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UNITED NATIONS
OFFICE OF THE UNITED NATIONS
HIGH COMMISSIONER FOR HUMAN RIGHTS

SPECIAL PROCEDURES OF THE
HUMAN RIGHTS COUNCIL

Mandates of the Special Rapporteur on extreme poverty and human rights; the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context; the Working Group on the issue of human rights and transnational corporations and other business enterprises; the Special Rapporteur on the right to food; the Special Rapporteur on the rights to freedom of peaceful assembly and of association; the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health; and the Special Rapporteur on the human right to safe drinking water and sanitation.

REFERENCE: AL Poverty (1998-11) Housing (2000-9) Business enterprises (2011) Food (2000-9) Assembly & Association (2010-1) Health (2002-7) Water (2008-1)
OTH 5/2013

11 June 2013

Dear Mr. Joon-Yang Chung,

We have the honour to address you in our capacities as Special Rapporteur on extreme poverty and human rights; Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context; Working Group on the issue of human rights and transnational corporations and other business enterprises; Special Rapporteur on the right to food; Special Rapporteur on the rights to freedom of peaceful assembly and of association; Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health; and Special Rapporteur on the human right to safe drinking water and sanitation pursuant to Human Rights Council resolution 17/13, 15/8, 17/4, 22/9, 15/21, 15/22, and 16/2.

We would like to bring to your attention to information we have received regarding the activities of POSCO (India) Private Limited in Jagatsinghpur, Odisha, in the north-east of India and the alleged violation of human rights caused as a result of activities aimed at promoting the project. Today we have sent a letter to the Government of India expressing our concerns about the alleged impacts of the planned construction of the steel plant in this area. A letter concerning this case has also been sent to the Government of the Republic of Korea as the Pohang Iron and Steel Company ('POSCO') – the parent company of POSCO (India) Private Limited – is headquartered in that country.

According to the information received:

The Government of India has agreed to grant to the POSCO Corporation, which is based in the Republic of Korea, several important concessions following the Memorandum of Understanding (MOU) that was signed between POSCO and the state of Odisha on 22 June 2005. These allegedly include significant tax breaks and the facilitation of the necessary environmental and forest clearances. Reportedly representing the largest single foreign direct investment in India to date, the steel project will require over 6,000 acres of land for its various components, which include a mine, steel processing plant, captive port, and associated infrastructure. We understand that, according to the Memorandum of Understanding, POSCO seeks to acquire 4,000 acres of land for the steel plant and port components, plus another 2,000 acres for a company town and associated infrastructure, including a township site with social developments. POSCO has also allegedly stated that it requires additional, unspecified amounts of land to facilitate transportation of millions of tons of raw materials and to divert from a local river the 120 billion litres of water required by the project.

We are informed that, in recent years, concerns have been expressed that the project does not comply with the procedures established by the Forest Rights Act of 2006 and by environmental authorities. We understand that the government of the state of Odisha also adopted a Resettlement and rehabilitation policy in 2006. We understand that on 30 March 2012, India's National Green Tribunal ordered a review of the 2011 environmental clearance for the project, and that India's National Human Rights Commission and the National Commission for Protection of Child Rights have raised concerns regarding human rights abuses associated with the project.

These allegations are described in more detail below.

Situation of human rights defenders

According to information received, the Anti-POSCO People's Movement was established in 2006 representing a collective, non-violent effort to oppose the project and highlight concerns that the integrated steel plant will destroy the livelihoods, undermine the ability to live in dignity, and result in serious violations of a range of human rights of the residents living in several of the affected villages. Human rights defenders and project opponents have allegedly been subject to harassment and intimidation as well as having had force used against them. Reports received suggest that, on 15 May 2010, project opponents were fired upon with rubber bullets and metal pellets and beaten with batons, reportedly resulting in serious bodily injuries. According to reports, multiple project opponents have been faced with arbitrary detentions and multiple false charges against them, reportedly as a result of their activities defending and promoting their human rights. It is also alleged that they have been denied protection by the authorities in India from attacks by individuals supportive of the project.

Reports suggest that the permanent police presence surrounding the villages of Govindpur and Dinkia, in Jagatsinghpur District, Odisha, and the outstanding warrants filed against several local residents, have resulted in restrictions on the freedom of movement and barriers to their ability to access essential services, including emergency and routine medical care.

