

President Yoon is impeached

4 April 2025



Source: Yonhap news

4 April 2025, the Constitutional Court unanimously upheld the impeachment of President Yoon Suk Yeol.

At 11:22 a.m (KST) 4 April, Acting Chief Justice Moon Hyung-bae delivered the court's unanimous ruling. The decision took immediate effect, officially removing Yoon from the presidency. The ruling came 111 days after the National Assembly passed a motion to impeach Yoon over his controversial attempt to declare emergency martial law on 3 December, 2024.

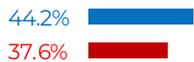
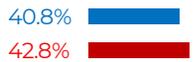
As stipulated by law, a presidential by-election must be held within 60 days. Candidate registration and campaigning are expected to begin in May, with the election tentatively scheduled for 3 June 2025.

Timeline | From martial law to impeachment trial ruling



Approval Rating

- Democratic party
- People Power party



3 Dec 2024, 10:27pm
President Yoon declares martial law
4 Dec 2024, 04:27am
President Yoon lifts martial law

7 Dec 2024
National Assembly (NA) votes on Yoon's impeachment; motion not passed due to a lack of quorum

8 Dec 2024
Prosecutors' Special Investigation Headquarters listed Yoon as a suspect on charges of insurrection

14 Dec 2024
NA passes the second impeachment motion against Yoon
Transition to Acting President Han Duck-soo (Prime Minister)

27 Dec 2024
NA passes the impeachment motion against Acting President Han Duck-soo

Transition to Acting President Choi Sang-mok (Minister of Economy and Finance)

3 Jan 2025
Corruption Investigation Office for High-ranking Officials (CIO) fails to arrest Yoon

14 Jan 2025
First hearing session of Yoon's impeachment trial

15 Jan 2025
CIO successfully arrests Yoon

21 Jan 2025
Third hearing session : Yoon's first attendance

4 - 20 Feb 2025
5th - 10th hearing sessions; Yoon attends all except the 9th, 16 witnesses examined in total

18 Feb 2025
Democratic Party leader Lee Jae-myung increases center-right rhetoric to position himself as a "centrist" president candidate

25 Feb 2025
Final (11th) hearing session for Yoon's impeachment trial

7 Mar 2025
Seoul Central District Court releases Yoon

13 Mar 2025
Constitutional Court rejects impeachment motions on Chair of Board of Audit and Inspection and three prosecutors

24 Mar 2025
Constitutional Court rejects impeachment motion of Prime Minister Han Duck-soo

26 Mar 2025
Seoul High Court acquits DP leader Lee of charges related to violations of the *Public Official Election Act*

1 Apr 2025
Constitutional Court announces the date for Yoon's impeachment trial verdict

4 Apr 2025
Constitutional Court votes to uphold Yoon's impeachment

3 June 2025 (exp.)
Early presidential election



Following President Yoon's declaration of emergency martial law on 3 December, the NA submitted the impeachment motion twice and passed it on 14 December 2024.

The Constitutional Court's deliberations began with the first hearing on 14 January and proceeded through a total of 11 sessions. President Yoon made an unprecedented appearance at the Constitutional Court starting from the third hearing on 21 January—making him the first sitting president to attend a Constitutional Court hearing among the three presidential impeachment cases in Korean history.

After the final hearing on 25 February, the deliberation phase then continued for 38 days, marking the longest deliberation period for a presidential impeachment case in Korean history. The 8 justices currently on the Constitutional Court ultimately upheld the impeachment motion via unanimous vote 111 days after it was passed in the legislature.

From the outset, the Constitutional Court emphasized speed and fairness due to the gravity of suspending the nation's top executive. Over 11 hearings, the court examined 16 witnesses, including senior officials from the Ministry of National Defense and National Intelligence Service, the martial law commander, Prime Minister Han Duck-soo, and the president's aides.

The justices focused on verifying facts related to the central requirement for impeachment: violation of the Constitution. Five main legal issues emerged during the proceedings:

1. The **conditions for declaring martial law – the state of national emergency**
2. The martial law declaration's **procedural legitimacy**
3. The content of the **martial law proclamation**
4. The **deployment of military and police forces** to the National Assembly during the martial law, and
5. The **arrest orders for key politicians**.

On conditions, procedural legitimacy, and proclamation of martial law

The court reviewed whether the situation at the time of the martial law declaration constituted a "state of national emergency" as defined by the Constitution—such as war or armed conflict—and whether the Cabinet meeting held on 3 December followed proper procedural protocol.

