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# **STATUS OF FORCES AGREEMENT (SOFA)- Korea**

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## **1. A FEW WORDS ABOUT THIS BOOKLET**

This pamphlet is intended to provide important facts about the Status of Forces Agreement (SOFA) between the United States and Korea. To protect yourself, you must know what rights you have as an American.

## **2. IMPORTANT FACTS TO KNOW ABOUT THE SOFA WITH KOREA**

The legal status of Americans stationed in Korea is governed by an agreement under Article V of the Mutual Defense Treaty regarding facilities and areas and the status of U.S. armed forces in Korea. People stationed at overseas bases or posts must remember that Korean laws apply to them, too. Below are circumstances in which you and/or your family may be subject to Korean laws.

1. Korea has exclusive or primary jurisdiction over almost all offenses committed in Korea by U.S. service members. The U.S. has exclusive jurisdiction only when no crime has been committed under Korean law. U.S. personnel and their dependents can sue and be sued in Korean civil courts in cases concerning breach of a lease, support of illegitimate children, failure to pay debts, and damages and injuries from an accident.
2. All U.S. personnel should carry a HQ United States Forces, Korea, SOFA Card at all times. The SOFA Card assists in the event U.S. personnel are involved with Korean law enforcement officials.
3. Korean drug stores and similar establishments are off-limits to U.S. personnel. This restriction is imposed because some controlled substances under U.S. law can be purchased without prescription in Korean drug stores.
4. All U.S. personnel who operate a POV must obtain a USFK Motor Vehicle Operator's Permit through one of the USFK driver testing facilities.

*The information provided in this document is meant for the sole use of Active Duty service members, retirees, their families, and those individuals eligible for legal assistance. The information is general in nature and meant only to provide a brief overview of various legal matters. Rights and responsibility vary widely according to the particular set of circumstances in each case. Laws can vary across states, services, and civilian jurisdictions and laws are changed from time to time. Do not rely upon the general restatements of background information presented here without discussing your specific situation with a legal professional.*