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Geneva*

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The Permanent Mission of the Republic of Korea to the United Nations Office 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 09 September 2025 (AL KOR 4/2025).

The Permanent Mission of the Republic of Korea to the United Nations Office 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.

Geneva, 5 November 2025

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 Special Procedures**

(November 5, 2025)

- 1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations**
- 2. Please advise the steps taken to ensure that the Government encourages business respect for human rights in line with the UN Guiding Principles on Business and Human Rights(UNGPs), including by requiring businesses, including investors, to conduct human rights due diligence that addresses how to prevent, mitigate and remediate the adverse human rights impacts that business may cause or contribute to through its own activities, or which may be directly linked to its operations, products or services by its business relationships, as set forth by the UN Guiding Principles on Business and Human Rights(UNGPs)**

The Government is implementing policy objectives under a dedicated chapter on business and human rights entitled “Strengthening Corporate Responsibility to Respect Human Rights” in the Fourth National Action Plan for the Promotion and Protection of Human Rights (“NAP¹,” 2023-2027).

In December 2021, the Ministry of Justice of the Republic of Korea published and distributed the Guidelines on Business and Human Rights (“Guidelines”) based on relevant international standards, including the UN Guiding Principles on Business and Human Rights and the OECD Guidelines for Multinational Enterprises. In January 2022, the English version was published and uploaded to the Ministry of Justice website for Korean companies operating abroad. The Guidelines explain the need for companies to conduct human rights due diligence appropriate to the characteristics of each industry, and introduce key human rights issues in each sector as well as the areas and procedures where conducting human rights due diligence is recommended. In particular, with respect to the extractive industries and the energy sector, the Guidelines specify major human rights issues, including risks from the local economy, society, and labor; forced displacement and resettlement of indigenous people; environmental issues; and conservation of indigenous communities and traditional livelihoods. The Guidelines also recommend that companies minimize and prevent adverse impacts on local communities, such as violations of the right to life and environmental rights resulting from business activities.

¹ The NAP is a comprehensive, nationwide plan established and implemented every five years. Its implementation is evaluated by the National Human Rights Policy Council, composed of vice-ministers from relevant ministries and chaired by the Minister of Justice.

Since 2020, the Ministry of Justice has been holding academic forums² on business and human rights to observe international norms and policy trends, such as the corporate responsibility to respect human rights and the strengthened human rights due diligence obligations, and to provide an opportunity to share best practices.

3. Please provide information on any steps taken by the Government to set out clearly the expectation that all business enterprises respect human rights throughout their operations, taking into account the human rights impacts of climate change as well as of environmental harm caused by the operations

The Government operates a range of institutional measures, including the Environmental Impact Assessment, Climate Change Impact Assessment, and Health Impact Assessment to minimize the adverse effects that may arise from domestic developments.

Pursuant to *the Environmental Impact Assessment (EIA) Act*, any person intending to implement a certain type of domestic development project including an urban development project, a plan for the development of an industrial site, energy sources, etc. is required to conduct an EIA. This assessment aims to survey, forecast, and evaluate potential environmental impacts in advance, and to formulate appropriate measures to prevent, eliminate, or mitigate harmful environmental effects.

The Government also introduced a Climate Change Impact Assessment in September 2022 under *the Framework Act on Carbon Neutrality and Green Growth for Coping with Climate Crisis* in order to integrate carbon neutrality considerations into the development planning process. Under this system, the head of the relevant administrative agency or a business entity who formulates or implements a plan for certain development projects subject to the EIA, including those that emit massive amounts of greenhouse gases, are required to analyze and assess the impacts of the project on climate change or the impacts of climate change on the project itself.

Furthermore, in accordance with the *Environmental Health Act*, with regard to administrative plans and development projects prescribed by Presidential Decree, a project operator who formulates or implements a plan for projects subject to the EIA shall note effects of environmental risk factors on national health to review and assessment items and request the Minister of Environment or the head of a regional government office to hold consultation.

4. Please provide information on the measures the Government is taking or considering taking to ensure that persons affected by the activities of businesses domiciled in your jurisdiction, in particular by the Base Toliara Project have access to information and redress in your country, through judicial or extrajudicial State mechanisms

² The 1st Business and Human Rights Forum in 2020, “Business and Human Rights: Trends and Challenges”; the 2nd Business and Human Rights Forum in 2021, “Protect, Respect, Remedy”; the Seminar on Business and Human Rights in 2022, “Domestic Implementation of Business and Human Rights amid the Expansion of ESG Disclosure”; and the International Forum on Business and Human Rights in 2025, “Strengthening the ‘Smart Mix’ to Promote Human Rights-based Management in Times of Crisis.”

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

In addition, as an adherent to the *OECD Declaration on International Investment and Multinational Enterprises*, the Republic of Korea operates the National Contact Point (NCP) for Responsible Business Conduct (RBC), established within the Ministry of Trade, Industry and Resources (MOTIR). Individuals or stakeholders may file a complaint against the enterprise with the Republic of Korea's NCP where they believe that an enterprise operating in or from the territory of the Republic of Korea, or a foreign enterprise which has a business relationship³ with the enterprises of the Republic of Korea, has breached the *OECD Guidelines for Multinational Enterprises on RBC*⁴.

5. Please indicate the steps that the Government has taken, or is considering taking, to ensure that business enterprises domiciled in your territory and/or jurisdiction establish and participate in effective operational-level grievance mechanisms in line with UNGP 31

In July 2025, the Ministry of Justice published the Korean translation of the OHCHR publication “*An Interpretive Guide on Access to Remedy in Cases of Business-Related Human Rights Abuse*” to provide guidance on international standards for remedy mechanisms concerning business-related human rights abuses, and distributed it to companies and civil society organizations.

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³ According to *the Guidelines*, the term ‘business relationship’ includes relationships with business partners, sub-contractors, franchises, investee companies, clients, and joint venture partners, entities in the supply chain which supply products or services that contribute to the enterprise’s own operations, products or services or which receive, license, buy or use products or services from the enterprise, and any other non-State or State entities directly linked to its operations, products or services.

⁴ Recommendations jointly addressed by governments to multinational enterprises to enhance the business contribution to sustainable development and address adverse impacts associated with business activities on people, planet, and society.