

ENFORCEMENT DECREE OF THE PUBLIC DIPLOMACY ACT

Presidential Decree No. 27438, Aug. 4, 2016

Article 1 (Purpose)

The purpose of this Decree is to provide for matters delegated from the Public Diplomacy Act and matters necessary for the enforcement of the aforementioned matters.

Article 2 (Formulation, etc. of the Action plan of Public Diplomacy Activities)

- (1) The Minister of Foreign Affairs shall prepare guidelines for the formulation of action plans of public diplomacy activities (hereinafter referred to as the "action plan") under Article 7 (1) of the Public Diplomacy Act (hereinafter referred to as the "Act") and for submitting the results of the implementation thereof, and notify the heads of related central administrative agencies, the Mayor of the Special Metropolitan City, Mayors of Metropolitan Cities, Mayor of Metropolitan Autonomous Cities, Governors of Provinces, and the Governor of the Special Self-governing Province (hereinafter referred to as "Mayors/Provincial Governors") of such guidelines by September 30 each year.
- (2) The heads of related central administrative agencies and Mayors/Provincial Governors shall formulate the following plans and results in accordance with guidelines pursuant to paragraph (1) and submit them to the Minister of Foreign Affairs by November 30 each year:
 1. An action plan for the following year;
 2. Results of the implementation for the current year's action plan.
- (3) An action plan shall include the following:
 1. Outcome of the implementation of the current year's action plan;
 2. Direction for conducting public diplomacy for the following year;
 3. A detailed plan to conduct public diplomacy in each region and each field for the following year;
 4. Other matters the heads of related central administrative agencies or

Mayors/Provincial Governors deem necessary for public diplomacy activities.

- (4) The Minister of Foreign Affairs shall formulate a comprehensive action plan (hereinafter referred to as the "comprehensive action plan") which integrates the action plan under Article 7 (1) of the Act and the action plan formulated by the Ministry of Foreign Affairs by December 31 each year pursuant to paragraph (2) of the aforementioned Article.
- (5) The comprehensive action plan shall include the following:
 1. Outcome of the implementation of the current year's comprehensive action plan;
 2. Prospects and direction of the implementation of public diplomacy activities for the following year;
 3. A detailed plan to conduct public diplomacy in each region and each field for the following year;
 4. Other matters the Minister of Foreign Affairs deems necessary for public diplomacy activities.
- (6) The heads of overseas diplomatic missions shall prepare the following plan and results in accordance with the comprehensive action plan and submit them to the Minister of Foreign Affairs by January 31 each year:
 1. A plan of public diplomacy activities (hereinafter in this Article referred to as the "plan of public diplomacy activities") under Article 7 (3) of the Act for the year;
 2. Outcome of the implementation of public diplomacy activities based on the plan of public diplomacy activities from the previous year.

Article 3 (Request for Submission of Data for the Formulation of the Master Plan, etc.)

Where necessary to formulate a master plan for public diplomacy under Article 6 (1) of the Act and a comprehensive action plan, the Minister of Foreign Affairs may request the heads of related central administrative agencies and Mayors/Provincial Governors to submit data. In such cases, the heads of related central administrative agencies and Mayors/Provincial Governors in receipt of a request shall comply with such request unless special circumstances necessitate otherwise.

Article 4 (Composition of the Public Diplomacy Committee)

- (1) The Public Diplomacy Committee (hereinafter referred to as the "Committee") under Article 8 (1) of the Act shall be comprised of the chairperson and the

following members:

1. The Vice Minister of Strategy and Finance, the Vice Minister of Education, the Vice Minister of Science, ICT and Future Planning, the Vice Minister of Foreign Affairs, the Vice Minister of Unification, the Vice Minister of the Interior, the Vice Minister of Culture, Sports and Tourism, the Vice Minister of Agriculture, Food and Rural Affairs and the Vice Minister of the Office for Government Policy Coordination. In case of agencies that have more than one Vice Minister, the Vice Minister designated by the head of the relevant agency;
 2. Five persons appointed by the Minister of Foreign Affairs based on the recommendation of the heads of the relevant central administrative agencies for each meeting of the Committee from among the Vice Ministers or Vice Minister-level public officials of related central administrative agencies (excluding agencies to which members under subparagraph 1 belong);
 3. Five persons commissioned by the Minister of Foreign Affairs from among the following persons:
 - (a) Persons who have at least ten years of work experience in a diplomacy-related field at a university, research institute, etc.;
 - (b) Persons who have extensive knowledge of and experience in public diplomacy.
- (2) Each member under paragraph (1) 3 shall hold office for a term of two years, and may be reappointed for only one consecutive term.

Article 5 (Dismissal of Members)

Where a member commissioned pursuant to Article 8 (3) of the Act falls under any of the following, the Minister of Foreign Affairs may dismiss the relevant member:

1. Where he/she becomes unable to perform his/her duties due to mental disabilities;
2. Where he/she engages in any misdeed related to his/her duties;
3. Where he/she is deemed unsuitable as a member due to neglect of his/her duties, injury to dignity or on other grounds;
4. Where he/she personally expresses difficulty to perform his/her duties.

Article 6 (Operation of Committee)

- (1) The chairperson shall represent the Committee and preside over its affairs.
- (2) Where the chairperson is unable to perform his/her duties for reasons beyond

his/her control, a member of the Committee pre-appointed by him/her shall perform his/her duties on his/her behalf.

