^[2]

¹JOHN FOSTER DULLES

²Y. T. PYUN

WHEREAS the Senate of the United States of America by their resolution of January 26, 1954, two-thirds of the Senators present concurring therein, did advise and consent to the ratification of the said Treaty with the following understanding:

“It is the understanding of the United States that neither party is obligated, under Article III of the above Treaty, to come to the aid of the other except in case of an external armed attack against such party; nor shall anything in the present Treaty be construed as requiring the United States to give assistance to Korea except in the event of an armed attack against territory which has been recognized by the United States as lawfully brought under the administrative control of the Republic of Korea.”

WHEREAS the text of the aforesaid understanding was communicated by the Government of the United States of America to the Government of the Republic of Korea by a note dated January 28, 1954 [¹] and was acknowledged by the Government of the Republic of Korea by a note dated February 1, 1954; [¹]

WHEREAS the said Treaty was duly ratified by the President of the United States of America on February 5, 1954, in pursuance of the aforesaid advice and consent of the Senate and subject to the aforesaid understanding, and was duly ratified also on the part of the Republic of Korea on January 29, 1954;

WHEREAS the respective instruments of ratification of the said Treaty were exchanged at Washington on November 17, 1954, and a protocol of exchange, in the English and Korean languages, was signed at that place and on that date by the respective Plenipotentiaries of the United States of America and the Republic of Korea, the said protocol of exchange recording the aforesaid understanding;

AND WHEREAS it is provided in Article V of the said Treaty that the Treaty will come into force when instruments of ratification thereof have been exchanged at Washington;

NOW, THEREFORE, be it known that I, Dwight D. Eisenhower, President of the United States of America, do hereby proclaim and make public the said Mutual Defense Treaty between the United States of America and the Republic of Korea to the end that the same and every article and clause thereof, subject to the understanding hereinbefore recited, shall be observed and fulfilled with good faith, on and after November 17, 1954, by the United States of America and by the citizens of the United States of America and all other persons subject to the jurisdiction thereof.

¹ Not printed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this first day of December in the year of our Lord one thousand nine hundred fifty-four [SEAL] and of the Independence of the United States of America the one hundred seventy-ninth.

By the President

JOHN FOSTER DULLES

Secretary of State

DWIGHT D EISENHOWER