Access to adequate housing and an adequate standard of living

According to reports received, the people who stand to be forcibly evicted in order to build the steel plant received no information about the proposed project prior to the signing of the MOU in June 2005. We understand that Indian authorities have not visited the affected communities in order to discuss the project or offer guarantees concerning the rehabilitation, resettlement and compensation for those who would be evicted. Evidence is also reportedly lacking which would demonstrate efforts made by the Government of India to exhaust all feasible alternatives to forced evictions or to enter into meaningful consultation with affected communities.

Reports suggest that the affected villagers have made repeated attempts to participate in decisions related to the project as they concern their lands, by means of several *Gram Sabhas*, which are local governance structures recognized under Indian law. We understand that the resolutions from the *Gram Sabhas* have expressed an overwhelming rejection of the diversion of forest lands for the POSCO project, and that the Government of India has failed to uphold these decisions, despite its obligations to do so under the Forest Rights Act of 2006. Reportedly, the Government of India has stated that it will proceed with the acquisition of land for the project, which will require the forced eviction of the area's residents.

Information received also suggests that people who have already been displaced for the POSCO project have experienced serious declines in their standard of living. Today, we understand that the 52 families that live in the Badagaupur transit camp after their lands were ceded for the project now live in inadequate housing which fails to guarantee their safety and well-being, including failing to protect residents from weather conditions and other threats to their health. Reportedly, many of the houses retain humidity and pose a serious risk of mold and other environmental hazards.

We understand that the situation faced by more than 20,000 people if the project proceeds according to present plans, includes those who have already been resettled by the POSCO project as well as those who would allegedly be forcibly evicted if the project proceeds according to present plans. These people have reportedly received no official guarantee that they will continue to enjoy access to essential services (health care, energy services, education), nor that they would be protected from serious declines in their living standards, loss of access to

agricultural land and livelihoods, as well as loss of economic independence and work leading to general impoverishment of the population.

Access to water and sanitation

According to reports received, the POSCO project will require the diversion of 120 billion litres of water which is currently used for domestic and agricultural purposes by residents in the affected communities. The loss of this source of water poses serious risks to the ability of families to access sufficient water for their household use and of farmers to irrigate their crops.

People already displaced by the POSCO project, including the residents in the transit camp mentioned in this communication, have reportedly experienced marked declines in the quality of water that they are able to access. We understand that residents of the camp have been compelled to use water that bears a bad taste and allegedly causes irritation of the throat and skin, which suggests serious concerns regarding its quality and adequacy. Camp residents allegedly do not enjoy sufficient access to adequate sanitary facilities, and reports received suggest that only four toilets are functioning properly in the camp, which serve 52 families, and women and girls are unable to use these facilities with sufficient privacy.

Access to food and livelihood resources

For generations, communities living in the area identified for the POSCO project have been able to ensure their food security, work and sustain themselves by means of rural agriculture, fishing and animal husbandry, as well as, for some, gathering forest products and engaging in agricultural day labor. It is reported that the high water table and unique soils in the area have enabled a robust and high-quality production of betel, cashew, rice, fish and shrimp, as well as family gardens. Some also derive their subsistence from forest products, while others, including Dalits and landless people, have earned a living through day labor in the fields of other residents. The residents in the affected villages have reportedly regularly enjoyed access to nutritious food that is both economically and physically accessible. The area has also provided protection for coastal communities from natural disasters, such as cyclones and powerful storms. For these people, access to their land, with its unique agricultural potential and natural resources, has thus been instrumental in enabling them to realize a range of human rights.

Reports received suggest that, if these residents lose access to the lands upon which they have based their subsistence, they face serious risks to their food security. For the local people who produce their food on their land, they would be deprived their primary means of subsistence. For those who access food by means of income earned in local markets from the sale of their agricultural production,

there is no guarantee that they would be able to access adequate food that is affordable and culturally acceptable.