- (3) Where the chairperson intends to convene a meeting, he/she shall notify members of the Committee in writing of the date, time, venue and items on the agenda of the meeting no later than seven days before he/she holds the meeting. Notwithstanding the foregoing, where he/she should hold the meeting in case of urgency or for reasons beyond his/her control, he/she may give notice until the day before he/she holds the meeting.
- (4) The Committee shall open a meeting with the attendance of a majority of the incumbent members under Article 4 (1), and pass resolutions with the consent of a majority of the members present.
- (5) Where the Committee deems it necessary to deliberate on items on the agenda and conduct other affairs related to the Committee, it may require interested persons or related experts to attend its meetings to hear their opinions, or request them to submit their opinions.
- (6) The Committee may conduct teleconferences using a video link for members at different locations equipped with telecommunication systems that receive and transmit video and audio simultaneously. In such cases, the relevant members shall be deemed present in the same conference room.

Article 7 (Working Committee, etc.)

- (1) A working committee may be established in the Committee to hold consultations and coordinate items on the agenda to be discussed at meetings of the Committee, and hold consultations regarding other matters the chairperson demands.
- (2) One administrative secretary shall be assigned to the Committee to conduct its affairs, and he/she shall be appointed by the Minister of Foreign Affairs from among public officials under the jurisdiction of the Ministry of Foreign Affairs.

Article 8 (Detailed Rules for Operation)

In addition to matters provided in Articles 6 and 7, matters necessary for the operation of the Committee shall be prescribed by the chairperson following a resolution made by the Committee.

Article 9 (Support to Local Governments and the Private Sector)

The Minister of Foreign Affairs may provide the following support to local governments and the private sector pursuant to Article 9 (1) and (2) of the Act:

1. Support for the establishment of a cooperation platform with foreign

- governments, private institutions or international organizations;
2. Cooperation and support to conduct affairs with foreign diplomatic agencies or diplomatic missions stationed in the Republic of Korea;
 3. Provision of information and administrative support for the development of public diplomacy programs with foreign countries;
 4. Other matters the Minister of Foreign Affairs deems necessary to revitalize public diplomacy.

Article 10 (Subjects and Methods, etc. of Fact-Finding Surveys)

- (1) The Minister of Foreign Affairs may conduct fact-finding surveys (hereinafter referred to as "fact-finding surveys" in this Article) concerning the status of the implementation of public diplomacy activities of institutions and organizations both at home and abroad that conduct public diplomacy activities pursuant to Article 10 (1) of the Act.
- (2) Fact-finding survey shall be conducted according to the following methods:
 1. Regular survey: A survey conducted every two years to regularly ascertain the status of public diplomacy activities;
 2. Occasional survey: A survey conducted where the Minister of Foreign Affairs deems the survey necessary to ascertain the current status of public diplomacy activities to effectively formulate and implement public diplomacy policy.
- (3) Where the Minister of Foreign Affairs conducts a fact-finding survey, he/she shall notify the person subject to the fact-finding survey of a plan therefore including the date, time, objective, method, etc. thereof no later than 30 days before he/she intends to conduct the survey.
- (4) Where the Minister of Foreign Affairs formulates a fact-finding survey plan under paragraph (3), he/she shall hold pre-consultations with related institutions and organizations.
- (5) The Minister of Foreign Affairs shall notify the heads of related central administrative agencies and Mayors/Provincial Governors of the findings from a fact-finding survey so that they may utilize such findings for public diplomacy.

Article 11 (Designation of an Institution that Conducts Public Diplomacy)

- (1) The Minister of Foreign Affairs may designate an institution to conduct public diplomacy (hereinafter referred to as an "institution that conducts public diplomacy") under Article 12 (1) of the Act from among the following institutions or organizations:

1. The Korea Foundation under the Korea Foundation Act;
 2. Institutions or organizations the Minister of Foreign Affairs deems to have professional manpower, organization, and facilities to efficiently perform activities under the subparagraphs of Article 12 (2) of the Act.
- (2) An institution or organization that intends to obtain designation as an institution that conducts public diplomacy pursuant to Article 12 (1) of the Act shall submit an application for designation as an institution that conducts public diplomacy using the attached Form to the Minister of Foreign Affairs along with the following documents:
1. Articles of incorporation (only applicable to a corporation);
 2. A business plan;
 3. Current status of professional manpower, organizational structure and facilities necessary to perform activities under the subparagraphs of Article 12 (2) of the Act.
- (3) Upon receipt of an application under paragraph (2), the Minister of Foreign Affairs shall verify the relevant certificate of matters of registration of a corporation (applicable only where the applicant is a corporation) through the common use of administrative information under Article 36 (1) of the Electronic Government Act.
- (4) Where the Minister of Foreign Affairs designates an institution that conducts public diplomacy pursuant to Article 12 (1) of the Act, he/she shall officially make the announcement on the website of the Ministry of Foreign Affairs.
- (5) The head of an institution that conducts public diplomacy shall submit the following to the Minister of Foreign Affairs by December 31 each year:
1. An implementation plan of programs under the subparagraphs of Article 12 (2) of the Act for the following year;
 2. A spending plan for expenditures provided pursuant to Article 12 (3) for the following year.
- (6) In addition to the matters provided in paragraphs (1) through (5), the Minister of Foreign Affairs shall prescribe and announce matters necessary for the designation and operation of institutions that conduct public diplomacy.

ADDENDUM

This Decree shall enter into force on the date of its promulgation.