

Additional Protocol
between the Government of the Slovak Republic and the Government of the
Democratic People's Republic of Korea
to the Agreement
between the Government of the Slovak Republic and the Government of the
Democratic People's Republic of Korea on the Promotion and Reciprocal
Protection of Investments

With reference to the Agreement between the Government of the Slovak Republic and the Government of the Democratic People's Republic of Korea for promotion and protection of investments (hereinafter referred to as „Agreement“) signed in Bratislava, on October 27, 1998, the Contracting Parties have agreed as follows:

In Article 3, the Paragraph 3 shall be amended as follows:

“3. The provisions of paragraphs 1 and 2 of this Article shall not be construed so as to oblige one Contracting Party to extend to the investors of the other Contracting Party the benefit of any treatment, preference or privilege which may be extended by the former Contracting Party by virtue of any international agreement or arrangement relating wholly or mainly to taxation.”

In Article 3, the new Paragraph 4 shall be inserted as follows:

“4. The non-discriminatory treatment, national treatment and most-favored nation treatment provisions of this Agreement shall not apply to all actual or future advantages accorded by either Contracting Party by virtue of its membership of, or association with, a customs, economic or monetary union, a common market or a free trade area, to investors of its own, of Member States of such union, common market or free trade area, or of any other third country.”

In Article 6, the new Paragraph 3 shall be inserted as follows:

“3. The provisions of paragraphs 1 and 2 of this article will be used without prejudice to measures adopted by the European Community.”

This Additional Protocol shall be regarded as an integral part of this Agreement.

This Additional Protocol is subject to an approval in accordance with procedures of constitutional formalities required by law of a Contracting Party to bring this

Additional Protocol into force and it shall enter into force on the 90th day from the date of the second notification.

Done at Bratislava on January 27, 2009, in two originals, in Slovak, Korean and English, all texts being equally authentic. In the case of divergence of interpretation, the English text shall prevail.

**For the Government of
the Slovak Republic**



Ján Počiatek
Minister of Finance
of the Slovak Republic

**For the Government of
the Democratic People's Republic
of Korea**



Ri Pyong Gap
Extraordinary and Plenipotentiary
Ambassador of the Democratic
People's Republic of Korea