



Korea National Contact Point Peer Review

Implementation of Recommendations

2022 Working Party Responsible Business Conduct

Institutional Arrangements



	Findings	Recommendations
1.1	Civil society and trade union stakeholders raised issue that labour experts did not represent worker interests but, in their opinion, the interests of business and the relationship between representatives from MOTIE and civil society and trade union stakeholders appears to be tenuous. Business representative were also of the opinion that they were not adequately represented by the current composition of the NCP.	The NCP should make more efforts to improve relationships with key stakeholders by integrating stakeholder perspectives into its structures or establishing channels for regular and meaningful engagement with stakeholders.
1.2	The NCP has a publically announced application process for appointment of NCP commissioners and according to the NCP as part of this process they collect recommendations from stakeholders including from trade union and civil society. However some trade union and civil society stakeholders do not trust the integrity of the appointment process of NCP commissioners	The NCP should improve the selection process for NCP commissioners to demonstrate it takes into account stakeholder inputs on candidates.
1.3	Using the KCAB Secretariat as an intermediary body between the NCP commission and key stakeholders (including parties to specific instances and other NCPs) is reducing the visibility and direct contact of stakeholders with decision makers.	The NCP should provide more opportunities for direct communication between the NCP commission and key stakeholders.

Institutional Arrangements 1.1



Implementation Outcome

✓ **'NCP forums'** to engage stakeholders

KNCP held four NCP forums to discuss a variety of themes regarding operation of KNCP and responsible business conduct (RBC).

- Review of Issues Regarding NCP's Dispute Resolution Procedure(22 Sep. 2020)
- Overseas Trends in Discussions on RBC and its Significance(22 Dec. 2020)
- Measures for Effective Promotion of RBC(5 Nov. 2021)
- Implementation System of the Guidelines and its Effectiveness, and NCP(21 Dec. 2021)

Implementation Plan

The KNCP will further promote the operation of NCP forums for better communication and relationships with stakeholders, as well as come up with measures to help stakeholders express their opinions on the NCP through various channels.



Institutional Arrangements 1.2

Implementation Outcome

- ✓ **KNCP's Non-government Commissioners are;**
 - **publicly recruited,**
 - based on the **Rules for the Operation of the Korean National Contact Point**
 - following the **eligibility screening process.**

Additional Non-government commissioner has not been appointed after the peer review.

Implementation Plan

The KNCP will come up with measures to **strengthen the fairness and transparency** of the appointment of private commissioners **in accordance with the recommendations of the peer review**

Institutional Arrangements 1.3

Implementation Outcome

✓ Face-to-face Meetings with NCP Commissioners

- **(Martin Linge Project case)** Four meetings in total: two for the complainant, two for the respondent
- **(Palm oil case in Indonesia)** Two meetings in total: one for the complainant, one for the respondent
- **(Stakeholder meeting)** A civil society organization(KNTC Watch) and KNCP had a meeting on the NCP operation in 2 March 2022.

✓ NCP Forum

The KNCP has provided venues for direct communication between stakeholders and NCP commissioners through **four NCP Forums** since 2020.

Implementation Plan

The KNCP will keep expanding opportunities for the parties concerned and stakeholders to directly communicate with NCP commissioners, for instance **arrange face-to-face meeting with NCP commissioners before the initial assessment.**

Promotional activities



	Findings	Recommendations
2.1	The NCP makes decisions annually about promotional activities as a function of the budget it has not developed a separate strategy for promotion.	The NCP should develop a separate strategic promotional plan to help it refine its focus on promotional activities that result in most impact.
2.2	The NCP does not demonstrate having a close and regular relationship with all government agencies with complementary or related mandates or that it regularly promotes policy coherence on responsible business conduct.	The NCP should make additional efforts to engage more regularly and broadly with other relevant parts of government such as the Ministries of Justice, Foreign Affairs as well as the National Human Rights Commission.

Promotional activities 2.1

Implementation Outcome

The KNCP has set up its promotional directions in accordance of the peer review recommendations: raise awareness of RBC, improve its operational transparency and visibility, strengthen the linkage between government policies, and expand its promotional network.

- ✓ **Active Promotion through a variety of channels** (website, videos, booklets, and presentations)
 - Renewal of the website (2021, <https://www.ncp.or.kr>),
 - production of promotional video (2020, <https://youtu.be/Y8b1fUVBIMQ>) and video on the procedure for handling specific instances (2021),
 - production and distribution of booklets (2021),
 - translation and distribution of due diligence guidances (2020: shoes and clothing/institutional investors, 2021: FAO Agriculture, elimination of child labor),
 - holding of Promotional Meetings & Seminars (7 sessions during 2020-2021)

- ✓ **Media Announcement**

In January 2022, the KNCP announced the final statement regarding the palm oil in Indonesia to the media for the first time since its establishment.

Implementation Plan

The KNCP will raise awareness of responsible business conduct (RBC) and the Guidelines by utilizing various media outlets and contents.

Promotional activities 2.2

Implementation Outcome

✓ **Business and Human Rights Forum** (Inter-Governmental Event)

The KNCP is committed to deepening cooperation with the Ministry of Trade, Industry and Energy, the Ministry of Employment and Labor, and the Ministry of Environment from which its commissioners are directly engaged, and has therefore **participated in the Business and Human Rights Forum** jointly hosted by the Ministry of Justice and the National Human Rights Commission of Korea.