Access to health care and education

According to the information received, a large number of residents are allegedly unable to access health care outside of their villages due to a substantial police presence in the area. Local residents are reportedly fearful of leaving their villages because of the use by local police of outstanding warrants to arrest community members on false charges. This has reportedly presented substantial obstacles to the ability of parents to send their children to school and access hospital care for their children. Further, members of the Indian police force have allegedly occupied local schools in several occasions. We have also been informed that several women in the affected communities have experienced serious medical problems due to their inability to travel to health care facilities, and obtain sexual and reproductive health services. Concerns have also been expressed that, if residents are displaced for the POSCO project, they will receive no guarantee that their new homes will be located within a reasonable distance from adequate and affordable health care or educational facilities.

While we do not wish to prejudge the accuracy of these allegations, we would like to draw your attention to the applicable international human rights norms and standards.

Article 25 of the Universal Declaration of Human Rights (UDHR) recognizes the right of everyone “to a standard of living adequate for the health and well-being of himself and of his family, including food”. Furthermore, article 11.1 of the International Covenant on Economic, Social and Cultural Rights (ICESCR) – which India acceded to on 10 Apr 1979 – stipulates that States “recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions”, and requires them to “take appropriate steps to ensure the realization of this right”.

The right to an adequate standard of living is included in several other human rights treaties. Under article 27 of the Convention on the Rights of the Child (CRC), which India acceded to on 11 Dec 1992, “States Parties recognize the right of every child to a standard of living adequate for the child’s physical, mental, spiritual, moral and social development”. In this Convention, the right to adequate standard of living is to read in conjunction with the right to life, survival and development stipulated at article 6.

Similarly, article 14 of the Convention on the Elimination of All Forms of Discrimination against Women, which India acceded to on 9 Jul 1993, guarantees the right of rural women to “to enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications”.

The right to food is a key component of the right to an adequate standard of living and as stated above is recognized by UDHR article 25, article 11.1 of ICESCR as well as

articles 24.2(c) and 27.3 of the CRC. The Committee on Economic, Social and Cultural Rights has defined the core content of the right to food in its General Comment No. 12, along with the corresponding obligations of States to respect, protect and fulfil the right to food. The obligation to protect requires measures by the State to ensure that enterprises or individuals do not deprive individuals of their access to adequate food. This would include ensuring that enterprises do not engage in activities that endanger the ability of individuals to grow or purchase their own food, such as when this right may be under threat when land on which people depend for their subsistence is traded away, for instance for the pursuit of large-scale development projects.

The right to adequate housing is also a central component of the right to an adequate standard of living and is protected in article 25 of UDHR, article 11.1 of ICESCR, article 14.2 of CEDAW and article 27.3 of the CRC. Furthermore, article 17 of the International Covenant on Civil and Political Rights (ICCPR), which India acceded to on 10 Apr 1979, establishes that no one “shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence”. In its resolution 1993/77, the Commission on Human Rights stated that the “practice of forced eviction constitutes a gross violation of human rights, in particular the right to adequate housing”. The Committee on Economic, Social and Cultural Rights, which monitors the implementation of the ICESCR, has identified in its General Comment 4 and 7 that the right to adequate housing includes security of tenure which guarantees legal protection against forced eviction, harassment and other threats and stated that forced evictions are *prima facie* incompatible with the requirements of the Covenant on Economic, Social and Cultural Rights. The Committee also established that the right to adequate housing includes (a) legal security of tenure; (b) availability of services, materials, facilities and infrastructure; (c) affordability; (d) habitability; (e) accessibility; (f) location; and (g) cultural adequacy, irrespective of income or access to economic resources. The right to adequate housing also requires a reasonable proximity and accessibility to educational and health care facilities, as well as other essential services.

According to the General Comment 15 of the Committee on Economic, Social and Cultural Rights, the human right to water means that everyone is entitled to sufficient, safe, acceptable, physically accessible and affordable water for personal and domestic uses, which includes sanitation. The human right to sanitation means that everyone, without discrimination, has physical and affordable access to sanitation, in all spheres of life, which is safe, hygienic, secure, socially and culturally acceptable, provides privacy and ensures dignity.