Key issues in the impeachment trial

President Yoon's team argued that 29 impeachment attempts by the majority opposition Democratic Party, including several prosecutors, the Minister of the Interior and Safety, and the head of the Board of Audit and Inspection, as well as cuts to the 2025 budget, paralyzed the executive and judiciary branches. They claimed this justified the declaration of martial law.

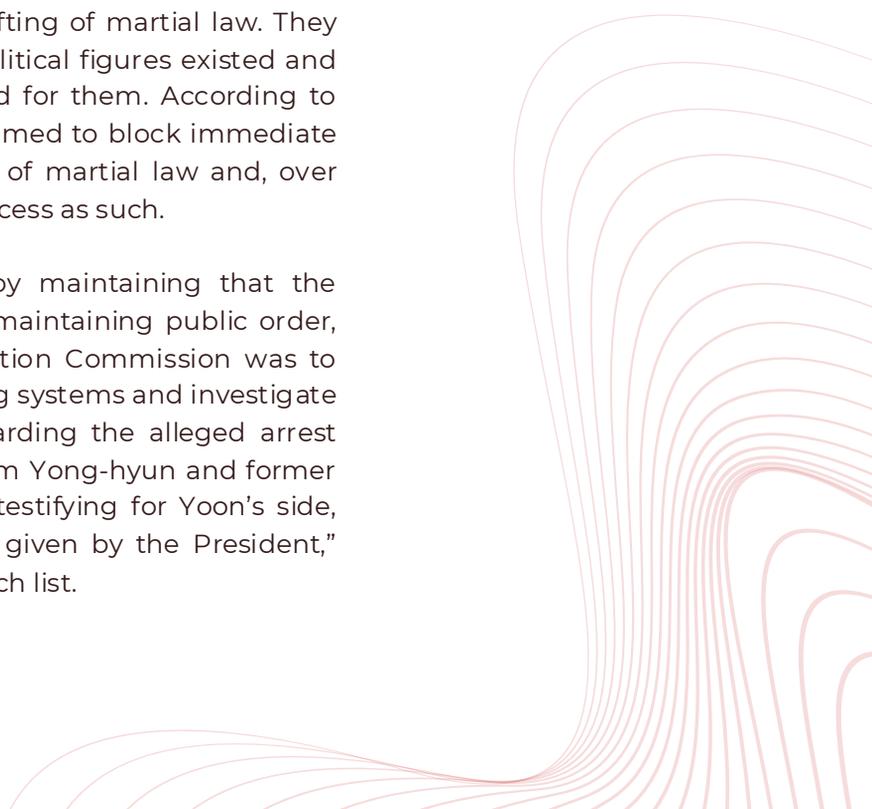
The NA countered that the situation did not meet the constitutional threshold of a "national emergency". Furthermore, it asserted that the Cabinet meeting lacked proper documentation and agenda, failing to meet the requirement for legitimate deliberation, and that the NA was not properly informed of the martial law decision.

Military and police deployment to the NA and arrest orders for key politicians

Another major issue was whether the deployment of military and police forces to the NA and their subsequent advance into the building after the declaration of martial law violated constitutional provisions, and whether there were direct orders given to arrest specific politicians.

The NA argued that the martial law troops tried to take control of the NA building and the National Election Commission. This, they claimed, violated Article 77(3) of the Constitution, which prohibits martial law from restricting legislative powers, and 77(5), which guarantees the Assembly's right to demand the lifting of martial law. They also alleged that a list of target political figures existed and that arrest orders had been issued for them. According to the NA, the military intervention aimed to block immediate resolutions demanding the lifting of martial law and, over the long term, impede political process as such.

President Yoon's side objected by maintaining that the military's presence was solely for maintaining public order, and that its targeting of the Election Commission was to inspect flawed digital vote counting systems and investigate any potential election fraud. Regarding the alleged arrest orders, former Defense Minister Kim Yong-hyun and former Seoul Police Chief Kim Bong-sik, testifying for Yoon's side, stated that "no such orders were given by the President," and denied the existence of any such list.



