

**No. 49928**

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**Republic of Korea  
and  
Costa Rica**

**Agreement between the Government of the Republic of Korea and the Government of the Republic of Costa Rica for the promotion and protection of investments. San José, 11 August 2000**

**Entry into force:** *25 August 2002, in accordance with article 12*

**Authentic texts:** *English, Korean and Spanish*

**Registration with the Secretariat of the United Nations:** *Republic of Korea, 6 July 2012*

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**République de Corée  
et  
Costa Rica**

**Accord entre le Gouvernement de la République de Corée et le Gouvernement de la République du Costa Rica pour la promotion et la protection des investissements. San José, 11 août 2000**

**Entrée en vigueur :** *25 août 2002, conformément à l'article 12*

**Textes authentiques :** *anglais, coréen et espagnol*

**Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies :** *République de Corée, 6 juillet 2012*

[ ENGLISH TEXT – TEXTE ANGLAIS ]

**AGREEMENT BETWEEN  
THE GOVERNMENT OF THE REPUBLIC OF KOREA  
AND THE GOVERNMENT OF  
THE REPUBLIC OF COSTA RICA  
FOR  
THE PROMOTION AND PROTECTION OF INVESTMENTS**

The Government of the Republic of Korea and the Government of the Republic of Costa Rica (hereinafter referred to as the "Contracting Parties"),

Desiring to promote greater economic cooperation for the reciprocal benefit of both Contracting Parties,

Intending to create favourable conditions for the investments by investors of one Contracting Party in the territory of the other Contracting Party, and

Recognizing that the promotion and protection of investments according to this Agreement will encourage new initiatives in this field,

Have agreed as follows:

## **ARTICLE 1**

### **Definitions**

For the purposes of this Agreement:

- (1) "Investment" means every kind of asset invested by investors of one Contracting Party in the territory of the other Contracting Party in accordance with the laws and regulations of the latter Contracting Party and in particular, though not exclusively, includes:
  - (a) movable and immovable property and any other property rights such as mortgages, liens, leases or pledges;
  - (b) shares, stocks, and debentures of and any other forms of participation in a company or any business enterprise;
  - (c) claims to money related to an investment or to any performance under contract having an economic value;

- (d) intellectual property rights, including rights with respect to copyrights, patents, trade marks, industrial designs, geographical indications, layout-designs, trade names, technical processes, trade secrets and know-how, and goodwill; and
- (e) business concessions having an economic value conferred by law or under contract, including concessions to search for, cultivate, extract or exploit natural resources.

Any change of the form in which assets are invested or reinvested shall not affect their character as an investment.

- (2) "Returns" means the amounts yielded by investments and in particular, though not exclusively, includes profit, interest, capital gains, dividends, royalties and all kinds of fees.
- (3) "Investors" means any natural or legal persons of one Contracting Party who invest or have made investments in the territory of the other Contracting Party:
  - (a) the term "natural persons" means natural persons having the nationality of that Contracting Party in accordance with its laws; and
  - (b) the term "legal persons" means any entity such as companies, public institutions, authorities, foundations, partnerships, firms, establishments, organizations, corporations or associations, incorporated or constituted in accordance with the laws and regulations of that Contracting Party, which has its seat or domicile in the territory of that Contracting Party, whether or not they are for profit.

- (4) "Territory" means the territory of the Republic of Korea or the territory of the Republic of Costa Rica respectively, as well as those maritime areas, including the seabed and subsoil adjacent to the outer limit of the territorial sea, over which the State concerned exercises, in accordance with international law, sovereign rights or jurisdiction for the purpose of exploration and exploitation of the natural resources of such areas.

## **ARTICLE 2**

### **Promotion and Protection of the Investments**

1. Each Contracting Party shall encourage and create favourable conditions in its territory for investments of investors of the other Contracting Party, and shall admit such investments in accordance with its laws and regulations.
2. Investments made by investors of each Contracting Party shall at all times be accorded fair and equitable treatment, and shall enjoy full protection and security in the territory of the other Contracting Party.
3. Neither Contracting Party shall in any way impair by unreasonable or discriminatory measures the operation, management, maintenance, use, enjoyment or disposal of investments in its territory by investors of the other Contracting Party.

## **ARTICLE 3**

### **Treatment of Investments**

1. Once the investment has been admitted, each Contracting Party shall in its territory accord to investments and returns of investors of the other Contracting