We would like to draw your attention article 12 of ICESCR, which provides for the right of everyone to the enjoyment of the highest attainable standard of mental and physical health. One of the principle elements of this right is the “creation of conditions which would assure to all medical service and medical attention in the event of sickness”. The right to the highest attainable standard of health requires that health services comply with the requirements of availability, accessibility, acceptability and quality. We also wish to refer you to General Comment No. 14 of the Committee on Economic, Social and Cultural Rights, which notes that health facilities, goods and services have to be

accessible to everyone without discrimination, further elaborating that accessibility has four overlapping dimensions, such as non-discrimination, physical accessibility, economic accessibility and information accessibility (para. 12(b)). Finally, General Comment No. 14 also holds that the right to health also extends to the underlying determinants of health, such as food and nutrition, housing, access to safe and potable water and adequate sanitation, safe and healthy working conditions, and a healthy environment (para. 4).

Concerning the participation of affected individuals and communities in decisions which are likely to affect their lives, we would like to refer to article 25 of the International Covenant on Civil and Political Rights (ICCPR), to which India acceded on 10 April 1979, which ensures the rights of every individual to take part in the conduct of public affairs. In the same context, we would also like to refer to articles 7 and 8 of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which India acceded to on 9 Jul 1993, requiring States to ensure participation of women in the formulation of government policy, as well as article 12 and 13 of the CRC, which provide for the freedom of expression of every child, giving due weight to their age and maturity.

The UN Declaration on Human Rights Defenders recognizes the right of each person to promote the realization of human rights and calls for the protection “of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of” their rights as human rights defenders.

In this context, we would like to refer your Excellency's Government to article 21 of the ICCPR which provides that “[t]he right of peaceful assembly shall be recognized. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others”. Similarly, we would like to refer to article 22 of the same Covenant, which provides that “[e]veryone shall have the right to freedom of association with others, including the right to form and join trade unions for the protection of his interests”.

In this connection, we would like to refer to Human Rights Council resolution 21/16, and in particular operative paragraph 1 that “reminds States of their obligation to respect and fully protect the rights of all individuals to assemble peacefully and associate freely, online as well as offline, including in the context of elections, and including persons espousing minority or dissenting views or beliefs, human rights defenders, trade unionists and others, including migrants, seeking to exercise or to promote these rights, and to take all necessary measures to ensure that any restrictions on the free exercise of the rights to freedom of peaceful assembly and of association are in accordance with their obligations under international human rights law.”

We also wish to bring to your attention the recognition that private actors – including all business enterprises – have responsibilities under international human rights law. The UDHR proclaims that every organ of society shall strive to promote respect for human rights and fundamental freedoms and to secure their universal and effective recognition and observance. Following years of consultations that involved Governments, civil society and the business community, the Human Rights Council unanimously adopted in June 2011 the Guiding Principles on Business and Human Rights (contained in A/HRC/17/31). The Guiding Principles have been established as the authoritative global standard for all States and businesses with regard to preventing and addressing the risk of business-related human rights impacts. In particular, principles 11 to 24 and 29 to 31 provide guidance to business enterprises on how to meet their responsibility to respect human rights and to provide for remedies when they have caused or contributed to adverse impacts.

The business responsibility to respect covers the full range of rights listed in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the eight International Labour Organization core conventions. Depending on circumstances, business enterprises may also need to consider additional standards, such as when the enterprise is partly state-owned, it operates in a conflict zone, or is likely to have an impact on specific groups, including indigenous peoples.

The Guiding Principles have identified two main components to the business responsibility to respect human rights, which require that “business enterprises: (a) Avoid causing or contributing to adverse human rights impacts through their own activities, and address such impacts when they occur; [and] (b) Seek to prevent or mitigate adverse human rights impacts that are directly linked to their operations, products or services by their business relationships, even if they have not contributed to those impacts” (principle 13). This dual-requirement is further elaborated by the requirement that the business enterprise put in place:

- (a) A policy commitment to meet their responsibility to respect human rights;
- (b) A human rights due-diligence process to identify, prevent, mitigate and account for how they address their impacts on human rights; and
- (c) Processes to enable the remediation of any adverse human rights impacts they cause or to which they contribute (principle 15).

Each of these is elaborated below, with regard to the context of this case.

