

## **Some Features of Legislative Regulation of Electoral Campaigns in the Republic of Korea**

The Constitution of the Republic of Korea proclaims ROK as a democratic state, the source of power in which is the people. Citizens exercise their power through two main elected institutions — the President and the National Assembly.

Since democratization in 1988, the development of local self-government has begun — governors, mayors, and local assemblies became elected.

Our report is dedicated to electoral campaigns in the Republic of Korea as an important part of the political process. The relevance of the topic is determined by the upcoming early presidential elections. Our goal is to outline the Korean specificity of electoral culture, which is different from European and American models, within the framework of a broader study of electoral processes in this country. The basis of this analysis is the provisions of current legislation.

The main legal act regulating elections is the Public Official Election Act, adopted in 1994, which consolidated almost all relevant legislation of that time [4, p. 389]. According to Article 58, an electoral campaign is any activity aimed at getting candidate elected. It can be conducted personally — through meetings on the streets, as well as through the media [2]. One curious peculiarity is that even postcards or messenger stickers can be recognized as campaigning materials. Any activity of political parties during the election period is automatically considered part of the campaign.

The electoral campaign has two periods, the main one — from the end of candidate registration to election day — is extremely short. Depending on the level of the elections, the campaign may last from 14 to 23 days [4, p. 389].

The law is predominantly restrictive in nature, often declaring political practices that are standard in other democratic countries to be illegal [4, p. 389]. The restrictions can be divided into three categories: participation, campaigning, and finance.

Firstly, participation in campaigning is prohibited for foreign citizens, minors, commanders of military units, heads of homeowners' associations, and civil servants. Participants in state public movements are also not allowed to campaign — this provision is a remnant from the era of the Park Chung-hee. Conducting campaigns is prohibited near hospitals, government institutions, on ships, and at night [2].

Secondly, campaign materials are strictly regulated: there are restrictions on the number and content of brochures, the format of sashes worn by candidates on their shoulders, and the sizes and content of posters. The latter may include only the photo, name, ballot number of the candidate, slogan, and their academic and professional background [2].

Notably, the Republic of Korea became the first country in the world to apply these restrictions to online campaigning back in 1996 [4, p. 389].

Financial restrictions are also strict. The electoral fund may be spent exclusively on campaign materials, staff salaries, and food rations for polling station observers. Personal expenses from these funds are prohibited [2].

At the same time, there are certain political privileges. The state provides candidates with free broadcast time for speeches (up to 20 minutes), as well as the opportunity to show short video clips introducing the candidate. Space is also allocated in newspapers, which is important for South Korea as one of the most "newspaper-oriented" countries in the world [2].

In addition, the Political Funds Act provides for partial reimbursement of political expenses in the form of subsidies [3]. Their amount depends on the number of voters and the type of election, but they can be obtained only if the candidate gains at least 15% of the vote. There are also bonuses for the nomination of women and people with disabilities [2].

Private donations from citizens are also permitted — the minimum is 10,000 won, maximum is 100 million won, and the donation cannot be larger than 5% of the donor's annual income [3].

Thus, electoral campaigns in the Republic of Korea combine strict regulation with supportive measures, balancing between preventing abuses and supporting the democratic process.

### **References:**

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