- Participation as speakers at the Business and Human Rights Forums (4 Dec. 2020, 3 Dec. 2021)

✓ **National Human Rights Plans of Action: NAP**

- Participated in the development of the 4th NAP (2023-2027)
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Implementation Plan

The KNCP will keep expanding opportunities for the parties concerned and stakeholders to directly communicate with NCP commissioners, for instance **arrange face-to-face meeting with NCP commissioners before the initial assessment.**

Specific Instance Handling



	Findings	Recommendations
3.1	The separate roles and responsibilities of the Secretariat, NCP commission and Mediation Committee in handling the specific instances could be more clear in the Rules and procedural overview for specific instances provided on the NCP website.	The roles of the responsibilities of different NCP bodies involved in handling specific instances should be further clarified.
3.2	The recommendations provided in final statements are general and do not respond specifically to the issues raised.	The NCP should provide concrete recommendations that respond specifically to the issues in question and as relevant make reference to recommendations of the Guidelines and due diligence guidance. The NCP should also consider undertaking follow up of specific instances where recommendations are issued to assess whether they have been responded to.
3.3	Some NCPs have raised challenges with respect to cooperating with the Korean NCP in specific instance handling.	The NCP should strengthen cooperation with other NCPs in the network with respect to specific instance handling.

Specific Instance Handling 3.1



Implementation Outcome

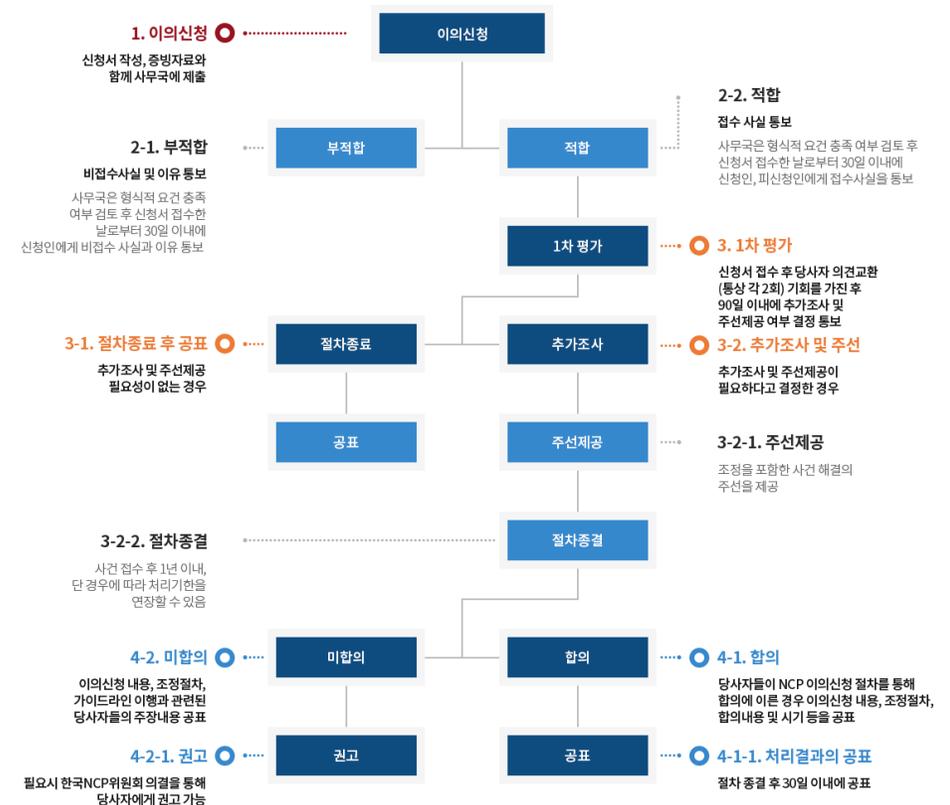
✓ Detailed Description on Instance Handling Process

Last year, the KNCP renewed its website to add detailed descriptions of the handling of specific instances, and produced and distributed a video on the procedure for handling specific instances in Korean and English to raise awareness of the procedure and the roles and responsibilities of each organization.

- Video on the procedure for handling specific instances (<https://youtu.be/-wLAFTYVsg0>)

Implementation Plan

The KNCP will ramp up its promotional efforts to help the parties concerned better understand the roles and responsibilities within the NCP.



Specific Instance Handling 3.2

Implementation Outcome

✓ **Concrete Recommendations & Follow-up Measures**

In accordance with the peer review recommendations, the KNCP has recently suggested more practical and specific recommendations in the final statements of the two specific instances and then conducted follow-up measures.

- Laos dam case (23 Jul. 2020), Palm oil case in Indonesia (13 Jan. 2022)
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Implementation Plan

The KNCP will strive to incorporate practical recommendations under the Guidelines though it may have limitations in handling specific instances depending on issues.

Specific Instance Handling 3.3

Implementation Outcome

- ✓ Cooperation with other NCP in handling specific instance

The KNCP has been in close cooperation with the Norwegian NCP, for instance holding two meetings and sending joint request on the specific instance regarding the ongoing Martin Linge Project case.

- Two meetings held among OECD Secretariat, Norwegian NCP Secretariat and Korean NCP Secretariat (23 Jun. & 26 Oct. 2021)
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Implementation Plan

The KNCP will actively cooperate with other NCPs to promote RBC and handle specific instances.



KNCP Peer Review

Thank you