






# **Centralized National Risk Assessment for Republic of Korea**

FSC-CNRA-KR V1-0 EN

<b>Title:</b>	Centralized National Risk Assessment for Republic of Korea
<b>Document reference code:</b>	FSC-CNRA-KR V1-0 EN
<b>Approval body:</b>	FSC International Center: Policy and Standards Unit
<b>Date of approval:</b>	15 December 2017
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## Risk assessments that have been finalized for Republic of Korea

<b>Controlled Wood categories</b>		<b>Risk assessment completed?</b>
1	Illegally harvested wood	YES
2	Wood harvested in violation of traditional and human rights	YES
3	Wood from forests where high conservation values are threatened by management activities	YES
4	Wood from forests being converted to plantations or non-forest use	YES
5	Wood from forests in which genetically modified trees are planted	YES

## Risk designations in finalized risk assessments for Republic of Korea

Indicator	Risk designation (including functional scale when relevant)
Controlled wood category 1: Illegally harvested wood	
1.1	Low risk
1.2	N/A
1.3	Low risk
1.4	Low risk
1.5	Low risk
1.6	Low risk
1.7	Low risk
1.8	Low risk
1.9	Low risk
1.10	Low risk
1.11	Specified risk
1.12	Specified risk
1.13	Low risk
1.14	N/A
1.15	N/A
1.16	Low risk
1.17	Low risk
1.18	Low risk
1.19	Low risk
1.20	Low risk
1.21	N/A
Controlled wood category 2: Wood harvested in violation of traditional and human rights	
2.1	Low risk
2.2	Specified risk for the right to freedom of association, forced labour and for gender wage discrimination. Low risk for child labour and other forms of discrimination.
2.3	Low risk
Controlled wood category 3: Wood from forests where high conservation values are threatened by management activities	
3.0	Low risk
3.1	Low risk
3.2	Low risk
3.3	Low risk
3.4	Low risk
3.5	Low risk
3.6	Low risk
Controlled wood category 4: Wood from forests being converted to plantations or non-forest use	
4.1	Specified risk

Controlled wood category 5: Wood from forests in which genetically modified trees are planted	
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5.1	Low risk
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# Risk assessments

## Controlled wood category 1: Illegally harvested wood

### Overview

South Korea is approximately 9873 thousand ha, and as of 2010, the forest area was about 6.2 million ha or 63% of total land area.<sup>1</sup> Coniferous forests predominate in South Korea, comprising almost half the forest area. The remaining forests are almost evenly divided between deciduous forest and mixed species forest.<sup>2</sup> The predominant coniferous species are Japanese Larch (*Larix leptolepis*), Pitch pine (*Pinus rigida*) and Korean pine (*Pinus koraiensis*). A high proportion of the South Korea's forests are the result of large-scale reforestation programmes.

The country has a relatively low rate of deforestation, just 0.1% annually for the period 2010-15.<sup>3</sup>

Broad-leaved forests include species such as oak, and occupy 28% of the total forest area. The other 27% is covered with mixed forest. By age class, young trees less than 20 years old amount 35% of the growing stock, while trees between the ages of 21 and represent 40%, and trees more than 31 years old are 25%. Harvestable standing volume is 65M m<sup>3</sup>. Average volume per hectare increased 3.7%, from 39.78 m<sup>3</sup> to 38.36 m<sup>3</sup> in the late 1970s. This is roughly equivalent to 4 times the volume (11.3m<sup>3</sup>/ha) in the 1970's when the government embarked on its current forest policy.<sup>4</sup>

Reforestation efforts began in the 1970s, but plantations are not yet mature and the country is heavily reliant on imports to supply domestic demand for wood and paper.<sup>5</sup> Korea depends on timber imports from Indonesia, Malaysia, the US, New Zealand, Chile and other countries to supply its domestic market and industries. Korea has an extensive wood processing industry based largely on imported wood. The main products from forests in Korea are non-wood forest products, such as chestnuts and mushrooms, which are major exports.<sup>6</sup>

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<sup>1</sup> Food and Agriculture Organization of the United Nations. Global Forest Resources Assessment 2010; Food and Agriculture Organization of the United Nations: Rome, Italy, 2010. Available online: <http://www.fao.org/docrep/013/i1757e/i1757e.pdf>, p 219.

<sup>2</sup> South Carolina State Forest Department (undated). *South Korea Market Profile*. Available online < <https://www.state.sc.us/forest/fprodsko.pdf>>, accessed 4 April 2017.

<sup>3</sup> Food and Agriculture Organization of the United Nations. Global Forest Resources Assessment 2015; Food and Agriculture Organization of the United Nations: Rome, Italy, 2016. Available online: <http://www.fao.org/documents/card/en/c/7ae8ad10-38b4-41f2-bf9c-aae616a36f3c/>

<sup>4</sup> Ibid.

<sup>5</sup> Lee, S.W, (2005): Forestry in Korea, Portland: World Forestry Centre/Eagon, [http://wfi.worldforestry.org/media/presentations/korea\\_s.lee.pdf](http://wfi.worldforestry.org/media/presentations/korea_s.lee.pdf) in Sam Lawson, Chatham House, 2014. Illegal Wood Import and Re-export: The Scale of the Problem and the Response in Thailand, South Korea and India. Available online < [https://www.illegal-logging.info/sites/files/chlogging/Lawson\\_Thailand\\_SK\\_India\\_PP\\_2014\\_0.pdf](https://www.illegal-logging.info/sites/files/chlogging/Lawson_Thailand_SK_India_PP_2014_0.pdf)> accessed 4 April 2017.

<sup>6</sup> South Carolina State Forest Department (undated). *South Korea Market Profile*. Available online < <https://www.state.sc.us/forest/fprodsko.pdf>>, accessed 4 April 2017.

### *National Forest Planning*

Korean forests were badly degraded through the first half of the 20th Century, due to: logging under Japanese occupation; intense demands for fuelwood; and war damage during the Korean conflict.<sup>7</sup> The growing stock volume per hectare then was 6 m<sup>3</sup>, 6% of the current figure. The devastation of the forests caused serious social problems like lack of fuel, severe floods and droughts<sup>8</sup> and have been described as ‘catastrophic’.<sup>9</sup> Between 1961 and 1995 stocked forest land increased from 4M hectares to 6.3M hectares, as a result of a large-scale reforestation,<sup>10</sup> this was carried out through a series of National Forest Plans.

- The first National Forest Plan was established after legal and institutional preparations in the 1960s and included the Forest Rehabilitation Project, which was launched in 1973. The Forest Rehabilitation Project aimed to ‘to protect food resources and the livelihoods of the Korean people’.<sup>11</sup> The government declared the Nationwide Tree Planting period (21 March to 20 April) and Arbor Day to draw out active participation from the public. More than one million ha of denuded forest was restored with fast growing tree species through public participation. The 10-year project was completed 4 years in advance of its target (1973-1978).<sup>12</sup>
- The Second 10-year national Forest Plan was devised to establish large-scale commercial forests that could develop into sustainable timber resources for domestic demands on timber products.<sup>13</sup> The government implemented various forest policies in order to achieve objectives like forest rehabilitation, enhancement of forest protection, and foundation of forest development funds to support private and national forests. Along with reforestation projects, erosion control was also actively undertaken to prevent natural disasters, and advanced biotechnology was adopted to control forest diseases and pests as well. Under the Second National Forest Plan, 80 commercial forests were built, and 325,000 ha were successfully reforested and plantation in 1.06 million ha was completed in total.<sup>14</sup>
- The Third National Forest Plan (1988-1997) aimed to harmonize economic functions and public benefits of the forests. The Korean Forestry Service (KFS) carried out forestry income enhancement projects and public awareness-raising programs on the importance of forests and its conservation, and supported overseas plantation projects with the aim of securing stable and long-term timber supplies.<sup>15</sup> On top of that, it also developed and implemented policies for improving public benefits of the forests, including creation of recreation forests, water resources conservation, wildlife protection, etc. To promote more effective forest management practices, the Forest Law was amended and enhanced, and the Act on Promotion of Forestry and Mountain Village was enacted in 1997.<sup>16</sup>

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<sup>7</sup> South Carolina State Forest Department (undated). *South Korea Market Profile*. Available online < <https://www.state.sc.us/forest/fprodsko.pdf>>, accessed 4 April 2017.

<sup>8</sup> LEE, Yong-Kwon, Director of the Korea Forest Service, in Myankore Times (Undated). *Korea's reforestation and sustainable forest management (4)*. Available online < <http://demo.myankotimes.com/?p=138>>, accessed 4 April 2017.

<sup>9</sup> Secretariat of the Convention on Biological Diversity and the Korea Forest Service, Republic of Korea, 2015. Leveraging public programmes with socio-economic and development objectives to support conservation and restoration of ecosystems: lessons learned from the Republic of Korea's National Reforestation Programme. Available online < [https://www.cbd.int/ecore Restoration/doc/Korean-Study\\_Final-Version-20150106.pdf](https://www.cbd.int/ecore Restoration/doc/Korean-Study_Final-Version-20150106.pdf)>, accessed 4 April 2017.

<sup>10</sup> South Carolina State Forest Department (undated). *South Korea Market Profile*. Available online < <https://www.state.sc.us/forest/fprodsko.pdf>>, accessed 4 April 2017.

<sup>11</sup> Secretariat of the Convention on Biological Diversity and the Korea Forest Service, Republic of Korea, 2015. Leveraging public programmes with socio-economic and development objectives to support conservation and restoration of ecosystems: lessons learned from the Republic of Korea's National Reforestation Programme. Available online < [https://www.cbd.int/ecore Restoration/doc/Korean-Study\\_Final-Version-20150106.pdf](https://www.cbd.int/ecore Restoration/doc/Korean-Study_Final-Version-20150106.pdf)>, accessed 4 April 2017.

<sup>12</sup> LEE, Yong-Kwon, Director of the Korea Forest Service, in Myankore Times (Undated). *Korea's reforestation and sustainable forest management (4)*. Available online < <http://demo.myankotimes.com/?p=138>>, accessed 4 April 2017.

<sup>13</sup> Ibid.

<sup>14</sup> Ibid.

<sup>15</sup> Ibid.

<sup>16</sup> Ibid.



- The Fourth National Forest Plan (1998-2007) entered a transitional phase of forest policies, moving from mainly focusing on economic functions to enhancing overall forest benefits including public and recreational benefits. Therefore, sustainable forest management was reflected in forest policies and activities. The KFS put special emphasis on developing valuable forest resources and fostering a competitive forestry industry, thereby increasing public benefit for the people.<sup>17</sup>

The government-led forest management policies turned into autonomic forest management in the private forest sector, based on the capability and discretion of forest owners. To achieve implementing objectives for sustainable forest management, the KFS consolidated legal and institutional systems by enacting the *Framework Act on Forest, the Act on Promotion and Management of Forest Resources, the Act on the National Forest Management, the Act on Forest Culture and Recreation and the Act on Promotion of Forestry and Mountain Villages*.<sup>18</sup>

Based on foundations and frameworks established under the Fourth Plan, the Fifth National Forest Plan (2008-2017) has been designed to further expand the implementation of sustainable forest management in pursuit of maximizing forest functions. The overall vision of the Fifth Plan is "to realize a green nation with sustainable welfare and growth" by sustainably managing forests as key resources for strengthening nation's economic development, land conservation and improved quality of life.<sup>19</sup>

#### *Forest governance and timber legality*

As of 2010 South Korean forests consist of national forests (21.4%), public forests (8%) and private forests (71%),<sup>20</sup> and are also divided into reserve (for production and public welfare) and semi-reserve (for industrial) forests by utilization.<sup>21</sup> The national forests are mostly managed by 24 National Forest Stations. The national forest can be subdivided into permanent and disposable forests. Most of national forests are permanent forests and they are usually managed for timber production, land conservation, scientific research, development of forestry techniques, preservation of both historical relics and tangible cultural heritage, and other public benefits. Disposable national forest may be converted to other uses. Public forest owned by local governments comprise about 8% (0.491 million ha) of the total forest land.<sup>22</sup> Private forests are owned by private individual and organizations such as people's parties, families, and cooperative groups. The number of private forest owners is about 2 million. But 96% of the owners own less than 10 ha of forest to a total forest area of about 52.5%, so the ownership scale is very small; this trend is accelerating. The main purposes of private forests are for the burial places and the propagation of property.<sup>23</sup> Regardless of forest type all management of forests in mountainous regions is controlled by government policy.<sup>24</sup>

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<sup>17</sup> Ibid.

<sup>18</sup> Ibid.

<sup>19</sup> Ibid.

<sup>20</sup> Food and Agriculture Organization of the United Nations. Global Forest Resources Assessment 2010; Food and Agriculture Organization of the United Nations: Rome, Italy, 2010. Available online: <http://www.fao.org/docrep/013/i1757e/i1757e.pdf>, p 235

<sup>21</sup> Byoung Il Yoo, Forestry Information Forestry Research Institute Seoul, Korea for the Food and Agriculture Organization of the United Nations. Asia-Pacific Forestry Sector Outlook Study Working Paper Series - In-depth country study in the Republic of Korea - status, trends and prospects to 2010. Available: <ftp://ftp.fao.org/docrep/fao/003/W5547E/W5547E00.pdf>. Accessed 3 October 2017.

<sup>22</sup> Ibid.

<sup>23</sup> Ibid.

<sup>24</sup> South Carolina State Forest Department (undated). *South Korea Market Profile*. Available online < <https://www.state.sc.us/forest/fprodsko.pdf>>, accessed 4 April 2017.

In December 1996, South Korea enacted the Forest Act (Appendix) for the use and management of forestry resources. However, to regulate basic targets of forest policies and set policy directions, the state enacted the Framework Act on Forest (Appendix) in May 2001, which modified forest and forestry legislation and adopted the Establishment and Management of Forest Resources Act. Various acts (e.g., the Forest Culture and Recreation Act, the Forest Protection Act and the Baekdudaegan Protection Act (Appendix)) were established to regulate multiple fields under the Framework Act on Forest. The Framework Act on Forest stipulates basic objectives and structure of forest policies for development of various forest policies. It plays a significant role as a fundamental law which offers background and normative standards for enacting other forest laws in the system of forest legislation. As of March 2014, there are 18 acts, 18 executive orders and 17 ordinances under the Korea Forest Service's jurisdiction.<sup>25</sup>

South Korea is one of the world's largest importers of timber and wood-based products. About 90% of the country's demand for timber is met by imports, nearly 15% of which are estimated to be illegal, per capita illegally-sourced imports are the highest of any consumer country assessed by Chatham House.<sup>26</sup> South Korea's top import sources are China, New Zealand and Malaysia.<sup>27</sup> The response of the government to the issue has been limited, although new legislation on the sustainable use of timber was passed in 2012, this included provisions related to illegal logging. The private sector response has also been slow, although the rapid growth in the number of companies with FSC chain-of-custody certification may indicate a shift.<sup>28</sup>

The 2016 Transparency International's Corruption Perception Index gave South Korea a score of 53 out of 100.

## References

Given the success of the Korean Reforestation programme following the Korean War, there has been quite extensive English language research conducted on the forest sector in the Republic of Korea, including many reports comparing the situation in North Korea with that of the Republic of Korea.

Additionally, internet based research has been carried out for each indicator, primarily in English, but also initially in Korean.

Consultation with in-country experts was carried out throughout the drafting of this assessment from 2015-2017, including face to face consultation meetings held in Seoul in 2016. A range of experts were consulted, including representatives from research organizations, civil society organizations and Republic of Korea Government Ministries. Due to confidentiality issues, the experts consulted have not been named specifically in this report, but a list of experts has been provided to FSC. These sources are collectively referenced as "Expert Consultation" in this risk assessment.

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<sup>25</sup> Park, M.S.; Lee, H. Forest Policy and Law for Sustainability within the Korean Peninsula. Sustainability 2014, 6, 5162-5186, available online < <http://www.mdpi.com/2071-1050/6/8/5162>> accessed 4 April 2017.

<sup>26</sup> Chatham House, 2014. *South Korea 2013 Assessment Findings*. Available online < <https://indicators.chathamhouse.org/explore-the-data/south-korea>>, accessed 4 April 2017.

<sup>27</sup> Lee, Seol Woon International Fellow, Worl Forest Institute, 2017. *Forestry In Korea*. Available online [http://www.worldforestry.org/wp-content/uploads/2015/11/korea\\_s.lee.pdf](http://www.worldforestry.org/wp-content/uploads/2015/11/korea_s.lee.pdf), accessed 5 April 2017.

<sup>28</sup> Chatham House, 2014. *South Korea 2013 Assessment Findings*. Available online < <https://indicators.chathamhouse.org/explore-the-data/south-korea>>, accessed 4 April 2017.

## Sources of legal timber in South Korea

Forest classification type	Permit/license type	Main license requirements (forest management plan, harvest plan or similar?)	Clarification
All types.	Harvesting permit.	Harvest plan.	<p>Korea has two different approaches for the harvesting permission process:</p> <p>For <b>National Forest</b> (owned by the state government), relevant local forest stations develop design of forest operation and complete harvesting of timber materials. And then they sell to private or companies who participate open bid competition for national asset auction system. There are requirements exist to register in the government open bid system. Sales agreement can be identified as proof of legality of timber materials.</p> <p>For <b>Public forests</b> (owned by local governments), and <b>Private forests</b> (owned by private entities), it is the responsibility of local government to provide permission for harvesting operations. However, applicants should submit 1) GPS location map, 2) survey report for target volumes of cutting trees, 3) harvesting plan (including purpose, duration, utilization plan, reforestation plan, etc.), 4) plan for installation and restoration of extract road, 5) certificate of ownership or use right/beneficiary right of a person who intend to cut the tree.</p>

## Risk assessment

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
<b>Legal rights to harvest</b>			
1.1 Land tenure and management rights	<p><b>Applicable laws and regulations</b></p> <ul style="list-style-type: none"> <li>CIVIL ACT [Enforcement Date 09. Aug, 2009.] [Act No.9650, 08. May, 2009, Partial Amendment], Article 212, 216, 217, 218, 219 <a href="http://elaw.klri.re.kr/kor_service/lawView.do?hseq=29453&amp;lang=ENG">http://elaw.klri.re.kr/kor_service/lawView.do?hseq=29453&amp;lang=ENG</a></li> <li>REGISTRATION OF REAL ESTATE ACT [Enforcement Date 25. Jan, 2016.] [Act No.13426, 24. July, 2015, Other Laws and Regulations Amended], Article 3, 34</li> </ul>	<p><b>Government sources</b></p> <ul style="list-style-type: none"> <li>Forest Agency's Regional Headquarters and Local stations: <a href="http://www.forest.go.kr/newkfsweb/kfs/idx/Index.do?mn=KFS_01">http://www.forest.go.kr/newkfsweb/kfs/idx/Index.do?mn=KFS_01</a></li> <li>LEE, Yong-Kwon, Director of the Korea Forest Service, in Myankore Times (Undated). <i>Korea's reforestation and sustainable forest management (4)</i>. Available online &lt;</li> </ul>	<p><b>Overview of Legal Requirements</b></p> <p>Ownership of the forest in South Korea is divided into three types: <b>national forest</b> (state owned), and <b>public forests</b> (owned by local governments), and <b>private forests</b> (owned by private entities).</p> <p><i>National Forest</i> The national forests are owned by the state, and are mostly managed by 24 National Forest Stations.</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p><a href="http://www.law.go.kr/lsSc.do?menuId=0&amp;p1=&amp;subMenu=1&amp;nwYn=1&amp;section=&amp;tabNo=&amp;query=%EB%B6%80%EB%8F%99%EC%82%B0%EB%93%B1%EA%B8%B0%EB%B2%95#undefined">http://www.law.go.kr/lsSc.do?menuId=0&amp;p1=&amp;subMenu=1&amp;nwYn=1&amp;section=&amp;tabNo=&amp;query=%EB%B6%80%EB%8F%99%EC%82%B0%EB%93%B1%EA%B8%B0%EB%B2%95#undefined</a></p> <p><b>Legal Authority</b> Ministry of Justice</p> <p><b>Legally required documents or records</b> A certified copy of the real estate register - available on the Local Government Office website, search can be carried out by social security number.</p>	<p><a href="http://demo.myankotimes.com/?p=138">http://demo.myankotimes.com/?p=138</a>, accessed 4 April 2017.</p> <ul style="list-style-type: none"> <li>Secretariat of the Convention on Biological Diversity and the Korea Forest Service, Republic of Korea, 2015. <i>Leveraging public programmes with socio-economic and development objectives to support conservation and restoration of ecosystems: lessons learned from the Republic of Korea's National Reforestation Programme</i>. Available online &lt; <a href="https://www.cbd.int/ecorestoration/doc/Korean-Study_Final-Version-20150106.pdf">https://www.cbd.int/ecorestoration/doc/Korean-Study_Final-Version-20150106.pdf</a>&gt;, accessed 4 April 2017.</li> </ul> <p><b>Non-Government sources</b></p> <ul style="list-style-type: none"> <li>Lee, Seol Woon International Fellow, Worl Forest Institute, 2017. <i>Forestry In Korea</i>. Available online <a href="http://www.worldforestry.org/wp-content/uploads/2015/11/korea_s.lee.pdf">http://www.worldforestry.org/wp-content/uploads/2015/11/korea_s.lee.pdf</a>, accessed 5 April 2017.</li> <li>Transparency International, 2017. <i>Corruption Perception Index 2016 – South Korea</i>. <a href="http://www.transparency.org/news/feature/corruption_perceptions_index_2016#table">http://www.transparency.org/news/feature/corruption_perceptions_index_2016#table</a></li> <li>World Bank, 2015. <i>Worldwide Governance Indicators – Republic of Korea</i>. <a href="http://info.worldbank.org/governance/wgi/#reports">http://info.worldbank.org/governance/wgi/#reports</a></li> <li>Expert consultation carried out in Seoul by NEPCoN, March 2016.</li> </ul>	<p>The national forest can be subdivided into permanent and disposable forests. Most of national forests are permanent forests and they are usually managed for timber production, land conservation, scientific research, development of forestry techniques, preservation of both historical relics and tangible cultural heritage, and other public benefits. Disposable national forest may be converted to other uses.</p> <p><b>Public Forests</b> Public forest owned by local governments comprise about 8% (0.491 million ha) of the total forest land. Public land cannot be acquired so there are no tenure issues.</p> <p><b>Private Forests</b> Private land is bought and sold according to the law for the sale of real property.</p> <p>For the privately-owned land, the Korean Cadastral system is open to the public online. Transfers of private land are done in accordance with the Civil Act and the Registration of Real Estate Act (i.e. buying and selling of land). The justice department verifies the land ownership of each compartment and area. All registered ownership information is uploaded to the justice department's homepage. Anyone with a land address can search legitimate owner information from the web. The owner of the land holds legal rights of land use, standing trees and other materials.</p> <p>The Ministry of Land, Transport and Maritime Affairs (MLTM) is responsible for the</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
		<ul style="list-style-type: none"> <li>Chatham House, 2017. <i>Illegal Logging Portal – South Korea</i>. <a href="https://www.illegal-logging.info/regions/south-korea">https://www.illegal-logging.info/regions/south-korea</a> accessed 4 April 2017.</li> <li>Sam Lawson, Chatham House, 2014. <i>Illegal Wood Import and Re-export: The Scale of the Problem and the Response in Thailand, South Korea and India</i>. Available online &lt; <a href="https://www.illegal-logging.info/sites/files/chlogging/Laws_on_Thailand_SK_India_PP_2014_0.pdf">https://www.illegal-logging.info/sites/files/chlogging/Laws_on_Thailand_SK_India_PP_2014_0.pdf</a>&gt; accessed 4 April 2017.</li> <li>Rachel Rivera for ForestNews CIFOR, 2011. “Turning bare land into a green nation”: How South Korea recovered its degraded forests Strong government, community spirit and Confucianism rebuild Korean forests. Available online &lt; <a href="http://blog.cifor.org/4723/turning-bare-land-into-a-green-nation-how-south-korea-recovered-its-degraded-forests?fnl=en">http://blog.cifor.org/4723/turning-bare-land-into-a-green-nation-how-south-korea-recovered-its-degraded-forests?fnl=en</a>&gt;, accessed 4 April 2017.</li> <li>Bae, J.S.; Joo, R.W; Kim, Y.S. of the Centre for International Forestry Research CIFOR, 2011. <i>Forest transition in South Korea: reality, path and drivers</i>. Available online <a href="http://www.cifor.org/library/3515/forest-transition-in-south-korea-reality-path-and-drivers/?pub=3515">http://www.cifor.org/library/3515/forest-transition-in-south-korea-reality-path-and-drivers/?pub=3515</a> accessed 4 April 2017</li> <li>Park, M.S.; Lee, H. <i>Forest Policy and Law for Sustainability within the</i></li> </ul>	<p>implementation of the Comprehensive Plan of National Land, which the Ministry reviews and eventually consolidates every five years.</p> <p>Under MLTL, the Korea Cadastral Survey Corporation (KCSC) is the organization that performs cadastral surveying and is responsible for the management of the ownership and registration system, field surveying, examination of land information and update of registries. At the local level, KCSC's main duties are to provide cadastral services, such as land registration and examination of cadastral records, to the public. KCSC reports to the cadastral departments in MLTM and consists of a three-level hierarchical structure made of a head office, branch offices in provinces, local agencies in cities, counties and districts.</p> <p>The local governments are responsible for the management of public properties and facilities and may, within the limit of laws, also “enact provisions relating to local autonomy regulations”, as provided for by Article 117 of the Constitution.</p> <p>Private forests occupy almost 70% of all forest land. 53% of private owners, who have less than 50 ha each, do not actively manage their forest. So the government tries to buy the non-managed private forest land to increase the National forest (Lee 2015).</p> <p>Under the REGISTRATION OF REAL ESTATE ACT, registration shall be filed with regard to indication of a sectioned building, and establishment, preservation, transfer, change,</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
		<p><i>Korean Peninsula</i>. Sustainability 2014, 6, 5162-5186, available online &lt; <a href="http://www.mdpi.com/2071-1050/6/8/5162">http://www.mdpi.com/2071-1050/6/8/5162</a>&gt; accessed 4 April 2017.</p> <ul style="list-style-type: none"> <li>Chatham House, 2014. <i>South Korea 2013 Assessment Findings</i>. Available online &lt; <a href="https://indicators.chathamhouse.org/explore-the-data/south-korea">https://indicators.chathamhouse.org/explore-the-data/south-korea</a>&gt;, accessed 4 April 2017.</li> <li>GAN Integrity. (2017). South Korea Corruption Report. Available at: <a href="http://www.business-anti-corruption.com/country-profiles/south-korea">http://www.business-anti-corruption.com/country-profiles/south-korea</a> [Accessed 4 October 2017].</li> </ul>	<p>restriction on disposal or extinguishment of rights falling under any of the following:</p> <ol style="list-style-type: none"> <li>1. Ownership;</li> <li>2. Superficies;</li> <li>3. Easements;</li> <li>4. Rights to lease on a deposit basis;</li> <li>5. Mortgages;</li> <li>6. Pledges of rights;</li> <li>7. Leasehold interests.</li> </ol> <p>Register of real estate shall include information in below:</p> <ol style="list-style-type: none"> <li>1. ID code</li> <li>2. Date, month and year</li> <li>3. The location and a lot number of real estate</li> <li>4. Land category</li> <li>5. Area size</li> <li>6. Purpose of registration</li> </ol> <p><b>Description of risk</b>  Korea's accuracy of land registration and ownership is very good (Expert Consultation, 2016) and the justice department maintains an online system for certified land registration. It is clear and easy to find ownership information publicly. This helps to reduce tendency of land disputes over private land. Anyone who wants to find the owner of land/forests can visit the justice department website and search for the rightful owner.</p> <p>According to GAN Integrity 'Corruption is rare within South Korea's land administration. Private property rights are enshrined in the Korean Constitution and are generally well protected (BTI 2016). There is very little chance</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			<p>of expropriation taking place [...] Expropriations of private property can only take place when it is non-discriminatory, for public purposes, follows due process, and takes place with prompt and adequate compensation (ICS 2016). Registering a property involves seven procedures, but only takes five days; just a fourth of the average time in takes in OECD high income countries (DB 2017).'</p> <p>There are very few complaints about identifying ownership of forestland and timber products. It is systematically well controlled (Expert consultation, 2016).</p> <p>In 2016, Transparency International scored South Korea 53/100. The 2015 World Bank Worldwide Governance indicators for South Korea were:</p> <ul style="list-style-type: none"> <li>- Voice and Accountability: 69/100</li> <li>- Political Stability and Absence of Violence: 52/100</li> <li>- Government Effectiveness: 80/100</li> <li>- Regulatory Quality: 84/100</li> <li>- Rule of Law: 81/100</li> <li>- Control of Corruption: 70/100</li> </ul> <p>Extensive research, experience in the Korean forestry sector from the team of authors of this report and discussions with experts in Seoul in 2016 has not revealed any information to indicate a risk in this indicator.</p> <p><b>Risk conclusion</b> This indicator has been evaluated as <b>low risk</b>. Threshold (1) is met: Identified laws are upheld. Cases where law/regulations are violated are</p>



Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities.
1.2 Concession licenses	<p><b>Applicable laws and regulations</b> N/A There is no system for concession licenses in South Korea.</p> <p><b>Legal Authority</b> N/A</p> <p><b>Legally required documents or records</b> N/A</p>	N/A	N/A
1.3 Management and harvesting planning	<p><b>Applicable laws and regulations</b></p> <ul style="list-style-type: none"> <li>FRAMEWORK ACT ON FORESTRY [Enforcement Date 28. Nov, 2009.] [Act No.9723, 27. May, 2009., Partial Amendment] Article 11, 21 <a href="http://www.law.go.kr/lsInfoP.do?lsiSeq=93821&amp;chrClsCd=010203&amp;urlMode=engLsInfoR&amp;viewCls=engLsInfoR#0000">http://www.law.go.kr/lsInfoP.do?lsiSeq=93821&amp;chrClsCd=010203&amp;urlMode=engLsInfoR&amp;viewCls=engLsInfoR#0000</a></li> <li>STATE FOREST ADMINISTRATION AND MANAGEMENT ACT [Enforcement Date 01. Dec, 2010.] [Act No.10331, 31. May, 2010., Other Laws and Regulations Amended] Article 3 <a href="http://www.law.go.kr/lsInfoP.do?lsiSeq=105426&amp;chrClsCd=010203&amp;urlMode=engLsInfoR&amp;viewCls=engLsInfoR#0000">http://www.law.go.kr/lsInfoP.do?lsiSeq=105426&amp;chrClsCd=010203&amp;urlMode=engLsInfoR&amp;viewCls=engLsInfoR#0000</a></li> <li>Forest Resources Creation and Management Act [Enforcement Date 02. Dec, 2012.] [Act No.11456, 01. Jun, 2012., Partial Amendment] Article 13, 14, 15 <a href="http://www.law.go.kr/lsInfoP.do?lsiSeq=125844&amp;chrClsCd=010203&amp;urlMode=engLsInfoR&amp;viewCls=engLsInfoR#0000">http://www.law.go.kr/lsInfoP.do?lsiSeq=125844&amp;chrClsCd=010203&amp;urlMode=engLsInfoR&amp;viewCls=engLsInfoR#0000</a></li> <li>MOUNTAINOUS DISTRICTS MANAGEMENT ACT [Enforcement Date 23. Aug, 2012.] [Act No.11352, 22. Feb, 2012., Partial Amendment] Article 11, 14 <a href="http://www.law.go.kr/lsInfoP.do?lsiSeq=123381&amp;chrClsCd=010203&amp;urlMode=engLsInfoR&amp;viewCls=engLsInfoR#0000">http://www.law.go.kr/lsInfoP.do?lsiSeq=123381&amp;chrClsCd=010203&amp;urlMode=engLsInfoR&amp;viewCls=engLsInfoR#0000</a></li> </ul> <p><b>Legal Authority</b></p> <ul style="list-style-type: none"> <li>Korea Forest Service</li> <li>Regional Forest Service</li> <li>Head of city, county</li> </ul>	<p><b>Government sources</b></p> <ul style="list-style-type: none"> <li>Korea Forest Service, 2009. National Report on Sustainable Forest Management in Korea 2009. Available online &lt; <a href="http://www.rinya.maff.go.jp/j/kaigai/pdf/2009p_4_k.pdf">http://www.rinya.maff.go.jp/j/kaigai/pdf/2009p_4_k.pdf</a>&gt; Accessed 4 April 2017.</li> </ul> <p><b>Non-Government sources</b></p> <ul style="list-style-type: none"> <li>Park, M.S.; Lee, H. Forest Policy and Law for Sustainability within the Korean Peninsula. Sustainability 2014, 6, 5162-5186, available online &lt; <a href="http://www.mdpi.com/2071-1050/6/8/5162">http://www.mdpi.com/2071-1050/6/8/5162</a>&gt; accessed 4 April 2017.</li> <li>Transparency International, 2017. Corruption Perception Index 2016 – South Korea. <a href="http://www.transparency.org/news/feature/corruption_perceptions_index_2016#table">http://www.transparency.org/news/feature/corruption_perceptions_index_2016#table</a></li> <li>World Bank, 2015. Worldwide Governance Indicators – Republic of Korea.</li> </ul>	<p><b>Overview of Legal Requirements</b></p> <p>The fourth and fifth National Forest Development Plans (NFDP) 1998–2013 were focused on developing and implementing the concept of sustainable forest management in South Korea (Park et al 2014).</p> <p><i>National forests</i></p> <p>Korean law has requirements for Korea’s forest agency to prepare and implement a 10 year Forest Management Plan for national forests and the actual harvesting volume each year is strictly controlled.</p> <p>The Forest Management Plan is a tactical or operational plan for implementing management activities in the field, such as planting, tending, harvesting, road construction, and so on. The size, period, and location of management practices are specified in this level of plan. It is mandatory for national forests by the ‘Act on National Forest Management’ (Article 8), while recommended for private forests by the ‘Forest Resource Management Act’ (Article 13)</p> <p>For the national forest, Korea forest agency is responsible to prepare forest management plan</p>



Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p><b>Legally required documents or records</b></p> <ul style="list-style-type: none"> <li>• Harvesting permit issued by local government office (for Public forest and private forest)</li> <li>• Contract agreement for timber harvesting within the national forest station for state owned forest</li> </ul>	<p><a href="http://info.worldbank.org/governance/wgi/#reports">http://info.worldbank.org/governance/wgi/#reports</a></p> <ul style="list-style-type: none"> <li>• Expert consultation carried out in Seoul by NEPCo, March 2016.</li> <li>• Chatham House, 2017. Illegal Logging Portal – South Korea. <a href="https://www.illegal-logging.info/regions/south-korea">https://www.illegal-logging.info/regions/south-korea</a> accessed 4 April 2017.</li> <li>• Sam Lawson, Chatham House, 2014. Illegal Wood Import and Re-export: The Scale of the Problem and the Response in Thailand, South Korea and India. Available online &lt; <a href="https://www.illegal-logging.info/sites/files/chlogging/Laws_on_Thailand_SK_India_PP_2014_0.pdf">https://www.illegal-logging.info/sites/files/chlogging/Laws on_Thailand_SK_India_PP_2014_0.pdf</a> accessed 4 April 2017.</li> <li>• Chatham House, 2014. South Korea 2013 Assessment Findings. Available online &lt; <a href="https://indicators.chathamhouse.org/explore-the-data/south-korea">https://indicators.chathamhouse.org/explore-the-data/south-korea</a>, accessed 4 April 2017.</li> <li>• Lee, Seol Woon International Fellow, World Forest Institute, 2017. <i>Forestry In Korea</i>. Available online <a href="http://www.worldforestry.org/wp-content/uploads/2015/11/korea_s.lee.pdf">http://www.worldforestry.org/wp-content/uploads/2015/11/korea_s.lee.pdf</a>, accessed 5 April 2017.</li> <li>• Secretariat of the Convention on Biological Diversity and the Korea Forest Service, Republic of Korea, 2015. Leveraging public programmes with socio-economic and development objectives to support conservation and restoration of ecosystems:</li> </ul>	<p>and harvesting plan (10 years / 5 years / 1 year). All information is publicly available by the “public information act”. (<a href="http://www.forest.go.kr">www.forest.go.kr</a>).</p> <p><i>Public and private forests</i></p> <p>The local government also maintains a 10 year Forest Management Plan for “other” forests a.k.a public and private forest areas, however they are not mandatory but are recommended for according to the ‘Forest Resource Management Act’ (Article 13).</p> <p>For public and private forest, local government is responsible to plan and maintain information for forest management plan and harvesting plan.</p> <p>Private owners must submit a forest management plan (where they have decided to develop one) and harvesting plan to local government for approval to obtain a harvesting permit. The local government office collects information and compares it with the forest management plan.</p> <p>The Forest Cooperative Foundation supports development of management plans for their members.</p> <p>For all forest types, the forest management plans are made in accordance with the application and procedure provided in the Forest Law, and is implemented in the field by forest owners, forestry cooperative or private harvesting enterprises that have contractual relationship with forest owners.</p>