Policy Commitment

The first of these requirements, a policy commitment, must be approved by the company's senior management, be informed by human rights expertise (internal or external) and stipulate the human rights expectations of personnel, business partners and other parties directly linked to its operations, products or services. The statement of policy must be publicly available and communicated internally and externally and reflected in operational policies and procedures necessary to embed it throughout the business enterprise (principle 16). According to information received, POSCO has a publicly available 'Code of Conduct' which all employees have signed. The Code requires that POSCO 'will comply with international conventions on human rights', which is in line with principle 23 which requires all companies in all contexts to "Comply with all applicable laws and respect internationally recognized human rights, wherever they operate". There does not appear to be any further elaboration on this standard, such as practical guidance for how personnel can embed this within their operational procedures. Furthermore, to understand more fully whether there is full alignment with principle 23 it is necessary to have further information on how POSCO does "seek ways to honour the principles of internationally recognized human rights when faced with conflicting requirements", as well as "treat the risk of causing or contributing to gross human rights abuses as a legal compliance issue wherever they operate".

Human Rights Due Diligence

The second major feature of the responsibility to respect is human rights due-diligence, the procedures for which have been deemed necessary to 'identify and assess any actual or potential adverse human rights impacts with which they may be involved either through their own activities or as a result of their business relationships' (principle 18). POSCO has undertaken a rapid environmental and social impact assessment for the 12 million ton per-year steel operation, which utilizes 6000 hectares of land for the proposed steel plant and associated townships (not including the area needed for the proposed iron ore mine). According to the information received, the project is already beginning to have significant human rights impacts and therefore a comprehensive human rights impact assessment would be required in order to fully understand, mitigate and or avoid any 'actual or potential adverse human rights impacts' that will stem from the operations. Independent expertise should be sought to ensure the integrity of this process (principle 18).

Adequate human rights due diligence procedures must include 'meaningful consultation with potentially affected groups and other relevant stakeholders, as appropriate to the size of the business enterprise and the nature and context of the operation' (principle 18). The size of POSCO's operation would make it the largest steel operation in India, and the single largest foreign investment project in the country. The most immediate direct impact would be on the 20,000 people who would be evicted for the steel plant; but reports received suggest that a far greater number would be indirectly affected. To comply with international human rights standards these persons must be involved in a meaningful consultation process. According to the local laws in India (the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of *Forest Rights Act*) 2006) the consent of local people, as expressed during official community

meetings known as or ‘Gram Sabhas’, is legally required for this project to proceed. During three Gram Sabhas in 2008, 2010 and 2012, held to discuss POSCO’s project, the local communities have officially voiced and recorded their rejection of the project, refusing to provide their consent for the project. Again, principle 23 requires that POSCO “comply with all applicable laws”, which in this case would include the provisions of the Forest Rights Act (2006).

To prevent and mitigate against adverse human rights impacts the findings of the human rights impact assessment should be effectively integrated across POSCO’s relevant internal functions and processes (principle 19). This refers to assignment of responsibility for addressing impacts to the appropriate level and function within the company, ensuring also that ‘internal decision-making, budget allocations and oversight processes enable effective responses to such impacts’.

Principle 19 also requires POSCO to take appropriate action to prevent and mitigate against any adverse human rights impacts that may arise as a result of their project, identified in impact assessments (principle 19). This will vary according to whether POSCO “causes or contributes to an adverse impact, or whether it is involved solely because the impact is directly linked to its operations, products or services by a business relationship”, as well as the degree of leverage POSCO has in addressing the adverse impacts (principle 19).

It is alleged that the actions of the local police in Odisha are linked to POSCO ‘by their business relationships’, as established firstly by a clause in the original Memorandum of Understanding (MoU) between the Indian Government of Odisha and POSCO in 2005. According to information received, in the MoU POSCO agreed to rely on the Government of Odisha to acquire and transfer all land necessary for their project. Any police actions that violate human rights, which are taken to facilitate execution of the MoU therefore effectively, implicate POSCO. However, it is not clear from information received what appropriate actions POSCO has taken to mitigate alleged human rights impacts that local people have experienced as a result of actions taken to forcibly evict them, including exercising leverage over relevant authorities to prevent any negative human rights impacts linked to its business relationship to them. Rather, according to information received, in early February 2013 POSCO personnel accompanied local police forces in their activities to forcibly evict local people from villages in Dhinkia.