Constitutional Court's ruling

Conditions, procedural legitimacy, and proclamation of martial law

The Constitutional Court determined that **President Yoon Suk-yeol's declaration of martial law on December 3 failed to satisfy both the substantive and procedural requirements mandated by the constitution.** Per the constitution, martial law must be declared only when military intervention is deemed absolutely necessary to preserve either national security or public order. However, the political deadlock and alleged election irregularities cited by Yoon as a basis for his declaration were issues to be resolved through institutional and legal mechanisms—not via mobilizing the armed forces. The declaration also bypassed the mandatory deliberation and approval by the cabinet, violating procedural obligations as such.

Military and police deployment to the NA and arrest orders for key politicians

The Court also found that the **martial law proclamation unlawfully sought to limit the function of the National Assembly, local councils, and political parties,** thereby infringing on constitutional principles such as representative democracy, separation of powers, and preservation of basic civil liberties. It also confirmed that under Yoon's direction, the military forcibly entered not only the grounds of the NA but also its main building, with orders to break down doors and drag out legislators. These actions were judged to have violated lawmakers' rights, including their legislative immunity, and undermined the military's duty to political neutrality and constitutional subordination to civilian authority.

Furthermore, the military's warrantless raid on the National Election Commission was deemed a violation of judicial principles and electoral independence. Attempts to locate legal professionals were seen as infringing on judicial autonomy. Thus, the Court concluded that President Yoon's use of martial law to address political conflict was not only a breach of his duty to unify the nation but also a serious constitutional violation. By undermining democratic institutions and infringing on citizens' fundamental rights, Yoon was found to have betrayed the public trust, justifying his removal from office.

Key concerns	National Assembly stance	President Yoon stance	Constitutional Court ruling
Requirements and procedure of martial law declaration	<ul style="list-style-type: none"> - Martial law declaration was made on unconstitutional grounds - Official meeting minutes and agenda not recorded during the cabinet meeting prior to the declaration - Failure to properly notify the National Assembly. 	<ul style="list-style-type: none"> - Opposition's attempts to impeach multiple prosecutors, the MOIS*, and the Head of the Board of Audit and Inspection, along with 2025 budget cuts, paralyzed the executive and judiciary 	Unconstitutional
Announcement of proclamation No. 1 by the martial law commander	<ul style="list-style-type: none"> - Placing restrictions on political activities is unconstitutional. - Proclamation sought to curtail fundamental rights and the essence of the liberal democratic order. 	<ul style="list-style-type: none"> - Acknowledged some illegality, but it was merely a formal matter with no enforceable impact. - The President was not involved in the preparation or delivery of the documents. 	Unconstitutional
Military and police deployment to block National Assembly	<ul style="list-style-type: none"> - Attempting to block the National Assembly to prevent the lifting of martial law violated Article 77, Clauses 3 and 5 of the Constitution**. 	<ul style="list-style-type: none"> - The deployment of martial law troops to the National Assembly was for maintaining public order. - Martial law was swiftly lifted, with no further incidents. 	Unconstitutional
Search and seizure of the National Election Commission	<ul style="list-style-type: none"> - Attempts to seize control of the National Election Commission, as a constitutional body, was a severe constitutional violation. 	<ul style="list-style-type: none"> - Essential to evaluate faulty systems and investigate electoral fraud concerns 	Unconstitutional
Arrest orders for key figures	<ul style="list-style-type: none"> - Presence/absence of a list & arrest orders including specific politicians 	<ul style="list-style-type: none"> - No arrest list or arrest orders found to exist 	Unconstitutional

*Minister of the Interior and Safety

**The laws that protect the Assembly's powers and its right to demand the lifting of martial law



With the impeachment upheld and President Yoon removed from office, Korea has immediately entered presidential campaign mode. While the acting president has not yet officially announced the election date, **the most likely date is Tuesday, 3 June** — 60 days from Yoon's removal.

Next step: Early president election

According to Article 35(1) of the Public Official Election Act, a presidential election due to vacancy must be held within 60 days. This follows the precedent set during the impeachment of former President Park Geun-hye.

If 3 June is confirmed, **the registration period for presidential candidates will be May 10–11**. Consequently, party primaries are expected to take place throughout April to finalize candidates. The official election campaign will run from 12 May to 2 June, with early voting likely to be held on 29-30 May.

Triggered by the martial law declaration, this seismic shift in Korean politics has led to President Yoon's removal and an early presidential election. The next chapter of Korean politics will now unfold in the form of a high-stakes election campaign, where key parties are expected to compete fiercely with policy battles and public outreach efforts.

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