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		<p>lessons learned from the Republic of Korea's National Reforestation Programme. Available online &lt; <a href="https://www.cbd.int/ecore Restoration/doc/Korean-Study_Final-Version-20150106.pdf">https://www.cbd.int/ecore Restoration/doc/Korean-Study_Final-Version-20150106.pdf</a>&gt;, accessed 4 April 2017.</p> <ul style="list-style-type: none"> <li>• Mi Sun Park and Hyowon Lee, 2014. Forest Policy and Law for Sustainability within the Korean Peninsula. Sustainability 2014, 6, 5162-5186; doi:10.3390/su6085162. Available: <a href="http://www.mdpi.com/journal/sustainability">http://www.mdpi.com/journal/sustainability</a> . Accessed 3 October 2017.</li> </ul>	<p>In regards to the Forest Resources Creation and Management Act, the Forest agency is responsible to set up forest management plan, and the private company or group who participate in the harvesting operation should follow the order and direction of the forest agency.</p> <p>Article 13, 14 and 15 of the Forest Resource Management Act set out the requirements for forest management planning.</p> <p>Relevant parts of the Act have been summarized here:</p> <p><b>Article 13 (Establishment and Authorization of Forest Management Plans)</b></p> <ol style="list-style-type: none"> <li>1. The heads of local governments <b>shall</b> devise ten-year forest management plans for their national forests and manage the forests according to such plans [...].</li> <li>2. The owners of public or private forests [...] <b>may</b> work out forest management plans including ten-year management plans ahead and file an application for authorization thereof with the heads of Sis/Guns/Gus (Note: cities (si 시/市), counties (gun 군/郡), districts (gu 구/區)) [...].</li> <li>3. The forest management plans referred to in paragraph (2) shall be prepared by the owners of forests themselves or by the forest technicians prescribed by Presidential Decree [...]</li> </ol>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			<p>4. The heads of Sis/Guns/Gus shall, when deemed that the forest management plans filed for authorization pursuant to paragraph (2) are proper for efficiently creating and managing the forests concerned, grant authorization under the conditions as prescribed by Ordinance of the Ministry for Food, Agriculture, Forestry and Fisheries.</p> <p>5. When the owners of forests intend to alter any such important matters [...] which are included in forest management [...] they shall obtain authorization for such alteration as prescribed [...].</p> <p>6. [...].</p> <p>7. The standards for drawing up the forest management plans under paragraph (2) and other necessary matters shall be prescribed by Presidential Decree.</p> <p>8. [...]</p> <p><b>Article 14 (Implementation of Forest Management Plans)</b></p> <p>1. The owner of forest who has obtained authorization for forest management plan in accordance with Article 13 (4) shall implement the forest management plan.</p> <p>2. When the size of forest for which the management plan is authorized is not larger than that prescribed by Ordinance [...], the head of Si/Gun/Gu (Note: cities (si 시/市), counties (gun 군/郡), districts (gu 구/區)) concerned may encourage the owner of forest to allow a forest-specialized organization such as the forestry</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			<p>cooperative under the Forestry Cooperatives Act to manage the forest by proxy (hereinafter referred to as "management by proxy") [...].</p> <ol style="list-style-type: none"> <li>3. The owner of forest or the person who manages forest by proxy pursuant to paragraph (2) shall report in advance to the head of Si/Gun/Gu concerned on the cutting standing [...]</li> <li>4. [...]</li> <li>5. Article 15 (Revocation, etc. of Authorization for Forest Management Plans)</li> <li>6. [...] the head of Si/Gun/Gu concerned may revoke such authorization or suspend the forest project undertaken pursuant to the forest management plan [in the following circumstances]:             <ol style="list-style-type: none"> <li>1. Where the authorization is obtained in any false or other unjust manner;</li> <li>2. Where the owner of forest has failed to perform the forest project as set forth in the authorized forest management plan without any justifiable reason [...]; or</li> <li>3. Where the outcome of implementation of the forest project pursuant to the forest management plan has failed to fulfill the standards prescribed by Presidential Decree [...].</li> </ol> </li> </ol> <p><b>Description of risk</b>  The risks for this indicator may be that  (a) Forest Management Plans (FMP) are not in place where they are required by law;</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			<p>(b) FMP are not approved by competent authorities; or</p> <p>(c) FMP are of poor quality resulting in illegal and/or unsustainable forest management practices.</p> <p>Based on the information available, including the experience of the drafters of this report and input from experts, these risks appear controlled by the following factors:</p> <ul style="list-style-type: none"> <li>• Sustainable forest management is a significant government priority in Korea, and extensive resources have been dedicated to meeting the National Forest Plans (reported extensively, but see for example Secretariat of the Convention on Biological Diversity and the Korea Forest Service, Republic of Korea 2015 and Park and Lee 2014). According to</li> <li>• Korea's law/regulations on forest management and harvesting plan are strongly implemented across the different types of forest owners (Expert consultation 2016). Central and regional administrative/technical powers were mobilized for the reforestation, erosion control, and clearing slashand-burn fields. Police forces were mobilized for forest protection (Secretariat of the Convention on Biological Diversity and the Korea Forest Service, Republic of Korea 2015).</li> <li>• As the management planning requirements rest with government agencies who are well resourced, and for whom sustainable forest management is a national priority, the risk of non-conformance with requirements is considered low (Expert consultation 2016).</li> </ul>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			<p>These risks have not been observed in the extensive field experience of the drafters of this report (both public and private sector).</p> <p>These risks have not been raised in any of the available publications reviewed in the preparation of this report nor raised by the experts consulted in Seoul in (2016). Many publications commend the reforestation programme carried out by Korea since the Korean War (Secretariat of the Convention on Biological Diversity and the Korea Forest Service, Republic of Korea 2015 for example)</p> <p>Furthermore, these risks were not raised as significant in the discussions with experts in Seoul in 2016 carried out by the authors of this report.</p> <p>In 2016, Transparency International scored South Korea 53/100. The 2015 World Bank Worldwide Governance indicators for South Korea were:</p> <ul style="list-style-type: none"> <li>○ Voice and Accountability: 69/100</li> <li>○ Political Stability and Absence of Violence: 52/100</li> <li>○ Government Effectiveness: 80/100</li> <li>○ Regulatory Quality: 84/100</li> <li>○ Rule of Law: 81/100</li> <li>○ Control of Corruption: 70/100</li> </ul> <p><b>Risk conclusion</b> This indicator has been evaluated as <b>low risk</b>. Threshold (1) is met: Identified laws are upheld. Cases where law/regulations are violated are</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
1.4 Harvesting permits	<p><b>Applicable laws and regulations</b></p> <ul style="list-style-type: none"> <li>FRAMEWORK ACT ON FORESTRY [Enforcement Date 28. Nov, 2009.] [Act No.9723, 27. May, 2009., Partial Amendment] Article 11, 21 <a href="http://www.law.go.kr/lsInfoP.do?lsiSeq=93821&amp;chrClsCd=010203&amp;urlMode=engLsInfoR&amp;viewCls=engLsInfoR#0000">http://www.law.go.kr/lsInfoP.do?lsiSeq=93821&amp;chrClsCd=010203&amp;urlMode=engLsInfoR&amp;viewCls=engLsInfoR#0000</a></li> <li>STATE FOREST ADMINISTRATION AND MANAGEMENT ACT [Enforcement Date 01. Dec, 2010.] [Act No.10331, 31. May, 2010., Other Laws and Regulations Amended] Article 3 <a href="http://www.law.go.kr/lsInfoP.do?lsiSeq=105426&amp;chrClsCd=010203&amp;urlMode=engLsInfoR&amp;viewCls=engLsInfoR#0000">http://www.law.go.kr/lsInfoP.do?lsiSeq=105426&amp;chrClsCd=010203&amp;urlMode=engLsInfoR&amp;viewCls=engLsInfoR#0000</a></li> <li>Forest Resources Creation and Management Act [Enforcement Date 02. Dec, 2012.] [Act No.11456, 01. Jun, 2012., Partial Amendment] Article 13, 14, 15 <a href="http://www.law.go.kr/lsInfoP.do?lsiSeq=125844&amp;chrClsCd=010203&amp;urlMode=engLsInfoR&amp;viewCls=engLsInfoR#0000">http://www.law.go.kr/lsInfoP.do?lsiSeq=125844&amp;chrClsCd=010203&amp;urlMode=engLsInfoR&amp;viewCls=engLsInfoR#0000</a></li> <li>MOUNTAINOUS DISTRICTS MANAGEMENT ACT [Enforcement Date 23. Aug, 2012.] [Act No.11352, 22. Feb, 2012., Partial Amendment] Article 11, 14 <a href="http://www.law.go.kr/lsInfoP.do?lsiSeq=123381&amp;chrClsCd=010203&amp;urlMode=engLsInfoR&amp;viewCls=engLsInfoR#0000">http://www.law.go.kr/lsInfoP.do?lsiSeq=123381&amp;chrClsCd=010203&amp;urlMode=engLsInfoR&amp;viewCls=engLsInfoR#0000</a></li> </ul> <p><b>Legal Authority</b></p> <ul style="list-style-type: none"> <li>Korea Forest Service</li> <li>Regional Forest Service</li> <li>Head of city, county</li> </ul> <p><b>Legally required documents or records</b></p> <ul style="list-style-type: none"> <li>Harvesting permit issued by local government office (for Public forest and private forest)</li> <li>Contract agreement for timber harvesting with national forest station for state own forest</li> </ul>	<p><b>Government sources</b></p> <ul style="list-style-type: none"> <li>Korean Forest Service, 2013. Wood trade and forest governance against illegal logging in Korea. Available: <a href="http://www.fao.org/fileadmin/templates/rap/files/meetings/2013/131016-s1-rok.pdf">http://www.fao.org/fileadmin/templates/rap/files/meetings/2013/131016-s1-rok.pdf</a>, accessed 3 October 2017.</li> <li>Korean Forestry Service KFS. (2016). Statistical Yearbook of Forestry 2016 (and other years) <a href="https://translate.googleusercontent.com/translate_c?depth=1&amp;hl=en&amp;rurl=translate.google.com&amp;sl=ko&amp;tl=en&amp;u=http://www.forest.go.kr/newkfsweb/cop/bbs/selectBoardList.do%3FbbsId%3DBBSMSTR_1064%26mn%3DKFS_02_03_06&amp;usg=ALkJrhiCHkn2Dvqd1SzGaW071yoDpO3Brw">https://translate.googleusercontent.com/translate_c?depth=1&amp;hl=en&amp;rurl=translate.google.com&amp;sl=ko&amp;tl=en&amp;u=http://www.forest.go.kr/newkfsweb/cop/bbs/selectBoardList.do%3FbbsId%3DBBSMSTR_1064%26mn%3DKFS_02_03_06&amp;usg=ALkJrhiCHkn2Dvqd1SzGaW071yoDpO3Brw</a></li> </ul> <p><b>Non-Government sources</b></p> <ul style="list-style-type: none"> <li>Mi-Hyun Seol, Yun-hui Kim, Ho Sang Lee, 2015. Trends of Illegal Logging Prohibition Regulations: Focus on the Case of United States' Lacey Act Available: <a href="http://kiss.kstudy.com/journal/thesis_name.asp?tname=kiss2002&amp;key=3380899">http://kiss.kstudy.com/journal/thesis_name.asp?tname=kiss2002&amp;key=3380899</a>. Accessed 3 October 2017 (in Korean).</li> <li>Park, M.S.; Lee, H. Forest Policy and Law for Sustainability within the Korean Peninsula. Sustainability 2014, 6, 5162-5186, available online &lt; <a href="http://www.mdpi.com/2071-">http://www.mdpi.com/2071-</a></li> </ul>	<p>efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities.</p> <p><b>Overview of Legal Requirements</b></p> <p><i>National Forest</i> For national forests, the relevant local forest station develops the design of the forest operation and completes the harvesting of timber materials. They then sell the timber through the national asset auction system, an open bid competition. There are requirements to register in the government open bid system. Sales agreement can be identified as proof of legality of timber materials.</p> <p><i>Other forests (Public and Private forest)</i> For other forests it is the responsibility of local governments to provide permission for harvesting operations. Applicants should submit:</p> <ol style="list-style-type: none"> <li>GPS location map,</li> <li>survey report for target volumes of cutting trees,</li> <li>harvesting plan (including purpose, duration, utilization plan, reforestation plan, etc.),</li> <li>plan for installation and restoration of extract road,</li> <li>certificate of ownership or use right/beneficiary right of a person who intends to cut the tree.</li> </ol> <p><i>Mountainous Districts</i> Mountainous districts are treated differently to other land areas in South Korea, and specific requirements apply when harvesting is carried out for converting land in mountainous districts.</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
		<p><a href="#">1050/6/8/5162</a>&gt; accessed 4 April 2017.</p> <ul style="list-style-type: none"> <li>• Transparency International, 2017. Corruption Perception Index 2016 – South Korea. <a href="http://www.transparency.org/news/feature/corruption_perceptions_index_2016#table">http://www.transparency.org/news/feature/corruption_perceptions_index_2016#table</a></li> <li>• World Bank, 2015. Worldwide Governance Indicators – Republic of Korea. <a href="http://info.worldbank.org/governance/wgi/#reports">http://info.worldbank.org/governance/wgi/#reports</a></li> <li>• Expert consultation carried out in Seoul by NEPCo, March 2016.</li> <li>• Chatham House, 2017. Illegal Logging Portal – South Korea. <a href="https://www.illegal-logging.info/regions/south-korea">https://www.illegal-logging.info/regions/south-korea</a> accessed 4 April 2017.</li> <li>• Sam Lawson, Chatham House, 2014. Illegal Wood Import and Re-export: The Scale of the Problem and the Response in Thailand, South Korea and India. Available online &lt; <a href="https://www.illegal-logging.info/sites/files/chlogging/Laws_on_Thailand_SK_India_PP_2014_0.pdf">https://www.illegal-logging.info/sites/files/chlogging/Laws_on_Thailand_SK_India_PP_2014_0.pdf</a>&gt; accessed 4 April 2017.</li> <li>• Chatham House, 2014. South Korea 2013 Assessment Findings. Available online &lt; <a href="https://indicators.chathamhouse.org/explore-the-data/south-korea">https://indicators.chathamhouse.org/explore-the-data/south-korea</a>&gt;, accessed 4 April 2017.</li> <li>• Lee, Seol Woon International Fellow, World Forest Institute, 2017. <i>Forestry</i></li> </ul>	<p>Under the Mountainous Districts Management Act, all mountainous districts are deemed restricted or specific use areas, however, this designation can be amended by the Administrator of the Korea Forest Service, which can result in clearance of land. If this is the case, a permit from Korean Forest Service (KFS) is required for any harvesting activities.</p> <p><b>Description of risk</b>  There is a risk that harvesting is carried out without valid permits or where these are obtained via illegal means such as bribery. A risk is also present related to inconsistency of data between harvesting permit documents and real output volume of harvested forest materials.</p> <p>There are historical reports of illegal logging in South Korea. According to Park et al (2014), from 1945 to 1961, the frequency of illegal logging was 24,085 cases, and the average volume of illegally logged timber was 92,853 m<sup>3</sup> per year. After Japanese occupation of the Republic of Korea (ROK), illegal and indiscriminate logging, the collection of fuelwood for household uses and shifting cultivation methods were recognized as the direct drivers of deforestation in Korea. The indirect drivers of forest degradation were the South-North division, the Korean War, population increase, poverty, and weak administrative power (Secretariat of the Convention on Biological Diversity and the Korea Forest Service, Republic of Korea, 2015).</p>



Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
		<p><i>In Korea</i>. Available online <a href="http://www.worldforestry.org/wp-content/uploads/2015/11/korea_s.lee.pdf">http://www.worldforestry.org/wp-content/uploads/2015/11/korea_s.lee.pdf</a>, accessed 5 April 2017.</p> <ul style="list-style-type: none"> <li>• Secretariat of the Convention on Biological Diversity and the Korea Forest Service, Republic of Korea, 2015. Leveraging public programmes with socio-economic and development objectives to support conservation and restoration of ecosystems: lessons learned from the Republic of Korea's National Reforestation Programme. Available online &lt; <a href="https://www.cbd.int/ecore Restoration/doc/Korean-Study_Final-Version-20150106.pdf">https://www.cbd.int/ecore Restoration/doc/Korean-Study_Final-Version-20150106.pdf</a>&gt;, accessed 4 April 2017.</li> </ul>	<p>During the Korean War, almost half of the forest land was destroyed. This destruction was coupled with increases in illegal logging and the expansion of slash and-burn agriculture in the midst of post-war social unrest. Until the 1960s, illegal logging was so prevalent that it was considered 'one of five social evils' (Secretariat of the Convention on Biological Diversity and the Korea Forest Service, Republic of Korea, 2015). The National Forest Plans, first implemented in the 1960s and continuing until today were a direct response to the significant deforestation experienced in Korea, and a dedicated effort to reforest the country. The programme is seen as a success story, and a number of factors are recognized to contribute to this success:</p> <ul style="list-style-type: none"> <li>• strong and committed leadership;</li> <li>• diagnosing and addressing the underlying causes of deforestation, including illegal logging; and</li> <li>• the establishment of the comprehensive Forest Rehabilitation Programme, as well as with the support of administrative, police and technological power (Secretariat of the Convention on Biological Diversity and the Korea Forest Service, Republic of Korea, 2015)</li> </ul> <p>According to the Korean Forest Service "there is no illegal logging in Korea. Reasons: clearness of ownership, no profit, no use as a fuel" (KFS 2013)</p> <p>In 2014 there were 3.123 cases of illegal harvesting, amounting to 1.143 ha and 736.393 m3 of timber. This was substantially more than</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			<p>the previous years (approximately 2300 cases). Out of the 3.123 cases in 2014 there were 2.411 cases about illegally converting forest to other uses (KFS 2016). Out of a total of 6.335.000 hectares of forests in ROK, the illegal harvesting of 1.143 hectares means 0,01% of the total area was illegally harvested.</p> <p>There are no official international reports or international messages about substantial illegal harvesting inside ROK (Chatham House 2014 and others). The country is not associated with or designated as source of conflict timber according to latest available research</p> <p>Korea history has very strong punishment on illegal harvesting from any type of forest and strongly enforces the concept that all harvesting activity should be reported and approved by national or local government office. All forest agency public officers have judicial power to investigate and prosecute independently regarding illegal activities within forests. These strong enforcement activities are recognized as a contributor to good forest governance in Korea and SFM (Secretariat of the Convention on Biological Diversity and the Korea Forest Service, Republic of Korea 2015)</p> <p>The Korean Forest Service has undertaken a number of activities under the authority of the <i>Act on the Sustainable Use of Timbers</i>. Since 2015, Korea Forest Service has cooperated with Ministry of Trade, Industry and Energy on the applicable products; with Korea Customs Service about declaration of materials; with Public Procurement Service about links</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			<p>between the extermination of illegal cutting trees and procurement work (Mihyun Seol et al. 2015).</p> <p>In 2016, Transparency International scored South Korea 53/100. The 2015 World Bank Worldwide Governance indicators for South Korea were:</p> <ul style="list-style-type: none"> <li>- Voice and Accountability: 69/100</li> <li>- Political Stability and Absence of Violence: 52/100</li> <li>- Government Effectiveness: 80/100</li> <li>- Regulatory Quality: 84/100</li> <li>- Rule of Law: 81/100</li> <li>- Control of Corruption: 70/100</li> </ul> <p>The relative levels of risk of corruption are considered low, and no sources reviewed, experts interviewed or field experiences indicate a specific risk of corruption within the forest sector in South Korea.</p> <p>Extensive research, experience in the Korean forestry sector from the team of authors of this report and discussions with experts in Seoul in 2016 has not revealed any information to indicate a specified risk in this indicator.</p> <p><b>Risk conclusion</b> This indicator has been evaluated as <b>low risk</b>. Threshold (1) is met: Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities.</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
<b>Taxes and fees</b>			
1.5 Payment of royalties and harvesting fees	<p><b>Applicable laws and regulations</b></p> <ul style="list-style-type: none"> <li>STATE FOREST ADMINISTRATION AND MANAGEMENT ACT [Enforcement Date 01. Dec, 2010.] [Act No.10331, 31. May, 2010., Other Laws and Regulations Amended] Article 13, 21, 23 <a href="http://www.law.go.kr/lsInfoP.do?lsiSeq=105426&amp;chrClsCd=010203&amp;urlMode=engLsInfoR&amp;viewCls=engLsInfoR#0000">http://www.law.go.kr/lsInfoP.do?lsiSeq=105426&amp;chrClsCd=010203&amp;urlMode=engLsInfoR&amp;viewCls=engLsInfoR#0000</a></li> <li>ENFORCEMENT DECREE STATE FOREST ADMINISTRATION AND MANAGEMENT ACT [Enforcement Date 28. Sep, 2015.] [Act No.26541, 22. Sep, 2015., Partial Amendment] Article 9, 21 <a href="http://www.law.go.kr/lumLsLinkPop.do?lsId=009999&amp;lsThdCmpCls=LO&amp;joNo=001300000">http://www.law.go.kr/lumLsLinkPop.do?lsId=009999&amp;lsThdCmpCls=LO&amp;joNo=001300000</a></li> <li>ACT ON CONTRACTS TO WHICH THE STATE IS A PARTY [Enforcement Date 18. Dec, 2012.] [Act No.11547, 18. Dec, 2012., Partial Amendment] <a href="http://www.law.go.kr/lsInfoP.do?lsiSeq=130802&amp;chrClsCd=010203&amp;urlMode=engLsInfoR&amp;viewCls=engLsInfoR#0000">http://www.law.go.kr/lsInfoP.do?lsiSeq=130802&amp;chrClsCd=010203&amp;urlMode=engLsInfoR&amp;viewCls=engLsInfoR#0000</a></li> <li>CRIMINAL ACT [Enforcement Date 05. Apr, 2013.] [Act No.11731, 05. Apr, 2013., Partial Amendment]</li> </ul> <p><b>Legal Authority</b></p> <ul style="list-style-type: none"> <li>Korea Forest Service</li> <li>Ministry of Strategy and Finance</li> <li>Public Procurement Service</li> </ul> <p><b>Legally required documents or records</b></p> <ul style="list-style-type: none"> <li>Sales contract, financial statements</li> <li>Eligibility criteria of bidders in case bidding is limited to specific bidders</li> </ul>	<p><b>Non-Government sources</b></p> <ul style="list-style-type: none"> <li>Transparency International, 2017. Corruption Perception Index 2016 – South Korea. <a href="http://www.transparency.org/news/feature/corruption_perceptions_index_2016#table">http://www.transparency.org/news/feature/corruption_perceptions_index_2016#table</a></li> <li>World Bank, 2015. Worldwide Governance Indicators – Republic of Korea. <a href="http://info.worldbank.org/governance/wgi/#reports">http://info.worldbank.org/governance/wgi/#reports</a></li> <li>Expert consultation carried out in Seoul by NEPCoN, March 2016.</li> <li>Chatham House, 2017. Illegal Logging Portal – South Korea. <a href="https://www.illegal-logging.info/regions/south-korea">https://www.illegal-logging.info/regions/south-korea</a> accessed 4 April 2017.</li> <li>Sam Lawson, Chatham House, 2014. Illegal Wood Import and Re-export: The Scale of the Problem and the Response in Thailand, South Korea and India. Available online &lt; <a href="https://www.illegal-logging.info/sites/files/chlogging/Laws_on_Thailand_SK_India_PP_2014_0.pdf">https://www.illegal-logging.info/sites/files/chlogging/Laws_on_Thailand_SK_India_PP_2014_0.pdf</a> &gt; accessed 4 April 2017.</li> <li>Chatham House, 2014. South Korea 2013 Assessment Findings. Available online &lt; <a href="https://indicators.chathamhouse.org/explore-the-data/south-korea">https://indicators.chathamhouse.org/explore-the-data/south-korea</a>&gt;, accessed 4 April 2017.</li> <li>GAN Integrity. (2017). South Korea Corruption Report. Available at:</li> </ul>	<p><b>Overview of Legal Requirements</b></p> <p><i>National Forests</i>            For a national forest harvesting operation, the forest agency develops harvesting operations and conducts an open bid competition to find buyer for harvested forest products. It is considered that royalties and harvesting fees are already included in the open bid minimum price. A successful bidder of National forest materials is legally required to pay royalties and a fee. The specific rates for the royalties and fees are prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, and change periodically. The open bid system includes a process for checking payment results of the royalties and harvesting fees.</p> <p><i>Other Forests (public and private)</i>            For private forests, harvesting operations are directly controlled by the private owner of the forest, apart from the 10% VAT that must be reported to tax agency, and it is included in the annual income tax report (as described in below in 1.6), there is no legally required royalties if the harvesting is conducted by rightful owner (National/Private). Other expenses related to harvesting operation (design, insurance of operators) must be covered by harvesters.</p> <p>For state forests, public forests or private forests managed by proxy by the Korea Forest Service (at the request of the owner), the expenses for management by proxy shall be borne by the owners or administrators. When the Minister of the Korea Forest Service put</p>

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		<p><a href="http://www.business-anti-corruption.com/country-profiles/south-korea">http://www.business-anti-corruption.com/country-profiles/south-korea</a> [Accessed 4 October 2017].</p> <ul style="list-style-type: none"> <li>David McNeill and Donald Kirk for the Independent. (2013). Tax evasion, bribery and price-fixing: How Samsung became the giant that ate Korea. Available at: <a href="http://www.independent.co.uk/news/world/asia/tax-evasion-bribery-and-price-fixing-how-samsung-became-the-giant-that-ate-korea-8510588.html">http://www.independent.co.uk/news/world/asia/tax-evasion-bribery-and-price-fixing-how-samsung-became-the-giant-that-ate-korea-8510588.html</a>, accessed 4 October 2017.</li> </ul>	<p>state forests to lease, etc., he/she shall collect lease charges or rental fees every year.</p> <p>The fees for leasing state forests are calculated by multiplying a land price by some rates, and is always done on a case by case basis by the KFS. For example, a rate is at least 1% in the case of forestry income project; and a rate is at least 2% in the case of ski resort project.</p> <p><b>Description of risk</b> The risk of non-payment of fees either through avoidance or via corruption and bribery is possible in South Korea, however, there has not been any information uncovered in the preparation of this report to indicate that this is occurring systematically in the forest sector.</p> <p>According to GAN Integrity (2017): Corruption in the tax administration presents business with moderate risks. Bribes and irregular payments are sometimes exchanged in meetings with tax officials (GCR 2015-2016 in GAN Integrity 2017). Due to the complexity of Korean tax laws and the potential for misunderstanding provisions, foreign companies should consider hiring a local accounting company to file taxes (CCG 2017 in GAN Integrity 2017). Tax evasion among corporations is extensive; an example is a current investigation into Toyota Korea over a large tax evasion scheme (Yonhap News, Mar. 2017 in GAN Integrity 2017). In addition, investigations into tax matters are sometimes launched by high-ranking political figures to intimidate political</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			<p>opponents or other actors not toeing the line (BTI 2016 in GAN Integrity 2017). Family-controlled conglomerates, chaebols, dominate the economic sphere and receive lenient penalties for financial crimes such as tax evasion due to connections with government officials (ICS 2016; The Economist, Jan. 2017 in GAN Integrity 2017), and thus impeding fair competition.</p> <p>Tax evasion and bribery have received wide international media attention in Korea in recent years with the high-profile case involving the former President Park Geun-hye and the technology company Samsung. The president was impeached and the case has led to law reform in Korea to combat similar corruption and bribery cases from reoccurring (. </p> <p>In 2016, Transparency International scored South Korea 53/100. The 2015 World Bank Worldwide Governance indicators for South Korea were:</p> <ul style="list-style-type: none"> <li>- Voice and Accountability: 69/100</li> <li>- Political Stability and Absence of Violence: 52/100</li> <li>- Government Effectiveness: 80/100</li> <li>- Regulatory Quality: 84/100</li> <li>- Rule of Law: 81/100</li> <li>- Control of Corruption: 70/100</li> </ul> <p>The relative levels of risk of corruption are considered low, and no sources reviewed, experts interviewed or field experiences indicate a specific risk of corruption within the forest sector in South Korea. Extensive research, experience in the Korean forestry sector from</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			<p>the team of authors of this report and discussions with experts in Seoul in 2016 has not revealed any information to indicate a risk in this indicator.</p> <p><b>Risk conclusion</b> This indicator has been evaluated as <b>low risk</b>. Threshold (1) is met: Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities.</p>
<p>1.6 Value added taxes and other sales taxes</p>	<p><b>Applicable laws and regulations</b></p> <ul style="list-style-type: none"> <li>• VALUE-ADDED TAX ACT [Enforcement Date 01. Jan, 2015.] [Act No.12851, 23. Dec, 2014., Partial Amendment] Article 4, 29, 48, 49 <a href="http://www.law.go.kr/lsInfoP.do?lsiSeq=141063&amp;chrClsCd=010203&amp;urlMode=engLsInfoR&amp;viewCls=engLsInfoR#0000">http://www.law.go.kr/lsInfoP.do?lsiSeq=141063&amp;chrClsCd=010203&amp;urlMode=engLsInfoR&amp;viewCls=engLsInfoR#0000</a></li> </ul> <p><b>Legal Authority</b></p> <ul style="list-style-type: none"> <li>• Ministry of Strategy and Finance</li> </ul> <p><b>Legally required documents or records</b></p> <ul style="list-style-type: none"> <li>• Tax invoice</li> <li>• Preliminary return declaration</li> <li>• Final return declaration</li> </ul>	<p><b>Non-Government sources</b></p> <ul style="list-style-type: none"> <li>• KPMG, 2016. <i>Global Indirect Tax – South Korea – Country GST/VAT Essentials</i>. Available online <a href="http://www.akit.ru/wp-content/uploads/2016/05/%D0%9E%D1%82%D1%87%D0%B5%D1%82-KPMG-%D0%9D%D0%94%D0%A1-%D1%80%D0%B5%D0%B3%D0%B8%D1%81%D1%82%D1%80%D0%B0%D1%86%D0%B8%D1%8F-%D0%B2-%D0%AE%D0%B6%D0%BD%D0%BE%D0%B9-%D0%9A%D0%BE%D1%80%D0%B5%D0%B5.pdf">http://www.akit.ru/wp-content/uploads/2016/05/%D0%9E%D1%82%D1%87%D0%B5%D1%82-KPMG-%D0%9D%D0%94%D0%A1-%D1%80%D0%B5%D0%B3%D0%B8%D1%81%D1%82%D1%80%D0%B0%D1%86%D0%B8%D1%8F-%D0%B2-%D0%AE%D0%B6%D0%BD%D0%BE%D0%B9-%D0%9A%D0%BE%D1%80%D0%B5%D0%B5.pdf</a>&gt; accessed 6 April 2016.</li> <li>• Deloitte, 2016. <i>Taxation and Investment in South Korea 2016 – Reach, relevance, reliability</i>. Available online: <a href="http://www.iberglobal.com/files/2017/corea_deloitte_guia.pdf">http://www.iberglobal.com/files/2017/corea_deloitte_guia.pdf</a>, accessed 6 April 2017.</li> <li>• KPMG, 2015. <i>Korea Tax Profile</i>. Available online &lt; <a href="https://home.kpmg.com/content/dam/k">https://home.kpmg.com/content/dam/k</a></li> </ul>	<p><b>Overview of Legal Requirements</b></p> <p>In South Korea, there is an automatic 10% VAT levying system being added to the sales price of all timber sales (KPMG 2016). Any products sold will automatically include the 10 per cent sales tax.</p> <p>Every business person engaged in the business of supplying goods or services, whether or not for profit (a “business person”), is required to register for VAT purposes by applying for a business registration certificate with the Ministry of Strategy and Finance (KPMG 2016).</p> <p>Additional tax, in the nature of penalties, is imposed for failure to register or late registration. Every business person engaged in the supply goods or services subject to VAT is required to file VAT returns on a quarterly basis.</p> <p>Each business person fixes their own VAT liability by filing a VAT return. However, the government may reassess the tax base and the net VAT payable or refundable and impose penalty tax if the business person fails to file a</p>



Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
		<p><a href="#">pmg/pdf/2015/10/korea-2015.pdf</a>&gt; accessed 6 April 2016.</p> <ul style="list-style-type: none"> <li>• KPMG, 2015. <i>Global Indirect Tax Services 2015 Asia Pacific - Indirect Tax Country Guide</i>. Available online &lt; <a href="https://assets.kpmg.com/content/dam/kpmg/pdf/2015/09/aspac-indirect-tax-guide-v2-web.pdf">https://assets.kpmg.com/content/dam/kpmg/pdf/2015/09/aspac-indirect-tax-guide-v2-web.pdf</a>&gt; Accessed 6 April 2017.</li> <li>• EY, 2017. VAT Newsletter - Issue No. 7, 2013. Available online &lt; <a href="http://www.ey.com/Publication/vwLUASSETS/EY-VAT-Issue-7-2013/\$FILE/EY-VAT-Issue-7-2013.pdf">http://www.ey.com/Publication/vwLUASSETS/EY-VAT-Issue-7-2013/\$FILE/EY-VAT-Issue-7-2013.pdf</a>&gt; accessed 6 April 2017.</li> <li>• Transparency International, 2017. Corruption Perception Index 2016 – South Korea. <a href="http://www.transparency.org/news/feature/corruption_perceptions_index_2016#table">http://www.transparency.org/news/feature/corruption_perceptions_index_2016#table</a></li> <li>• World Bank, 2015. Worldwide Governance Indicators – Republic of Korea. <a href="http://info.worldbank.org/governance/wgi/#reports">http://info.worldbank.org/governance/wgi/#reports</a></li> <li>• Expert consultation carried out in Seoul by NEPCoN, March 2016.</li> <li>• Chatham House, 2017. Illegal Logging Portal – South Korea. <a href="https://www.illegal-logging.info/regions/south-korea">https://www.illegal-logging.info/regions/south-korea</a> accessed 4 April 2017.</li> <li>• Sam Lawson, Chatham House, 2014. <i>Illegal Wood Import and Re-export: The Scale of the Problem and the Response in Thailand, South Korea</i></li> </ul>	<p>return, if the return contains errors or omissions, or if the business person is found to be evading taxes (KPMG 2016, Deloitte 2016).</p> <p>According to the VALUE-ADDED TAX ACT:</p> <ul style="list-style-type: none"> <li>• The tax base for value-added tax [...] shall be the total value of all supplies of goods or services provided during the relevant taxable period.</li> <li>• Value-added tax [...] shall be collected from the person who is supplied with such goods or services.</li> <li>• Supplier of goods or services must issue an invoice.</li> <li>• Within 25 days after the end of preliminary return period, each taxpayer must prepare a tax return showing the amount of tax payable or the amount of tax refundable for the period and submit it to the head of the relevant tax office.</li> <li>• Payment of taxes must then be made to the relevant tax office.</li> </ul> <p><b>Description of risk</b></p> <p>The risk of non-payment of VAT, either through avoidance or via corruption and bribery is possible in South Korea, however, there has not been any information uncovered in the preparation of this report to indicate that this is occurring systemically.</p> <p>The only issue which emerged related to VAT in South Korea was an increased scrutiny of importing companies in South Korea for losses in VAT revenue on imported goods in 2013. As this does not relate to the export of Korean</p>



Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
		<p>and India. Available online &lt; <a href="https://www.illegal-logging.info/sites/files/chlogging/Laws_on_Thailand_SK_India_PP_2014_0.pdf">https://www.illegal-logging.info/sites/files/chlogging/Laws_on_Thailand_SK_India_PP_2014_0.pdf</a>&gt; accessed 4 April 2017.</p> <ul style="list-style-type: none"> <li>Chatham House, 2014. South Korea 2013 Assessment Findings. Available online &lt; <a href="https://indicators.chathamhouse.org/explore-the-data/south-korea">https://indicators.chathamhouse.org/explore-the-data/south-korea</a>&gt;, accessed 4 April 2017.</li> </ul>	<p>timber products, this is not deemed relevant to the risk in this indicator (EY 2013, p 6).</p> <p>In 2016, Transparency International scored South Korea 53/100. The 2015 World Bank Worldwide Governance indicators for South Korea were:</p> <ul style="list-style-type: none"> <li>- Voice and Accountability: 69/100</li> <li>- Political Stability and Absence of Violence: 52/100</li> <li>- Government Effectiveness: 80/100</li> <li>- Regulatory Quality: 84/100</li> <li>- Rule of Law: 81/100</li> <li>- Control of Corruption: 70/100</li> </ul> <p>The relative levels of risk of corruption are considered low, and no sources reviewed, experts interviewed or field experiences indicate a specific risk of corruption within the forest sector in South Korea.</p> <p>Extensive research, experience in the Korean forestry sector from the team of authors of this report and discussions with experts in Seoul in 2016 has not revealed any information to indicate a risk in this indicator.</p> <p><b>Risk conclusion</b> This indicator has been evaluated as <b>low risk</b>. Threshold (1) is met: Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities.</p>
1.7 Income and	<p><b>Applicable laws and regulations</b></p> <ul style="list-style-type: none"> <li>INCOME TAX ACT</li> </ul>	<p><b>Non-Government sources</b></p> <ul style="list-style-type: none"> <li>Deloitte, 2017. <i>International Tax – Korea Highlights 2017</i>. Available</li> </ul>	<p><b>Overview of Legal Requirements</b></p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
profit taxes	<p>[Enforcement Date 26. Oct, 2011.] [Act No.10898, 25. Jul, 2011., Other Laws and Regulations Amended] Article 2, 65, 70  <a href="http://www.law.go.kr/lsInfoP.do?lsiSeq=165309&amp;chrClsCd=010203&amp;urlMode=engLsInfoR&amp;viewCls=engLsInfoR#0000">http://www.law.go.kr/lsInfoP.do?lsiSeq=165309&amp;chrClsCd=010203&amp;urlMode=engLsInfoR&amp;viewCls=engLsInfoR#0000</a></p> <ul style="list-style-type: none"> <li>• CORPORATE TAX ACT</li> </ul> <p>[Enforcement Date 01. Jul, 2013.] [Act No.11873, 07. Jun, 2013., Other Laws and Regulations Amended] Article 2, 60  <a href="http://www.law.go.kr/lsInfoP.do?lsiSeq=141083&amp;chrClsCd=010203&amp;urlMode=engLsInfoR&amp;viewCls=engLsInfoR#0000">http://www.law.go.kr/lsInfoP.do?lsiSeq=141083&amp;chrClsCd=010203&amp;urlMode=engLsInfoR&amp;viewCls=engLsInfoR#0000</a></p> <p><b>Legal Authority</b>  Ministry of Strategy and Finance</p> <p><b>Legally required documents or records</b></p> <ul style="list-style-type: none"> <li>• Tax notice of the amount of tax for interim prepayment</li> <li>• Final return declaration on the tax base of global income</li> <li>• Report on the corporate tax base and the tax payable on income</li> <li>• Statement of financial position</li> <li>• Consolidated income statement</li> <li>• Earned surplus settlement statement (or deficits settlement statement)</li> <li>• Tax settlement invoice</li> </ul>	<p>online  <a href="https://www2.deloitte.com/content/dam/Deloitte/global/Documents/Tax/dtltax-koreahighlights-2017.pdf">https://www2.deloitte.com/content/dam/Deloitte/global/Documents/Tax/dtltax-koreahighlights-2017.pdf</a>, accessed 2017.</p> <ul style="list-style-type: none"> <li>• Seong Ho Bae, 2017. <i>The Association Between Corporate Tax Avoidance And Audit Efforts: Evidence From Korea</i>. The Journal of Applied Business Research – January/February 2017 Volume 33, Number 1. Available online: &lt;  <a href="https://www.cluteinstitute.com/ojs/index.php/JABR/article/download/9887/9986">https://www.cluteinstitute.com/ojs/index.php/JABR/article/download/9887/9986</a>&gt; accessed 6 April 2017.</li> <li>• EY, 2015. <i>South Korea introduces one-time temporary voluntary disclosure program for offshore income and assets</i>. Available online &lt;  <a href="http://taxinsights.ey.com/archive/archive-news/south-korea-introduces-one-time-temporary-voluntary.aspx">http://taxinsights.ey.com/archive/archive-news/south-korea-introduces-one-time-temporary-voluntary.aspx</a>&gt; accessed 6 April 2017.</li> <li>• Deloitte, 2016. <i>Taxation and Investment in South Korea 2016 – Reach, relevance, reliability</i>. Available online:  <a href="http://www.iberglobal.com/files/2017/corea_deloitte_guia.pdf">http://www.iberglobal.com/files/2017/corea_deloitte_guia.pdf</a>, accessed 6 April 2017.</li> <li>• KPMG, 2015. <i>Korea Tax Profile</i>. Available online &lt;  <a href="https://home.kpmg.com/content/dam/kpmg/pdf/2015/10/korea-2015.pdf">https://home.kpmg.com/content/dam/kpmg/pdf/2015/10/korea-2015.pdf</a>&gt; accessed 6 April 2016.</li> <li>• Transparency International, 2017. <i>Corruption Perception Index 2016</i> –</li> </ul>	<p>The income and profit taxes applicable to forestry companies in Korea is dependent on the company type (rather than the forest type)</p> <p>The basic Korean corporate tax rates are currently (KPMG 2015):</p> <ul style="list-style-type: none"> <li>• 10 percent on the first KRW 200 million of the tax base</li> <li>• 20 percent up to KRW 20 billion</li> <li>• 22 percent for amounts above KRW 20 billion</li> </ul> <p>For tax years 2015 to 2017, a 10 percent rate of cash reserve tax is levied on a domestic company (including a Korean subsidiary of foreign company but not branch) that falls within one of the two categories below (KPMG 2015):</p> <ul style="list-style-type: none"> <li>• A company that belongs to a group of conglomerates, in which cross holdings are banned by the anti-trust law; or</li> <li>• A company with capital of more than KRW 50 billion (excluding the small and medium-sized companies under the Restriction of Special Taxation Act)</li> </ul> <p>Local income tax of 10 percent of the corporate income tax due (including cash reserve tax) before deductions/exemptions will also be due. From the taxable year of 2014 a separate local tax filing will be required for local income tax purposes. Previously, local income tax was paid along with the corporate tax obligation.</p> <p>A corporation is considered to be resident in Korea if the corporation has its head or main office, or place of effective management in</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
		<p>South Korea.  <a href="http://www.transparency.org/news/feature/corruption_perceptions_index_2016#table">http://www.transparency.org/news/feature/corruption_perceptions_index_2016#table</a></p> <ul style="list-style-type: none"> <li>World Bank, 2015. Worldwide Governance Indicators – Republic of Korea.  <a href="http://info.worldbank.org/governance/wgi/#reports">http://info.worldbank.org/governance/wgi/#reports</a></li> <li>Expert consultation carried out in Seoul by NEPCo, March 2016.</li> <li>Chatham House, 2017. Illegal Logging Portal – South Korea.  <a href="https://www.illegal-logging.info/regions/south-korea">https://www.illegal-logging.info/regions/south-korea</a> accessed 4 April 2017.</li> <li>Sam Lawson, Chatham House, 2014. Illegal Wood Import and Re-export: The Scale of the Problem and the Response in Thailand, South Korea and India. Available online &lt;  <a href="https://www.illegal-logging.info/sites/files/chlogging/Laws_on_Thailand_SK_India_PP_2014_0.pdf">https://www.illegal-logging.info/sites/files/chlogging/Laws on_Thailand_SK_India_PP_2014_0.pdf</a>&gt; accessed 4 April 2017.</li> <li>Chatham House, 2014. South Korea 2013 Assessment Findings. Available online &lt;  <a href="https://indicators.chathamhouse.org/explore-the-data/south-korea">https://indicators.chathamhouse.org/explore-the-data/south-korea</a>&gt;, accessed 4 April 2017.</li> </ul>	<p>Korea. A resident corporation is liable in Korea for corporate income tax on its worldwide income. A non-resident corporation is liable for corporate income tax on income from Korean sources only. However, liquidation income of a non-resident corporation is not taxable (KPMG 2015).</p> <p>A Public Corporation is a corporation that is either listed on a public stock exchange or certain conditions are met, such as the gross assets of the corporation being KRW 12 billion or more in the preceding business year. Public Corporations are subject to statutory audit by an independent certified public accountant and must submit externally audited financial statements with their annual corporate tax returns. If a Public Corporation does not submit externally audited financial statements with its annual corporate tax return, the filing will not be accepted, and the entity will be subject to non-compliance penalties. A Non-Public Corporation must prepare financial statements in accordance with GAAP, but an external audit is not required. The corporate tax return (for both Public and Non-Public corporations) must be filed within three months of the last day of the taxation year. The local income tax return (for both Public and Non-Public corporations) must be filed within four months from the last day of the taxation year.</p> <p>No corporate tax shall be imposed on domestic corporations, such as the State and local governments (including local government associations). A domestic corporation liable to pay tax shall file a report on the corporate tax</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			<p>base and the tax payable on income for the relevant business year within three months from the end date of the month in which the end date of each business year falls, to the head of the tax office having jurisdiction over the place of tax payment.</p> <p><b>Description of risk</b>  The risk of non-payment of corporate income tax, either through avoidance or via corruption and bribery is possible in South Korea, however, there has not been any information uncovered in the preparation of this report to indicate that this is occurring systemically.</p> <p>In 2015-2016 South Korea introduced a one-time temporary voluntary disclosure programme for offshore income and assets. The programme was designed to promote voluntary disclosure of unreported offshore income and assets from prior tax years for tax resident individuals and domestic entities (EY 2015). The temporary measures ran from 1 October 2015 to 31 March 2016. There is no information available to indicate that this programme was developed because of a risk of non-payment of income tax, however that is a possibility. Based on the available evidence, this issue alone is not considered sufficient to warrant a specified risk finding for this indicator.</p> <p>In 2016, Transparency International scored South Korea 53/100. The 2015 World Bank Worldwide Governance indicators for South Korea were:  - Voice and Accountability: 69/100</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			<ul style="list-style-type: none"> <li>- Political Stability and Absence of Violence: 52/100</li> <li>- Government Effectiveness: 80/100</li> <li>- Regulatory Quality: 84/100</li> <li>- Rule of Law: 81/100</li> <li>- Control of Corruption: 70/100</li> </ul> <p>The relative levels of risk of corruption are considered low, and no sources reviewed, experts interviewed or field experiences indicate a specific risk of corruption within the forest sector in South Korea. Extensive research, experience in the Korean forestry sector from the team of authors of this report and discussions with experts in Seoul in 2016 has not revealed any information to indicate a risk in this indicator.</p> <p><b>Risk conclusion</b> This indicator has been evaluated as <b>low risk</b>. Threshold (1) is met: Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities.</p>
<b>Timber harvesting activities</b>			
1.8 Timber harvesting regulations	<p><b>Applicable laws and regulations</b></p> <ul style="list-style-type: none"> <li>• Guideline on Sustainable Forest Resource Management [Enforcement Date 22. Feb, 2015.] [Instruction No.1244, 27. Feb, 2015., Partial Amended] II-3-ㄷ, III-4</li> </ul> <p><a href="http://mobile.law.go.kr/LSWM/mobile/admRulScInfo.do;jsessionid=kTvrXyfuGeiaPhUHgVsFGKEdR5jyimNjag6jkiVG2xBeZQBrqdRZiznz0NqRqiDB.de_kl_a6_servlet_PRM?admRulSeq=2100000014724&amp;admRulNm=%EC%B5%9C%EC%8B%A0%ED%96%89%EC%A0%95%EA%B7%9C%EC%B9%99&amp;searchKeyword=&amp;ageIndex=8&amp;name=admRulSc">http://mobile.law.go.kr/LSWM/mobile/admRulScInfo.do;jsessionid=kTvrXyfuGeiaPhUHgVsFGKEdR5jyimNjag6jkiVG2xBeZQBrqdRZiznz0NqRqiDB.de_kl_a6_servlet_PRM?admRulSeq=2100000014724&amp;admRulNm=%EC%B5%9C%EC%8B%A0%ED%96%89%EC%A0%95%EA%B7%9C%EC%B9%99&amp;searchKeyword=&amp;ageIndex=8&amp;name=admRulSc</a></p>	<p><b>Government sources</b></p> <ul style="list-style-type: none"> <li>• <i>Guideline on Sustainable Forest Resource Management</i> <a href="http://mobile.law.go.kr/LSWM/mobile/admRulScInfo.do;jsessionid=kTvrXyfuGeiaPhUHgVsFGKEdR5jyimNjag6jkiVG2xBeZQBrqdRZiznz0NqRqiDB.de_kl_a6_servlet_PRM?admRulSeq=2100000014724&amp;admRulNm=%EC%B5%9C%EC%8B%A0%ED%96%89%EC%A0%95%EA%B7%9C%EC%B9%99">http://mobile.law.go.kr/LSWM/mobile/admRulScInfo.do;jsessionid=kTvrXyfuGeiaPhUHgVsFGKEdR5jyimNjag6jkiVG2xBeZQBrqdRZiznz0NqRqiDB.de_kl_a6_servlet_PRM?admRulSeq=2100000014724&amp;admRulNm=%EC%B5%9C%EC%8B%A0%ED%96%89%EC%A0%95%EA%B7%9C%EC%B9%99</a></li> </ul>	<p><b>Overview of Legal Requirements</b></p> <p>The <i>Forestry Handbook</i> (Issues by Korea Forest research Institute) and the <i>Guidelines for harvesting and silvicultural activities</i> must be followed for all timber harvesting in Korea. These documents aim to entrench SFM in Korea This publication is aiming for the implementation of SFM within South Korea. Compliance with the guidelines is mandatory for all forestry activities that require prior written approval, or a license, from the KFS.</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p><b>Legal Authority</b></p> <ul style="list-style-type: none"> <li>• Korea Forest Service</li> </ul> <p><b>Legally required documents or records</b></p> <ul style="list-style-type: none"> <li>• Forest management plan</li> <li>• Harvesting permit</li> <li>• Specification of harvest</li> </ul>	<p>99&amp;searchKeyword=&amp;pageIndex=8&amp;name=admRulSc</p> <p><b>Non-Government sources</b></p> <ul style="list-style-type: none"> <li>• Kim, Eun-Sook; Kim, Cheol-Min; Lee, Jisun; Yim, Jong-Su. 2015. <i>National forest change monitoring system in South Korea: an analysis of forest tree species distribution shifts</i>. In: Stanton, Sharon M.; Christensen, Glenn A., comps. 2015. <i>Pushing boundaries: new directions in inventory techniques and applications: Forest Inventory and Analysis (FIA) symposium 2015</i>. 2015 December 8–10; Portland, Oregon. Gen. Tech. Rep. PNW-GTR-931. Portland, OR: U.S. Department of Agriculture, Forest Service, Pacific Northwest Research Station: 368-372. Available online <a href="https://www.treearch.fs.fed.us/pubs/50432">https://www.treearch.fs.fed.us/pubs/50432</a>, accessed 6 April 2017.</li> <li>• Park, M.S.; Lee, H. <i>Legal Opportunities for Public Participation in Forest Management in the Republic of Korea</i>. Sustainability 2016, 8, 369. Available online: <a href="http://www.mdpi.com/2071-1050/8/4/369">http://www.mdpi.com/2071-1050/8/4/369</a>, accessed 6 April 2017.</li> <li>• Park, K.S.; Lee, S.Y.; Choi, S.I.; Song, Y.G.; An, K.W. <i>Strategies for Promoting National Forest Management through Participation by Multiple Actors</i>; Korea Forest Research Institute: Seoul, Korea, 2010; pp. 65–79.</li> </ul>	<p>The 'Sustainable Forest Resource System Instructions defined by Korean Forest Service' also apply.</p> <p>These guidelines are based on the Forest Protection Act and the Forest Resources Creation and Management Act (Article 10).</p> <p>These three documents contain the timber-harvesting regulations and introduces a registration system of timber production business and legal grounds for support. This instruction covers <b>national forest, public forest and private forest</b>. Korea Forest Service, local governments and Forestry Cooperatives inspect harvesting sites and activities to detect violations of the instruction.</p> <p>The Guideline on Sustainable Forest Resource Management sets out the following requirements:</p> <ul style="list-style-type: none"> <li>- Harvesting prohibition area: over 80% ridges, rocky forestland, watershed with 30m from full level, average tree height from road, boundary with paddy and residential area, fireproof forest, etc.</li> <li>- clear cut: 50ha cut in max, retention at least 50 trees after clear cut</li> <li>- thinning: within 30%</li> <li>- extraction road: less than 3m in width</li> <li>- buffer zone: 20m from waterway with more than 3m in width</li> <li>- other: trees retention methods, harvesting techniques, etc.</li> </ul>



Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
		<ul style="list-style-type: none"> <li>Gallup Korea. <i>Survey Report of Awareness to Forest Management Investment by Korean Forest Owners and Enterprises</i>; Gallup Korea: Seoul, Korea, 2011; pp. 75–103</li> <li>Kim, J.H.; Tae, Y.L.; Chang, C.Y.; Kim, K.M. Study on current status and direction of environmental governance around urban forest in Korea: With a focus on the recognition of local government officials. <i>J. Korean For. Soc.</i> 2010, 99, 580–589.</li> <li>Bae, J.S.; Yoo, Y.M.; Song, Y.G.; Park, K.S. A study on the applicable public participation in national forest plan system. <i>J. Korean For. Soc.</i> 2004, 93, 75–85.</li> <li>Park, M.; Youn, Y. Development of urban forest policy-making toward governance in the Republic of Korea. <i>Urban For. Urban Green.</i> 2013, 12, 273–281. <a href="https://www.researchgate.net/profile/Youn_YEo-Chang/publication/259163098_Development_of_urban_forest_policy-making_toward_governance_in_the_Republic_of_Korea/links/53fad62e0cf27c365cf04a11.pdf">https://www.researchgate.net/profile/Youn_YEo-Chang/publication/259163098_Development_of_urban_forest_policy-making_toward_governance_in_the_Republic_of_Korea/links/53fad62e0cf27c365cf04a11.pdf</a></li> <li>Park, M.; Youn, Y. Legal institutions for enhancing and protecting forests as a carbon sink in Japan and the Republic of Korea. <i>For. Sci. Technol.</i> 2013, 9, 72–80.</li> </ul>	<p>For <b>national forests</b>, all harvesting activities are supervised by the national forest agency. According to the KFS, more concrete surveillance systems will be supplemented soon through further legislation.</p> <p>Following the granting of a harvesting permit the <i>Forest Protection Bureau</i> of the KFS is responsible for monitoring that timber harvesting is in compliance with the conditions of the permit.</p> <p>Before harvesting each landowner must fill in and submit a special application form to the local authorities, together with his FM plan (if there is any required), planned harvesting amount, planting plan, etc (all following requirements listed in documents mentioned above). The local authority goes out to the field to check the status and comparing this with the information on the application form. If there is no problem, the local authority issues the harvesting permit. They also check things against the GISDB online system. Depending on the cases permits are also required from a regional KFS office. This is the case when it's about forest &gt;5 ha (and not solitary trees or agricultural lands).</p> <p><b>Description of risk</b> According to the FAO (2010), although the forest area occupies 65% of the whole land, the productivity of forest in Korea is very low because of the high share of the young premature stands but also due to the low harvest volume limits set by Government; the whole cutting volume permitted is usually about 11% of annual increase.</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
		<p><a href="http://www.tandfonline.com/doi/full/10.1080/21580103.2013.801171">http://www.tandfonline.com/doi/full/10.1080/21580103.2013.801171</a></p> <ul style="list-style-type: none"> <li>Transparency International, 2017. Corruption Perception Index 2016 – South Korea. <a href="http://www.transparency.org/news/feature/corruption_perceptions_index_2016#table">http://www.transparency.org/news/feature/corruption_perceptions_index_2016#table</a></li> <li>World Bank, 2015. Worldwide Governance Indicators – Republic of Korea. <a href="http://info.worldbank.org/governance/wgi/#reports">http://info.worldbank.org/governance/wgi/#reports</a></li> <li>Expert consultation carried out in Seoul by NEPCo, March 2016.</li> <li>Chatham House, 2017. Illegal Logging Portal – South Korea. <a href="https://www.illegal-logging.info/regions/south-korea">https://www.illegal-logging.info/regions/south-korea</a> accessed 4 April 2017.</li> <li>Sam Lawson, Chatham House, 2014. Illegal Wood Import and Re-export: The Scale of the Problem and the Response in Thailand, South Korea and India. Available online &lt; <a href="https://www.illegal-logging.info/sites/files/chlogging/Laws_on_Thailand_SK_India_PP_2014_0.pdf">https://www.illegal-logging.info/sites/files/chlogging/Laws_on_Thailand_SK_India_PP_2014_0.pdf</a>&gt; accessed 4 April 2017.</li> <li>Chatham House, 2014. South Korea 2013 Assessment Findings. Available online &lt; <a href="https://indicators.chathamhouse.org/explore-the-data/south-korea">https://indicators.chathamhouse.org/explore-the-data/south-korea</a>&gt;, accessed 4 April 2017.</li> <li>Byoung Il Yoo, Forestry Information Forestry Research Institute Seoul,</li> </ul>	<p>Youn (undated) states that timber harvesting has been strictly regulated by the authorities according to forest and environmental laws in ROK.</p> <p>In 2016, Transparency International scored South Korea 53/100. The 2015 World Bank Worldwide Governance indicators for South Korea were:</p> <ul style="list-style-type: none"> <li>- Voice and Accountability: 69/100</li> <li>- Political Stability and Absence of Violence: 52/100</li> <li>- Government Effectiveness: 80/100</li> <li>- Regulatory Quality: 84/100</li> <li>- Rule of Law: 81/100</li> <li>- Control of Corruption: 70/100</li> </ul> <p>The relative levels of risk of corruption are considered low, and no sources reviewed, experts interviewed or field experiences indicate a specific risk of corruption within the forest sector in South Korea.</p> <p>Extensive research, experience in the Korean forestry sector from the team of authors of this report and discussions with experts in Seoul in 2016 has not revealed any information to indicate a risk in this indicator.</p> <p><b>Risk conclusion</b> This indicator has been evaluated as <b>low risk</b>. Threshold (1) is met: Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities.</p>



Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
		<p>Korea for the Food and Agriculture Organization of the United Nations. (2010) Asia-Pacific Forestry Sector Outlook Study Working Paper Series - In-depth country study in the Republic of Korea - status, trends and prospects to 2010. Available: <a href="ftp://ftp.fao.org/docrep/fao/003/W5547E/W5547E00.pdf">ftp://ftp.fao.org/docrep/fao/003/W5547E/W5547E00.pdf</a>. Accessed 3 October 2017.</p> <ul style="list-style-type: none"> <li>• Youn, Y-C. (Undated). Korean Timber Markets And Policy. Available: <a href="https://pub.iges.or.jp/pub_file/ir98-4-4pdf/download?token=qbaiEB7b">https://pub.iges.or.jp/pub_file/ir98-4-4pdf/download?token=qbaiEB7b</a>, accessed 4 October 2017.</li> </ul>	
1.9 Protected sites and species	<p><b>Applicable laws and regulations</b></p> <ul style="list-style-type: none"> <li>• FOREST PROTECTION ACT [Enforcement Date 05. Feb, 2011.] [Act No.10000, 04. Feb, 2010., Other Laws and Regulations Amended] Article 7, 9, 18-2 <a href="http://www.law.go.kr/lsInfoP.do?lsiSeq=102449&amp;chrClsCd=010203&amp;urlMode=engLsInfoR&amp;viewCls=engLsInfoR#0000">http://www.law.go.kr/lsInfoP.do?lsiSeq=102449&amp;chrClsCd=010203&amp;urlMode=engLsInfoR&amp;viewCls=engLsInfoR#0000</a></li> <li>• WILDLIFE PROTECTION AND MANAGEMENT ACT [Enforcement Date 29. Jul, 2012.] [Act No.10977, 28. Jul, 2011., Partial Amendment] Article 13, 14, 27, 44, 67~73 <a href="http://www.law.go.kr/lsInfoP.do?lsiSeq=115453&amp;chrClsCd=010203&amp;urlMode=engLsInfoR&amp;viewCls=engLsInfoR#0000">http://www.law.go.kr/lsInfoP.do?lsiSeq=115453&amp;chrClsCd=010203&amp;urlMode=engLsInfoR&amp;viewCls=engLsInfoR#0000</a></li> <li>• CULTURAL HERITAGE PROTECTION ACT [Enforcement Date 05. Feb, 2012.] [Act No.11037, 04. Aug, 2011., Other Laws and Regulations Amended] Article 35, 99, 100 <a href="http://elaw.klri.re.kr/kor_service/lawView.do?hseq=31938&amp;lang=ENG">http://elaw.klri.re.kr/kor_service/lawView.do?hseq=31938&amp;lang=ENG</a></li> <li>• Regulation on Forest Protection No. 26629 of November 11, 2015 <a href="http://www.law.go.kr/%EB%B2%95%EB%A0%B9/%EC%82%B0%EB%A6%BC%EB%B3%B4%ED%98%B8%EB%B2%95%20%EC%8B%9C%ED%96%89%EB%A0%B9/(26629,20151111)">http://www.law.go.kr/%EB%B2%95%EB%A0%B9/%EC%82%B0%EB%A6%BC%EB%B3%B4%ED%98%B8%EB%B2%95%20%EC%8B%9C%ED%96%89%EB%A0%B9/(26629,20151111)</a></li> </ul>	<p><b>Government sources</b></p> <ul style="list-style-type: none"> <li>• National Institute of Biological Resources, 2014. <i>Korean Red List of Threatened Species - Second Edition</i>. <a href="http://www.nationalredlist.org/files/2016/04/Korean-Red-List-of-Threatened-Species-English-compressed-2.pdf">http://www.nationalredlist.org/files/2016/04/Korean-Red-List-of-Threatened-Species-English-compressed-2.pdf</a>, accessed 6 April 2017.</li> <li>• Korean National Parks Service (KNPS), 2009. <i>Korea's Protected Areas - Evaluating the effectiveness of South Korea's protected areas system</i>. <a href="https://portals.iucn.org/library/sites/library/files/documents/IUCN-2009-035.pdf">https://portals.iucn.org/library/sites/library/files/documents/IUCN-2009-035.pdf</a> accessed 6 April 2017.</li> <li>• Korean Forest Service, undated. <i>Protected Trees in Korea</i>. <a href="http://english.forest.go.kr/newkfsweb/html/EngHtmlPage.do?pg=/esh/recreation/UI_KFS_0105_050110.html&amp;mn">http://english.forest.go.kr/newkfsweb/html/EngHtmlPage.do?pg=/esh/recreation/UI_KFS_0105_050110.html&amp;mn</a></li> </ul>	<p><b>Overview of Legal Requirements</b></p> <p>The Korea Forest Service and the Ministry of Environment cooperate with each other in order to manage protected sites and species, such as National Park and Baek-du-dae-gan protective areas. While the Korea Forest Service manages protected areas in relation to forest protection, the Ministry of Environment manages the fauna species and habitats. In addition, the Cultural Heritage Administration manages the protected areas or the endangered species if any altering, capturing, or collecting happens in cultural sites including historical monuments.</p> <p><i>Protected Areas</i></p> <p>Korea has a system, for maintaining protected sites and species that recognises them as protected areas in 10 major categories;</p> <ol style="list-style-type: none"> <li>i) Natural Parks,</li> </ol>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>• Enforcement Rules for the Act on Forest Protection, Ordinance of the Ministry of Agriculture, Forestry and Livestock No. 185 of December 31, 2015. -  <a href="http://www.law.go.kr/%EB%B2%95%EB%A0%B9/%EC%82%B0%EB%A6%BC%EB%B3%B4%ED%98%B8%EB%B2%95%EC%8B%9C%ED%96%89%EA%B7%9C%EC%B9%99">http://www.law.go.kr/%EB%B2%95%EB%A0%B9/%EC%82%B0%EB%A6%BC%EB%B3%B4%ED%98%B8%EB%B2%95%EC%8B%9C%ED%96%89%EA%B7%9C%EC%B9%99</a></p> <p><b>Legal Authority</b></p> <ul style="list-style-type: none"> <li>• Korea Forest Service</li> <li>• Ministry of Environment</li> </ul> <p><b>Legally required documents or records</b></p> <p>-</p>	<p><a href="#">=ENG_05_05_01_01</a> accessed 6 April 2017.</p> <ul style="list-style-type: none"> <li>• Ministry of Environment/ National Institute of Biological Resources. Korean Red List of Threatened Species Second Edition. 2014  <a href="http://www.nationalredlist.org/files/2016/04/Korean-Red-List-of-Threatened-Species-English-compressed-2.pdf">http://www.nationalredlist.org/files/2016/04/Korean-Red-List-of-Threatened-Species-English-compressed-2.pdf</a></li> </ul> <p><b>Non-Government sources</b></p> <ul style="list-style-type: none"> <li>• Kwak Yoon-Seop for Hangyore, 2014. Famous photographer interferes with 25 220-year-old Ganghwangsong. Available online:  <a href="http://www.hani.co.kr/arti/society/environment/646780.html#csidx5b5572ca89fe78eb52f7b55a3b1e091">http://www.hani.co.kr/arti/society/environment/646780.html#csidx5b5572ca89fe78eb52f7b55a3b1e091</a>, accessed 6 April 2016.</li> <li>• Friends of the Earth International, 2014. <i>South Korea: Olympic ski course threatens ancient mountain forest.</i>  <a href="http://www.foei.org/press/archive-by-subject/forests-and-biodiversity-press/south-korea-olympic-ski-course-threatens-ancient-mountain-forest">http://www.foei.org/press/archive-by-subject/forests-and-biodiversity-press/south-korea-olympic-ski-course-threatens-ancient-mountain-forest</a>, accessed 6 April 2017.</li> <li>• Justin McCurry and Emma Howard for The Guardian, 2015. <i>Olympic organisers destroy 'sacred' South Korean forest to create ski run.</i>  <a href="https://www.theguardian.com/environment/2015/sep/16/olympic-organisers-destroy-sacred-south">https://www.theguardian.com/environment/2015/sep/16/olympic-organisers-destroy-sacred-south</a></li> </ul>	<ul style="list-style-type: none"> <li>ii) Ecosystem and Landscape Conservation Areas,</li> <li>iii) Marine Ecosystem Protected Areas,</li> <li>iv) Marine Environment Conservation Zone,</li> <li>v) Wetland Protected Areas,</li> <li>vi) Baekdudaegan Mountains Reserve,</li> <li>vii) Forest Genetic Resource Reserve,</li> <li>viii) Nature Reserve,</li> <li>ix) Wildlife Protected Areas, and</li> <li>x) Special Islands.</li> </ul> <p>Activities such as construction of buildings, installation of artificial structures or other facilities, changing the form and quality of land, gathering soil and stones, harvesting timber, or conducting any other activity similar thereto are NOT allowed within core districts in a Protection Area.</p> <p>As of the end of 2013, <u>1,402 sites</u> and <u>2,070.300 hectares</u> (20% of the total land in SK) in total, with some overlapped areas, are designated as protected areas in the country.</p> <ul style="list-style-type: none"> <li>• <b>Natural Parks</b> are designated and managed to protect natural ecosystems, breathtaking natural scenery and cultural heritage. Natural parks are classified into national parks, provincial parks and country parks. The 78 sites are consisting of; <u>21 national parks</u>, <u>29 provincial parks</u>, and <u>28 county parks</u> and <u>5 Geoparks</u>. All parks are under the direct responsibility of the Ministry of Environment (MoE) and are managed according to the 2002 <a href="#">National Park Act</a>.</li> </ul>

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		<p><a href="#">korean-forest-to-create-ski-run</a>, accessed 6 April 2017.</p> <ul style="list-style-type: none"> <li>• Tyson Otto for news.com.au, 2015. <i>Sacred South Korean forest bulldozed to create ski run for Winter Olympics</i>. Available online: <a href="http://www.news.com.au/sport/sports-life/sacred-south-korean-forest-bulldozed-to-create-ski-run-for-winter-olympics/news-story/ed303bf2ace64aeb1b767359d177c9f2">http://www.news.com.au/sport/sports-life/sacred-south-korean-forest-bulldozed-to-create-ski-run-for-winter-olympics/news-story/ed303bf2ace64aeb1b767359d177c9f2</a> , accessed 6 April 2017.</li> <li>• Transparency International, 2017. Corruption Perception Index 2016 – South Korea. <a href="http://www.transparency.org/news/feature/corruption_perceptions_index_2016#table">http://www.transparency.org/news/feature/corruption_perceptions_index_2016#table</a></li> <li>• World Bank, 2015. Worldwide Governance Indicators – Republic of Korea. <a href="http://info.worldbank.org/governance/wgi/#reports">http://info.worldbank.org/governance/wgi/#reports</a></li> <li>• Expert consultation carried out in Seoul by NEPCo, March 2016.</li> <li>• Chatham House, 2017. <i>Illegal Logging Portal – South Korea</i>. <a href="https://www.illegal-logging.info/regions/south-korea">https://www.illegal-logging.info/regions/south-korea</a> accessed 4 April 2017.</li> <li>• Sam Lawson, Chatham House, 2014. <i>Illegal Wood Import and Re-export: The Scale of the Problem and the Response in Thailand, South Korea and India</i>. Available online &lt; <a href="https://www.illegal-logging.info/sites/files/chlogging/Laws">https://www.illegal-logging.info/sites/files/chlogging/Laws</a></li> </ul>	<p>Harvesting is not allowed in any National Park.</p> <ul style="list-style-type: none"> <li>• <b>Ecosystem and Landscape Conservation Areas</b> - harvesting is not allowed in conservation areas, excluding special case, such as disease spread out. Korea does carry out EIA (environmental impact assessment) when civil-engineering construction is operated in protected areas, with forest expert. These protected sites are managed based on the '<a href="#">Act on the conservation and use of biological diversity</a>'.</li> <li>• <b>Baekdudaegan Mountains Reserve, Forest Genetic Resource Reserve and Nature Reserves</b> - The Korea Forest Service (KFS) is responsible for the overall policies and management projects, while the MoE is involved in the protection of ecosystems. The sites are within the borders of 32 cities and counties. This protected area contains and connects several nature parks, National Parks, Provincial Park, County Park, and Ecosystem and Landscape Conservation Areas. Thus there is an overlap with other areas. Under the Act on the Protection of Baekdu-Jiri Grand Mountain Ranges, any activity in Protection Areas is strictly restricted excluding some exceptional cases, legally permitted with special reasons.</li> <li>• <b>Wildlife Protected Areas &amp; Special Islands</b> - Management is based on <a href="#">Wildlife Protection Act</a>, 2010.</li> </ul>

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		<p>on_Thailand_SK_India_PP_2014_0.pdf&gt; accessed 4 April 2017.</p> <ul style="list-style-type: none"> <li>• Chatham House, 2014. South Korea 2013 Assessment Findings. Available online &lt; <a href="https://indicators.chathamhouse.org/explore-the-data/south-korea">https://indicators.chathamhouse.org/explore-the-data/south-korea</a>&gt;, accessed 4 April 2017.</li> <li>• Convention on Biological Diversity (CBD), Country profile. <a href="https://www.cbd.int/countries/?country=kr">https://www.cbd.int/countries/?country=kr</a></li> <li>• National website CBD website: <a href="http://www.cbd-chm.go.kr/english">http://www.cbd-chm.go.kr/english</a></li> <li>• Direct link to 5th National report: <a href="https://www.cbd.int/doc/world/kr/kr-nr-05-en.pdf">https://www.cbd.int/doc/world/kr/kr-nr-05-en.pdf</a></li> <li>• Direct link to report Biodiversity Stats Korea 2013: <a href="http://www.cbd-chm.go.kr/dirFileDownload.do?path_key=etc&amp;file_nm=eng_rpt3.pdf&amp;file_nm=Biodiversity+Statistics+of+KOREA.pdf">http://www.cbd-chm.go.kr/dirFileDownload.do?path_key=etc&amp;file_nm=eng_rpt3.pdf&amp;file_nm=Biodiversity+Statistics+of+KOREA.pdf</a></li> <li>• Direct link to Korea's National Biodiversity Strategy: <a href="http://www.cbd-chm.go.kr/dirFileDownload.do?path_key=etc&amp;file_nm=eng_rpt2.pdf&amp;file_nm=Korea%27s+National+Biodiversity+Strategy+2014-2018.pdf">http://www.cbd-chm.go.kr/dirFileDownload.do?path_key=etc&amp;file_nm=eng_rpt2.pdf&amp;file_nm=Korea%27s+National+Biodiversity+Strategy+2014-2018.pdf</a>.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Cultural Heritage Sites</b> - The heritage preservation system of South Korea is a multi-level program aiming to preserve and cultivate Korean cultural heritage. The program is administered by the Cultural Heritage Administration (<a href="#">CHA</a>), and the legal framework is provided by the Cultural Heritage Protection Act of 1962, last updated in 2012. As of 2014, the country has nine cultural and one natural World Heritage Sites. Harvesting, is allowed in Heritage sites only in exceptional cases, but an environmental impact assessment has to be carried out first.</li> <li>• <b>International designated</b> – Several areas in Korea under international treaties, such as RAMSAR, UNESCO Biosphere Reserve and World Natural Heritage. Total 18 areas are listed as Ramsar Wetlands, 4 areas are designated as UNESCO Biosphere Reserves, and one in the list of UNESCO World Natural Heritage.</li> </ul> <p>The KFS use their own system of protection classes, but there is a 100% overlap with protection classes mentioned above. The KFS system includes: Disaster prevention; Living env. Protection; 1st class watershed protect; 2nd class watershed protect; 3rd class watershed protect; Landscape protect; Forest genetic resource protect; and Baekdu daean protection.</p> <p><i>Protected Forests</i> Under the <i>Forest Protection Act</i>, the Special Metropolitan City Mayor, a Metropolitan City</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			<p>Mayor, a Do Governor, or the Governor of a Special Self-Governing Province may, if necessary to protect a particular forest, designate it as a forest conservation zone classified into any of the following categories:</p> <ol style="list-style-type: none"> <li>1. Conservation zone for the living environment: A zone considered necessary for the conservation and maintenance of the living environment and public health and sanitation around a city, an industrial complex, a major hospital, or a sanatorium;</li> <li>2. Conservation zone for scenic views: A zone considered necessary for the conservation of scenic views around a scenic spot, a historic site, a tourist destination, a park, an amusement park, around access roads to such a place, around a road, rail road, or a beach;</li> <li>3. Conservation zone for development of water resources: A zone considered necessary for the development of water resources, the prevention of floods, or the quality control of drinking water sources;</li> <li>4. Conservation zone for disaster prevention: A zone considered necessary for the prevention of soil erosion and rock slides and the prevention of damage by sea breeze, tidal waves, sand, etc.;</li> <li>5. Conservation zone for forest gene resources: A zone considered necessary for the conservation of genes and species of plants in a forest or a forest ecosystem.</li> </ol> <p>No one may conduct any of the following activities within a forest conservation zone;</p> <ol style="list-style-type: none"> <li>1. Thinning out standing trees or bamboo;</li> <li>2. Mining or collecting forestry products;</li> </ol>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			<p>3. Grazing livestock; 4. changing the form or quality of land.</p> <p>Rangers are empowered to provide on-the-spot fines for minor offences, but have to liaise with police in cases where the offender is not cooperative (particularly with respect to providing identification); more important offences are handled by police and prosecutors. There are three levels of penalty. Minor offences are punished by fines, with or without indictments depending on the type of offence (KNPS 2009).</p> <p><i>Protected species</i> Flora &amp; Fauna and cultural heritage is also protected by a <a href="#">National red list</a>. Out of total 41.483 species, 2.038 species are designated as endangered and 109 of these are red species (lit 74). Based on the <i>Act on Wildlife Protection and Management</i>, the number of endangered species is 246, in two classes:</p> <ul style="list-style-type: none"> <li>• Class I includes 51 species of endangered wild animals and plants that have a rapid reduction in their population to the extent that they may become endangered in near future unless the threats are removed or diminished.</li> <li>• Class II includes 195 species of wild animals and plants which show a concerning rate of reduction in their population due either to natural or artificial threats.</li> </ul> <p>There are a number of tree species listed as endangered in the Red List, including <i>Juniperus</i></p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			<p><i>chinensis</i> Linnaeus, <i>Thuja koraiensis</i> Nakai and <i>Picea jezoensis</i> (Siebold and Zuccarini) Carrière.</p> <p><b>Protected trees</b> According to Articles 67 to 70 inclusive of the Forestry Law, there are 11,573 individual trees currently designated and protected in the Republic of Korea. Under Item 1, Article 51 of the Forestry Law Enforcement Regulations, trees which deserve to be preserved or propagated are defined as old, big, or rare trees; i.e.. Old trees of historical interest, preservative trees, trees of guardian deity, trees serving as a shady resting place in a village, trees for shore protection, fantastic trees, and ornamental trees</p> <p>According to Article 68 of the Forestry Law, the person in charge of designation of a protected tree can appoint a supervisor, if need be, and order owners or supervisors for matters about preservation, maintenance and inauguration of that tree.</p> <p><b>Description of risk</b> Three authorized organizations manage protected sites, protected species, and cultural sites meaning there is a high level of administrative oversight (Expert consultation 2016). Potential conflict among three organizations has not been observed by the authors of this report or during consultation in Korea in 2016.</p> <p>In 2009, the Korean National Parks Service reported that 'In 2007 there were 109</p>



Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			<p>instances of people being caught collecting wild plants, two instances of collecting wild animals and 35 of illegal logging [in protected areas].’ That report further states that ‘A key governance issue relates to law enforcement [...]. Almost a quarter of protected areas surveyed (which generally included the larger sites so that 60 percent of the area was involved) report that illegal activities have a significant or major impact. Most protected areas find that enforcement is constrained in terms of either scope or capacity.’ Importantly, the report concludes that ‘it should be noted that illegal activity is a relatively limited problem within national parks’ (KNPS 2009, p 56).</p> <p>More recently, controversy has surrounded the clearing of land to make way for ski slopes for the 2018 Olympics. A number of sources reported that in 2015 organizers of the Olympics had destroyed a “sacred” forest to make room for a ski slope (Guardian 2015, news.com.au 2015, Friends of the Earth 2015). In their coverage of this issue, the Guardian noted that ‘The mountain was officially designated a national protected forest in 2008 but that designation was lifted in 2013 for this Olympic construction project’ as such, there is no evidence to suggest that the harvesting/clearance was illegal, but the lifting of the protected area designation does call into question the credibility of the system.</p> <p>According to experts consulted in the preparation of this report in 2016, where illegal activity occurs, it is reported and punished under the law. One on the only other recent</p>



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			<p>examples of illegal harvesting was widely reported by the media. This involved a case where a famous photographer illegally cut 25 pine trees within a forest protection area without permission. The photographer was reported to the police by citizens. As a result, a 4.200 USD fine was issued to the photographer (Hangyore 2014). This case is included to demonstrates that there is a high level of public and media interest in illegal harvesting (obviously increased in this case because the photographer was famous) and that the monitoring and penalty system is functional.</p> <p>In 2016, Transparency International scored South Korea 53/100. The 2015 World Bank Worldwide Governance indicators for South Korea were:</p> <ul style="list-style-type: none"> <li>- Voice and Accountability: 69/100</li> <li>- Political Stability and Absence of Violence: 52/100</li> <li>- Government Effectiveness: 80/100</li> <li>- Regulatory Quality: 84/100</li> <li>- Rule of Law: 81/100</li> <li>- Control of Corruption: 70/100</li> </ul> <p>The relative levels of risk of corruption are considered low, and no sources reviewed, experts interviewed or field experiences indicate a specific risk of corruption within the forest sector in South Korea. Extensive research, experience in the Korean forestry sector from the team of authors of this report and discussions with experts in Seoul in 2016 has not revealed any information to indicate a risk in this indicator.</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			<p><b>Risk conclusion</b> This indicator has been evaluated as <b>low risk</b>. Threshold (1) is met: Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities.</p>
1.10 Environmental requirements	<p><b>Applicable laws and regulations</b></p> <ul style="list-style-type: none"> <li>• Forest Resources Creation and Management Act [Enforcement Date 02. Dec, 2012.] [Act No.11456, 01. Jun, 2012., Partial Amendment] Article 9, 42, 51 <a href="http://www.law.go.kr/lsInfoP.do?lsiSeq=125844&amp;chrClsCd=010203&amp;urlMode=engLsInfoR&amp;viewCls=engLsInfoR#0000">http://www.law.go.kr/lsInfoP.do?lsiSeq=125844&amp;chrClsCd=010203&amp;urlMode=engLsInfoR&amp;viewCls=engLsInfoR#0000</a></li> <li>• Guideline on Sustainable Forest Resource Management [Enforcement Date 22. Feb, 2015.] [Instruction No.1244, 27. Feb, 2015., Partial Amended] II-3-ㄷ, III <a href="http://mobile.law.go.kr/LSWM/mobile/admRulScInfo.do;jsessionid=kTvrXyfuGeiaPhUHgVsFGKEdR5jyimNjag6jkiVG2xBeZQBrqdRZiznz0NqRqiDB.de_kl_a6_servlet_PRM?admRulSeq=2100000014724&amp;admRulNm=%EC%B5%9C%EC%8B%A0%ED%96%89%EC%A0%95%EA%B7%9C%EC%B9%99&amp;searchKeyword=&amp;pageIndex=8&amp;name=admRulSc">http://mobile.law.go.kr/LSWM/mobile/admRulScInfo.do;jsessionid=kTvrXyfuGeiaPhUHgVsFGKEdR5jyimNjag6jkiVG2xBeZQBrqdRZiznz0NqRqiDB.de_kl_a6_servlet_PRM?admRulSeq=2100000014724&amp;admRulNm=%EC%B5%9C%EC%8B%A0%ED%96%89%EC%A0%95%EA%B7%9C%EC%B9%99&amp;searchKeyword=&amp;pageIndex=8&amp;name=admRulSc</a></li> <li>• Act on the Protection of Baekdu-Jiri Grand Mountain Ranges [Enforcement Date 18. Dec, 2012.] [Act No.11565, 18. Dec, 2012., Partial Amendment] Article 7,9 <a href="http://elaw.klri.re.kr/kor_service/lawView.do?hseq=32206&amp;lang=ENG">http://elaw.klri.re.kr/kor_service/lawView.do?hseq=32206&amp;lang=ENG</a></li> <li>• Natural Environment Conservation Act [Enforcement Date 27. Jan, 2016.] [Act No.13885, 27. Jan, 2016., Partial Amendment] Article 12, 15, 16, 64~66 <a href="http://elaw.klri.re.kr/kor_service/lawView.do?hseq=28495&amp;lang=ENG">http://elaw.klri.re.kr/kor_service/lawView.do?hseq=28495&amp;lang=ENG</a></li> <li>• Clean Air Conservation Act [Enforcement Date 27. Jan, 2016.] [Act No.13874, 27. Jan, 2016., Partial Amendment] Article 23, 90 <a href="http://elaw.klri.re.kr/kor_service/lawView.do?hseq=28492&amp;lang=ENG">http://elaw.klri.re.kr/kor_service/lawView.do?hseq=28492&amp;lang=ENG</a></li> </ul>	<p><b>Government sources</b></p> <ul style="list-style-type: none"> <li>• Presidential Commission on Green Growth—Republic of Korea. Road to Our Future: Green Growth—National Strategy and the Five-Year Plan (2009~2013); Presidential Commission on Green Growth—Republic of Korea: Seoul, Korea, 2009.</li> <li>• Korea Forest Service. National Report on Sustainable Forest Management in Korea 2009. 2009. Available online: <a href="http://www.rinya.maff.go.jp/j/kaigai/pdf/2009p_4_k.pdf">http://www.rinya.maff.go.jp/j/kaigai/pdf/2009p_4_k.pdf</a> (accessed on 4 October 2010).</li> <li>• Ministry of Environment. Some Success Stories of Korean Environmental Policies—Keeping Water Clean; Ministry of Environment: Sejong-City, Korea, 2011.</li> <li>• Lee, B.-K. Water environment management master plan outline (2006~2015)—Clean water, Eco River 2015. Korea Environ. Policy Bull. 2006, 4, 1–12</li> </ul> <p><b>Non-Government sources</b></p> <ul style="list-style-type: none"> <li>• Transparency International, 2017. Corruption Perception Index 2016 – South Korea.</li> </ul>	<p><b>Overview of Legal Requirements</b></p> <p>The applicable legislation listed includes comprehensive requirements relating to environmental impacts assessment and protection of environmental values.</p> <p>Any harvesting taking place in a protected area must be preceded by the preparation of an environmental impact assessment.</p> <p>For regular forestry activities, the <i>Integrated Environmental Impacts Assessment</i> requires that a strategic environmental assessment takes place in environmentally sensitive areas. The Government of Korea has produced maps for the entire country (based on vegetation maps and distribution maps of flora and fauna (and national red list) to identify these environmentally sensitive areas. This so-called GISDB system is publically available <a href="#">online</a> and is a ‘living’ system. It is updated periodically.</p> <p>Based on this system, a first decision (by local authorities or KFS) is made if an EIA might be required, or a harvesting permit may be issued. There is also a somewhat lighter version available (a ‘prior environmental review’).</p> <p>All governmental staff members have access to the public GISDB system; however, it is</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<ul style="list-style-type: none"> <li>Environmental Impact Assessment Act [Enforcement Date 23. Mar, 2013.] [Act No.11690, 23. Mar, 2013., Partial Amendment] Article 22, 23, 34, 47, 49, 73-76 <a href="http://elaw.klri.re.kr/kor_service/lawView.do?hseq=30485&amp;lang=ENG">http://elaw.klri.re.kr/kor_service/lawView.do?hseq=30485&amp;lang=ENG</a></li> </ul> <p><b>Legal Authority</b></p> <ul style="list-style-type: none"> <li>Korea Forest Service</li> <li>Ministry of Environment</li> </ul> <p><b>Legally required documents or records</b></p> <p>-</p>	<p><a href="http://www.transparency.org/news/feature/corruption_perceptions_index_2016#table">http://www.transparency.org/news/feature/corruption_perceptions_index_2016#table</a></p> <ul style="list-style-type: none"> <li>World Bank, 2015. Worldwide Governance Indicators – Republic of Korea. <a href="http://info.worldbank.org/governance/wgi/#reports">http://info.worldbank.org/governance/wgi/#reports</a></li> <li>Expert consultation carried out in Seoul by NEPCoN, March 2016.</li> <li>Chatham House, 2017. Illegal Logging Portal – South Korea. <a href="https://www.illegal-logging.info/regions/south-korea">https://www.illegal-logging.info/regions/south-korea</a> accessed 4 April 2017.</li> <li>Sam Lawson, Chatham House, 2014. Illegal Wood Import and Re-export: The Scale of the Problem and the Response in Thailand, South Korea and India. Available online &lt; <a href="https://www.illegal-logging.info/sites/files/chlogging/Laws_on_Thailand_SK_India_PP_2014_0.pdf">https://www.illegal-logging.info/sites/files/chlogging/Laws_on_Thailand_SK_India_PP_2014_0.pdf</a> accessed 4 April 2017.</li> <li>Chatham House, 2014. South Korea 2013 Assessment Findings. Available online &lt; <a href="https://indicators.chathamhouse.org/explore-the-data/south-korea">https://indicators.chathamhouse.org/explore-the-data/south-korea</a>, accessed 4 April 2017.</li> <li>Dolezal, J., J.S. Song, J. Altman, S. Janecek, T. Cerny, M. Srutek, &amp; J. Kolbek. 2009. Tree growth and competition in a post-logging Quercus mongolica forest on Mt. Sobaek, South Korea. Ecological Research 24: 281-290.</li> </ul>	<p>controlled by KFS. Local governmental staff collect the data manually and send it to KFS to revise the DB information online. KFS itself uses a special version, called FGIS-DB, for the national forest that has more detail information with function for forestry operation.</p> <p>Where an EIA is required, if it is unlawful or does not comply with the regulation, strong penalties apply: the top penalty is 5-year-in jail or 50 million won (about 42,000 USD).</p> <p>Under the <i>Forest Resources Creation and Management Act</i>:</p> <ul style="list-style-type: none"> <li>The Administrator of the Korea Forest Service shall establish and implement a basic plan for forest biodiversity to promote the preservation of forest biodiversity, the sustainable use of forests, etc.</li> <li>The Administrator of the Korea Forest Service or the Mayor/Do Governor may devise and implement the plans for preservation and management with respect to the trees or forests deemed in need of a special management for the protection of ecology, scenery, etc. against the damage from weather, air pollution, acid rain, germs, harmful insects, etc.</li> </ul> <p>The <i>Guideline on Sustainable Forest Resource Management</i> includes harvesting prohibition areas: ridges with more than 80% slope, rocky forestland, watershed within 30m from high water mark, average tree height from road, boundary with paddy and residential area, fire protection forest, etc.</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
		<ul style="list-style-type: none"> <li>W. D. Hawthorne, C. A. M. Marshall, M. Abu Juam and V. K. Agyeman, 2011. The Impact of Logging Damage on Tropical Rainforests, their Recovery and Regeneration - an Annotated Bibliography. Available online: <a href="http://www.bodleian.ox.ac.uk/_data/assets/pdf_file/0017/101258/Hawthorne-et-al-2011-Logging-Bibliography-online.pdf">http://www.bodleian.ox.ac.uk/_data/assets/pdf_file/0017/101258/Hawthorne-et-al-2011-Logging-Bibliography-online.pdf</a>, accessed 12 April 2017.</li> <li>Jean-Lionel Payeur-Poirier and Trung Thanh Nguyen. (2017). The Inclusion of Forest Hydrological Services in the Sustainable Development Strategy of South Korea. Available: <a href="http://www.mdpi.com/2071-1050/9/8/1470/pdf">www.mdpi.com/2071-1050/9/8/1470/pdf</a>, accessed 4 October 2017.</li> </ul>	<ul style="list-style-type: none"> <li>- clear cut: 50ha max, retention at least 50 trees after clear cut</li> <li>- thinning: within 30%</li> <li>- extraction road: less than 3m in width</li> <li>- buffer zone: 20m from waterway with more than 3m in width</li> <li>- other: tree retention methods, harvesting techniques, etc.</li> </ul> <p>Under the <i>Environmental Impact Assessment Act</i>, any construction without completion of environmental impact assessment is prohibited. If anyone violates the order of stopping construction without permission, the person shall be punished under 5-year-in jail or under 50 million won (about 42,000 USD). If anyone is unlawful to relevant regulations, especially with regard to environmental impact assessment reports, the person shall be punished under 2-year-in jail or under 20 million won (about 16,000 USD). Some other minor violation shall be punished by monetary fines.</p> <p>The <i>Environmental Impact Assessment Law</i> has been enforced since 2013. The law has now determined the universal standards and punishment level against unlawful activities. In 2015, a sustainable forest management concept was legally prescribed and enforced. The new conservation-related laws have attempted to reflect the demands from society as well as to lead citizens toward more sustainable social system.</p> <p>To provide better outcomes in relation to water, the South Korean government defined a series of policy actions in its National Strategy for</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			<p>Green Growth. Some of the policy actions are directed towards the management of water within the wider context of environmental conservation, including reforestation, forest management, and the protection of forests. Such policy actions, combining forest and water management, were also defined in the Fifth National Forest Plan (2008–2017), the Comprehensive Water Management Plan for the Four Major Rivers, and the Water Environment Management Master Plan (2006-2015)</p> <p><b>Description of risk</b> Environmental requirements associated with harvesting and forest management are well known and enforced actively (Expert input into the drafting of this report, Expert consultation 2016).</p> <p>In 2016, Transparency International scored South Korea 53/100. The 2015 World Bank Worldwide Governance indicators for South Korea were:</p> <ul style="list-style-type: none"> <li>- Voice and Accountability: 69/100</li> <li>- Political Stability and Absence of Violence: 52/100</li> <li>- Government Effectiveness: 80/100</li> <li>- Regulatory Quality: 84/100</li> <li>- Rule of Law: 81/100</li> <li>- Control of Corruption: 70/100</li> </ul> <p>The relative levels of risk of corruption are considered low, and no sources reviewed, experts interviewed or field experiences indicate a specific risk of corruption within the forest sector in South Korea.</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			<p>Extensive research conducted in the preparation of this report, as well as experience in the Korean forestry sector from the team of authors of this report and discussions with experts in Seoul in 2016 has not revealed any information to indicate a risk in this indicator.</p> <p><b>Risk conclusion</b> This indicator has been evaluated as <b>low risk</b>. Threshold (1) is met: Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities.</p>
1.11 Health and safety	<p><b>Applicable laws and regulations</b></p> <ul style="list-style-type: none"> <li>• OCCUPATIONAL SAFETY AND HEALTH ACT [Enforcement Date 26. Jan, 2012.] [Act No.10968, 25. Jul, 2011., Partial Amendment] <ul style="list-style-type: none"> <li>- Article 1 (Purpose), Article 3 (Scope of Application), Article 4 (Duties of Government), Article 5 (Duties of Business Owners, etc.), Article 13 (Persons in Charge of Safety and Health Management), Article 14 (Supervisors), Article 15 (Safety Officers, etc.), Article 16 (Health Officers, etc.), Article 18 (Persons in General Charge of Health and Safety), Article 20 (Preparation, etc. of Health and Safety Management Regulations), Article 23 (Safety Measures), Article 31 (Health and Safety Education), Article 47 (Restriction on Employment by Qualification, etc.), Article 49 (Safety and Health Inspections) <a href="http://elaw.klri.re.kr/kor_service/lawView.do?hseq=30747&amp;lang=ENG">http://elaw.klri.re.kr/kor_service/lawView.do?hseq=30747&amp;lang=ENG</a></li> </ul> </li> <li>• ENFORCEMENT DECREE OF FORESTRY AND MOUNTAIN VILLAGES DEVELOPMENT PROMOTION ACT [Enforcement Date 11. Nov, 2015.] [Decree No.26629, 11. Nov, 2015., Other Laws and Regulations Amended] <ul style="list-style-type: none"> <li>- Article 16(Training Forestry Technicians, etc.)</li> </ul> </li> </ul>	<p><b>Government sources</b></p> <ul style="list-style-type: none"> <li>• Korea Occupational Safety and Health Agency, undated. Employment and Labor Statistics – occupational incidents. <a href="http://msds.kosha.or.kr/kcic/gboard/list.do?bbsId=BBSMSTR_00000000005">http://msds.kosha.or.kr/kcic/gboard/list.do?bbsId=BBSMSTR_00000000005</a></li> <li>• Ministry of Employment and Labor, 2014. <i>Industrial accident occurrence in 2014</i> (In Korean). <a href="http://www.kefplaza.com/statistics/stat_s_view.jsp?num=845">http://www.kefplaza.com/statistics/stat_s_view.jsp?num=845</a> accessed 6 April 2017.</li> </ul> <p><b>Non-Government sources</b></p> <ul style="list-style-type: none"> <li>• MSDS (Material Safety Data Sheets) <a href="http://msds.kosha.or.kr">http://msds.kosha.or.kr</a></li> <li>• Kyung Yong Rhee, Seong Weon Choe, Young Sun Kim, Kwon Ho Koo, 2013. The Trend of Occupational Injuries in Korea from 2001 to 2010.</li> </ul>	<p><b>Overview of Legal Requirements</b></p> <p>The Occupational Safety and Health Act applies to all forest types in Korea (<b>national, public, and private</b>). This law specifies what a business owner has to comply with for worker safety, and manages the health and safety of workers by mandating the appointment of a chief manager for health and safety, a management supervisor, a safety manager, a health manager, etc.</p> <p>According to this law, a business owner has to report the current status of accident occurrences and an action and protection plan for the recurrence of accidents, such as deaths or injuries, occurring at the workplace to the chief of the local employment and labour government office.</p> <p>Business owners must attach a health and safety mark to harmful and dangerous locations, take protective measures for harmful</p>



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	<p><a href="http://www.law.go.kr/eng/engLsSc.do?menuId=1&amp;query=FORESTRY+AND+MOUNTAIN+VILLAGES+DEVELOPMENT+PROMOTION+ACT&amp;x=45&amp;y=11">http://www.law.go.kr/eng/engLsSc.do?menuId=1&amp;query=FORESTRY+AND+MOUNTAIN+VILLAGES+DEVELOPMENT+PROMOTION+ACT&amp;x=45&amp;y=11</a></p> <ul style="list-style-type: none"> <li>LABOR STANDARDS ACT [Enforcement Date 02. Aug, 2012.] [Act No.11270, 01. Feb, 2012., Partial Amendment] - Article 76 (Safety and Health), Article 78 (Compensation for Medical Treatment), Article 80 (Compensation for Disability) <a href="http://elaw.klri.re.kr/kor_service/lawView.do?hseq=31900&amp;lang=ENG">http://elaw.klri.re.kr/kor_service/lawView.do?hseq=31900&amp;lang=ENG</a></li> <li>INDUSTRIAL ACCIDENT COMPENSATION INSURANCE ACT [Enforcement Date 05. Jul, 2010.] [Act No.10339, 04. Jun, 2010., Other Laws and Regulations Amended] - Article 1 (Purpose), Article 37 (Standards for Recognition of Occupational Accidents) <a href="http://elaw.klri.re.kr/kor_service/lawView.do?hseq=18744&amp;lang=ENG">http://elaw.klri.re.kr/kor_service/lawView.do?hseq=18744&amp;lang=ENG</a></li> <li>TOXIC CHEMICALS CONTROL ACT [Enforcement Date 05. Jul, 2010.] [Act No.10339, 04. Jun, 2010., Other Laws and Regulations Amended] Article 1 (Purpose), Article 5 (Duties of Business Operators), Article 13 (Criteria for Handling Hazardous Chemicals), Article 14 (Handlers' Wearing of Personal Protective Equipment), Article 32 (Hazardous Chemical Supervisors), Article 33 (Safety Education on Hazardous Chemicals) <a href="http://elaw.klri.re.kr/kor_service/lawView.do?hseq=34828&amp;lang=ENG">http://elaw.klri.re.kr/kor_service/lawView.do?hseq=34828&amp;lang=ENG</a></li> </ul> <p><b>Legal Authority</b></p> <ul style="list-style-type: none"> <li>Ministry of Employment and Labor</li> <li>Korea Forest Service</li> <li>Ministry of Environment</li> </ul> <p><b>Legally required documents or records</b></p> <ul style="list-style-type: none"> <li>MSDS (Material Safety Data Sheets) : <a href="http://msds.kosha.or.kr">http://msds.kosha.or.kr</a></li> <li>Records of Industrial Accidents Occurrence (Questionnaire on Industrial Accidents)</li> </ul>	<p>Safe Health Work. 2013 Mar; 4(1): 63–70. Published online 2013 Mar 11. doi: 10.5491/SHAW.2013.4.1.63. <a href="https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3601298/">https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3601298/</a></p> <ul style="list-style-type: none"> <li>Transparency International, 2017. Corruption Perception Index 2016 – South Korea. <a href="http://www.transparency.org/news/feature/corruption_perceptions_index_2016#table">http://www.transparency.org/news/feature/corruption_perceptions_index_2016#table</a></li> <li>World Bank, 2015. Worldwide Governance Indicators – Republic of Korea. <a href="http://info.worldbank.org/governance/wgi/#reports">http://info.worldbank.org/governance/wgi/#reports</a></li> <li>Expert consultation carried out in Seoul by NEPCoN, March 2016.</li> <li>Chatham House, 2017. Illegal Logging Portal – South Korea. <a href="https://www.illegal-logging.info/regions/south-korea">https://www.illegal-logging.info/regions/south-korea</a> accessed 4 April 2017.</li> <li>Sam Lawson, Chatham House, 2014. Illegal Wood Import and Re-export: The Scale of the Problem and the Response in Thailand, South Korea and India. Available online &lt; <a href="https://www.illegal-logging.info/sites/files/chlogging/Laws_on_Thailand_SK_India_PP_2014_0.pdf">https://www.illegal-logging.info/sites/files/chlogging/Laws on_Thailand_SK_India_PP_2014_0.pdf</a>&gt; accessed 4 April 2017.</li> <li>Chatham House, 2014. South Korea 2013 Assessment Findings. Available online &lt; <a href="https://indicators.chathamhouse.org/e">https://indicators.chathamhouse.org/e</a></li> </ul>	<p>and dangerous machinery, provide workers with safety equipment that are safety certified and ensure that appropriate safety gear is utilized. When business owners make a construction contract related to forest operations, they have to include an occupational health and safety management expense in the contract price and the contractor must use it to ensure their workers' health and safety and for disaster prevention.</p> <p>According to the Chemicals Control Act, when handling chemicals in workplaces, MSDS (Material Safety Data Sheets) must be created and stocked there, and chemical containers must be marked with warning sign.</p> <p>In state forests, a forest work team, which is a group of 6-30 workers, is the subject of a forest operation with a high cognitive level of safety since they can only be formed if over 60% of the workers are certified at a level higher than forest craftsman by the National Technical Qualifications Act. Otherwise, they must take a forest craftsman training course that includes safety education, lasting over 6 weeks, carried out in a technical forest education centre.</p> <p><b>Description of Risk</b> According to the <i>Industrial accident occurrence in 2014</i> report by the Ministry of Employment and Labor, there were 1,696 victims of forestry accidents (a 2.19% accident rate) and 34 forestry-related deaths out of the total of 1,850 deaths. The forestry accident rate is second highest among all industrial accidents. The victim rate by age is 70% for those that are in</p>

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	<ul style="list-style-type: none"> <li>Confirmation for Education for Operation</li> </ul>	<p>xplore-the-data/south-korea&gt;, accessed 4 April 2017.</p> <ul style="list-style-type: none"> <li>US Department of State, 2015. <i>Republic of Korea 2015 - Human Rights Report</i>. Available online: <a href="https://www.state.gov/documents/organization/252985.pdf">https://www.state.gov/documents/organization/252985.pdf</a>, accessed 18 April 2017.</li> </ul>	<p>higher ages with those that are 50-59 years old accounting for 41% and those that are 60-69 years old accounting for 29.1%. The types of forestry accidents are the following: amputation, cut, and stabbing (28.2%), being struck by objects (16.5%), and being knocked down (16.1%).</p> <p>For national forests, all national forest work teams from regional offices of national forests conduct a safety check and implement safety training for forest workers, during which they check if the workers wear safety gear and comply with the requirements for safety distance. They also provide training on the ways to carry out safe forest work and first aid when accidents occur (Expert consultation 2016).</p> <p>For public and private forests, although private forest work teams train their forest workers, it is not systematic and compulsory compared to national forests (Expert consultation 2016). In addition, forest workers from private forests that private forest owners manage rarely wear safety gears and receive proper safety training (Expert consultation 2016).</p> <p>Some people that operate a wood manufacturing business among private forest operators have a low cognitive level of safety and lack proper health and safety training. Accordingly, the Korea Forest Service and Ministry of Employment and Labour are working on diverse political activities such as the introduction of a forestry machine equipment certification system, forestry safety specified</p>



Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			<p>education, and a campaign in order to improve the forestry accident rate.</p> <p>The US Department of Justice (2015) state that 'The Korea Occupational Safety and Health Agency conducted more than 195,000 inspections as of August 31. The government also conducted educational programs to prevent accidents. During the year the government also conducted inspections of establishments employing foreign, temporary entertainment workers, a vulnerable migrant population.' That same report states:</p> <p>The government reported descriptions of and statistics on work-related injuries and fatalities on a quarterly basis on its websites. As of August the government inspected 196,237 workplaces for industrial health safety and health. There were 1,070 national industrial accident prevention inspectors and 320 working condition inspectors employed in 47 local offices countrywide. There were 90,909 industrial work-related accidents reported and 1,850 fatalities. [...] The government did not provide information on sectors most affected.</p> <p>While the levels of compliance and control appear higher for the national forests, given the high accident rates, which are not differentiated by forest type, a specified risk finding has been designated for all source types.</p> <p><b>Risk conclusion</b> This indicator has been evaluated as <b>specified risk</b>. Identified laws are not upheld consistently</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
1.12 Legal employment	<p><b>Applicable laws and regulations</b></p> <ul style="list-style-type: none"> <li>• LABOR STANDARDS ACT [Enforcement Date 02. Aug, 2012.] [Act No.11270, 01. Feb, 2012., Partial Amendment] Article 1 (Purpose), Article 5 (Observance of Terms and Conditions of Employment), Article 6 (Equal Treatment), Article 7 (Prohibition of Forced Labor), Article 17 (Clear Statement of Terms and Conditions of Employment), Article 50 (Work Hours), Article 64 (Minimum Age and Employment Permit Certificate), Article 65 (Prohibition of Employment) <a href="http://elaw.klri.re.kr/kor_service/lawView.do?hseq=31900&amp;lang=ENG">http://elaw.klri.re.kr/kor_service/lawView.do?hseq=31900&amp;lang=ENG</a></li> <li>• FRAMEWORK ACT ON EMPLOYMENT POLICY [Enforcement Date 27. Mar, 2015.] [Act No.13262, 27. Mar, 2015., Partial Amendment] - Article 1 (Purpose), Article 3 (Basic Principles), Article 5 (Responsibilities and Duties of Workers, Business Owners, etc.) <a href="http://elaw.klri.re.kr/kor_service/lawView.do?hseq=31898&amp;lang=ENG">http://elaw.klri.re.kr/kor_service/lawView.do?hseq=31898&amp;lang=ENG</a></li> <li>• MINIMUM WAGE ACT [Enforcement Date 05. Jul, 2010.] [Act No.10339, 04. Jun, 2010., Other Laws and Regulations Amended] - Article 1 (Purpose), Article 5 (Minimum Wage Amount) <a href="http://elaw.klri.re.kr/kor_service/lawView.do?hseq=19125&amp;lang=ENG">http://elaw.klri.re.kr/kor_service/lawView.do?hseq=19125&amp;lang=ENG</a></li> <li>• NATIONAL HEALTH INSURANCE ACT [Enforcement Date 01. Sep, 2012.] [Act No.11141, 31. Dec, 2011.,] - Article 6 (Categories of Policyholders), Article 7 (Reporting on Workplace), Article 76(Burden of Insurance Premiums) Article 77 (Responsibility for Payment of Insurance contributions Premiums) <a href="http://elaw.klri.re.kr/kor_service/lawView.do?hseq=28677&amp;lang=ENG">http://elaw.klri.re.kr/kor_service/lawView.do?hseq=28677&amp;lang=ENG</a></li> </ul>	<p>Government sources</p> <ul style="list-style-type: none"> <li>• Labor and Employment Statistics - <a href="http://laborstat.moel.go.kr/">http://laborstat.moel.go.kr/</a></li> <li>• Survey Report on Labor Conditions by Employment Type (by Ministry of Employment and Labor)</li> </ul> <p>Non-Government sources</p> <ul style="list-style-type: none"> <li>• Newsis, 2015. <i>Korean workers have high levels of having insurance.</i> Available online: <a href="http://people.incruit.com/news/newsview.asp?gcd=22&amp;newsno=1873543&amp;pc=586&amp;utm_source=naver&amp;utm_campaign=Nsyndication&amp;utm_medium=people-news">http://people.incruit.com/news/newsview.asp?gcd=22&amp;newsno=1873543&amp;pc=586&amp;utm_source=naver&amp;utm_campaign=Nsyndication&amp;utm_medium=people-news</a>.</li> <li>• Transparency International, 2017. Corruption Perception Index 2016 – South Korea. <a href="http://www.transparency.org/news/feature/corruption_perceptions_index_2016#table">http://www.transparency.org/news/feature/corruption_perceptions_index_2016#table</a></li> <li>• World Bank, 2015. Worldwide Governance Indicators – Republic of Korea. <a href="http://info.worldbank.org/governance/wgi/#reports">http://info.worldbank.org/governance/wgi/#reports</a></li> <li>• Expert consultation carried out in Seoul by NEPCo, March 2016.</li> <li>• Chatham House, 2017. Illegal Logging Portal – South Korea. <a href="https://www.illegal-logging.info/regions/south-korea">https://www.illegal-logging.info/regions/south-korea</a> accessed 4 April 2017.</li> </ul>	<p>by all entities and/or are often ignored, and/or are not enforced by relevant authorities.</p> <p><b>Overview of Legal Requirements</b> Places of business that employ 5 or more regular workers must comply with the <i>Labour Standards Act</i>. Places of business that employ less than 5 regular workers must comply with the Enforcement Decree of the same law (Article 11). As this law only presents a minimum standard of working conditions, business owners and workers have to make decisions relating to their working conditions freely, and they have to make a collective agreement, employment rule, an employment contract and implement it. (<i>Labour Standards Act</i>, Article 17).</p> <p>A business owner also has to keep important documents for at least 3 years relating to an employment contract, such as employment contracts, register of workers, etc. Moreover, every business owner employing 1 or more regular workers and every worker who receives a monthly salary are obliged to get the 4 major types of insurance (national pension, national health, employment, and industrial accident compensation). (National Pension Act, Article 8, National Health Insurance Act, Article 62-2, Employment Insurance Act, Article 8, Industrial Accident Compensation Insurance Act, Article 8)</p> <p>The <i>Labour Standards Act</i> also contains the following requirements and prohibitions:</p> <ul style="list-style-type: none"> <li>• A business owner must not discriminate against their workers by reasons of gender,</li> </ul>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<ul style="list-style-type: none"> <li>• EMPLOYMENT INSURANCE ACT [Enforcement Date 20. Jan, 2015.] [Act No.13041, 20. Jan, 2015., Partial Amendment] - Article 8 (Scope of Application), Article 13 (Date of Acquisition of Insured Status), Article 15 (Report, etc. on Insured Status) <a href="http://elaw.klri.re.kr/kor_service/lawView.do?hseq=31896&amp;lang=ENG">http://elaw.klri.re.kr/kor_service/lawView.do?hseq=31896&amp;lang=ENG</a></li> <li>• INDUSTRIAL ACCIDENT COMPENSATION INSURANCE ACT [Enforcement Date 05. Jul, 2010.] [Act No.10339, 04. Jun, 2010., Other Laws and Regulations Amended] - Article 6 (Scope of Application) <a href="http://elaw.klri.re.kr/kor_service/lawView.do?hseq=18744&amp;lang=ENG">http://elaw.klri.re.kr/kor_service/lawView.do?hseq=18744&amp;lang=ENG</a></li> <li>• NATIONAL PENSION ACT [Enforcement Date 23. Apr, 2013.] [Act No.11511, 22. Oct, 2012., Partial Amendment] - Article 8 (Workplace-Based Insured Persons) <a href="http://elaw.klri.re.kr/kor_service/lawView.do?hseq=27458&amp;lang=ENG">http://elaw.klri.re.kr/kor_service/lawView.do?hseq=27458&amp;lang=ENG</a></li> <li>• TRADE UNION AND LABOR RELATIONS ADJUSTMENT ACT [Enforcement Date 05. Jul, 2010.] [Act No.10339, 04. Jun, 2010., Other Laws and Regulations Amended] - Article 1 (Purpose), Article 5 (Establishment and Admission of Trade Union), Article 29 (Authority to Bargain and Make Agreement) <a href="http://elaw.klri.re.kr/kor_service/lawView.do?hseq=22056&amp;lang=ENG">http://elaw.klri.re.kr/kor_service/lawView.do?hseq=22056&amp;lang=ENG</a></li> <li>• ACT ON THE PROTECTION, ETC. OF FIXED-TERM AND PART-TIME WORKERS [Enforcement Date 19. Sep, 2014.] [Act No.12469, 18. Mar, 2014., Partial Amendment] - Article 1 (Purpose), Article 8 (Prohibition of Discriminatory Treatment) <a href="http://elaw.klri.re.kr/kor_service/lawView.do?hseq=32289&amp;lang=ENG">http://elaw.klri.re.kr/kor_service/lawView.do?hseq=32289&amp;lang=ENG</a></li> <li>• ACT ON THE PROTECTION, ETC. OF TEMPORARY AGENCY WORKERS</li> </ul>	<ul style="list-style-type: none"> <li>• Sam Lawson, Chatham House, 2014. Illegal Wood Import and Re-export: The Scale of the Problem and the Response in Thailand, South Korea and India. Available online &lt; <a href="https://www.illegal-logging.info/sites/files/chlogging/Laws_on_Thailand_SK_India_PP_2014_0.pdf">https://www.illegal-logging.info/sites/files/chlogging/Laws on_Thailand_SK_India_PP_2014_0.pdf</a>&gt; accessed 4 April 2017.</li> <li>• Chatham House, 2014. South Korea 2013 Assessment Findings. Available online &lt; <a href="https://indicators.chathamhouse.org/explore-the-data/south-korea">https://indicators.chathamhouse.org/explore-the-data/south-korea</a>&gt;, accessed 4 April 2017.</li> <li>• US Department of Labor, undated. <i>Republic of Korea - Laws Governing Exploitative Child Labor - Report</i>. Available online: <a href="https://www.dol.gov/ilab/reports/pdf/southkorea_CL.pdf">https://www.dol.gov/ilab/reports/pdf/southkorea_CL.pdf</a>, accessed 10 April 2017.</li> <li>• US Department of State, 2015. <i>Republic of Korea 2015 - Human Rights Report</i>. Available online: <a href="https://www.state.gov/documents/organization/252985.pdf">https://www.state.gov/documents/organization/252985.pdf</a>, accessed 18 April 2017.</li> <li>• Amnesty International, 2015. <i>Amnesty International Report 2014/15 - The State of the World's Human Rights</i>. Available online: <a href="https://www.amnesty.org/en/documents/pol10/0001/2015/en/">https://www.amnesty.org/en/documents/pol10/0001/2015/en/</a>.</li> </ul>	<p>social position, nationality, and religion (Article 6),</p> <ul style="list-style-type: none"> <li>• forced labor and violence are strictly prohibited (Article 7, Article 8).</li> <li>• A business owner must not dismiss and give their workers penalties, such as a leave of absence, suspension, change of employment status, and salary reduction (Article 23),</li> <li>• Business owner must pay workers' salary within a month on a predetermined day (Article 43).</li> <li>• Working hours cannot exceed over 40 hours a week and 8 hours a day excluding resting hours, however, it can be extended by up to 12 more hours a week only by an agreement between the owner and worker (Article 53).</li> <li>• A business owner cannot hire people who are under 15 years old and attending middle school, but can hire people who are 13 to 14 years old who have employment authorization or a permission certificate issued by the Ministry of Employment and Labor. (Article 64)</li> </ul> <p>The rights of the various types of workers are protected under legislations such as the <i>Act on the Protection, etc. of Fixed-term and Part-time Workers, Act on the Protection, etc. of Temporary Agency Workers, and Act on the Employment, etc. of Foreign Workers</i>, etc.; and the right of organization, the right of collective bargaining, and the right of collective action are guaranteed by labour unions and the <i>Trade Union and Labour Relations Adjustment Act</i>.</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>[Enforcement Date 02. Aug, 2012.] [Act No.11279, 01. Feb, 2012., Partial Amendment]</p> <ul style="list-style-type: none"> <li>- Article 1 (Purpose), Article 20 (Terms, etc. of Contracts), Article 21 (Prohibition, Correction, etc. of Discriminatory Treatment)</li> </ul> <p><a href="http://elaw.klri.re.kr/kor_service/lawView.do?hseq=25605&amp;lang=ENG">http://elaw.klri.re.kr/kor_service/lawView.do?hseq=25605&amp;lang=ENG</a></p> <ul style="list-style-type: none"> <li>• ACT ON THE EMPLOYMENT, ETC. OF FOREIGN WORKERS [Enforcement Date 23. Mar, 2013.] [Act No.11690, 23. Mar, 2013., Other Laws and Regulations Amended]</li> <li>- Article 1 (Purpose), Article 9 (Employment Contracts), Article 22 (Prohibition against Discrimination), Article 23 (Subscription for Guaranty Insurance, etc.)</li> <li>- <a href="http://elaw.klri.re.kr/kor_service/lawView.do?hseq=31911&amp;lang=ENG">http://elaw.klri.re.kr/kor_service/lawView.do?hseq=31911&amp;lang=ENG</a></li> </ul> <p>Section 2102(c)(9) of the TRADE ACT OF 2002 (“Trade Act”) (Pub. L. No. 107-210).</p> <p>CONSTITUTION OF THE ROK, (as amended through October 29, 1987), Article 32, para. 5; available from <a href="http://korea.na.go.kr/res/low_01_read.jsp">http://korea.na.go.kr/res/low_01_read.jsp</a>.</p> <p>LABOR STANDARDS ACT (as amended through June 4, 2010), Article 64; available from <a href="http://www.moel.go.kr/english/topic/laborlaw_view.jsp?idx=254&amp;tab=Standards">http://www.moel.go.kr/english/topic/laborlaw_view.jsp?idx=254&amp;tab=Standards</a>. Ibid., Article 64.</p> <p>ENFORCEMENT DECREE OF THE LABOR STANDARDS ACT, Act No. 15320, (as amended on June 25, 2008), Article 35.</p> <p><b>Legal Authority</b></p> <ul style="list-style-type: none"> <li>• Ministry of Employment and Labor</li> <li>• Ministry of Health and Welfare</li> </ul> <p><b>Legally required documents or records</b></p> <ul style="list-style-type: none"> <li>• Employment Status provided by Employment Stability Information Network</li> <li>• Employment Contract</li> <li>• Rules of Employment</li> <li>• Payment Certificate for the 4 major insurances</li> </ul>		<p>There also exists a worker's reporting system for cases when a business owner does not comply with the laws on employment, imposing penalties such as imprisonment, fines, etc.</p> <p><i>Child labour</i></p> <p>The ROK ratified ILO Convention No. 138 on the Minimum Age for Admission to Employment on January 28, 1999, and No. 182 on the Worst Forms of Child Labor on March 29, 2001.5 The Constitution of the ROK establishes the principle that working children be afforded special protections.</p> <p>The Labor Standards Act sets the minimum age for employment at 15 years but provides that children between the ages of 13 and 15 may work if granted a work permit by the Ministry of Employment and Labor (MOEL), provided that the work is in accordance with required procedures and permissions and does not impede compulsory education (Dept of Labour undated). The law protects children from exploitation in the workplace and prohibits the employment of persons under age 15 without an authorization certificate from the Ministry of Employment and Labor. Authorities issued few such certificates for full-time employment because education is compulsory through middle school (approximately age 15). To obtain employment, children under 18 must obtain written approval from either parents or guardians (Dept of Justice, 2015).</p> <p>The age distribution in the forest sector in 2008 was as follows:</p> <ul style="list-style-type: none"> <li>- 51-60 years old accounts for 35.5%</li> </ul>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			<ul style="list-style-type: none"> <li>- over 60 years old accounts for 27.8%</li> <li>- over 50 years old accounts for 63.3%.</li> <li>- under 40 years old accounts for 8.1%.</li> </ul> <p><i>Right to organise</i>  The law provides for the right of workers to form and join independent unions, conduct legal strikes, and bargain collectively, but certain limitations apply to public officials, including teachers. According to the Trade Union and Labor Relations Adjustment Act, employers who violate a regulation on unfair labor practices may be imprisoned for a maximum of two years or fined up to 20 million won (\$19,000). In addition, an employer can be punished for disregarding a National Labor Relations Commission order to reinstate a worker. The law sets penalties against employers who refuse or neglect to accept unions' legitimate requests for bargaining (maximum of two years' imprisonment or a penalty of up to 20 million won [\$19,000]) or conduct lockouts (maximum of one-year imprisonment or a penalty of up to 10 million won [\$9,500]). The law also penalizes illegal strike activities with imprisonment for up to five years or a fine of up to 50 million won (\$47,500), depending on the offense.</p> <p><i>Discrimination</i>  The constitution and laws prohibit discrimination in employment based on race, gender, disability, sexual orientation, and social status, but there was no comprehensive mechanism to enforce these provisions if discrimination occurred. The law states there shall be no discrimination in economic, social, or cultural</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			<p>life based on sex, religion, or social status. Labor laws generally provide foreign and migrant workers the same legal protections as nationals.</p> <p><b>Risk Description</b> According to the US Department of Justice, the government of Korea enforced its labor laws, but the ILO's CEACR has observed that the number of labor inspectors was insufficient, and that unannounced inspections were rare.</p> <p>According to the '2014 Labour Condition Survey' by the Ministry of Employment and Labour, 87.6% of all Korean workers have national pension, 87.5% having national health insurance, 88.5% having employment insurance, and 97.5% having industrial accident compensation insurance. Therefore, 11.5% did not have the legally required insurance. This presents a risk that employees do not have the legally required insurance.</p> <p>Employment conditions such as wages and labour welfare in the forest industry is a long way behind other industries (Expert consultation 2016). For this reason, young forest workers change their jobs into the areas that have better conditions.</p> <p>In 2008, the monthly average working days of forest work teams in national forests was 19 days and the private forests was 14 days. The national average was 15 days.</p> <p>According to the US Department of Justice (2015) 'The law prohibits all forms of forced or</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			<p>compulsory labor. The government generally enforced the law effectively; however, there were reports some workers were subjected to forced labor. In March the government rescued 63 disabled workers from forced labor conditions in salt farms, and prosecuted a number of employers and job brokers'. The same report states that 'some migrant workers in the agriculture, livestock, and fisheries industries faced conditions indicative of forced labor, including deceptive recruiting practices, confiscation of passports, and non-payment of wages.'</p> <p>Regarding freedom of association, the US Department of Justice states that the law provides for freedom of association, and the government generally respected this right (2015). The report states that 'The government generally enforced legislation related to freedom of association' and 'Labor federations generally operated without government interference.'</p> <p>The 2014/15 Amnesty International report documented excessive working hours, underpayment, illegal subcontracting, and poor living conditions facing migrant workers in the agricultural sector.</p> <p><b>Risk Conclusion</b> This indicator has been evaluated as <b>specified risk</b>. Identified laws are not upheld consistently by all entities and/or are often ignored, and/or are not enforced by relevant authorities.</p>



Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
<b>Third parties' rights</b>			
1.13 Customary rights	<p><b>Applicable laws and regulations</b></p> <ul style="list-style-type: none"> <li>• CIVIL ACT [Enforcement Date 09. Aug, 2009.] [Act No.9650, 08. May, 2009., Partial Amendment] - Article 1 (Source of Law), Article 106 (De Facto Custom) <a href="http://elaw.klri.re.kr/kor_service/lawView.do?hseq=29453&amp;lang=ENG">http://elaw.klri.re.kr/kor_service/lawView.do?hseq=29453&amp;lang=ENG</a></li> <li>• STATE FOREST ADMINISTRATION AND MANAGEMENT [Enforcement Date 01. Dec, 2010.] [Act No.10331, 31. May, 2010., Other Laws and Regulations Amended] - Article 11 (State Forest Protection Agreements) <a href="http://elaw.klri.re.kr/kor_service/lawView.do?hseq=21930&amp;lang=ENG">http://elaw.klri.re.kr/kor_service/lawView.do?hseq=21930&amp;lang=ENG</a></li> <li>• MOUNTAINOUS DISTRICTS MANAGEMENT ACT [Enforcement Date 25. Sep, 2014.] [Act No.12513, 24. Mar, 2014., Partial Amendment] - Article 9 (Designation of Restricted Areas for Conversion or Temporary Use of Mountainous Districts) <a href="http://elaw.klri.re.kr/kor_service/lawView.do?hseq=32467&amp;lang=ENG">http://elaw.klri.re.kr/kor_service/lawView.do?hseq=32467&amp;lang=ENG</a></li> <li>• BAEKDU-DAEGAN PROTECTION ACT [Enforcement Date 18. Dec, 2012.] [Act No.11565, 18. Dec, 2012., Partial Amendment] - Article 6 (Designation of Baekdudaegan Protection Areas) <a href="http://elaw.klri.re.kr/kor_service/lawView.do?hseq=32206&amp;lang=ENG">http://elaw.klri.re.kr/kor_service/lawView.do?hseq=32206&amp;lang=ENG</a></li> <li>• ENFORCEMENT RULE OF THE FORESTRY CULTURE AND RECREATION ACT [Enforcement Date 27. Jan, 2016.] [Rule No.197, 27. Jan, 2016., Partial Amendment] - Article 21 (Resting Period System of Forest Walkway, etc.) <a href="http://www.law.go.kr/eng/engLsSc.do?menuId=1&amp;query=FORESTRY+CULTURE+AND+RECREATION+ACT&amp;x=0&amp;y=0">http://www.law.go.kr/eng/engLsSc.do?menuId=1&amp;query=FORESTRY+CULTURE+AND+RECREATION+ACT&amp;x=0&amp;y=0</a></li> </ul> <p><b>Legal Authority</b></p> <ul style="list-style-type: none"> <li>• Ministry of Justice</li> </ul>	<p><b>Government sources</b></p> <ul style="list-style-type: none"> <li>• CIVIL ACT - <a href="http://elaw.klri.re.kr/kor_service/lawView.do?hseq=29453&amp;lang=ENG">http://elaw.klri.re.kr/kor_service/lawView.do?hseq=29453&amp;lang=ENG</a></li> <li>• STATE FOREST ADMINISTRATION AND MANAGEMENT - <a href="http://elaw.klri.re.kr/kor_service/lawView.do?hseq=21930&amp;lang=ENG">http://elaw.klri.re.kr/kor_service/lawView.do?hseq=21930&amp;lang=ENG</a></li> </ul> <p><b>Non-Government sources</b></p> <ul style="list-style-type: none"> <li>• Records on Free Concession of Forest Products from State Forests (2015, Newstown) <a href="http://www.newstown.co.kr/news/articleView.html?idxno=221402">http://www.newstown.co.kr/news/articleView.html?idxno=221402</a></li> <li>• Transparency International, 2017. Corruption Perception Index 2016 – South Korea. <a href="http://www.transparency.org/news/feature/corruption_perceptions_index_2016#table">http://www.transparency.org/news/feature/corruption_perceptions_index_2016#table</a></li> <li>• World Bank, 2015. Worldwide Governance Indicators – Republic of Korea. <a href="http://info.worldbank.org/governance/wgi/#reports">http://info.worldbank.org/governance/wgi/#reports</a></li> <li>• Expert consultation carried out in Seoul by NEPCo, March 2016.</li> <li>• Chatham House, 2017. Illegal Logging Portal – South Korea. <a href="https://www.illegal-logging.info/regions/south-korea">https://www.illegal-logging.info/regions/south-korea</a> accessed 4 April 2017.</li> <li>• Sam Lawson, Chatham House, 2014. Illegal Wood Import and Re-export: The Scale of the Problem and the</li> </ul>	<p><b>Overview of Legal Requirements</b></p> <p>Although customary rights are values considered socially important, there is no specific legislation on customary rights in South Korea.</p> <p>Some recognition of customary rights is awarded in the <i>State Forest Administration and Management Act</i>. This law defines Korea Forest Service as managers of state forests who can make agreements for the protection of state forests with local residents, forestry cooperatives, and schools in the case of need. They can award local residents, forestry cooperatives, and schools access rights to all or part of forest products produced in the forest for free in return for protective activities i.e. to prevent forest fires and illegal logging. A free concession system for forest products (only non-timber forest products) from national forests is in place, and contributes to increasing incomes of the regional mountain villages who must give 10% of the harvest income to the government. the law only permits local residents and schools to have the concession right under the contract that makes them protect national forests by monitoring and carrying out activities for wildlife preservation. If residents from other areas or mountain hikers other than permitted local residents harvest forest products, they will be punished according to the law.</p> <p>Regional offices of national forests make efforts in order to inform local residents of the detailed information such as plan and schedule for</p>



Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<ul style="list-style-type: none"> <li>• Korea Forest Service</li> </ul> <p><b>Legally required documents or records</b></p> <ul style="list-style-type: none"> <li>• Written Agreement on Protecting State Forests</li> </ul>	<p>Response in Thailand, South Korea and India. Available online &lt; <a href="https://www.illegal-logging.info/sites/files/chlogging/Laws_on_Thailand_SK_India_PP_2014_0.pdf">https://www.illegal-logging.info/sites/files/chlogging/Laws_on_Thailand_SK_India_PP_2014_0.pdf</a>&gt; accessed 4 April 2017.</p> <ul style="list-style-type: none"> <li>• Chatham House, 2014. South Korea 2013 Assessment Findings. Available online &lt; <a href="https://indicators.chathamhouse.org/explore-the-data/south-korea">https://indicators.chathamhouse.org/explore-the-data/south-korea</a>&gt;, accessed 4 April 2017.</li> </ul>	<p>yearly free concession system by holding a briefing session/a meeting and reporting a local newspaper.</p> <p><b>Description of Risk</b> Regional offices of state forests that are responsible for implementing the law have been making agreements for protection of state forests mainly with the local residents and giving them free concession rights for forest products according to the social customs that are commonly recognized.</p> <p>In 2016, Transparency International scored South Korea 53/100. The 2015 World Bank Worldwide Governance indicators for South Korea were:</p> <ul style="list-style-type: none"> <li>- Voice and Accountability: 69/100</li> <li>- Political Stability and Absence of Violence: 52/100</li> <li>- Government Effectiveness: 80/100</li> <li>- Regulatory Quality: 84/100</li> <li>- Rule of Law: 81/100</li> <li>- Control of Corruption: 70/100</li> </ul> <p>The relative levels of risk of corruption are considered low, and no sources reviewed, experts interviewed or field experiences indicate a specific risk of corruption within the forest sector in South Korea. Extensive research, experience in the Korean forestry sector from the team of authors of this report and discussions with experts in Seoul in 2016 has not revealed any information to indicate a risk in this indicator.</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			<b>Risk conclusion</b> This indicator has been evaluated as <b>low risk</b> . Threshold (1) is met: Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities.
1.14 Free prior and informed consent	<b>Applicable laws and regulations</b> There are no laws relating to free, prior and informed consent in South Korea <b>Legal Authority</b> N/A <b>Legally required documents or records</b> N/A	N/A	N/A
1.15 Indigenous peoples rights	<b>Applicable laws and regulations</b> There are no indigenous peoples in South Korea (it has a homogenous ethnic makeup). There are no laws relating to indigenous peoples' rights. <b>Legal Authority</b> N/A <b>Legally required documents or records</b> N/A	N/A	N/A
<b>Trade and transport</b>			
1.16 Classification of species, quantities, qualities	<b>Applicable laws and regulations</b> <ul style="list-style-type: none"> <li>• ACT ON THE SUSTAINABLE USE OF TIMBERS [Enforcement Date 24. May, 2013.] [Act No.11429, 23. May, 2012.]</li> <li>Article 20(Public Notification of Criteria for Standard Dimensions and Quality of Timber Products and Inspection thereof) <a href="http://elaw.klri.re.kr/kor_service/lawView.do?hseq=25594&amp;lang=ENG">Http://elaw.klri.re.kr/kor_service/lawView.do?hseq=25594&amp;lang=ENG</a></li> <li>• Wood Product Standard and Qualification Criteria [Enactment 19. Jun, 2015.]</li> <li>- Article 1(Purpose), Article 3(Standard and Quality Criteria)</li> <li>• AGRICULTURAL AND FISHERY PRODUCTS QUALITY CONTROL ACT</li> </ul>	Non-Government sources <ul style="list-style-type: none"> <li>• Price Information System for Forest Products - <a href="https://fps.kofpi.or.kr">https://fps.kofpi.or.kr</a></li> <li>• News article on monitoring quality of wood products (Environment Daily News, 2015) - <a href="http://www.hkbs.co.kr/?m=bbs&amp;bid=envplus5&amp;p=31&amp;uid=353066">http://www.hkbs.co.kr/?m=bbs&amp;bid=envplus5&amp;p=31&amp;uid=353066</a></li> <li>• News article on monitoring quality of wood products (Aju Economy News, 2015) - <a href="http://www.ajunews.com/view/20151103114328193">http://www.ajunews.com/view/20151103114328193</a></li> </ul>	<b>Description of Legal Requirements</b> In enforcing the Act on the Sustainable Use of Timbers since 2013, the Korea Forest Service has been implementing a quality mark system for wood products in order to prevent the production and distribution of products that do not meet the quality standard, and to provide consumers with information on the products effectively through a preliminary inspection.  In regard to the wood product quality mark system, the Korea Forest Service has given notice of the standard for wood product size and quality and has been conducting size and

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>[Enforcement Date 01. Jan, 2015.] [Act No.12753, 11. Jun, 2014., Amendment by Other Act]  - Article 5(Standards)  <a href="http://elaw.klri.re.kr/kor_service/lawView.do?hseq=32732&amp;lang=ENG">http://elaw.klri.re.kr/kor_service/lawView.do?hseq=32732&amp;lang=ENG</a></p> <ul style="list-style-type: none"> <li>• ENFORCEMENT RULE OF THE AGRICULTURAL AND FISHERY PRODUCTS QUALITY CONTROL ACT [Enforcement Date 19. Jan, 2016.] [Rule No.192, 19. Jan, 2016., Amendment by Other Act]  - Article 5 (Standards Enactment), Article 7(Standardized Products Shipment and Indication Method)</li> <li>• Forest Products Standard [21. Feb, 2014., Amendment by Other Act]</li> <li>• Raw log Standard [3. Jun, 2013., Partial Amendment]</li> </ul> <p><b>Legal Authority</b></p> <ul style="list-style-type: none"> <li>• Korea Forest Service</li> <li>• Food and Rural Affairs, Ministry of Agriculture, Ministry of Food and Drug Safety, Ministry of Oceans and Fisheries)</li> </ul> <p><b>Legally required documents or records</b></p> <ul style="list-style-type: none"> <li>- Certificate of registration for timber production business (issued by mayor, county governor, and chief of regional district)</li> <li>- Instructions for wood products</li> <li>- Specification on the origin of the raw materials of the wood products</li> <li>- Plan for annual production, import, sale and distribution of the wood products</li> <li>- Mark of standardized products on the surface of their packaging (item, producing district, species, grade, weight, producer or association of producer, and contact information)</li> </ul>	<ul style="list-style-type: none"> <li>• Transparency International, 2017. Corruption Perception Index 2016 – South Korea.  <a href="http://www.transparency.org/news/feature/corruption_perceptions_index_2016#table">http://www.transparency.org/news/feature/corruption_perceptions_index_2016#table</a></li> <li>• World Bank, 2015. Worldwide Governance Indicators – Republic of Korea.  <a href="http://info.worldbank.org/governance/wgi/#reports">http://info.worldbank.org/governance/wgi/#reports</a></li> <li>• Expert consultation carried out in Seoul by NEPCon, March 2016.</li> <li>• Chatham House, 2017. Illegal Logging Portal – South Korea.  <a href="https://www.illegal-logging.info/regions/south-korea">https://www.illegal-logging.info/regions/south-korea</a> accessed 4 April 2017.</li> <li>• Sam Lawson, Chatham House, 2014. Illegal Wood Import and Re-export: The Scale of the Problem and the Response in Thailand, South Korea and India. Available online &lt; <a href="https://www.illegal-logging.info/sites/files/chlogging/Laws_on_Thailand_SK_India_PP_2014_0.pdf">https://www.illegal-logging.info/sites/files/chlogging/Laws on_Thailand_SK_India_PP_2014_0.pdf</a>&gt; accessed 4 April 2017.</li> <li>• Chatham House, 2014. South Korea 2013 Assessment Findings. Available online &lt; <a href="https://indicators.chathamhouse.org/explore-the-data/south-korea">https://indicators.chathamhouse.org/explore-the-data/south-korea</a>&gt;, accessed 4 April 2017.</li> </ul>	<p>quality inspections, which are mandatorily taken before the production and distribution of wood products, and production and distribution. Enterprises are obliged to mark the quality on their wood products appropriately to a 'Size and quality standard' after the inspection. Eight items, including plywood, particle boards, fiber boards, wood pellets, wood chips, wood briquettes, charcoal, and wood preservatives, are subject to preliminary quality inspection for wood products and quality marking.</p> <p>Under the Enforcement Rules of the <i>Agricultural and Fishery Products Quality Control Act</i>, state forests are selling their raw logs by the quality and grade from the 'Raw Log Standard' notified by National Institute of Forest Science, which is an affiliated organization of the Korea Forest Service.</p> <p><b>Description of Risk</b></p> <p>The Korea Forest Service, in cooperation with regional offices of national forests and local governments, has been periodically monitoring wood products that are domestically produced, imported and distributed to control for factors such as the wood products containing carcinogen. This has been done by increasing enforcement activities, guiding the companies in order to improve the quality and establish the distribution order of the products. It has been exposing the companies that deal in products under the quality standard. Companies who are not complying with the requirements are fined up to 30 million won or sentenced to less than 3 years in prison according to the Act on the Sustainable Use of Timbers.</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			<p>The standard for wood and non-wood forest products for quantity and quality has been managed under law and the Korea Forest Service is planning to promote the quality mark system to the general public and strengthen inspection activities. Through the research conducted in the preparation of this report, no information has been found that indicates a risk in this indicator that warrants a specified risk finding.</p> <p>In 2016, Transparency International scored South Korea 53/100. The 2015 World Bank Worldwide Governance indicators for South Korea were:</p> <ul style="list-style-type: none"> <li>- Voice and Accountability: 69/100</li> <li>- Political Stability and Absence of Violence: 52/100</li> <li>- Government Effectiveness: 80/100</li> <li>- Regulatory Quality: 84/100</li> <li>- Rule of Law: 81/100</li> <li>- Control of Corruption: 70/100</li> </ul> <p>The relative levels of risk of corruption are considered low, and no sources reviewed, experts interviewed or field experiences indicate a specific risk of corruption within the forest sector in South Korea. Extensive research, experience in the Korean forestry sector from the team of authors of this report and discussions with experts in Seoul in 2016 has not revealed any information to indicate a risk in this indicator.</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			<p><b>Risk Conclusion</b> This indicator has been evaluated as <b>low risk</b>. Threshold (1) is met: Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities.</p>
1.17 Trade and transport	<p><b>Applicable laws and regulations</b> COMMERCIAL ACT [Enforcement Date 24. Nov, 2011.] [Act No.10696, 23. May, 2011., Partial Amendment] Article 126, 128 <a href="http://www.law.go.kr/lsInfoP.do?lsiSeq=113383&amp;chrClsCd=010203&amp;urlMode=engLsInfoR&amp;viewCls=engLsInfoR#0000">http://www.law.go.kr/lsInfoP.do?lsiSeq=113383&amp;chrClsCd=010203&amp;urlMode=engLsInfoR&amp;viewCls=engLsInfoR#0000</a> ACT ON THE SUSTAINABLE USE OF TIMBERS [Enforcement Date 24. May, 2013.] [Act No.11429, 23. May, 2012., ] Article 34 <a href="http://www.law.go.kr/lsInfoP.do?lsiSeq=125521&amp;chrClsCd=010203&amp;urlMode=engLsInfoR&amp;viewCls=engLsInfoR#0000">http://www.law.go.kr/lsInfoP.do?lsiSeq=125521&amp;chrClsCd=010203&amp;urlMode=engLsInfoR&amp;viewCls=engLsInfoR#0000</a></p> <p><b>Legal Authority</b> Korea Forest Service Ministry of Justice</p> <p><b>Legally required documents or records</b></p> <ul style="list-style-type: none"> <li>• Waybill</li> <li>• Bill of lading</li> <li>• Sales invoice</li> </ul>	<p><b>Government sources</b></p> <ul style="list-style-type: none"> <li>• Trends of Illegal Logging Prohibition Regulations: Focus on the Case of United States' Lacey Act (Mihyun Seol et al. 2015) <a href="http://kiss.kstudy.com/journal/thesis_name.asp?tname=kiss2002&amp;key=3380899">http://kiss.kstudy.com/journal/thesis_name.asp?tname=kiss2002&amp;key=3380899</a></li> </ul> <p><b>Non-Government sources</b></p> <ul style="list-style-type: none"> <li>• 2015 Surveillance Report of Inje, Korea (FSC, 2015) - <a href="http://fsc.force.com/servlet/servlet.FileDownload?file=00P3300000bv43hEAA">http://fsc.force.com/servlet/servlet.FileDownload?file=00P3300000bv43hEAA</a></li> <li>• 2015 Surveillance Report of Yangyang, Korea (FSC, 2015) <a href="http://fsc.force.com/servlet/servlet.FileDownload?file=00P3300000bvQ5EAI">http://fsc.force.com/servlet/servlet.FileDownload?file=00P3300000bvQ5EAI</a></li> <li>• Transparency International, 2017. Corruption Perception Index 2016 – South Korea. <a href="http://www.transparency.org/news/feature/corruption_perceptions_index_2016#table">http://www.transparency.org/news/feature/corruption_perceptions_index_2016#table</a></li> <li>• World Bank, 2015. Worldwide Governance Indicators – Republic of Korea.</li> </ul>	<p><b>Overview of Legal Requirements</b> The activities related to transporting timber within Korea are set out in the COMMERCIAL ACT. According to the ACT, transport documents should include the specifications of wood as well as transport information.</p> <p>Under the COMMERCIAL ACT, a consignor shall, upon the request of a carrier, issue a waybill. The following particulars shall be entered in a waybill:</p> <ul style="list-style-type: none"> <li>- The type of the transported goods, their weight or dimensions, as well as the description and number of packages and markings there on;</li> <li>- The destination;</li> <li>- The name or trade name, place of business, or domicile of the consignee and the carrier;</li> <li>- The freight charge and the distinction between advance payment and payment after arrival;</li> <li>- The place and date where the waybill was prepared.</li> </ul> <p>A carrier shall, upon the request of a consignor, deliver to him/her a bill of lading. The following particulars shall be entered in a bill of lading:</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
		<p><a href="http://info.worldbank.org/governance/wgi/#reports">http://info.worldbank.org/governance/wgi/#reports</a></p> <ul style="list-style-type: none"> <li>• Expert consultation carried out in Seoul by NEPCo, March 2016.</li> <li>• Chatham House, 2017. Illegal Logging Portal – South Korea. <a href="https://www.illegal-logging.info/regions/south-korea">https://www.illegal-logging.info/regions/south-korea</a> accessed 4 April 2017.</li> <li>• Sam Lawson, Chatham House, 2014. Illegal Wood Import and Re-export: The Scale of the Problem and the Response in Thailand, South Korea and India. Available online &lt; <a href="https://www.illegal-logging.info/sites/files/chlogging/Laws_on_Thailand_SK_India_PP_2014_0.pdf">https://www.illegal-logging.info/sites/files/chlogging/Laws on_Thailand_SK_India_PP_2014_0.pdf</a> accessed 4 April 2017.</li> <li>• Chatham House, 2014. South Korea 2013 Assessment Findings. Available online &lt; <a href="https://indicators.chathamhouse.org/explore-the-data/south-korea">https://indicators.chathamhouse.org/explore-the-data/south-korea</a>&gt;, accessed 4 April 2017.</li> <li>• Interview with the lead auditor of Yangyang and Inje national forests under FSC certification; as well as the latest reports of yangyang and Inje available at <a href="http://fsc.force.com/servlet/servlet.FileDownload?file=00P3300000bv fQ5EAI">http://fsc.force.com/servlet/servlet.FileDownload?file=00P3300000bv fQ5EAI</a> and <a href="http://fsc.force.com/servlet/servlet.FileDownload?file=00P3300000bv 43hEAA">http://fsc.force.com/servlet/servlet.FileDownload?file=00P3300000bv 43hEAA</a>.</li> </ul>	<ul style="list-style-type: none"> <li>- The type of the transported goods, and their weight or dimensions, as well as the description and number of packages and markings thereon;</li> <li>- The destination;</li> <li>- The name or trade name, place of business, or domicile of the consignee and the carrier;</li> <li>- The freight charge and any other expenses incurred in relation to the transported goods, and the distinction between advance payment or payment after arrival;</li> <li>- The place and date where the bill of lading was prepared.</li> </ul> <p>Legally harvested timber is traded and transported in compliance with COMMERCIAL ACT. Through evidential documents, the relevant information including origin/quantity/destination/etc. can be identified. Monitoring is done through the commercial process. Even though forest legislation is relevant to the timber legality in terms of transport through ACT ON THE SUSTAINABLE USE of TIMBERS, this ACT is just a declaratory one.</p> <p>There is no forest legislation that includes specific legal requirements about transporting timber within Korea. However, informal regulation is running in the field in order to identify the origin and the specifications of the legally harvested timber. That is, a forest owner and a timber trader exchange the sales invoice and other relevant documents at a forest gate (FSC certification reports). The later procedures</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			<p>after forest gate comply with COMMERCIAL ACT.</p> <p><b>Description of risk</b> According to experts consulted (2016), the monitoring system for the private forest may not be as clear as the national forest and public forests.</p> <p>In 2016, Transparency International scored South Korea 53/100. The 2015 World Bank Worldwide Governance indicators for South Korea were:</p> <ul style="list-style-type: none"> <li>- Voice and Accountability: 69/100</li> <li>- Political Stability and Absence of Violence: 52/100</li> <li>- Government Effectiveness: 80/100</li> <li>- Regulatory Quality: 84/100</li> <li>- Rule of Law: 81/100</li> <li>- Control of Corruption: 70/100</li> </ul> <p>The relative levels of risk of corruption are considered low, and no sources reviewed, experts interviewed or field experiences indicate a specific risk of corruption within the forest sector in South Korea. Extensive research, experience in the Korean forestry sector from the team of authors of this report and discussions with experts in Seoul in 2016 has not revealed any information to indicate a risk in this indicator.</p> <p><b>Risk conclusion</b> This indicator has been evaluated as <b>low risk</b>. Threshold (1) is met: Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions</p>



Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
1.18 Offshore trading and transfer pricing	<p><b>Applicable laws and regulations</b></p> <ul style="list-style-type: none"> <li>• ADJUSTMENT OF INTERNATIONAL TAXES ACT [Enforcement Date 01. Jan, 2015.] [Act No.12849, 23. Dec, 2014., Partial Amendment] Article 1, 11 <a href="http://www.law.go.kr/lsInfoP.do?lsiSeq=165307&amp;chrClsCd=010203&amp;urlMode=engLsInfoR&amp;viewCls=engLsInfoR#0000">http://www.law.go.kr/lsInfoP.do?lsiSeq=165307&amp;chrClsCd=010203&amp;urlMode=engLsInfoR&amp;viewCls=engLsInfoR#0000</a></li> <li>• CUSTOMS ACT [Enforcement Date 01. Jan, 2016.] [Act No.13636, 29. Dec, 2015., Partial Amendment] Article 37-4 <a href="http://www.law.go.kr/lsInfoP.do?lsiSeq=109645&amp;chrClsCd=010203&amp;urlMode=engLsInfoR&amp;viewCls=engLsInfoR#0000">http://www.law.go.kr/lsInfoP.do?lsiSeq=109645&amp;chrClsCd=010203&amp;urlMode=engLsInfoR&amp;viewCls=engLsInfoR#0000</a></li> </ul> <p><b>Legal Authority</b> Ministry of Strategy and Finance</p> <p><b>Legally required documents or records</b></p> <ul style="list-style-type: none"> <li>• Specification of international trade</li> <li>• Duty documents</li> </ul>	<p>Government sources None</p> <p>Non-Government sources</p> <ul style="list-style-type: none"> <li>• Tax Information Exchange Agreements (TIEAs) (OECD, 2016) <a href="http://www.oecd.org/tax/exchange-of-tax-information/taxinformationexchangeagreements/mentstieas.htm">http://www.oecd.org/tax/exchange-of-tax-information/taxinformationexchangeagreements/mentstieas.htm</a></li> <li>• 51 Countries Ink OECD Tax Information Exchange Agreement (Law360, 2014) <a href="http://www.law360.com/articles/591238/51-countries-ink-oecd-tax-information-exchange-agreement">http://www.law360.com/articles/591238/51-countries-ink-oecd-tax-information-exchange-agreement</a></li> <li>• Transparency International, 2017. Corruption Perception Index 2016 – South Korea. <a href="http://www.transparency.org/news/feature/corruption_perceptions_index_2016#table">http://www.transparency.org/news/feature/corruption_perceptions_index_2016#table</a></li> <li>• World Bank, 2015. Worldwide Governance Indicators – Republic of Korea. <a href="http://info.worldbank.org/governance/wgi/#reports">http://info.worldbank.org/governance/wgi/#reports</a></li> <li>• Expert consultation carried out in Seoul by NEPCo, March 2016.</li> <li>• Chatham House, 2017. Illegal Logging Portal – South Korea. <a href="https://www.illegal-logging.info/regions/south-korea">https://www.illegal-logging.info/regions/south-korea</a> accessed 4 April 2017.</li> <li>• Sam Lawson, Chatham House, 2014. Illegal Wood Import and Re-export: The Scale of the Problem and the</li> </ul>	<p>taken by the authorities and/or by the relevant entities.</p> <p><b>Overview of Legal Requirements</b> Korea has enforced a national law named "<i>Adjustment of International Taxes Act</i>" since 1995. The purpose of this Act is to prevent double taxation and tax evasion among the states, and to promote a smooth cooperation in tax affairs by establishing rules related to the coordination of taxation on international trades and the cooperation in tax administration among the states. The <i>Customs Act</i> of Korea has been forced in order to determine a fair dutiable value in terms of transfer price.</p> <p>According to the ADJUSTMENT OF INTERNATIONAL TAXES ACT, a taxpayer engaged in international trades with a foreign related party shall submit, to the head of the tax office having jurisdiction over the tax payment place, a specification of such international trades. Under the CUSTOMS ACT, the head of a customs house may request a taxpayer engaged in international trades with a foreign related party to submit the documents related to the determination of a dutiable value (hereinafter referred to as "duty documents") in order to verify the appropriateness of dutiable value.</p> <p>Korean tax law contains a substance over form rule that allows the tax authority to re-characterize a transaction based on its substance. Where the tax burden of a company has been unjustly reduced through transactions with related parties, the tax authorities may recalculate the income amount of the</p>



Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
		<p>Response in Thailand, South Korea and India. Available online &lt; <a href="https://www.illegal-logging.info/sites/files/chlogging/Laws_on_Thailand_SK_India_PP_2014_0.pdf">https://www.illegal-logging.info/sites/files/chlogging/Laws on_Thailand_SK_India_PP_2014_0.pdf</a>&gt; accessed 4 April 2017.</p> <ul style="list-style-type: none"> <li>• Chatham House, 2014. South Korea 2013 Assessment Findings. Available online &lt; <a href="https://indicators.chathamhouse.org/explore-the-data/south-korea">https://indicators.chathamhouse.org/explore-the-data/south-korea</a>&gt;, accessed 4 April 2017.</li> <li>• Deloitte, 2017. <i>International Tax – Korea Highlights 2017</i>. Available online <a href="https://www2.deloitte.com/content/dam/Deloitte/global/Documents/Tax/dttl-tax-koreahighlights-2017.pdf">https://www2.deloitte.com/content/dam/Deloitte/global/Documents/Tax/dttl-tax-koreahighlights-2017.pdf</a>, accessed 2017.</li> <li>• Deloitte, 2015. <i>2015 Global Transfer Pricing Country Guide</i>. Available online: <a href="https://www2.deloitte.com/content/dam/Deloitte/global/Documents/Tax/dttl-tax-transfer-pricing-country-guide-2015.pdf">https://www2.deloitte.com/content/dam/Deloitte/global/Documents/Tax/dttl-tax-transfer-pricing-country-guide-2015.pdf</a>, accessed 10 April 2017.</li> <li>• KPMG, 2015. <i>Korea Tax Profile</i>. Available online &lt; <a href="https://home.kpmg.com/content/dam/kpmg/pdf/2015/10/korea-2015.pdf">https://home.kpmg.com/content/dam/kpmg/pdf/2015/10/korea-2015.pdf</a>&gt; accessed 6 April 2016.</li> <li>• Jeong Wook Choi, Byung Choon Ihn, D. Kim and Ji Young Eom, 2016. <i>South Korea: Korean Tax Brief - November 2016</i>. <a href="http://www.mondaq.com/x/563960/tax">http://www.mondaq.com/x/563960/tax</a></li> </ul>	<p>concerned company based on the fair market value that would have been established between independent companies engaged in similar transactions under comparable circumstances (KPMG 2015).</p> <p>Korea is a member of the OECD and has signed TIEAs (Law360, 2014). The purpose of TIEAs (Tax Information Exchange Agreements) is to promote international co-operation in tax matters through exchange of information. It was developed by the OECD Global Forum Working Group on Effective Exchange of Information (OECD, 2016).</p> <p>PWC, in 2014 stated that ‘the aggressive US approach to transfer pricing has apparently caused these countries (Japan, Korea and Germany are notable examples) to seek to match the extensive resources devoted to transfer pricing in countries such as the US, UK and Australia, and to legislate to introduce clearer rules on the subject to protect its tax base from predatory tax authorities around the world.</p> <p><b>Description of risk</b> According to EY (2016), Companies should expect to be audited every four to five years, depending on the size of the company, or more frequently if other special factors exist. The likelihood of transfer pricing being reviewed during a tax audit is high. The National Tax Service (NTS), as a matter of policy, requests transfer pricing documentation, and such requests can be made separately from a tax audit.</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
		<p><a href="#">+authorities/Korean+Tax+Brief+November+2016</a>, accessed 10 April 2017.</p> <ul style="list-style-type: none"> <li>• PWC, 2017. <i>International Transfer Pricing 2015/16</i>. <a href="http://www.pwc.com/gx/en/services/tax/transfer-pricing/itp-download.html">http://www.pwc.com/gx/en/services/tax/transfer-pricing/itp-download.html</a> accessed 10 April 2017.</li> <li>• PWC, 2015. <i>International Transfer Pricing 2013/14</i>. <a href="https://www.pwc.com/gx/en/international-transfer-pricing/assets/itp-2013-final.pdf">https://www.pwc.com/gx/en/international-transfer-pricing/assets/itp-2013-final.pdf</a> accessed 15 April 2017.</li> </ul>	<p>The NTS closely monitors companies whose profitability suddenly drops and companies whose profits fluctuate substantially over a number of years. These companies are likely to be subject to tax audits. Also, the NTS will likely scrutinize companies paying high royalties abroad or receiving high management service fee charges or cost allocations from overseas related parties. Generally, if transfer pricing is reviewed as part of a tax audit, the tax auditors are likely to challenge the method used by the taxpayer and may propose alternate methods that are less favorable to the taxpayer (EY 2015).</p> <p>PWC states that a handful of legal cases involving TP have been filed, but very little information on these cases is publicly available. Some cases have been settled out of court, some cases are currently pending in domestic appeals and other cases have been elevated to MAPs (PWC 2017).</p> <p>According to PWC (2017) the NTS examines corporate income tax returns including TP-related documentation, to identify taxpayers who display signs of non-compliance with TP regulations. The NTS then requests additional information from suspected taxpayers for review. Taxpayers who fail to submit TP-related data required by the LCITA are more likely to be selected for an audit. Taxpayers are also generally subject to periodic audits every four to five years, based on the five-year statute of limitations for taxes.</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			<p>Based on the information reviewed, the transfer pricing requirements appear well enforced (Deloitte 2017, Deloitte 2015. KPMG 2015. Choi et al 2016. PWC 2017, PWC 2015)</p> <p>In 2016, Transparency International scored South Korea 53/100. The 2015 World Bank Worldwide Governance indicators for South Korea were:</p> <ul style="list-style-type: none"> <li>- Voice and Accountability: 69/100</li> <li>- Political Stability and Absence of Violence: 52/100</li> <li>- Government Effectiveness: 80/100</li> <li>- Regulatory Quality: 84/100</li> <li>- Rule of Law: 81/100</li> <li>- Control of Corruption: 70/100</li> </ul> <p>The relative levels of risk of corruption are considered low, and no sources reviewed, experts interviewed or field experiences indicate a specific risk of corruption within the forest sector or taxation sector in South Korea.</p> <p>Extensive research, experience in the Korean forestry sector from the team of authors of this report and discussions with experts in Seoul in 2016 has not revealed any information to indicate a risk in this indicator.</p> <p><b>Risk conclusion</b> This indicator has been evaluated as <b>low risk</b>. Threshold (1) is met: Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities.</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
1.19 Custom regulations	<p><b>Applicable laws and regulations</b></p> <ul style="list-style-type: none"> <li>• CUSTOMS ACT [Enforcement Date 01. Jan, 2016.] [Act No.13636, 29. Dec, 2015., Partial Amendment] Article 226, 229, 230-2, 241 <a href="http://www.law.go.kr/lsInfoP.do?lsiSeq=115165&amp;chrClsCd=010203&amp;urlMode=engLsInfoR&amp;viewCls=engLsInfoR#0000">http://www.law.go.kr/lsInfoP.do?lsiSeq=115165&amp;chrClsCd=010203&amp;urlMode=engLsInfoR&amp;viewCls=engLsInfoR#0000</a></li> <li>• ENFORCEMENT DECREE OF CUSTOMS ACT [Enforcement Date 05. Feb, 2016.] [Presidential Decree No.26957, 05. Feb, 2016., Partial Amended] Article 246 <a href="http://www.law.go.kr/lsSc.do?menuId=0&amp;p1=&amp;subMenu=1&amp;nwYn=1&amp;section=&amp;tabNo=&amp;query=%EA%B4%80%EC%84%B8%EB%B2%95#undefined">http://www.law.go.kr/lsSc.do?menuId=0&amp;p1=&amp;subMenu=1&amp;nwYn=1&amp;section=&amp;tabNo=&amp;query=%EA%B4%80%EC%84%B8%EB%B2%95#undefined</a></li> <li>• ENFORCEMENT REGULATION OF CUSTOMS ACT [Enforcement Date 18. Jan, 2016.] [Departmental Regulation No.532, 18. Jan, 2016., Other Laws and Regulations Amended] Article 246 <a href="http://www.law.go.kr/lsSc.do?menuId=0&amp;p1=&amp;subMenu=1&amp;nwYn=1&amp;section=&amp;tabNo=&amp;query=%EA%B4%80%EC%84%B8%EB%B2%95#undefined">http://www.law.go.kr/lsSc.do?menuId=0&amp;p1=&amp;subMenu=1&amp;nwYn=1&amp;section=&amp;tabNo=&amp;query=%EA%B4%80%EC%84%B8%EB%B2%95#undefined</a></li> </ul> <p><b>Legal Authority</b> Ministry of Strategy and Finance</p> <p><b>Legally required documents or records</b></p> <ul style="list-style-type: none"> <li>• Export, import or return declaration</li> <li>• Certificate of origin</li> </ul>	<p><b>Government sources</b></p> <ul style="list-style-type: none"> <li>• Number of violations in indication of the origin on 2013 (Korea Customs Service, 2013) <a href="http://www.customs.go.kr/kcshome/comp/bbs/selectBoard.do?bbsId=BBSMS TR_1032&amp;nttId=885&amp;layoutMenuNo=168&amp;siteId=main&amp;searchCtgr=&amp;searchCnd=&amp;searchWrd=&amp;currentPageNo=1&amp;recordCountPerPage=10">http://www.customs.go.kr/kcshome/comp/bbs/selectBoard.do?bbsId=BBSMS TR_1032&amp;nttId=885&amp;layoutMenuNo=168&amp;siteId=main&amp;searchCtgr=&amp;searchCnd=&amp;searchWrd=&amp;currentPageNo=1&amp;recordCountPerPage=10</a></li> <li>• Number of violations in indication of the origin on 2014 (Korea Customs Service, 2014) <a href="http://www.customs.go.kr/kcshome/comp/bbs/selectBoard.do?bbsId=BBSMS TR_1032&amp;nttId=1135&amp;layoutMenuNo=168&amp;siteId=main&amp;searchCtgr=&amp;searchCnd=&amp;searchWrd=&amp;currentPageNo=1&amp;recordCountPerPage=10">http://www.customs.go.kr/kcshome/comp/bbs/selectBoard.do?bbsId=BBSMS TR_1032&amp;nttId=1135&amp;layoutMenuNo=168&amp;siteId=main&amp;searchCtgr=&amp;searchCnd=&amp;searchWrd=&amp;currentPageNo=1&amp;recordCountPerPage=10</a></li> <li>• Number of violations in indication of the origin during Jan-May 2015 (Korea Customs Service, 2015) <a href="http://www.customs.go.kr/kcshome/comp/bbs/selectBoard.do?bbsId=BBSMS TR_1032&amp;nttId=1245&amp;layoutMenuNo=168&amp;siteId=main&amp;searchCtgr=&amp;searchCnd=&amp;searchWrd=&amp;currentPageNo=1&amp;recordCountPerPage=10">http://www.customs.go.kr/kcshome/comp/bbs/selectBoard.do?bbsId=BBSMS TR_1032&amp;nttId=1245&amp;layoutMenuNo=168&amp;siteId=main&amp;searchCtgr=&amp;searchCnd=&amp;searchWrd=&amp;currentPageNo=1&amp;recordCountPerPage=10</a></li> <li>• Korean Delegation, 2014. <i>Submission to the Second Senior Officials Meeting of the Asia Pacific Economic Cooperation (APEC) Experts Group on Illegal Logging and Associated Trade (EGILAT) (2014/SOM2/EGILAT/014 Agenda: III C) - Legal and Practical Reality in Korea - Illegal Timber Trade</i></li> </ul>	<p><b>Overview of Legal Requirements</b></p> <p>Forest products also comply with CUSTOMS ACT as with other kinds of goods. In order to get permission for the exportation, an exporter should be confirmed by the customhouse about origin, quality, details, manufacturing method, use and quantity, as well as label or mark, etc. Under the CUSTOMS ACT, goods that need to get permission, approval, and labels and meet other conditions, at the time of exportation or importation, as prescribed by the Acts and subordinate statutes, shall verify to the head of a customhouse that they have satisfied such requirements and conditions.</p> <p>When the country of origin is confirmed in order to impose and collect customs duties in accordance with this Act, treaties, conventions, etc. to clear the customs on any import and export goods, to conduct an investigation, etc., any of the following countries shall be the country of origin:</p> <ol style="list-style-type: none"> <li>1. The country in which all of the relevant goods are produced, processed or manufactured;</li> <li>2. Where goods are produced, processed or manufactured in at least two countries, the country in which the final is carried out (i.e. the goods are given their essential characteristics): <ul style="list-style-type: none"> <li>• A person who intends to export the goods shall declare the item, standard, quantity and price of the relevant goods, and other matters prescribed by Presidential Decree to the head of a customhouse.</li> </ul> </li> </ol>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
		<p><i>Prohibition.</i>  <a href="http://mddb.apec.org/Documents/2014/EGILAT/EGILAT/14_egilat_014.pdf">http://mddb.apec.org/Documents/2014/EGILAT/EGILAT/14_egilat_014.pdf</a>, accessed 19 April 2017.</p> <ul style="list-style-type: none"> <li>Korean Forest Service, 2013. <i>Wood Trade and Forest Governance against illegal logging in Korea.</i>  <a href="http://www.fao.org/fileadmin/templates/rap/files/meetings/2013/131016-s1-rok.pdf">http://www.fao.org/fileadmin/templates/rap/files/meetings/2013/131016-s1-rok.pdf</a> accessed 19 April 2017.</li> </ul> <p><b>Non-Government sources</b></p> <ul style="list-style-type: none"> <li>Activities and roles of Center for International Origin Confirmation (Seoul NewPaper, 2010)  <a href="http://go.seoul.co.kr/news/newsView.php?id=20100703014008">http://go.seoul.co.kr/news/newsView.php?id=20100703014008</a></li> <li>Korea Forest Service(KFS) organized 'Rangers for inspecting the illegal distribute of wood products' (Asia Economy New, 2014)  <a href="http://view.asiae.co.kr/news/view.htm?idxno=2014042321000016944">http://view.asiae.co.kr/news/view.htm?idxno=2014042321000016944</a></li> <li>Transparency International, 2017. Corruption Perception Index 2016 – South Korea.  <a href="http://www.transparency.org/news/feature/corruption_perceptions_index_2016#table">http://www.transparency.org/news/feature/corruption_perceptions_index_2016#table</a></li> <li>World Bank, 2015. Worldwide Governance Indicators – Republic of Korea.  <a href="http://info.worldbank.org/governance/wgi/#reports">http://info.worldbank.org/governance/wgi/#reports</a></li> <li>Expert consultation carried out in Seoul by NEPCoN, March 2016.</li> <li>Chatham House, 2017. Illegal Logging Portal – South Korea.</li> </ul>	<ul style="list-style-type: none"> <li>The head of a customhouse shall not grant permission for customs clearance of any goods with a false label on their quality, details, manufacturing method, use and quantity (hereafter referred to as "quality, etc." in this Article) or with a misleading label or mark on their quality, etc. which violate the Acts and subordinate statutes governing the labels on quality, etc.</li> </ul> <p>The ENFORCEMENT DECREE OF CUSTOMS ACT specifies that export, import or return declaration shall include the following information:</p> <ol style="list-style-type: none"> <li>packing type, ID, quantity</li> <li>place of destination, origin, shipment</li> <li>(if indication of the origin is necessary) whether mandatory or not, display method, style</li> <li>trademark</li> <li>firm name, corporate registration number, customs code</li> <li>temporary storage place</li> </ol> <p>Description of risk  Korean custom legislation comprehensively covers areas such as export licenses, product classification (codes, quantities, qualities and species).</p> <p><b>Description of risk</b>  No cases about issues in the forestry sector in Korea related to export licenses, product classification (codes, quantities, qualities and species) have been found in the research conducted for this report (Korean Customs Service 2013, 2014 and 2015). Similarly,</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
		<p><a href="https://www.illegal-logging.info/regions/south-korea">https://www.illegal-logging.info/regions/south-korea</a> accessed 4 April 2017.</p> <ul style="list-style-type: none"> <li>• Sam Lawson, Chatham House, 2014. Illegal Wood Import and Re-export: The Scale of the Problem and the Response in Thailand, South Korea and India. Available online &lt; <a href="https://www.illegal-logging.info/sites/files/chlogging/Laws_on_Thailand_SK_India_PP_2014_0.pdf">https://www.illegal-logging.info/sites/files/chlogging/Laws on_Thailand_SK_India_PP_2014_0.pdf</a>&gt; accessed 4 April 2017.</li> <li>• Chatham House, 2014. South Korea 2013 Assessment Findings. Available online &lt; <a href="https://indicators.chathamhouse.org/explore-the-data/south-korea">https://indicators.chathamhouse.org/explore-the-data/south-korea</a>&gt;, accessed 4 April 2017.</li> <li>• US Securities and Exchange Commission, 2017. <i>SEC Enforcement Actions: FCPA Cases</i>. <a href="https://www.sec.gov/spotlight/fcpa/fcpa-cases.shtml">https://www.sec.gov/spotlight/fcpa/fcpa-cases.shtml</a> accessed 19 April 2017.</li> <li>• GAN Integrity. (2017). South Korea Corruption Report. Available at: <a href="http://www.business-anti-corruption.com/country-profiles/south-korea">http://www.business-anti-corruption.com/country-profiles/south-korea</a> [Accessed 4 October 2017].</li> </ul>	<p>regarding the export of timbers or wood products, cases related to violation of origin indication have also not been found (Korean Customs Service 2013, 2014 and 2015). According to the 'Centre for International Origin Confirmation' of Korea Customs Service, other countries have requested the origin confirmation of Korean products mainly in terms of cars, household electrical appliances and clothes. So it seems origin violation of timber or wood product made by Korea is not the issue to other countries.</p> <p>Regarding the risk of corruption in South Korea, the US Securities and Exchange Commission (SEC) maintains a list of the SEC's Foreign Corrupt Practices Act (FCPA) enforcement actions. The FCPA, which prohibits companies issuing stock in the U.S. from bribing foreign officials for government contracts and other business. There have been two prosecutions involving South Korea to date, both in 2011:</p> <ul style="list-style-type: none"> <li>- Diageo – SEC charged one of the world's largest producers of premium alcoholic beverages for making \$2.7 million in improper payments to government officials in India, Thailand, and South Korea to obtain lucrative sales and tax benefits. Diageo agreed to pay more than \$16 million to settle the case. (7/27/11) [Administrative Proceeding]</li> <li>- International Business Machines Corp. – SEC charged IBM for providing improper cash payments, gifts, and travel and entertainment to government officials in China and South Korea in order to secure the sale of IBM products. IBM agreed to pay</li> </ul>

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			<p>\$10 million to settle the SEC's charges. (3/18/11)</p> <p>According to GAN Integrity (2017) "Corruption levels are generally low in the border administration presenting companies exporting and importing across South Korea's borders with low risks (GETR 2016 in GAN Integrity 2017). The country ranks among the best in the world in terms of trading across borders; Corruption is rarely cited as a problematic factor for importing and exporting and companies report efficient customs clearance procedures and high levels of transparency (DB 2017 in GAN Integrity 2017). Irregular payments and bribes are rare, but cannot be completely ruled out (DB 2017 in GAN Integrity 2017)."</p> <p>In 2016, Transparency International scored South Korea 53/100. The 2015 World Bank Worldwide Governance indicators for South Korea were:</p> <ul style="list-style-type: none"> <li>- Voice and Accountability: 69/100</li> <li>- Political Stability and Absence of Violence: 52/100</li> <li>- Government Effectiveness: 80/100</li> <li>- Regulatory Quality: 84/100</li> <li>- Rule of Law: 81/100</li> <li>- Control of Corruption: 70/100</li> </ul> <p>The relative levels of risk of corruption are considered low, and no sources reviewed, experts interviewed or field experiences indicate a specific risk of corruption within the forest sector in South Korea.</p>



Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			<p>Extensive research, experience in the Korean forestry sector from the team of authors of this report and discussions with experts in Seoul in 2016 has not revealed any information to indicate a risk in this indicator.</p> <p><b>Risk conclusion</b> This indicator has been evaluated as <b>low risk</b>. Threshold (1) is met: Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities.</p>
1.20 CITES	<p><b>Applicable laws and regulations</b></p> <ul style="list-style-type: none"> <li>• WILDLIFE PROTECTION AND MANAGEMENT ACT [Enforcement Date 27. Jan, 2016.] [Act No.13882, 27. Jan, 2016., Partial Amendment] Article 16 <a href="http://www.law.go.kr/lsInfoP.do?lsiSeq=115453&amp;chrClsCd=010203&amp;urlMode=engLsInfoR&amp;viewCls=engLsInfoR#0000">http://www.law.go.kr/lsInfoP.do?lsiSeq=115453&amp;chrClsCd=010203&amp;urlMode=engLsInfoR&amp;viewCls=engLsInfoR#0000</a></li> </ul> <p><b>Legal Authority</b></p> <ul style="list-style-type: none"> <li>• Ministry of Environment</li> </ul> <p><b>Legally required documents or records</b></p> <ul style="list-style-type: none"> <li>• Export permit</li> <li>• Certificate of origin</li> <li>• Certificate for artificial propagation of globally endangered species</li> </ul>	<p><b>Government sources</b></p> <ul style="list-style-type: none"> <li>• Searching system for CITES species established by Korean government (Korean government, 2016) <a href="http://cites.kbr.go.kr/content/view.do?menuKey=27&amp;contentKey=1">http://cites.kbr.go.kr/content/view.do?menuKey=27&amp;contentKey=1</a></li> <li>• Statistics for international trade of forest products in Korea (Korea Forest Service, 2016) <a href="http://soft.forest.go.kr/foahome/user.tdf?a=user.index.IndexApp&amp;c=1010">http://soft.forest.go.kr/foahome/user.tdf?a=user.index.IndexApp&amp;c=1010</a></li> <li>• Republic of Korea, 2014. Biennial Report to the CITES Committee - Notification No. 2005/035. <a href="https://cites.org/sites/default/files/reports/13-14RepublicofKorea.pdf">https://cites.org/sites/default/files/reports/13-14RepublicofKorea.pdf</a>, accessed 19 April 2017.</li> <li>• Republic of Korea, 2014. Biennial Report to the CITES Committee 2013-2014 - Notification No. 2005/035. <a href="https://cites.org/sites/default/files/reports/13-14RepublicofKorea.pdf">https://cites.org/sites/default/files/reports/13-14RepublicofKorea.pdf</a>, accessed 19 April 2017.</li> </ul>	<p><b>Overview of Legal Requirements</b></p> <p>Korea has controlled the international trade of globally endangered species through 'Wildlife Protection and Management Act'. The purpose of this Act is to prevent the extinction of wildlife by systematically protecting and managing wildlife and the habitats. The regulations of this Act related to globally endangered species are very similar to the rules of CITES, because this Act benchmarks the main rules and the species list of CITES (Korea joined CITES on 1993). An importer or exporter or someone who wants to deal with CITES species should obtain permissions from the Minister of Environment in terms of trading specification, origin and artificial propagation, etc.</p> <p>The WILDLIFE PROTECTION AND MANAGEMENT ACT requires that those who intend to export, import, take out or bring in globally endangered species and processed products thereof shall obtain permission of the Minister of Environment.</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
		<ul style="list-style-type: none"> <li>• Republic of Korea, 2010. Biennial Report to the CITES Committee 2009-2010 - Notification No. 2005/035. <a href="https://cites.org/sites/default/files/reports/09-10RepublicofKorea.pdf">https://cites.org/sites/default/files/reports/09-10RepublicofKorea.pdf</a>, , accessed 19 April 2017.</li> <li>• Republic of Korea, 2012. Biennial Report to the CITES Committee 2011-2012 - Notification No. 2005/035. <a href="https://cites.org/sites/default/files/reports/11-12RepublicofKorea.pdf">https://cites.org/sites/default/files/reports/11-12RepublicofKorea.pdf</a> accessed 19 April 2017.</li> <li>•</li> </ul> <p><b>Non-Government sources</b></p> <ul style="list-style-type: none"> <li>• CITES: <a href="https://cites.org/eng/app/appendices.php#hash5">https://cites.org/eng/app/appendices.php#hash5</a></li> <li>• CITES, 2010. CITES extends controls on high-value <i>timber at the request of exporting countries</i>. <a href="https://cites.org/eng/news/pr/2010/20101014-appIII.shtml">https://cites.org/eng/news/pr/2010/20101014-appIII.shtml</a>, accessed 19 April 2017.</li> <li>• World Resources Institute, undated. <i>Forest Legality Initiative – Risk Tool - K Korean Pine Pinus Koraiensis</i>. <a href="http://www.forestlegality.org/risk-tool/species/korean-pine">http://www.forestlegality.org/risk-tool/species/korean-pine</a> accessed 19 April 2017.</li> <li>• Transparency International, 2017. Corruption Perception Index 2016 – South Korea. <a href="http://www.transparency.org/news/feature/corruption_perceptions_index_2016#table">http://www.transparency.org/news/feature/corruption_perceptions_index_2016#table</a></li> </ul>	<p>1. That they shall be compatible with the restriction on transactions according to the species involved in the Annex ( I , II and III) to the Convention on International Trade in Endangered Species.</p> <p>2. That the export, import, taking out or bringing in of an animal or plant does not jeopardize the existence of the species.</p> <p>- The globally endangered species and processed products thereof that have been imported or brought in with permission under the main sentence of paragraph (1) shall not be used for any purpose other than import or bringing in.</p> <p>- When a person intends to multiply globally endangered species imported or brought in with permission under the main sentence of paragraph (1), he/she shall get a 'Certificate for artificial propagation of globally endangered species'.</p> <p><b>Description of risk</b></p> <p>Only one tree species, <i>Pinus koraiensis</i> is or Korean Pine in common nomenclature is CITES listed in Appendix III. According to CITES (2010), The Russian Federation requested the help of CITES Parties to control the trade in the Korean pine (<i>Pinus koraiensis</i>) a species from Eastern Asia and Japan used in the timber industry. In addition to the threat to the pine itself from illegal trade in timber, rapid deforestation of stands of this species is undermining efforts to conserve the last remaining Amur tigers in the Russian Far East.</p> <p>In Korea, <i>Pinus koraiensis</i> is not a main tree that is used for timber or wood production.</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
		<ul style="list-style-type: none"> <li>World Bank, 2015. Worldwide Governance Indicators – Republic of Korea. <a href="http://info.worldbank.org/governance/wgi/#reports">http://info.worldbank.org/governance/wgi/#reports</a></li> <li>Expert consultation carried out in Seoul by NEPCo, March 2016.</li> <li>Chatham House, 2017. Illegal Logging Portal – South Korea. <a href="https://www.illegal-logging.info/regions/south-korea">https://www.illegal-logging.info/regions/south-korea</a> accessed 4 April 2017.</li> <li>Sam Lawson, Chatham House, 2014. Illegal Wood Import and Re-export: The Scale of the Problem and the Response in Thailand, South Korea and India. Available online &lt; <a href="https://www.illegal-logging.info/sites/files/chlogging/Laws_on_Thailand_SK_India_PP_2014_0.pdf">https://www.illegal-logging.info/sites/files/chlogging/Laws_on_Thailand_SK_India_PP_2014_0.pdf</a>&gt; accessed 4 April 2017.</li> <li>Chatham House, 2014. South Korea 2013 Assessment Findings. Available online &lt; <a href="https://indicators.chathamhouse.org/explore-the-data/south-korea">https://indicators.chathamhouse.org/explore-the-data/south-korea</a>&gt;, accessed 4 April 2017.</li> <li></li> </ul>	<p>Moreover, pine nut from this tree is much more valuable as an income source to the Korean people rather than timber or wood product from Korean Pine. Korean Pine can theoretically be imported or exported as timber or wood products, because this species is under Appendices III of CITES, however, according to the electronic statistics system for international trade of forest products in Korea, there is no records about international trade of Korean Pine from Korea.</p> <p>A review of the Biennial reports to the CITES commission reveal a functioning CITES authority in Korea. The most recent report a number of CITES related incidents in Korea detected by the enforcement agencies, these were:</p> <ul style="list-style-type: none"> <li>- 25 significant seizure/confiscation cases in 2013 (3 turtles, 1 monkey, 21 parrots and other birds)</li> <li>- 40 significant seizure/confiscation cases in 2014 (1 monkey, 16 fennec foxes, 23 parrots and other birds)</li> </ul> <p>A review of all available reports (2003-2014) does not include any information of cases related to CITES listed timber species.</p> <p><b>Risk conclusion</b> This indicator has been evaluated as <b>low risk</b>. Threshold (1) is met: Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities.</p>
<b>Diligence/due care procedures</b>			

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
1.21 Legislation requiring due diligence/due care procedures	<p><b>Applicable laws and regulations</b> The 2013 <i>Act on the Sustainable Use of Timber</i> includes countermeasures against illegal timber from Korea or from elsewhere being traded and used in the country. However, no “Enforcement Ordinance” has yet been adopted, an ordinance that would effectively activate the legislation. It is anticipated that South Korea will introduce voluntary due diligence among timber traders and manufacturers by 2017 (Min 2016).</p> <p>Timber and other wood products processing companies and the wider public are largely unaware of the legislation or of the fact that their country stands out among timber consumer countries by how much illegal timber still enters the country (De Jong et al 2016).</p> <p><b>Legal Authority</b> N/A</p> <p><b>Legally required documents or records</b> N/A</p>	<p><b>Non-government sources</b></p> <ul style="list-style-type: none"> <li>• Wil de Jong, Mari Momii and Daisuke Naito, 2016. Timber consumer countries should join forces and coordinate legislative measures to eliminate illegally sourced timber from their markets. <a href="http://www.forestlegality.org/sites/default/files/Illegal%20timber%20of%20the%20global%20east.pdf">http://www.forestlegality.org/sites/default/files/Illegal%20timber%20of%20the%20global%20east.pdf</a> accessed 19 April 2017.</li> <li>• Centre for Integrated Areas Studies, 2016. <i>Illegal Timber of the Global East – A Dialogue between the Private Sector, Civil Society Organizations and Academia</i>. <a href="http://www.cias.kyoto-u.ac.jp/event/?p=426">http://www.cias.kyoto-u.ac.jp/event/?p=426</a> accessed 19 April 2017.</li> <li>• Min, Kyung-Taek, Korean Rural Economic Institute, 2016. Korea’s efforts for regulating the distribution of illegally logged timber. <a href="http://www.cias.kyoto-u.ac.jp/files/data/event/Kyung-Taek%20Min%20Illegal%20logging_South%20Korea.pdf">http://www.cias.kyoto-u.ac.jp/files/data/event/Kyung-Taek%20Min%20Illegal%20logging_South%20Korea.pdf</a> accessed 19 April 2017.</li> <li>• Sam Lawson, Chatham House, 2014. <i>Illegal Wood Import and Re-export: The Scale of the Problem and the Response in Thailand, South Korea and India</i>. Available online &lt; <a href="https://www.illegal-logging.info/sites/files/chlogging/Laws_on_Thailand_SK_India_PP_2014_0.pdf">https://www.illegal-logging.info/sites/files/chlogging/Laws on_Thailand_SK_India_PP_2014_0.pdf</a>&gt; accessed 4 April 2017.</li> </ul>	N/A

## Recommended control measures

Indicator	Recommended control measures
1.1 Land tenure and management rights	N/A
1.2 Concession licenses	N/A
1.3 Management and harvesting planning	N/A
1.4 Harvesting permits	N/A
1.5 Payment of royalties and harvesting fees	N/A
1.6 Value added taxes and other sales taxes	N/A
1.7 Income and profit taxes	N/A
1.8 Timber harvesting regulations	N/A
1.9 Protected sites and species	N/A
1.10 Environmental requirements	N/A
1.11 Health and safety	<p>Generic</p> <ul style="list-style-type: none"> <li>- All safety and health regulations shall be followed and all required safety equipment shall be used</li> <li>- All personnel shall observe occupational health and safety requirements involved in harvesting activities.</li> <li>- Interviews with staff and contractors shall confirm that legally required protection equipment is required/provided by the organization.</li> <li>- All requirements on prevention of air and water pollution shall be followed and are verified through reports monitoring pollution (when applicable)</li> </ul> <p>Country specific</p> <ul style="list-style-type: none"> <li>- Confirm the forest ownership type. For National Forests, there are more frequent controls, and more stringent training requirements, which reduces the risks for this forest type.</li> <li>- Confirm insurance information for the company.</li> <li>- MSDS (Material Safety Data Sheets): <a href="http://msds.kosha.or.kr">http://msds.kosha.or.kr</a> and records of Industrial Accidents Occurrences shall be available (Questionnaire on Industrial Accidents)</li> <li>- Confirmation for Education for Operation shall be available</li> <li>- Training records shall document training for all applicable staff and be up to date.</li> <li>- Reports of inspections by government officials should be reviewed and taken into account</li> <li>- Documentation of staff attendance at official training course shall be available and up to date.</li> </ul>
1.12 Legal employment	<p>Generic</p> <ul style="list-style-type: none"> <li>- All workers are employed according to the regulation and required contracts are in place</li> <li>- Persons involved in harvesting activities shall be covered by obligatory insurances.</li> <li>- Persons involved in harvesting activities shall hold required certificates of competence for the function they carry out.</li> <li>- At least the legally established minimum salaries shall be paid for personnel involved in harvesting activities.</li> <li>- Salaries shall be paid officially and declared by the employer according to requirements for personnel involved in harvesting activities.</li> <li>- Minimum age shall be observed for all personnel involved in harvesting activities.</li> <li>- Minimum age shall be observed for all personnel involved in hazardous work.</li> <li>- Stakeholders shall confirm that forced or compulsory labour is not involved in harvesting activities.</li> </ul>

Indicator	Recommended control measures
	Country specific - , The Payment Certificate for the 4 major insurances from the company for all employees, shall be documented - The Labour Agency shall be able to verify the insurance payments.
1.13 Customary rights	N/A
1.14 Free prior and informed consent	N/A
1.15 Indigenous peoples rights	N/A
1.16 Classification of species, quantities, qualities	N/A
1.17 Trade and transport	N/A
1.18 Offshore trading and transfer pricing	N/A
1.19 Custom regulations	N/A
1.20 CITES	N/A
1.21 Legislation requiring due diligence/due care procedures	N/A

## Controlled wood category 2: Wood harvested in violation of traditional and human rights

### Risk assessment

Indicator	Sources of Information	Functional scale	Risk designation and determination
2.1. The forest sector is not associated with violent armed conflict, including that which threatens national or regional security and/or linked to military control.	See detailed analysis below.	Country	Low risk  Justification: All 'low risk thresholds' (1, 2, 3, 4 and 5) are met. None of the 'specified risk thresholds' are met.
2.2. Labour rights are respected including rights as specified in ILO Fundamental Principles and Rights at work.	See detailed analysis below.	Country	Specified risk for the right to freedom of association, forced labour and for gender wage discrimination Justification: Specified risk threshold 14 and 15 apply.  Low risk for child labour and other forms of discrimination. Justification: Low risk threshold 10 applies.
2.3. The rights of Indigenous and Traditional Peoples are upheld.	See detailed analysis below.	Country	Low risk  Justification:  The low risk thresholds 16, 19 and 21 apply.

### Recommended control measures

Indicator	Recommended control measures
2.1	
2.2	CM should be based on clear evidence that the Organization has policies in place that guarantee core labour rights.
2.3	



## Detailed analysis

Sources of information	Evidence	Scale of risk assessment	Risk indication <sup>29</sup>
<b>Context</b> (the following are indicators that help to contextualize the information from other sources) <ul style="list-style-type: none"> <li>Searching for data on: level of corruption, governance, lawlessness, fragility of the State, freedom of journalism, freedom of speech, peace, human rights, armed or violent conflicts by or in the country, etc.</li> </ul>			
World Bank: Worldwide Governance Indicators - the WGI report aggregate and individual governance indicators for 215 countries for six dimensions of governance: Voice and Accountability; Political Stability and Absence of Violence; Government Effectiveness; Regulatory Quality; Rule of Law; Control of Corruption <a href="http://info.worldbank.org/governance/wgi/index.aspx#home">http://info.worldbank.org/governance/wgi/index.aspx#home</a>	<a href="http://info.worldbank.org/governance/wgi/index.aspx#reports">http://info.worldbank.org/governance/wgi/index.aspx#reports</a> (click on table view tab and select Country) In 2014 <b>South Korea scores between 68.97 (for Voice and Accountability) and 86.54 (for Government effectiveness)</b> on the percentile rank among all countries for five of the six dimensions. <b>The last and lowest dimension is for Political Stability and Absence of Violence/Terrorism with a score of 53.88</b> (The scores range from 0 (lowest rank) to 100 (highest rank) with higher values corresponding to better outcomes).	Country	
World Bank Harmonized List of Fragile Situations: <a href="http://siteresources.worldbank.org/EXTLICUS/Resources/511777-1269623894864/FY15FragileSituationList.pdf">http://siteresources.worldbank.org/EXTLICUS/Resources/511777-1269623894864/FY15FragileSituationList.pdf</a>	<b>South Korea does not feature on this list.</b>	Country	
Committee to Protect Journalists: Impunity Index CPJ's Impunity Index calculates the number of unsolved journalist murders as a percentage of each country's population. For this index, CPJ examined journalist murders that occurred in the past 10 years, and that remain unsolved. Only those nations with five or more unsolved cases are included on this index. <a href="http://cpj.org/reports/2014/04/impunity-index-getting-away-with-murder.php">http://cpj.org/reports/2014/04/impunity-index-getting-away-with-murder.php</a>	<b>South Korea does not feature on the list.</b>	Country	
Carleton University: Country Indicators for Foreign Policy: the Failed and Fragile States project of Carleton University examines state fragility using a combination of structural data and current event monitoring <a href="http://www4.carleton.ca/cifp/ffs.htm">http://www4.carleton.ca/cifp/ffs.htm</a> (Select Country Ranking Table)	<a href="http://www4.carleton.ca/cifp/app/serve.php/1419.pdf">http://www4.carleton.ca/cifp/app/serve.php/1419.pdf</a> <b>South Korea scores 'medium-low'</b> on State fragility map 2011.	Country	
Human Rights Watch: <a href="http://www.hrw.org">http://www.hrw.org</a>	<a href="https://www.hrw.org/news/2015/05/28/south-korea-cold-war-relic-law-criminalizes-criticism">https://www.hrw.org/news/2015/05/28/south-korea-cold-war-relic-law-criminalizes-criticism</a> <i>South Korea: Cold War Relic Law Criminalizes Criticism</i>	Country	

<sup>29</sup> A risk indication is provided for each source analyzed, except in the first part that addresses the general country context as that is not a risk indicator. A cumulative risk assessment for each risk indicator is provided in the row with the conclusion on each risk indicator, based on all the sources analyzed and evidence found.