Any responses that are taken by POSCO to address adverse human rights impacts should be tracked to ensure they are effective, using appropriate qualitative and quantitative indicators, drawing on feedback from internal and external sources, including affected stakeholders (principle 20). Information about activities taken to address any adverse human rights impacts, and how effective those actions have been, should be communicated externally (principle 21).

Remediation

As acknowledged by the Guiding Principles “even with the best policies and practices, a business enterprise may cause or contribute to an adverse human rights

impact that it has not foreseen or been able to prevent”. Where POSCO identifies that it has “caused contributed to adverse impacts, they should provide for or cooperate in their remediation through legitimate processes” (principle 22).

It is a requirement for enterprises to establish or participate in local-level grievance mechanisms “to make it possible for grievances to be addressed early and remediated directly” (principle 29). They must not preclude access by individuals and communities to judicial or other non-judicial grievance mechanisms (principle 29). According to information received, it is not clear if POSCO has yet provided for or participated in any attempts to resolve grievances held by local people who oppose the project.

We further note that the Republic of Korea is a member of the Organisation for Economic Cooperation and Development (OECD) and adheres to the OECD Guidelines for Multinational Enterprises, which are consistent with the Guiding Principles on Business and Human Rights. The Guidelines also call on companies incorporated in OECD countries, such as the Republic of Korea, to respect human rights, carry out human rights due diligence, and ensure remedy when negative impacts do occur.

We would like to appeal to your Excellency's Government to take all necessary steps to ensure the right to freedom of association, as recognized in article 22 of the International Covenant on Civil and Political Rights, which provides that “Everyone shall have the right to freedom of association with others, including the right to form and join trade unions for the protection of his interests”.

In this connection, we would like to refer to Human Rights Council resolution 21/16, and in particular operative paragraph 1 that “reminds States of their obligation to respect and fully protect the rights of all individuals to assemble peacefully and associate freely, online as well as offline, including in the context of elections, and including persons espousing minority or dissenting views or beliefs, human rights defenders, trade unionists and others, including migrants, seeking to exercise or to promote these rights, and to take all necessary measures to ensure that any restrictions on the free exercise of the rights to freedom of peaceful assembly and of association are in accordance with their obligations under international human rights law.”

It is our responsibility under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention. Since we are expected to report on these cases to the Council, we would be grateful for your cooperation and your observations on the following matters:

1. Are the facts summarized accurate?
2. How has POSCO sought to meet its responsibility to respect human rights as detailed in the Guiding Principle 16? More specifically, what steps have been taken to reflect POSCO’s commitment to comply with international human rights standards in its operational policies and procedures?

3. What actions has POSCO carried out to fulfill its responsibilities under Guiding Principle 18? More specifically, has POSCO sought to identify and assess, including through meaningful consultation with potentially affected groups, any actual or potential adverse human rights impacts with which they may be involved either through their own activities or as a result of their business relationships?

4. What actions has POSCO carried out to fulfill its responsibilities under Guiding Principle 23? More specifically, what measures have been taken to ensure that POSCO “comply with all applicable laws”, which in this case would include the provisions of the Forest Rights Act?

5. How has POSCO carried out its responsibilities under Guiding Principle 19? More specifically, has POSCO taken appropriate action to prevent and mitigate against any adverse human rights impacts that may arise as a result of their project?

6. What actions has POSCO carried out to fulfill its responsibilities under Guiding Principle 20 and 21? More specifically:

- a. How does POSCO track the effectiveness of measures taken to prevent and mitigate against any adverse human rights impacts, including through consultation with affected stakeholders?
- b. How does POSCO communicate to the locally affected people and the wider public about the actions it takes to prevent and mitigate against any adverse human rights impacts?

7. How has POSCO carried out its responsibilities under Guiding Principle 29? More specifically, what operational-level grievance mechanisms have POSCO established or participated in that effectively address operational-level grievances?

We would most grateful to receive a response within 60 days. We undertake to ensure that the information received from your company will be reflected in the report we submit to the Human Rights Council for its consideration.

Please accept, Excellency, the assurances of our highest consideration.

Maria Magdalena Sepúlveda Carmona
Special Rapporteur on extreme poverty and human rights

Raquel Rolnik
Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context

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Special Rapporteur on the human right to safe drinking water and
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