



*Permanent Mission of the Republic of Korea  
Geneva*

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**KGV/193/2024**

The Permanent Mission of the Republic of Korea to the United Nations and other international organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights (OHCHR) and has the honour to submit, as enclosed, the response of the Government of the Republic of Korea to the joint communication from Special Procedures, dated 25 June 2024 (AL KOR 1/2024).

The Permanent Mission of the Republic of Korea to the United Nations and other international organizations in Geneva avails itself of this opportunity to renew to the Office of the United Nations High Commissioner for Human Rights (OHCHR) the assurances of its highest consideration.

19 August 2024

Enclosed : as stated



Office of the United Nations High Commissioner for Human Rights (OHCHR)

**The Government of the Republic of Korea’s Response to the Joint  
Communication from the UN Human Rights Council Special Procedures**

(August 19, 2024)

- 2. Please provide information on the steps taken or being taken by your Excellency’s Government in relation to requiring or encouraging companies domiciled in your territory and/or jurisdiction to implement human rights due diligence processes, including with regard to their extraterritorial activities, in accordance with the UN Guiding Principles on Business and Human Rights.**

In December 2021, the Government of the Republic of Korea (Ministry of Justice) published the *Guidelines on Business and Human Rights* (“Guidelines”), based on international standards including the UN Guiding Principles on Business and Human Rights and the OECD Guidelines for Multinational Enterprises on Responsible Business Conduct. The Government distributed 2,400 copies of the Guidelines to domestic listed companies and state-owned enterprises, including the Korea Expressway Corporation.

The *Guidelines* explains the concept of human rights due diligence, introduces major human rights issues for each industry and the recommended areas of human rights due diligence for companies to better comprehend the concept, and provides more detailed guidance on the procedures of human rights due diligence and human rights impact assessments.

For the construction industry, the *Guidelines* identifies the conservation of indigenous communities and their traditional livelihoods, forced displacement, and resettlement of Indigenous People as major issues of concern. It further recommends preventing and minimizing the adverse impact, such as violating local residents’ right to life and housing, by construction activities.

In December 2022, the Government published an English version of the *Guidelines* and uploaded it on the Ministry of Justice website for the use of Korean companies overseas.

- 3. Please provide information on how your Excellency’s Government has ensured respect for human rights by taking additional steps to ensure that the company Korea Expressway Corporation, as State-owned enterprise, respects human rights, including requiring human rights due diligence processes, in accordance with the UN Guiding Principles on Business and Human Rights.**

Please consult the response provided to the request number two.

- 4. Please provide information on the steps that your Excellency's Government is taking or considering taking to ensure that individuals adversely affected by the activities of business enterprises domiciled in your jurisdiction have access to remedy in your country, through judicial or non-judicial state mechanisms.**

Pursuant to the international jurisdiction provisions in *the Act on Private International Law*, affected persons may file suit in the courts of the Republic of Korea if international jurisdiction is recognized.

- 5. Please provide the steps that your Excellency's Government has taken, or is considering taking, to implement the national action plan on human rights, in accordance with the UN Guiding Principles on Business and Human Rights, and how these steps will allow your Excellency's Government to address the allegations raised in this communication.**

The Government establishes and implements a nationwide comprehensive plan for human rights, the National Action Plan for the Promotion and Protection of Human Rights (NAP) every five years.

The National Human Rights Policy Council, headed by the Minister of Justice and composed of Vice Ministers from other relevant ministries, evaluates the implementation status of NAP.

In August 2018, the government established the third NAP, which introduced a separate chapter on business and human rights titled: 'A Society Working Together for Human Rights-Friendly Business Activities.' In March 2024, the fourth NAP introduced a chapter titled: 'Strengthening Corporate Responsibility to Respect Human Rights.' Both chapters incorporated relevant policy tasks.

- 6. Please provide information regarding measures that your Excellency's Government has taken in response to the recommendations provided in the Report of the Working Group on the issue of human rights and transnational corporations and other businesses on its visit to the Republic of Korea in 2016, in particular on "[providing] guidance concerning companies' overseas activities and [regulating] such activities", "[underlining] the expectation in relevant policies that business enterprises must respect human rights throughout their operations and conduct human rights due diligence in relation to their domestic and international operations", and "[requiring] compliance**

**with the Guiding Principles in relation to domestic and overseas activity”.**

In December 2021, the Government published the *Guidelines on Business and Human Rights* and distributed it to companies to gradually adopt and implement Guiding Principles on Business and Human Rights across all business operations.

Additionally, in 2020 and 2021, the Government co-hosted the Business and Human Rights Forum with the National Human Rights Commission of Korea.<sup>1</sup> In 2022, the Government held the Business and Human Rights Seminar to introduce international trends related to business and human rights and share best practices.<sup>2</sup>

The Ministry of Justice created a set of infographics to raise public awareness about business and human rights, including the *UN Guiding Principles on Business and Human Rights*, and posted them on its official website and social media platforms in December 2023.

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<sup>1</sup> 1st Business and Human Rights Forum, ‘Business and Human Rights: Trends and Challenges’ (2020), 2nd Business and Human Rights Forum, ‘Protect, Respect, Remedy’ (2021).

<sup>2</sup> Seminar on Business and Human Rights, ‘Domestic Implementation Measures for Business and Human Rights with the spread of ESG discourse’ (2022).