	“(New York) – The South Korean government should immediately stop using its outdated National Security Law to suppress freedom of speech and freedom of association, Human Rights Watch said today. The government should release those imprisoned under the law, drop charges against others accused under the law, and launch an inclusive process to review the law with the aim of revoking or revising provisions that violate international human rights standards.”		
US AID: <a href="http://www.usaid.gov">www.usaid.gov</a> Search on website for [country] + ‘human rights’	No information found on South Korea on this website.	Country	
Global Witness: <a href="http://www.globalwitness.org">www.globalwitness.org</a> Search on website for [country] + ‘human rights’	No information found on South Korea on this website.	Country	
<a href="http://wwf.panda.org/about_our_earth/about_forests/deforestation/forest_illegal_logging/">http://wwf.panda.org/about_our_earth/about_forests/deforestation/forest_illegal_logging/</a>	<a href="http://wwf.panda.org/about_our_earth/deforestation/deforestation_causes/illegal_logging/">http://wwf.panda.org/about_our_earth/deforestation/deforestation_causes/illegal_logging/</a> South Korea is not mentioned in this article. South Korea does not feature on the map: Countries with higher rates of illegal logging. <a href="http://indicators.chathamhouse.org/sites/files/reports/Tackling%20Illegal%20Logging%20and%20Related%20Trade_0.pdf">http://indicators.chathamhouse.org/sites/files/reports/Tackling%20Illegal%20Logging%20and%20Related%20Trade_0.pdf</a>	Country	
Chatham House Illegal Logging Indicators Country Report Card <a href="http://www.illegal-logging.info">http://www.illegal-logging.info</a>	<a href="https://www.chathamhouse.org/sites/files/chathamhouse/home/chatham/public_html/sites/default/files/20140400MethodologyThailandKoreaIndiaLawson2.pdf">https://www.chathamhouse.org/sites/files/chathamhouse/home/chatham/public_html/sites/default/files/20140400MethodologyThailandKoreaIndiaLawson2.pdf</a> <i>Methodology for Import-source Estimates of Illegally Sourced Wood Imports: Thailand, South Korea and India</i> “For the current Chatham House analysis, more than 50 supplier countries where illegal logging is known to be a problem were assessed, and many thousands of individual illegality estimates were created. This document provides the ‘baseline’ illegality estimates used for the most important source countries (including variations for specific products, source regions and time periods) and also provides information on adjustments made (if any) for specific destination countries. The document also provides the justification used for these estimates. The source countries detailed below collectively represent 91% of the total imports of illegal wood estimated in the import-source analysis for Thailand, 94% of estimated imports for India and 98% for South Korea.”	Country	
Transparency International Corruption Perceptions Index	<a href="https://www.transparency.org/cpi2014/results">https://www.transparency.org/cpi2014/results</a> South Korea scores 55 points on the Corruption Perceptions Index 2014 on a scale from 0 (highly corrupt) to 100 (very clean). South Korea ranks 43 out of 175 with rank nr. 1 being the cleanest country.	Country	
Amnesty International Annual Report: The state of the world’s human rights -information on key human rights issues, including: freedom of expression; international justice;	<a href="https://www.amnesty.org/en/documents/pol10/0001/2015/en/">https://www.amnesty.org/en/documents/pol10/0001/2015/en/</a> <i>State of the Human Rights Report 2014/15</i> „MIGRANT WORKERS’ RIGHTS	Country	

<p>corporate accountability; the death penalty; and reproductive rights</p>	<p>Migrant agricultural workers under the Employment Permit System (EPS) endured excessive working hours, underpayment, denial of their weekly paid rest day and annual leave, illegal subcontracting and poor living conditions. Many were also discriminated against at work due to their nationality. The exclusion of agricultural workers from the Labour Standards Act provisions on working hours, daily breaks and weekly paid rest days was discriminatory in effect as it disproportionately affected migrant workers. Many were unable to escape exploitative working conditions due to severe government restrictions on migrants' ability to change jobs as well as the exclusion by the Labour Standards Act of agricultural workers from legal protection.</p> <p><b>FREEDOM OF EXPRESSION</b> The government continued its use of the National Security Law (NSL) to curtail freedom of expression. At least 32 people were charged for violations of the NSL in the first eight months of the year. This was less than in 2013, when 129 people were investigated or charged under the NSL, the highest number in a decade, but remained a matter of great concern.</p> <p><b>FREEDOM OF ASSEMBLY</b> Since the ferry accident in April, more than 300 people were arrested in attempts by police to quell peaceful demonstrations expressing discontent over the government's response to the ferry sinking. Police blockades of street rallies continued for months following the accident."</p>		
<p>Freedom House <a href="http://www.freedomhouse.org/">http://www.freedomhouse.org/</a></p>	<p><a href="http://www.freedomhouse.org/report-types/freedom-world#U-3g5fl_sVc">http://www.freedomhouse.org/report-types/freedom-world#U-3g5fl_sVc</a> The status of South Korea on the Freedom in the World index 2015 is 'free'. <a href="https://freedomhouse.org/report/freedom-net/freedom-net-2015">https://freedomhouse.org/report/freedom-net/freedom-net-2015</a> The status of South Korea on the Freedom on the Net is 'partly free'. <a href="https://freedomhouse.org/report/freedom-press/freedom-press-2016">https://freedomhouse.org/report/freedom-press/freedom-press-2016</a> The status of South Korea on the Freedom of the Press is 'partly free'.</p>	Country	
<p>Reporters without Borders: Press Freedom Index <a href="https://index.rsf.org/#/">https://index.rsf.org/#/</a></p>	<p><a href="https://rsf.org/en/ranking/2015">https://rsf.org/en/ranking/2015</a> 2015 World Press Freedom Index South Korea ranks nr. 60 out of 180 with a score of 26.55 on the 2015 World Press Freedom Index.</p>	Country	
<p>Fund for Peace - Fragile States Index - the Fund for Peace is a US-based non-profit research and educational organization that works to prevent violent conflict and promote security. The Fragile States Index is an annual ranking, first published in 2005 with the name Failed States Index, of 177 nations based on their levels of stability and capacity <a href="http://fsi.fundforpeace.org/">http://fsi.fundforpeace.org/</a></p>	<p><a href="http://fsi.fundforpeace.org/">http://fsi.fundforpeace.org/</a> Fragile States Index 2015 South Korea is ranked 156 out of 178 countries on the Fragile States Index 2015. (nr 1 being the most failed state). This ranks South Korea in the category 'more stable'.</p>	Country	
<p>The Global Peace Index. Published by the Institute for Economics &amp; Peace, This index is the world's leading measure of national peacefulness. It ranks 162 nations according to their absence of violence. It's made up of 23</p>	<p><a href="http://economicsandpeace.org/wp-content/uploads/2015/06/Global-Peace-Index-Report-2015_0.pdf">http://economicsandpeace.org/wp-content/uploads/2015/06/Global-Peace-Index-Report-2015_0.pdf</a> 2015 Global Peace Index</p>	Country	

indicators, ranging from a nation's level of military expenditure to its relations with neighbouring countries and the level of respect for human rights. Source: The Guardian: <a href="http://economicsandpeace.org/research/iep-indices-data/global-peace-index">http://economicsandpeace.org/research/iep-indices-data/global-peace-index</a>	The state of Peace in South Korea is labelled 'High' with South Korea ranking number 42 out of 162 countries (nr. 1 being the most peaceful country) with a score of 1.701 (p.9).		
<b>Additional sources of information</b> (These sources were partly found by Googling the terms '[country]', 'timber', 'conflict', 'illegal logging')	<b>Evidence</b>	<b>Scale of risk assessment</b>	<b>Risk indication</b>
<a href="https://www.unodc.org/">https://www.unodc.org/</a>	<a href="http://www.unodc.org/documents/southeastasiaandpacific/indonesia/forest-crime/Following_the_money_in_illegal_logging.pdf">http://www.unodc.org/documents/southeastasiaandpacific/indonesia/forest-crime/Following_the_money_in_illegal_logging.pdf</a> <i>Following the Money Trail: the Challenges in Illegal Logging Investigations</i> "Recently an illegal wild life network was busted through an operation called RAMP by INTERPOL. This operation involved action against the illegal trade in reptiles and amphibians resulting in arrests worldwide and the seizure of thousands of animals as well as of products worth more than 25 million Euros. Criminals in 50 countries spread over all five continents were involved. This bust shows the reach and extent of illegal networks in this trade – and this is only scratching the surface of the problem. In Guyana, South America, <b>the biggest companies involved in logging are from South Korea and Malaysia.</b> South Korean, Chinese and Malaysian companies are active in the remote areas of Papua province in Indonesia and across the border in Papua New Guinea as well."	Country	
From national CW RA: Guidance by NEPCon; 08 December 2011 Info on illegal logging	Not evaluated	-	
<b>Conclusion on country context:</b> South Korea scores medium/high or medium on most indicators reviewed in this context section such as stability, freedom and governance and it is considered a more stable country. Human rights reports mention concerns about the freedom of speech and the freedom of assembly/association. Illegal logging is not reported.		Country	
<b>Indicator 2.1. The forest sector is not associated with violent armed conflict, including that which threatens national or regional security and/or linked to military control.</b>			
<b>Guidance</b>			
<ul style="list-style-type: none"> <li>• Is the country covered by a UN security ban on exporting timber?</li> <li>• Is the country covered by any other international ban on timber export?</li> <li>• Are there individuals or entities involved in the forest sector that are facing UN sanctions?</li> </ul>			
Compendium of United Nations Security Council Sanctions Lists: <a href="http://www.un.org">www.un.org</a>	<a href="https://www.un.org/sc/suborg/sites/www.un.org.sc.suborg/files/consolidated.pdf">https://www.un.org/sc/suborg/sites/www.un.org.sc.suborg/files/consolidated.pdf</a> There is <b>no UN Security Council ban</b> on timber exports from South Korea.	Country	Low
US AID: <a href="http://www.usaid.gov">www.usaid.gov</a>	South Korea is <b>not covered by any other international ban on timber export.</b>		

Global Witness: <a href="http://www.globalwitness.org">www.globalwitness.org</a>	There are <b>no individuals or entities involved in the forest sector in South Korea that are facing UN sanctions.</b>		
From national CW RA: Guidance by NEPCo; 08 December 2011	"There is no UN Security Council export ban in the country."	Country	Low risk
<b>Guidance</b> <ul style="list-style-type: none"> <li>Is the country a source of conflict timber? If so, is it at the country level or only an issue in specific regions? If so – which regions?</li> <li>Is the conflict timber related to specific entities? If so, which entities or types of entities?</li> </ul>			
<a href="http://www.usaid.gov">www.usaid.gov</a> Conflict Timber is defined by US AID as: - conflict financed or sustained through the harvest and sale of timber (Type 1), - conflict emerging as a result of competition over timber or other forest resources (Type 2) Also check overlap with indicator 2.3	<b>No information on conflict timber in South Korea found.</b>	Country	Low risk
<a href="http://www.globalwitness.org/campaigns/environment/forests">www.globalwitness.org/campaigns/environment/forests</a>	<b>No information on conflict timber in South Korea found.</b>	Country	Low risk
Human Rights Watch: <a href="http://www.hrw.org/">http://www.hrw.org/</a>	<b>No information on conflict timber in South Korea found.</b>  <a href="http://www.hrw.org/world-report/2015">http://www.hrw.org/world-report/2015</a> <b>No information found on</b> conflict timber in South Korea in the human rights watch World Report 2015	Country	Low risk
World Resources Institute: Governance of Forests Initiative Indicator Framework (Version 1) <a href="http://pdf.wri.org/working_papers/gfi_tenure_indicators_sep09.pdf">http://pdf.wri.org/working_papers/gfi_tenure_indicators_sep09.pdf</a> Now: PROFOR <a href="http://www.profor.info/node/1998">http://www.profor.info/node/1998</a>	<b>No information on conflict timber in South Korea found.</b>	Country	Low risk
Amnesty International Annual Report: The state of the world's human rights -information on key human rights issues, including: freedom of expression; international justice; corporate accountability; the death penalty; and reproductive rights <a href="http://www.amnesty.org">http://www.amnesty.org</a>	<b>No information on conflict timber in South Korea found.</b>	Country	Low risk
World Bank: Worldwide Governance Indicators - the WGIs report aggregate and individual governance indicators for 213 economies (most recently for 1996–2012), for six dimensions of governance: Voice	<a href="http://info.worldbank.org/governance/wgi/index.aspx#reports">http://info.worldbank.org/governance/wgi/index.aspx#reports</a> In 2014 (latest available year) <b>South Korea scores</b> on the indicator <b>Political Stability and Absence of Violence/Terrorism 61</b> on the percentile rank among all countries (ranges from 0 (lowest) to <b>100 (highest rank)</b> with higher values corresponding to better outcomes.	Country	Low risk

and Accountability; Political Stability and Absence of Violence; Government Effectiveness; Regulatory Quality; Rule of Law; Control of Corruption <a href="http://info.worldbank.org/governance/wqi/index.aspx#home">http://info.worldbank.org/governance/wqi/index.aspx#home</a> Use indicator 'Political stability and Absence of violence' specific for indicator 2.1	No evidence found that this medium rank has a relationship with conflict timber.		
Greenpeace: <a href="http://www.greenpeace.org">www.greenpeace.org</a> Search for 'conflict timber [country]'	<a href="http://www.greenpeace.org/international/en/news/Blogs/makingwaves/illegal-logging/blog/53531/">http://www.greenpeace.org/international/en/news/Blogs/makingwaves/illegal-logging/blog/53531/</a> <i>Illegal logging: Fuelling conflict and damaging livelihoods</i> "In Africa and the vast area of the Congo Basin there are numerous threats. Two reports released this week underline the variety of challenges to be overcome to ensure the continent's forests and the communities who rely on them are protected. In its new report Blood Timber, Global Witness reveals European, Chinese and Lebanese logging companies have paid millions of euros into the hands of rebels guilty of mass murder, kidnappings, rapes and the forced recruitment of child soldiers during a conflict begun in 2013 that has so far left more than 5,000 people dead and displaced a further million. The report states that the main market of this timber is the European Union, although significant amounts end up in China as well. So-called 'conflict timber' (trade in timber that which contributes to the financing of armed conflict) was listed as a key element and priority by the European Union when it drew up its Forest Law Enforcement, Governance and Trade (FLEGT) Action plan, but more than a decade later it seems clear that very little meaningful attention or action has been taken to solve this problem. The role of China, and other Asian countries, as an increasingly important market for timber from Africa, and the Congo Basin in particular, is reflected in another important report released this week. New analysis on global illegal logging trends by the British think tank Chatham House shows that efforts to address illegal logging and reduce the trade in illegal timber have made some progress and seen some positive reforms in producer countries. But the report goes on to detail how changes in the sector mean overall trade has not fallen in the last decade. <b>China is now the world's largest importer and consumer of wood-based products, as well as a key processing hub, accounting for half of all trade in illegal wood-based products. India, South Korea, and Vietnam are also growing markets.</b> No information found on forestry of conflict timber in South Korea, only on the trade of conflict timber.	Country	Low risk
CIFOR: <a href="http://www.cifor.org/">http://www.cifor.org/</a> <a href="http://www.cifor.org/publications/Corporate/FactSheet/forests_conflict.htm">http://www.cifor.org/publications/Corporate/FactSheet/forests_conflict.htm</a>	No information on conflict timber in South Korea found.	Country	Low risk
Google the terms '[country]' and one of following terms or in combination 'conflict timber', 'illegal logging'	No new information on conflict timber in South Korea found.	Country	Low risk

From national CW RA: Guidance by NEPCo; 08 December 2011	“The country is not associated with or designated as source of conflict timber according to latest available research. Source: Conflict Timber: Dimensions of the Problem in Asia and Africa Volume I Synthesis Report (available at <a href="http://www.usaid.gov">www.usaid.gov</a> )”	Country	Low risk
<p><b>Conclusion on indicator 2.1:</b> No information was found on South Korea as a source of conflict timber and the forest sector is not associated with any violent armed conflict.</p> <p><b>The following low risk thresholds apply:</b></p> <p>(1) The area under assessment is not a source of conflict timber; AND  (2) The country is not covered by a UN security ban on exporting timber; AND  (3) The country is not covered by any other international ban on timber export; AND  (4) Operators in the area under assessment are not involved in conflict timber supply/trade; AND  (5) Other available evidence does not challenge ‘low risk’ designation.</p>		Country	Low risk
<p><b>Indicator 2.2. Labour rights are respected including rights as specified in ILO Fundamental Principles and Rights at work.</b></p> <p><b>Guidance</b></p> <ul style="list-style-type: none"> <li>• Are the social rights covered by the relevant legislation and enforced in the country or area concerned? (refer to category 1)</li> <li>• Are rights like freedom of association and collective bargaining upheld?</li> <li>• Is there evidence confirming absence of compulsory and/or forced labour?</li> <li>• Is there evidence confirming absence of discrimination in respect of employment and/or occupation, and/or gender?</li> <li>• Is there evidence confirming absence of child labour?</li> <li>• Is the country signatory to the relevant ILO Conventions?</li> <li>• Is there evidence that any groups (including women) feel adequately protected related to the rights mentioned above?</li> <li>• Are any violations of labour rights limited to specific sectors?</li> </ul>			
<b>general sources from FSC-PRO-60-002a V1-0 EN</b>	<b>information found and specific sources</b>	<b>scale of risk assessment</b>	<b>risk indication</b>
<p>Status of ratification of fundamental ILO conventions:  <a href="http://www.ilo.org/dyn/normlex/en/f?p=1000:11001:0::NO::">http://www.ilo.org/dyn/normlex/en/f?p=1000:11001:0::NO::</a>  or use: ILO Core Conventions Database:  <a href="http://www.ilo.org/ilolex/english/docs/declworld.htm">http://www.ilo.org/ilolex/english/docs/declworld.htm</a>  C29 Forced Labour Convention, 1930  C87 Freedom of Association and Protection of the Right to Organise Convention, 1948  C98 Right to Organise and Collective Bargaining Convention, 1949  C100 Equal Remuneration Convention, 1951  C105 Abolition of Forced Labour Convention, 1957  C111 Discrimination (Employment and Occupation) Convention, 1958  C138 Minimum Age Convention, 1973  C182 Worst Forms of Child Labour Convention, 1999</p>	<p><a href="http://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200_COUNTRY_ID:103123">http://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200_COUNTRY_ID:103123</a></p> <p>South Korea has ratified 4 of the 8 ILO core conventions. The status on the ILO website for these 4 Conventions is ‘in force’.</p> <p>South Korea did not ratify:  C29 Forced Labour Convention, 1930  C87 Freedom of Association and Protection of the Right to Organise Convention, 1948  C98 Right to Organise and Collective Bargaining Convention, 1949  C105 Abolition of Forced Labour Convention, 1957</p> <p><a href="http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3149500:NO">http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3149500:NO</a>  <i>Observation (CEACR) - adopted 2013, published 103rd ILC session (2014)</i></p>	Country	Specified risk for forced labour, freedom of association and right to organise and collective bargaining



<p>Ratification as such should be checked under Category 1. In Cat. 2 we take that outcome into consideration. Refer to it.</p>	<p><i>Equal Remuneration Convention, 1951 (No. 100) - Korea, Republic of</i></p> <p><b>“Gender wage gap.</b> The Committee notes the <b>statistics provided by the Government</b>, according to which in 2012, women earned 68.4 per cent of men’s hourly wages (or <b>a gender wage gap of 31.6 per cent</b>). While overall women’s wages improved slightly in manufacturing and wholesale and retail, the data indicate that the gender wage gap still remains largely over 30 per cent (2012 Survey on Employment-type Based Labour, Ministry of Employment and Labour). The Committee notes, however, that the FKTU provides data indicating that the gender wage gap hardly improved and even widened in some industries in which women are predominantly employed (Report on Women and Employment of the Ministry of Employment and Labour (2012)).”</p> <p>(..)</p> <p>“The Committee further notes the statistics provided by the Government and the KEF on the wage gap between regular and non-regular workers and the KEF’s comment in this regard that an assessment of the part of the wage gap that is due to discrimination requires an analysis that takes the characteristics of the industries and human factors into account. While noting the diverging opinions of the Government and the FKTU regarding the size of the gender wage gap, <b>the Committee nonetheless considers that despite some positive trends, the overall hourly and monthly gender wage gap, especially when comparing regular and non-regular workers, remains significant.</b>”</p> <p><b>“Articles 1 and 2 of the Convention. Legislation and measures to address the gender pay gap.</b> Regarding measures to ensure that wages in sectors and occupations in which women are predominantly employed are not set on the basis of gender-biased evaluation of the work performed, the Committee notes that the Government refers to the provisions of the “Equal Treatment Regulation” regulating wage discrimination and the yearly inspections in workplaces in which women are predominantly employed to ensure compliance with the principle of equal pay (1,132 workplaces in 2012). The Government also mentions measures to avoid career interruptions by women and assist women in combining work and family, which the Committee addresses in its direct request on this Convention. The Committee notes that the FKTU considers that difficulties remain in applying the concept of work of equal value in female-dominated industries and that the Government’s efforts in eliminating the gender wage gap are insufficient because no objective job analysis has been undertaken in these industries. (..) <b>The Committee notes the occupational sex segregation of the Korean labour market and the high gender wage gap in female dominated industries, and points out that occupational sex segregation tends to correlate with the undervaluation of “female jobs” in comparison of those of men who are performing different work and using different skills, when determining wage rates. (..)</b>”</p>	<p>Country</p>	<p>Specified risk on gender wage discrimination</p>
		<p>Country</p>	<p>Low risk on gender wage discrimination in forest sector (male dominated)</p>

	<p><a href="http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3149497:NO">http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3149497:NO</a></p> <p><i>Direct Request (CEACR) - adopted 2013, published 103rd ILC session (2014) Equal Remuneration Convention, 1951 (No. 100) - Korea, Republic of</i></p> <p><b>“Practical measures to address the gender wage gap.</b> Further to its observation, the Committee notes that the Government considers that the wage gap between men and women largely stems from women taking career breaks and indicates that measures have been taken to address career interruptions by women and assist women in combining work and family responsibilities, including maternity leave, childcare leave and shorter working hours, the provision of childcare services, provision of vocational training and employment services during career break, including increasing the number of New Job Centres for Women to support re-employment of women taking career breaks. The Committee recalls the importance of measures addressing the underlying causes of the gender pay gap, in particular gender stereotyping and occupational segregation of women in lower-paying or non-regular types of employment and refers in this regard to its present comment on the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and its 2011 observation on the Workers with Family Responsibilities Convention, 1981 (No. 156). (..)</p> <p><b>“Article 3. Objective job evaluation and application in job-based wage systems.</b> (..). <i>The Committee asks the Government to provide information on the measures taken to improve understanding of the principle of the Convention and the concept of equal value, among workers and employers and their organizations, in enterprises that have adopted or wish to adopt an annual salary system, and to promote the use of objective job evaluation in this context. It also asks the Government to continue to provide information on the number of enterprises that have adopted performance-based pay systems (annual salary systems and performance-based bonus systems) and the number of enterprises that have undertaken objective job evaluation in this context. Given the very high and persistent gender wage gap, please provide information on any other measures taken to promote the application of the principle of the Convention at enterprise level in the context of human resource management and pay systems, and to indicate the results secured by such action.</i></p> <p><b>Parts III and IV of the report form. Enforcement.</b> The Committee notes that according to the FKTU, despite the fact that many workplaces are consistently monitored, it remains very difficult to apply the principle of equal value in industrial sectors or occupations in which women are predominantly employed. The Committee notes that the Government provides general information that inspections have been undertaken in workplaces in which women are predominantly employed in accordance with the 2011 Labour Inspection Plan and that a total of 1,200 workplaces were to be inspected in the first half and second half of 2013. The Government further indicates that in 2012, inspection</p>	Country	Specified risk on gender wage discrimination
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	<p>activities covered 1,132 workplaces resulting in the detection of 6,627 violations. However, the Committee notes that out of these, none of the violations concerned wage discrimination while 5,910 violations were classified as “other violations” and apparently unrelated to unequal pay or discrimination issues. <i>Considering the large gender wage gap and the continuing absence of violations concerning wage discrimination detected by the labour inspectorate, the Committee urges the Government to take more effective steps to improve the enforcement of the equal pay legislation, including by activities to raise awareness of the specific legislation and enhance the capacity of the labour inspectors, judges and public officials, to identify and address cases of unequal pay, and to examine whether the applicable substantive and procedural provisions, in practice, allow claims to be brought successfully. Please also provide information on any new court decisions regarding the principle of equal remuneration for men and women for work of equal value as guaranteed under the legislation and the Convention.”</i></p> <p><a href="http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3257311:NO">http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3257311:NO</a></p> <p><i>Observation (CEACR) - adopted 2015, published 105th ILC session (2016) Discrimination (Employment and Occupation) Convention, 1958 (No. 111) - Korea, Republic of</i></p> <p><b>“Follow-up to the conclusions in the Conference Committee on the Application of Standards (International Labour Conference, 104th Session, May–June 2015)</b></p> <p>The Committee notes the conclusions and the ensuing discussion that took place in the Conference Committee on the Application of Standards in June 2015, including the written information provided by the Government. It also notes that the observations of IOE and the KEF reiterate their statements made in the Conference Committee. <i>While noting that the Government had taken various measures to review, update and enact legislation to address labour market inequalities and to reduce challenges relating to discrimination, the Conference Committee considered that long-standing concerns in relation to the application of the Convention regarding migrant workers, gender-based discrimination and discrimination relating to freedom of expression, needed to be addressed.</i> The Conference Committee, in particular, urged the Government to review, in consultation with workers’ and employers’ organizations, the impact of the new regulations regarding workplace flexibility and, if necessary, make adjustments to programmes to ensure appropriate protection of the foreign worker labour force. <i>It also urged the Government to ensure that the rights of migrant workers are properly enforced regarding workplace changes and working hours,</i> including through regular workplace inspections and annual reports. Concerning the protection against discrimination based on the grounds of gender and employment status, in particular with respect to non-regular workers, including women working part</p>	Country	Specified risk on gender wage discrimination
		Country	[No assessment]

time and short term, the Conference Committee urged the Government to review, in consultation with workers' and employers' organizations, the impact of reforms and continue to submit relevant data so as to evaluate if the protection was adequate in practice."

[http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:3257318:NO](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3257318:NO)

*Direct Request (CEACR) - adopted 2015, published 105th ILC session (2016) Discrimination (Employment and Occupation) Convention, 1958 (No. 111) - Korea, Republic of*

"Articles 1 and 2 of the Convention. **Legislative developments.** The Committee notes that section 7(1)–(3) of the new Framework Act on Employment Policy, 2015, prohibits discrimination in recruiting and employing workers, in providing employment services and with respect to vocational training and employment support on grounds of "gender, religion, age, physical conditions, social status, place of origin, level of education, educational background, marriage, pregnancy, medical history, etc.", **but omits the grounds of race, colour, and political opinion. The Committee notes the Government's indication that the process of the enactment of a general anti-discrimination act has been delayed.** It notes in this regard the observations by the Korean Employers' Federation (KEF), which were submitted by the Government with its report, indicating that the current scheme of individual laws regulating discrimination is preferable to a general non-discrimination law to maintain definitional clarity and enable tailored enforcement. *The Committee requests the Government to clarify why the grounds of race, colour and political opinion have been omitted from the anti-discrimination provisions of the Framework Act on Employment Policy 2015, and to provide information on its practical application, including relevant judicial and administrative decisions. Please continue to provide information on the progress made in the adoption of general anti-discrimination legislation, including any obstacles encountered.*"

[http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100\\_COMMENT\\_ID:2699969](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:2699969)

*Direct Request (CEACR) - adopted 2011, published 101st ILC session (2012) Minimum Age Convention, 1973 (No. 138) - Korea, Republic of*

"Article 9(1) of the Convention. **Penalties.** In its previous comments, the Committee had noted the results of a 2008 survey on youth in harmful work environments and requested the Government to continue providing information on the employment of youth in harmful environments and on the number of penalties imposed. The Committee notes the Government's information that according to the results of a 2010 survey to assess the status of juveniles in contact with harmful environments conducted on 16,572 students in middle and high schools and 1,972 youth at risk (such as youth in juvenile reformatories, and runaway youth shelters), **4 per cent of youth in general and**

	<p>17.4 per cent of youth at risk surveyed were employed in harmful establishments where the employment of young people is prohibited (such as karaoke rooms, comic book rental shops, video/DVD rooms, cafes, pubs, etc.).</p> <p>The Committee also notes the statistical information provided by the Government with regard to the number of violations reported under the Juvenile Protection Act. According to this data, during the period from June 2009 to April 2011, a total of 21,546 cases (7,209 cases in 2009, 10,542 cases in 2010, and 3,795 cases from January to April 2011) were reported, of which 21,435 cases were processed, 506 persons were brought to public trial, and 10,645 persons were brought to summary trial. The Committee notes that according to section 2(1) of the Juvenile Protection Act, the term “juvenile” means any person below 19 years of age. The Committee requests the Government to provide information on the application of the penalties in practice, including the number and kinds of penalties imposed for the violations reported under the Juvenile Protection Act.</p> <p>Part V of the report form. <b>Application of the Convention in practice.</b> The Committee notes the statistical information provided by the Government based on the 2009–10 Economically Active Population Survey. The Committee notes that in 2009, out of the 2,217 persons under the age of 18 who were economically active, 21 persons were employed, and in 2010, out of the 2,218 persons under the age of 18 who were economically active, 25 persons were employed. The Committee also notes the information provided by the Government with regard to the results of inspections on workplaces employing minors. In 2009, the number of workplaces inspected was 1,408 and the number of violations detected was 4,749. In 2010, the number of workplaces inspected was 1,300, and the number of violations detected was 4,979. The Committee also notes that, in 2009, these violations amounted to three violations for the employment of minors without an employment permit certificate, 508 violations for not keeping the identification document, 64 working-hour violations, 190 violations of the ban on night and holiday work, 82 violations for the failure to pay the minimum wage and the remaining for violations of overall labour standards other than matters relating to the employment of minors. In 2010, inspections found two violations for the employment of minors without an employment permit certificate, 432 violations for failure to keep the identification document, 61 working-hour violations, 209 violations of the ban on night and holiday work, 86 violations for the failure to pay the minimum wage and the remaining for violations of overall labour standards other than matters relating to the employment of minors.</p> <p>The Committee further notes the Government’s information with regard to the handling of reported cases of violations involving minors. Accordingly, in 2009, a total of 1,214 cases involving minors have been handled and that 1,073 cases were administratively settled, 138 cases judicially settled and in three cases fines were imposed. In 2010, 1,449 cases involving minors have been</p>	Country	Low risk for child labour in forest sector
		Country	Specified risk for child labour (in general)

	<p>handled, of which 1,290 cases were administratively settled, 154 cases judicially settled and in five cases fines were imposed.”</p> <p><a href="http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:2700645">http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:2700645</a>  <i>Direct Request (CEACR) - adopted 2011, published 101st ILC session (2012) Worst Forms of Child Labour Convention, 1999 (No. 182) - Korea, Republic of</i>  <b>No information found that leads to a specified risk indication.</b></p>	Country	Low risk for child labour
<p>ILO Declaration on Fundamental Principles and Rights at Work. Country reports.  <a href="http://www.ilo.org/declaration/lang--en/index.htm">http://www.ilo.org/declaration/lang--en/index.htm</a>  Source of several reports. Search for 'racial discrimination', 'child labour', 'forced labour', 'gender equality', 'freedom of association'</p>	<p><a href="http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---migrant/documents/publication/wcms_344235.pdf">http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---migrant/documents/publication/wcms_344235.pdf</a>  <i>International Migration Papers No. 119. ILO. The Republic of Korea's Employment Permit System (EPS): Background and Rapid Assessment. Min Ji Kim, 2015.</i>  “The MOUs that form the basis of the EPS commit the Korean government to protecting the rights of EPS workers “in accordance with the related labour laws of Korea”.<sup>18</sup> In addition, <b>Article 22 of the EPS Act and Article 5 of the Labour Standards Act prohibit discrimination against migrant workers and protect their basic human and labour rights.</b> The human rights institutions and channels enjoyed by Korean nationals, such as the National Human Rights Commission (NHRC) and its complaints mechanisms, are also accessible to migrant workers according to the terms of the EPS. (..)”</p> <p>“The temporary nature of the migrant workers’ stay in Korea defines the EPS, since at its very outset it was devised and designed as a temporary labour migration scheme. However, this very essential and defining characteristic of the scheme threatens to render it untenable and perhaps even unviable in the near future. In reality, EPS migrant workers are not guaranteed the same treatment and wages as Korean workers largely because of the temporariness of the scheme and because they are intentionally blocked from accessing any kind of more permanent status. Since migrant workers are only allowed to work in a position for 4 years 10 months at a time, there is very little chance that they will be promoted to a higher paying position during that short duration and little incentive for employers to upgrade their foreign workers above minimum-wage jobs. Consequently, most EPS migrant workers in any given workplace in Korea will be earning less than their Korean colleagues – often even working overtime more often than their Korean counterparts – since they occupy lower positions. Arguably, in this manner, the EPS has created situations of inequality in outcomes, which is problematic since a major comparative advantage and <i>raison d’être</i> of the scheme was its guarantee of equal treatment and non-discrimination for its participating workers.<sup>52</sup> <b>If this deficiency in the scheme – its lack of avenues for migrant workers to obtain longer term immigration status in Korea – is not addressed, the EPS, much like the ITS, could be seen as the main contributor to rising irregular migration and</b></p>	Country	Low risk on discrimination of migrant workers
		Country	Specified risk on discrimination of

	<p>racial segregation of the Korean labour market and society and thus a target for calls to dismantle the scheme altogether.”</p> <p>“(.) the EPS attempts to secure workers for SMEs in manufacturing, construction, agriculture, fisheries and some select service sectors. (..)”</p> <p><a href="http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_081913.pdf">http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_081913.pdf</a>  <i>ILO Minimum Estimate of Forced Labour, 2005.</i>  According to “Table 1: ILO Minimum Estimate of Forced Labour in the World”, the region <i>Asia and the Pacific</i> is accountable for more than ¾ of all cases of forced labour in the world (9,490,000 of total 12,300,000). That percentage is larger when looking at forced labour used for <i>Economic exploitation</i>: 5,964,000 from Asia and the Pacific of a total of 7,810,000 in the world.  <b>South Korea is part of the region Asia and the Pacific.</b>  This source is a bit outdated, though.</p> <p><a href="http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/publication/wcms_096122.pdf">http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/publication/wcms_096122.pdf</a>  <i>REPORT OF THE DIRECTOR-GENERAL: Freedom of association in practice: Lessons learned</i>  <i>Global Report under the follow-up to the ILO Declaration on Fundamental Principles and Rights at Work</i>  <i>INTERNATIONAL LABOUR CONFERENCE, 97<sup>TH</sup> Session 2008</i>  <b>“Box 1.4: Republic of Korea: Progress made and remaining challenges</b>  The case of the Republic of Korea has been one of the most long-standing cases before the Committee on Freedom of Association (CFA), dating back to March 1992. Significant steps have been made in the meantime, in terms of the recognition of trade union rights in law and practice, including: the recognition of multiple unions at national level, which allowed for the legalization of the Korean Confederation of Trade Unions (KCTU) in 1999; the enactment of the Teachers’ Trade Union Act, which allowed for the legalization of the Korea Teachers &amp; Educational Workers’ Union (CHUNKYOJO) in 1999; and the adoption of the Act on the Establishment and Operations of Public Officials’ Trade Unions, which recognizes the right of public servants to organize.  Apart from the need to conclude the ongoing work on legislative amendments, the most important remaining challenge appears to be the effective establishment of a harmonious industrial relations framework in practice. In fact, the prevailing tradition of confrontational industrial relations, and the consequent environment of criminalization of trade union activities, often give rise to a climate that is not conducive to the resolution of the remaining legislative and other issues.”</p>	<p>Country</p> <p>Country</p> <p>Country</p>	<p>migrant workers</p> <p>[No assessment ]</p> <p>Specified risk on forced labour</p> <p>Low risk on freedom of association</p>
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ILO Child Labour Country Dashboard: <a href="http://www.ilo.org/ippec/Regionsandcountries/lang--en/index.htm">http://www.ilo.org/ippec/Regionsandcountries/lang--en/index.htm</a>	No additional information found on serious violations of labour rights in South Korea.	-	-
Global March Against Child Labour: <a href="http://www.globalmarch.org/">http://www.globalmarch.org/</a>	No information on child labour in South Korea found.	Country	Low risk on child labour
Office of the United Nations High Commissioner for Human Rights (OHCHR), Committee on Rights of the Child: <a href="http://www.ohchr.org/EN/HRBodies/CRC/Pages/CRCIndex.aspx">http://www.ohchr.org/EN/HRBodies/CRC/Pages/CRCIndex.aspx</a>	<p><a href="http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fKOR%2fCO%2f3-4&amp;Lang=en">http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fKOR%2fCO%2f3-4&amp;Lang=en</a> <i>Committee on the Rights of the Child, 2 February 2012. Consideration of reports submitted by States parties under article 44 of the Convention. Concluding observations: Republic of Korea.</i></p> <p><b>“Child rights and the business sector</b></p> <p>26. The Committee welcomes increasing interest by the business sector in the State party, one of the most dynamic economies in the world, in corporate social responsibility, which for now seems to focus exclusively on environmental issues. While noting aspects of the State party’s legislation which, inter alia, address labour standards and minimum wage, the Committee notes that there is no comprehensive legislative framework regulating the prevention and mitigation of adverse human rights impacts of companies’ activities, either in the State party’s territory or abroad. In particular, the Committee further notes with concern that:</p> <p>(a) The State party is importing products from countries which are under investigation by the International Labour Organization (ILO) (and the European Parliament) for reportedly using forced child labour, thus becoming complicit with a serious breach to child rights;</p> <p>(b) Businesses from the State party are reported to be signing or planning to sign land leases in various countries with negative implications for, inter alia, the right to water and housing; and</p> <p>(c) No human rights impact assessment seems to have preceded negotiations for free trade agreements that the State party has entered into or is pending entry into.”</p> <p><b>“Economic exploitation including child labour</b></p> <p>70. The Committee welcomes the establishment of the Comprehensive Measures for Protection of Underage Workers in 2005 for the protection of children from exploitation. Nevertheless, the Committee is concerned about:</p> <p>(a) The increasing number of working children;</p> <p>(b) Employers hiring children often not meeting the standards established for underage workers in the Labour Standard Act, including with regard to children above the age of 15 years being required to work at night and below the minimum wage;</p> <p>(c) Insufficient legal provisions regulating irregular labour practices, such as non-remunerated idle hours;</p> <p>(d) Inadequate labour inspections;</p>	Country	Low risk on child labour
		Country	Specified risk on child labour

	<p>(e) The problem of working children being further exacerbated due to the widespread occurrence of verbal and sexual abuse and violence;</p> <p>(f) The increasing numbers of children being employed as entertainers and sex objects.”</p> <p><b>“Trafficking</b></p> <p>74. The Committee welcomes the adoption of the Comprehensive Plan for Preventing Sex Trafficking. However, the Committee is concerned that, notwithstanding the fact that State party legislation penalizes all forms of trafficking, a high number of women and children continue to be trafficked from, through and within the country for the purposes of sexual exploitation and forced labour. The Committee is particularly concerned about the low rate of prosecution and conviction of traffickers.”</p>	Country	Specified risk on child labour and on forced labour
<p>Committee on the Elimination of Discrimination against Women  <a href="http://www.ohchr.org/en/hrbodies/cedaw/pages/cedawindex.aspx">http://www.ohchr.org/en/hrbodies/cedaw/pages/cedawindex.aspx</a>          (Use the link to ‘Key documents’ on the left hand side. Go to ‘observations’ and search for country.) (Refer to CW Cat. 1)          Or:          Right top select country click on CEDAW treaty, click on latest reporting period and select concluding observations</p>	<p><a href="http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW%2fC%2fKOR%2fCO%2f7&amp;Lang=en">http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW%2fC%2fKOR%2fCO%2f7&amp;Lang=en</a>  <i>Committee on the Elimination of Discrimination against Women</i>  <i>1 August 2011</i>  <i>Concluding observations of the Committee on the Elimination of Discrimination against Women: Republic of Korea</i></p> <p>“12. The Committee takes note of the information provided during the dialogue regarding the large-scale meetings to share the Committee’s previous concluding observations among government offices, judicial authorities, non-governmental organizations and the Korean Women’s Development Institute. It also notes the State party’s efforts to disseminate the Convention and its Optional Protocol among the National Assembly, media organizations and legal professionals. However, the Committee is concerned that these initiatives have not targeted judiciary and law enforcement officials. It is particularly concerned that women themselves are not aware of their rights under the Convention or of the complaints procedure under the Optional Protocol and thus lack the capacity to claim the full promotion, protection and fulfilment of their rights on an equal basis with men.”</p> <p><b>“Employment</b></p> <p>30. The Committee is concerned about the lack of adequate disaggregated data on which to determine the precise positioning of women in the formal and informal labour markets. It is further concerned about the disadvantages women face in the employment sector, including the concentration of women in certain low-wage sectors, the related lack of job security and benefits, in particular for non-regular workers (part-time and short-term), and the significant wage gap between men and women. The Committee remains concerned about the lack of effective monitoring mechanisms and complaints procedures for women to claim their rights and the consequent</p>	Country	Specified risk of discrimination of women, including wage

	<p>possible reluctance of women to seek remedies in cases of sexual harassment in the workplace.”</p> <p>“<i>Rural women</i> 36. The Committee notes that women represent 53.3 per cent of the agricultural workers in the State party and that there are measures in place to achieve rural women’s substantive equality with men, such as the Second 5-Year Plan Fostering Women Farmers. It also takes note that the Young Farmers Initiative Programme includes a 20 per cent quota for women. However, the Committee is concerned that 70.3 per cent of family farms are owned by men while only 26.3 per cent are owned by elderly widows, which shows that it is difficult for women to own land and property. It is also concerned that Government agricultural financial support and assistance are provided to heads of households, which are mostly men, and that women can therefore gain access to such assistance only through their husbands or other family members.”</p>		discrimination
Human Rights Watch: <a href="http://www.hrw.org/">http://www.hrw.org/</a>	<b>No information found</b> on serious violations of labour rights in South Korea.	Country	Low risk
Child Labour Index 2014 produced by Maplecroft. <a href="http://maplecroft.com/portfolio/new-analysis/2013/10/15/child-labour-risks-increase-china-and-russia-most-progress-shown-south-america-maplecroft-index/">http://maplecroft.com/portfolio/new-analysis/2013/10/15/child-labour-risks-increase-china-and-russia-most-progress-shown-south-america-maplecroft-index/</a>	<b>South Korea</b> scores ‘ <b>low risk</b> ’ on the <b>Child Labour Index 2014</b> .	Country	Low risk on child labour
<a href="http://www.verite.org/Commodities/Timber">http://www.verite.org/Commodities/Timber</a>  (useful, specific on timber)	<b>No information found</b> on serious violations of labour rights in South Korea.	Country	Low risk on forced labour
The ITUC Global Rights Index ranks 139 countries against 97 internationally recognised indicators to assess where workers’ rights are best protected, in law and in practice. The Survey provides information on violations of the rights to freedom of association, collective bargaining and strike as defined by ILO Conventions, in particular ILO Convention Nos. 87 and 98 as well as jurisprudence developed by the ILO supervisory mechanisms. There are 5 ratings with 1 being the best rating and 5 being the worst rating a country could get. <a href="http://www.ituc-csi.org/new-ituc-global-rights-index-the?lang=en">http://www.ituc-csi.org/new-ituc-global-rights-index-the?lang=en</a>	<b>South Korea is classified in the category 5: “No guarantee of rights”:</b> • <b>Countries with the rating of 5 are the worst countries in the world to work in.</b> While the legislation may spell out certain rights workers have effectively no access to these rights and are therefore exposed to autocratic regimes and unfair labour practices. (p. 15)	Country	Specified risk for freedom of association, collective bargaining and strike
Gender wage gap (in OECD countries) <a href="http://www.oecd.org/gender/data/genderwagegap.htm">http://www.oecd.org/gender/data/genderwagegap.htm</a>	The table from the OECD shows a <b>gender wage gap in (the Republic of) Korea of 36.60%. This is the largest gender wage gap of all OECD members.</b> The OECD average is just above 15%.	Country	Specified risk on gender wage discrimination

<p>World Economic Forum: Global Gender Gap Index 2014</p> <p><a href="http://reports.weforum.org/global-gender-gap-report-2014/rankings/">http://reports.weforum.org/global-gender-gap-report-2014/rankings/</a></p> <p>Search for country rankings for the adjusted and the unadjusted pay gap</p>	<p><a href="http://reports.weforum.org/global-gender-gap-report-2014/economies/#economy=KOR">http://reports.weforum.org/global-gender-gap-report-2014/economies/#economy=KOR</a></p> <p><i>Global Gender Gap Index 2014.</i></p> <p>South Korea ranks no. 117 out of 142 countries with a score of 0.640 (The highest possible score is 1 (equality) and the lowest possible score is 0 (inequality)).</p> <p>On the more specific sub-index on <b>Economic participation and opportunity</b> South Korea ranks no. 124 with a score of 0.512.</p> <p>Within that index, the most specific and relevant indicator is the <b>Wage equality for similar work</b>. Here <b>China ranks no. 125 (of 142 included countries) with a score of 0.51.</b></p>	Country	Specified risk for gender wage discrimination
<p>use, if applicable:</p> <p><a href="http://www.ilo.org/global/publications/books/WCMS_324678/lang-en/index.htm">http://www.ilo.org/global/publications/books/WCMS_324678/lang-en/index.htm</a></p> <p><i>Global Wage Report 2014/15</i></p> <p>"The Global Wage Report 2014/15 analyses the evolution of real wages around the world, giving a unique picture of wage trends and relative purchasing power globally and by region."</p>	Not applicable.	-	-
<p>Google the terms '[country]' and one of following terms 'violation of labour rights', 'child labour', 'forced labour', 'slave labour', 'discrimination', 'gender pay/wage gap, 'violation of labour union rights' 'violation of freedom of association and collective bargaining'</p>	<p><a href="http://blogs.wsj.com/korearealtime/2014/06/18/labor-group-ranks-south-korea-among-worlds-worst-for-workers/">http://blogs.wsj.com/korearealtime/2014/06/18/labor-group-ranks-south-korea-among-worlds-worst-for-workers/</a></p> <p><i>The Wall Street Journal: Labor Group Ranks South Korea Among World's Worst for Workers. 18 June 2014.</i></p> <p>"Is South Korea one of the world's worst countries for workers' rights? A recent report from the International Trade Union Confederation ranked Korea below most of 139 countries surveyed in terms of workers' rights, based on submissions from local labor unions. Korea was assigned the lowest rating of 5, defined as a country that has no guarantee of rights.</p> <p><b>"While legislation may spell out certain rights, workers have effectively no access to these rights and are therefore exposed to autocratic regimes and unfair labor practices,"</b> is the ITUC's general description of a category 5 country.</p> <p>The report doesn't provide specific details for each country but gives an example for each rating. <b>Cambodia is the example for countries like Korea with a 5 rating, described as a place where workers are "systematically exposed to unfair dismissals, intimidation, arrests and violence often leading to serious injuries and death."</b></p> <p>Other countries with a 5 rating include China, Nigeria and Bangladesh, some of the more frequently reported nations for labor standards violations." (...)</p>	Country	Specified risk for workers' rights

	<p>“South Korea is widely considered one of Asia’s freest states for political liberty following its transition from authoritarian rule to democracy in the late 1980’s. But international watchdogs have said that since 2008, under former President Lee Myung-bak, Seoul has worked to curtail labor movements critical of the government.</p> <p>Lee Jang-hie, a professor at Hankuk University of Foreign Studies Law School, said <b>the government’s business-friendly policies under Mr. Lee caused “a retreat of workers’ rights” to levels lower than other developed economies.</b></p> <p>A report last year by the <b>U.N.’s Special Rapporteur on the Situation of Human Rights Defenders</b> said Korean law offers insufficient protection from anti-union discrimination and bars specific groups from unionizing, including many public employees.</p> <p>That report also noted that public assembly requires prior notification to police, for which violation is punishable by a maximum two years’ imprisonment or a fine. Demonstrations can be prohibited if they are deemed a threat to public peace and order.</p> <p><b>Sean Hayes, senior partner at IPG Legal law firm in Seoul, said the right to protest must be guaranteed but called the ITUC’s rating on South Korea excessive. There are “very few countries as proactive with rights to employment, pension and issues of severance,” he said.”</b></p> <p>(..) “The ITUC report says ratings are based on nearly a hundred indicators for five areas: fundamental civil liberties; the right to establish or join unions; trade union activities; the right to collective bargaining; and the right to strike.</p> <p>The ITUC didn’t respond to a request for further comment about the report. Spokespersons for the two main local union groups said the result for Korea is indicative of restricted labor rights conditions but declined to go into further detail.”</p> <p><a href="http://www.amnestyusa.org/our-work/countries/asia-and-the-pacific/south-korea">http://www.amnestyusa.org/our-work/countries/asia-and-the-pacific/south-korea</a></p> <p><b>Amnesty International (USA)</b>  <i>South Korea Human Rights. Human Rights Concerns</i>  <b>“One of the most important human rights issue in South Korea continues to be the National Security Law, which is used arbitrarily to curtail the right to freedom of expression and association, providing long sentences or the death penalty for loosely defined 'anti-state' activities.</b></p> <p>Despite Amnesty International’s continuous urgings over the years to abolish/reform the law according to international standards, there has yet to be any change. In 2010, 34 people were charged under the NSL. There were also 696 conscientious objectors (mostly Jehovah’s Witnesses) in prison for refusing to perform compulsory military service at the end of 2010. Journalists, bloggers and protesters continue to be arrested for exercising their right to freedom of expression.”</p>	Country	Specified risk for freedom of association
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<p>(..) According to their testimony, the Cambodian workers were subject to slave-like working conditions without any breaks or holidays.”</p> <p>Table 1 of this document shows the “EPS quotas by sector, 2009 to 2015”. The following sectors are mentioned: Manufacturing, Construction, Service, Agriculture &amp; Livestock”. The report does not mention forestry or the forest sector.</p> <p><a href="https://www.amnesty.org/en/latest/news/2014/10/south-korea-end-rampant-abuse-migrant-farm-workers/">https://www.amnesty.org/en/latest/news/2014/10/south-korea-end-rampant-abuse-migrant-farm-workers/</a> <i>Amnesty International: South Korea: End rampant abuse of migrant farm workers. October 2014</i> “Employers responsible for exploiting migrant agricultural workers, including through trafficking and forced labour, rarely face any sanctions. This is because the EPS discourages migrants from changing jobs and labour officials from filing complaints. “The Korean authorities have effectively cornered the migrant workers into abusive conditions by turning a blind eye to the blatantly exploitative work practices and letting the perpetrators off scot-free,” said Norma Kang Muico.”</p> <p><a href="https://www.amnesty.nl/sites/default/files/public/south_korea.pdf">https://www.amnesty.nl/sites/default/files/public/south_korea.pdf</a> <i>Amnesty International, 2014: BITTER HARVEST. EXPLOITATION AND FORCED LABOUR OF MIGRANT AGRICULTURAL WORKERS IN SOUTH KOREA</i> “Over the last five years, the ILO and other UN institutions have repeatedly called on the South Korean authorities to ensure that the EPS allows for appropriate flexibility for migrant workers to change their workplaces so as to avoid situations in which they are subjected to abuse and discrimination. However, the authorities have not taken the required action and Amnesty International believes that the current restrictions and deterrents in the EPS curtail the job mobility of migrant workers to such an extent that they directly contribute to human and labour rights violations.”</p> <p>“Agriculture is one of the sectors with the least legal safeguards and, consequently, migrant workers in this sector are at greater risk of exploitation and abuse.”</p> <p>“Although South Korea’s Labour Standards Act (1997) is supposed to provide a regulatory framework to protect workers, article 63 of the Act specifically excludes some sectors, including agriculture, from protections relating to working hours, weekly paid rest days and daily breaks.”</p>	Country	Specified risk on forced labour (through the EPS)
	Country	Low risk on forced labour (EPS not applicable to forest sector)
	Country	Specified risk on forced labour in agriculture and, indirectly, in general
	Country	Specified risk on forced labour (through the EPS)
	Country	Specified risk on forced labour (through the EPS)
	Country	Specified risk on



	<p>This 89-page document, analyzing the South Korean EPS, mentions the same sectors to which the EPS applies as the sources above and the forest-sector or forestry is not included.</p> <p><a href="http://time.com/14153/global-gender-pay-gap-map/">http://time.com/14153/global-gender-pay-gap-map/</a>  <i>TIME, March 2014.</i>  <i>This Map Shows Just How Big The Wage Gap Between Men and Women Is. The gender pay gap is biggest in South Korea.</i>  <i>“Top 20 biggest % pay gaps: 1. South Korea: 37.5%. 2. Russian Federation: 32.1%. 3. Estonia: 30%. 4. Japan: 27.4%.”</i></p> <p><a href="http://www.dol.gov/ilab/reports/pdf/southkorea_LRR.pdf">http://www.dol.gov/ilab/reports/pdf/southkorea_LRR.pdf</a>  <i>United States Department of Labour. September 2011</i>  <i>REPUBLIC OF KOREA. LABOR RIGHTS REPORT.</i>  <b>Criminal Charges of “Obstruction of Business” Related to Trade Union Activity</b>  <i>“The ROK’s Criminal Act permits large fines and imprisonment as penalties for “obstruction of business” through violence, fraud and other means. However, Korean labor groups have claimed that obstruction of business charges have been misused to suppress legitimate trade union activity and that the application of fines in such cases has had significant financial consequences for the affected unions. The ILO Committee on Freedom of Association (CFA) has criticized the use of the ROK’s law on obstruction of business as undermining protected union activity and expressed its view that the ROK should “revert to a general practice of investigation without detention of workers and of refraining from making arrests, even in the case of an illegal strike, if the latter does not entail any violence.” The ROK has asserted that it has a policy of not making arrests under obstruction of business laws during non-violent strikes.”</i></p>	Country	<p>forced labour (through the EPS)</p> <p>Low risk on forced labour (EPS not applicable to forest sector)</p> <p>Specified risk on gender wage discrimination</p> <p>Specified risk for trade union activities</p>
<p><b>Additional general sources</b></p>	<p><b>Additional specific sources</b></p>		
<p>NC Buy. Reference center: Countries of the World.  South Korea Human Rights Report</p>	<p><a href="http://www.ncbuy.com/reference/country/humanrights.html?code=ks&amp;sec=6d">http://www.ncbuy.com/reference/country/humanrights.html?code=ks&amp;sec=6d</a>  <i>Status of Child Labor Practices and Minimum Age for Employment</i>  <i>“The Labor Standards Law prohibits the employment of persons under age 15 without a special employment certificate from the Labor Ministry. Because education is compulsory through middle school (approximately age 15), few special employment certificates were issued for full-time employment. To obtain employment, children under age 18 must obtain written approval from either parents or guardians. Employers can require minors to work only a limited number of overtime hours and are prohibited from employing them at night without special permission from the Labor Ministry. Child labor laws and</i></p>	Country	<p>Low risk on child labour</p>

	<p>regulations are clear and were usually enforced when violations were found, but critics claimed that the Government employed too few inspectors to carry out regular inspections.”</p> <p><a href="http://www.ncbuy.com/reference/country/humanrights.html?code=ks&amp;sec=6a">http://www.ncbuy.com/reference/country/humanrights.html?code=ks&amp;sec=6a</a>  <i>The Right of Association</i>  “The Constitution provides workers, except public sector employees, with the right to associate freely. White-collar government workers may form "workplace councils," and blue-collar government workers may organize unions.  Labor law changes in 1997 authorized the formation of competing unions starting in 2002, but implementation of these changes was postponed until 2006 by mutual agreement among members of the Tripartite Commission, which includes representatives of the Government, labor, and management (see Section 6.b.). According to the International Confederation of Free Trade Unions (ICFTU), the consequence of a lack of competing unions is that employers can create their own management-controlled unions. All unions are required to notify the authorities when formed or dissolved. According to the Ministry of Labor 1.6 million workers, approximately 11.6 percent of employed workers, were union members, and there were 6,506 trade unions.”</p> <p><a href="http://www.ncbuy.com/reference/country/humanrights.html?code=ks&amp;sec=6b">http://www.ncbuy.com/reference/country/humanrights.html?code=ks&amp;sec=6b</a>  <i>The Right to Organize and Bargain Collectively</i>  “The Constitution and the Trade Union Law provide for the right of workers to collective bargaining and collective action. This law also empowers workers to file complaints of unfair labor practices against employers who interfere with union organizing or who discriminate against union members. Employers found guilty of unfair practices can be required to reinstate workers fired for union activities. According to the FKTU, this occurred frequently. The Tripartite Commission established a subcommittee on the protection of civil servants' basic rights and has discussed the establishment of a civil servants' union. Extensive collective bargaining was practiced, even with unions whose federations were not recognized legally by the Government. However, labor laws do not extend the right to organize and bargain collectively to defense industry workers or white-collar government employees, who may form "workplace councils" and make recommendations but may not engage in collective bargaining.  The Labor Dispute Adjustment Act requires unions to notify the Labor Ministry of their intention to strike. It mandates a 10-day "cooling-off period" before a work stoppage legally may begin and 15 days' notice in public interest sectors. Labor laws prohibit retribution against workers who have conducted a legal strike and allow workers to file complaints of unfair labor practices against employers.</p>	Country	Specified risk on child labour
		Country	Low risk for freedom of association
		Country	Low risk for freedom of association
		Country	Low risk for right to organize

	<p>Strikes are prohibited in government agencies, state-run enterprises, and defense industries. By law, unions in enterprises determined to be of "essential public interest"--including public transportation, utilities, public health, banking, and telecommunications--can be ordered to submit to government-ordered arbitration. However, in practice the Government rarely imposed arbitration. There were 319 strikes and 49 lockouts involving a total of 137,241 workers and a loss of 1,298,663 working days. According to the KCTU, through September, 213 persons were arrested for allegedly instigating violent strikes or illegally disrupting business during the year, of whom 62 were still imprisoned at year's end. Police sometimes dispersed demonstrations that were determined to be violent or potentially violent. For example, in June, police dispersed a rally of striking railroad workers and briefly detained 1,749 of them. During the year, there were at least three suicides by labor leaders who were the targets of legal actions for having led illegal strikes."</p> <p><a href="http://www.ncbuy.com/reference/country/humanrights.html?code=ks&amp;sec=6c">http://www.ncbuy.com/reference/country/humanrights.html?code=ks&amp;sec=6c</a>  <i>"Prohibition of Forced or Compulsory Labor</i>  The law prohibits forced or bonded labor, including forced or bonded labor by children, and it was not known to occur. The Constitution provides that no person shall be punished, placed under preventive restrictions, or subjected to involuntary labor, except as provided by law and through lawful procedures. Some illegal foreign workers alleged beatings, forced detention, withheld wages, and seizure of passports by their employers".</p>	Country  Country    Country  Country	Low risk for right to organize Specified risk for right to organize   Low risk on forced labour Specified risk on forced labour
From national CW RA: Guidance by NEPCo; 08 December 2011	"No evidence of child labor or violation of ILO fundamental principles on a remarkable scale is known to occur. Source: Global Child labor trends 2000 to 2004. ILO (International Labour Office). (available at: <a href="http://www.ilo.org/ipecinfor/product/viewProduct.do?productId=2299">http://www.ilo.org/ipecinfor/product/viewProduct.do?productId=2299</a> )."	Country	Low risk
<b>Conclusion on Indicator 2.2:</b> <ul style="list-style-type: none"> <li>- All social rights are in principle covered by the relevant legislation in South Korea (refer to category 1) but South Korea has not ratified 4 of the 8 ILO core conventions: C29 Forced Labour Convention, C87 Freedom of Association and Protection of the Right to Organise Convention, C98 Right to Organise and Collective Bargaining Convention, and C105 Abolition of Forced Labour Convention. These are the conventions dealing with forced labour or with labour union rights.</li> <li>- In ITUC's Global Rights Index, South Korea is classified in the category 5: "No guarantee of rights": "Countries with the rating of 5 are the worst countries in the world to work in. While the legislation may spell out certain rights workers have effectively no access to these rights and are therefore exposed to autocratic regimes and unfair labour practices." According to the ILO, the case of the Republic of Korea has been one of the most long-standing cases before the Committee on Freedom of Association (CFA), dating back to March 1992. The ILO assesses that significant steps have been made in the meantime, in terms of the recognition of trade union rights in law and practice, including: the recognition of multiple unions at national level. Nevertheless, human rights organizations are critical about South Korea's</li> </ul>		Country	Specified risk for freedom of association, forced labour and gender wage discrimination

<p>National Security Law, “which is used arbitrarily to curtail the right to freedom of expression and association, providing long sentences or the death penalty for loosely defined ‘anti-state’ activities”. There is also evidence that there is a practice of investigation that includes detention of workers and making arrests, even in cases of a non-violent strike, which undermines the rights of workers to be active for their rights. One of the researches concludes that “Korean labor groups have claimed that obstruction of business charges have been misused to suppress legitimate trade union activity and that the application of fines in such cases has had significant financial consequences for the affected unions.” Although no evidence is found for such violations in the forestry sector all criticism refer to general practices in the country and in principle apply to any sector.</p> <ul style="list-style-type: none"> <li>- There is evidence that a high number of women and children continue to be trafficked from, through and within the country for the purposes of sexual exploitation and forced labour. Human rights organizations and the UN are concerned about the low rate of prosecution and conviction of traffickers. Forced labour is a risk in many parts of Asia and the Pacific. According to the ILO’s Minimum Estimate of Forced Labour in the World, the region Asia and the Pacific is accountable for more than ¾ of all cases of forced labour in the world (9,490,000 of total 12,300,000). That percentage is even larger when looking at forced labour used for economic exploitation: 5,964,000 from Asia and the Pacific of a total of 7,810,000 in the world. No country-level analysis is made in this source but South Korea is part of the region Asia and the Pacific.</li> </ul> <p>Many sources discuss South Korea’s Employment Permit System (EPS). According to their testimony, the Cambodian workers were subject to slave-like working conditions without any breaks or holidays. The EPS is also mentioned as a root cause why employers responsible for exploiting migrant agricultural workers, including through trafficking and forced labour, rarely face any sanctions. This is because the EPS discourages migrants from changing jobs and labour officials from filing complaints. The ILO and other UN institutions have repeatedly called on the South Korean authorities to ensure that the EPS allows for appropriate flexibility for migrant workers to change their workplaces so as to avoid situations in which they are subjected to abuse and discrimination. According to Amnesty International, however, the authorities have not taken the required action and Amnesty International believes that the current restrictions and deterrents in the EPS curtail the job mobility of migrant workers to such an extent that they directly contribute to human and labour rights violations. Agriculture is one of the sectors to which the EPS applies and it is often mentioned as one the sectors with the least legal safeguards. Although South Korea’s Labour Standards Act (1997) is supposed to provide a regulatory framework to protect workers, article 63 of the Act specifically excludes some sectors, including agriculture, from protections relating to working hours, weekly paid rest days and daily breaks. There is ample evidence that migrant workers in this sector are at greater risk of exploitation and abuse. In statistics and/or regulations in other countries the forest sector is often included in the agricultural sector. But in the case of South Korea, this link could not be found. Based on the evidence found, it seems that the forest sector is not included in the agricultural sector and therefore the EPS does not apply. But this evidence is limited and not conclusive. Using the precautionary approach, it is assumed that the EPS applies to the forest sector. Overall, again using the precautionary approach, it is concluded that there is a specified risk on forced labour in the forest sector in South Korea.</p> <ul style="list-style-type: none"> <li>- According to the ILO, 4 per cent of youth in general and 17.4 per cent of youth at risk surveyed were employed in harmful establishments where the employment of young people is prohibited (such as karaoke rooms, comic book rental shops, video/DVD rooms, cafes, pubs, etc.). While also other sources mention an increasing number of working children, child labor laws and regulations are clear and were usually enforced when violations were found, but critics claimed that the Government employed too few inspectors to carry out regular inspections. South Korea scores ‘low risk’ on the Child Labour Index 2014. No reference to child labour in the forest sector could be found.</li> <li>- While overall women’s wages improved slightly in manufacturing and wholesale and retail, the data indicate that the gender wage gap still remains largely over 30 per cent. The OECD concludes that South Korea has the highest gender pay gap within the OECD which is more than twice as large as the OECD average. Within the index from the World Economic Forum, the most specific and relevant indicator is the Wage equality for similar work. Here South Korea ranks as one of the worst in the world: no. 125 of 142 included countries. We conclude that there is a persistent and large gender wage gap and that the weak enforcement of legislation is being criticized by the ILO. At the same time, the ILO “notes the occupational sex segregation of the Korean labour market and the high gender wage gap in female dominated industries, and points out that occupational sex segregation tends to correlate with the undervaluation of “female jobs” in comparison of those of men who are performing different work and using different skills, when determining wage rates”. In sum, we conclude that although</li> </ul>	<p>Low risk for child labour, and other forms of discrimination.</p>
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<p>no information could be found to draw specific conclusions about the gender wage discrimination in the forestry sector the gender wage gap is very large and structural.</p> <p>- There is some evidence pointing to discrimination of migrant workers but not sufficient to conclude specified risk (in the forest sector).</p> <p><b>The following specified risk thresholds apply freedom of association, forced labour and gender wage discrimination:</b>  (14) The applicable legislation for the area under assessment contradicts indicator requirement(s);  AND  (15) There is substantial evidence of widespread violation of key provisions of the ILO Fundamental Principles and Rights at work.</p> <p><b>The following low risk thresholds apply to child labour and other forms of discrimination:</b>  (10) Applicable legislation for the area under assessment covers all ILO Fundamental Principles and Rights at Work, AND the risk assessment for the relevant indicators of Category 1 confirms enforcement of applicable legislation ('low risk')  AND  (12) Other available evidence do not challenge a 'low risk' designation.</p>		
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<p><b>Indicator 2.3. The rights of Indigenous and Traditional Peoples are upheld.</b></p> <p><b>Guidance:</b></p> <ul style="list-style-type: none"> <li>• Are there Indigenous Peoples (IP), and/or Traditional Peoples (TP) present in the area under assessment?</li> <li>• Are the regulations included in the ILO Convention 169 and is UNDRIP enforced in the area concerned? (refer to category 1)</li> <li>• Is there evidence of violations of legal and customary rights of IP/TP?</li> <li>• Are there any conflicts of substantial magnitude [footnote 6] pertaining to the rights of Indigenous and/or Traditional Peoples and/or local communities with traditional rights?</li> <li>• Are there any recognized laws and/or regulations and/or processes in place to resolve conflicts of substantial magnitude pertaining to TP or IP rights and/or communities with traditional rights?</li> <li>• What evidence can demonstrate the enforcement of the laws and regulations identified above? (refer to category 1)</li> <li>• Is the conflict resolution broadly accepted by affected stakeholders as being fair and equitable?</li> </ul>
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general sources from FSC-PRO-60-002a V1-0 EN	information found and specific sources	scale of risk assessment	risk indication
ILO Core Conventions Database <a href="http://www.ilo.org/ilolex/english/docs/declworld.htm">http://www.ilo.org/ilolex/english/docs/declworld.htm</a> - ILO Convention 169	<a href="http://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200_COUNTRY_ID:103123">http://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200_COUNTRY_ID:103123</a> <b>South Korea (Republic of Korea) has not ratified ILO Convention 169.</b>	Country	Specified risk
Survival International: <a href="http://www.survivalinternational.org/">http://www.survivalinternational.org/</a> Human Rights Watch: <a href="http://www.hrw.org/">http://www.hrw.org/</a> Amnesty International <a href="http://amnesty.org">http://amnesty.org</a> The Indigenous World <a href="http://www.iwgia.org/regions">http://www.iwgia.org/regions</a> United Nations Special Rapporteur on the rights of indigenous peoples	<b>No sources mention IP/TP presence in South Korea</b> , neither the sources that give overviews, such as The Indigenous World, nor could any report or website be found mentioning or claiming IP/TP presence or a discussion or debate about such a presence.	Country	Low risk

<a href="http://www.ohchr.org/en/issues/ipeoples/srindigenouspeoples/pages/sripeoplesindex.aspx">http://www.ohchr.org/en/issues/ipeoples/srindigenouspeoples/pages/sripeoplesindex.aspx</a>			
UN Human Rights Council Universal Periodic Review <a href="http://www.ohchr.org/EN/HRBodies/UPR/Pages/Documentation.aspx">http://www.ohchr.org/EN/HRBodies/UPR/Pages/Documentation.aspx</a>			
UN Human Rights Committee <a href="http://www.ohchr.org/EN/HRBodies/CCPR/Pages/CCPRIndex.aspx">http://www.ohchr.org/EN/HRBodies/CCPR/Pages/CCPRIndex.aspx</a> search for country Also check: UN Committee on the Elimination of All Forms of Racial Discrimination <a href="http://www.ohchr.org/EN/HRBodies/CERD/Pages/CERDIndex.aspx">http://www.ohchr.org/EN/HRBodies/CERD/Pages/CERDIndex.aspx</a>			
Intercontinental Cry <a href="http://intercontinentalcry.org/">http://intercontinentalcry.org/</a>			
Forest Peoples Programme: <a href="http://www.forestpeoples.org">www.forestpeoples.org</a> FPP's focus is on Africa, Asia/Pacific and South and Central America.			
Society for Threatened Peoples: <a href="http://www.gfbv.de/index.php?change_lang=english">http://www.gfbv.de/index.php?change_lang=english</a>			
Regional human rights courts and commissions: - Inter-American Court of Human Rights <a href="http://www.corteidh.or.cr/index.php/en">http://www.corteidh.or.cr/index.php/en</a> - Inter-American Commission on Human Rights <a href="http://www.oas.org/en/iachr/">http://www.oas.org/en/iachr/</a> <a href="http://www.oas.org/en/iachr/indigenous/">http://www.oas.org/en/iachr/indigenous/</a> - <a href="#">African Commission on Human and Peoples' Rights</a> - <a href="#">African Court on Human and Peoples' Rights</a> - <a href="#">European Court of Human Rights</a>			
Data provided by National Indigenous Peoples', Traditional Peoples organizations;			
Data provided by Governmental institutions in charge of Indigenous Peoples affairs;			
Data provided by National NGOs; NGO documentation of cases of IP and TP conflicts (historic or ongoing);			
National land bureau tenure records, maps, titles and registration (Google)			
Relevant census data			
- Evidence of participation in decision making; (See info on implementing ILO 169 and protests against new laws)			

- Evidence of IPs refusing to participate (e.g. on the basis of an unfair process, etc.); (See info on implementing ILO 169 and protests against new laws)			
National/regional records of claims on lands, negotiations in progress or concluded etc.			
Cases of IP and TP conflicts (historic or ongoing). ) Data about land use conflicts, and disputes (historical / outstanding grievances and legal disputes)			
Social Responsibility Contracts ( <i>Cahier des Charges</i> ) established according to FPIC (Free Prior Informed Consent) principles where available			
<a href="#">Google the terms '[country]' and one of following terms 'indigenous peoples organizations', 'traditional peoples organizations', 'land registration office', 'land office', 'indigenous peoples', 'traditional peoples', '[name of IPs]', 'indigenous peoples+conflict', 'indigenous peoples+land rights'</a>			
<b>Additional general sources for 2.3</b>	<b>Additional specific sources</b>	<b>scale of risk assessment</b>	<b>risk indication</b>
From national CW RA: Guidance by NEPCo; 08 December 2011	<p>“2.4 There are recognized and equitable processes in place to resolve conflicts of substantial magnitude pertaining to traditional rights including use rights, cultural interests or traditional cultural identity in the district concerned: Low risk. Justification: The legal system in the country is generally considered fair and efficient in resolving conflicts pertaining to traditional rights including use rights, cultural interests or traditional cultural identity. Based on review of international sources and reports it can be concluded that conflicts or violation of traditional rights of substantial magnitude is not a significant problem in the country. Source: -.”</p> <p>“2.5 There is no evidence of violation of the ILO Convention 169 on Indigenous and Tribal Peoples taking place in the forest areas in the district concerned: Low risk Justification: Violation of ILO Convention 169 and the rights of Indigenous and Tribal people is not known to be a problem in the country based on international sources and reports. Source: -.”</p>	Country	Low risk
<p><b>Conclusion on Indicator 2.3:</b> There are no indigenous peoples and no traditional peoples in South Korea.</p> <p><b>Therefore, the following ‘low risk’ thresholds apply:</b> (16) There is no evidence leading to a conclusion of presence of indigenous and/or traditional peoples in the area under assessment; AND</p>		Country	Low risk



(19) There is no evidence of conflict(s) of substantial magnitude pertaining to rights of indigenous and/or traditional peoples; AND (21) Other available evidence does not challenge 'low risk' designation.		
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## Controlled wood category 3: Wood from forests in which high conservation values are threatened by management activities

### Overview

#### Forest history and current objectives

Climatic, geographical and political conditions are more or less the same throughout the Republic of South Korea (ROK) and there is no need to divide the country into sub-regions because of the HCV risk assessment.

By around 6000 B.C., climate in northeast Asia was characterized by frequent and excessive rainfalls, which resulted in the wide spread of deciduous tree species including oak, willow, hornbeam and elm. Later, gradual decline in temperature with reduced precipitation favoured conifers. The distribution of pines began around 3000 B.C. and 2000 B.C. respectively in the southern and central parts of the country.

Along with climate changes, introduction of agriculture and population growth from 4000 B.C. led to the condition ideal for great dominance of pines. In around 100 B.C. deforestation for creating more croplands was prevalent, and forests were cleared over many centuries to be used as fuel, building materials and firewood until the 13th century. Historical documents recorded quite a lot of pine plantations but only few about broad-leaved tree plantations.

It was not until the Joseon Dynasty that forest plantation and management were systematically implemented. The annals of the Joseon Dynasty documented a number of pine plantations. However, a worrying pace of deforestation continued due to wars and land conversion to cropland. Under Japanese colonization in the early 20th century, forests were excessively overused and devastated, and the total wood harvest approximated 500 million m<sup>3</sup>. The growing stock decreased significantly from 700 million m<sup>3</sup> to 200 million m<sup>3</sup> over the colonial period of 1910 to 1945 (from 16 million hectares in 1934 to 6,4 million in 1954)(lit 31). The Korean War from 1950 to 1953 also caused more degradation of forests as the result of excessive cutting. The devastated forests led to serious social and environmental problems like lack of fuel, severe floods and droughts. The growing stock volume per hectare in 1954 was merely 6m<sup>3</sup>, 4% of the current figure of 145 m<sup>3</sup> (lit 31).

The reforestation of degraded land following the Korean War in the early 1950s occurred mostly as a result of natural vegetation recovery. But in 1961 the *Korean Forestry law* was approved and this was a turning point in history.

In the late 1960s, the South Korean government launched strong forest protection policies and declared illegal logging a serious crime. State-led forest rehabilitation projects were implemented for rehabilitation of the degraded forests. Further, the legal and institutional preparations were made for forest management (lit 4). The Korea Forestry Service ([KFS](#)) was officially created in 1967. The stock volume per ha in 1960 was around 12 m<sup>3</sup>/ha (lit 25).

Several years later, the national police force was mobilized to enforce government policies to prevent illegal logging and shifting cultivation, with about 1,4 million hectares of forest planted to provide the basis for the recovery of growing forest stocks.

The increased use of coal in the 1970s further contributed to forest recovery efforts by reducing the demand for firewood, which had until then been the biggest cause of deforestation in South Korea.

At the same time, according to a CIFOR study (lit 26), economic growth and urbanization further contributed to reforestation efforts, with the migration of rural populations into cities resulting in a drop in firewood consumption and an increase in the volume of growing forest stock.

Also in the 1970s, the Ministry of Internal Affairs oversaw reforestation efforts through directing local governments to lead tree-planting efforts across 1 million hectares, and encouraging villagers to build tree nurseries and sell seedlings for the reforestation program. This was the so called '*First National Forest Plan: Forest Rehabilitation Plan (1973~1978)*'.

The '*Second National Forestation Plan (1979-1987)*', focused on rehabilitating degraded lands by establishing 1,06 million hectares of commercial forests with long-rotation species, rather than fuelwood forests. Under the Second National Forest Plan, 80 commercial forests were built, and 325,000 ha was successfully reforested and plantation in 1,06 million ha was completed in total. The President at the time, Park Chung-hee declared reforestation the first national priority and called on the public to contribute to the goal of "turning bare land into a green nation." A public awareness campaign was launched to promote the government's message that planting trees was an "act of patriotism" (lit 26). Since the early 1990s ('*Third National Forest Plan: Development of forest resources (1988~1997)*') sustainable forest management (SFM) has emerged as a paradigm of forest management on global, regional and national levels (lit 10). A '*Fourth National Forest Plan; Pursuing SFM*' was implemented between 1998 and 2007. To achieve implementing objectives for sustainable forest management, the KFS consolidated legal and institutional systems by newly enacting the Framework Act on Forest, the Act on Promotion and Management of Forest Resources, the Act on the National Forest Management, the Act on Forest Culture and Recreation and the Act on Promotion of Forestry and Mountain Villages.

At this moment the '*Fifth National Forest Plan; Nation with sustainable welfare and green economy (2008~2017)*' is in effect. The overall vision of the Fifth Plan is "to realize a green nation with sustainable welfare and growth" by sustainably managing forests as key resources for strengthening nation's economic development, land conservation and improved quality of life. As stipulated in the Framework Act on Forest (2001), the national forest plan is established and upgraded every 10 years. Under the national forest plan, the KFS enhances a systematic foundation for sustainable forest management and provides forest benefits for the public.

Korea's new national vision for the forthcoming 60 years is "Low Carbon Green Growth". The Korean government has elaborately designed a new paradigm of a green society, aiming to transfer the current energy system inevitably emitting a large amount of greenhouse gases into a low carbon society with high power-efficiency. This forward-looking vision for national development is surely to help address environmental issues including global warming and facilitate sustainable development.

FAO state that, since 1991, 190.000 ha of forests was lost (a decrease from 6.381.000 ha to 6.191.000 ha in 2014). This turns into a deforestation rate of around 3% since 1991. Some caution is required as different figures are used by the Korean government (see below)([lit 2](#)).

Nevertheless the decreasing rate was very low, especially considering rapid economic growth and increased population of Korea with over 63% of forest cover. Despite of increasing population and rapid economic growth the growing stock per hectare significantly increased from 5,6 m<sup>3</sup> in 1952 to 145m<sup>3</sup> in 2015. In this regard, Korea represents a case of modern forest growth. Among 56 countries with more than 10 million of population and 10% or more of forest cover over the period 1990 to 2005, Korea is classified as a country which has high forest cover but low deforestation rate. Also, Korea is the only developing country which has 50% or more of forest cover and shows a below average deforestation rate (lit 54).

## Forest statistics and landownership

Korea Forest Service ([KFS](#), English version available, but with less information) states that total forest cover in the country has reached 63,2% of the total land area of the country, some 6.335.000 hectares in 2015 (lit 5,6,7).

Year	Total	National Forest				Public Forest			Private Forest
		Total	Indispensable	Dispensable	Other Govt. Authority	Total	Provincial Forest	County Forest	
2006	6.389	1.497	1.274	91	133	489	152	337	4.403
2007	6.382	1.509	1.296	80	133	489	154	335	4.384
2008	6.375	1.518	1.317	70	131	488	154	334	4.368
2009	6.370	1.530	1.339	60	131	489	154	334	4.353
2010	6.369	1.543	1.354	56	133	488	154	333	4.338
2015	6.335	1.617	1.437	33	146	467	162	304	4.250

(Unit: 1.000 ha). Source lit 5

The growing stock volume per hectare increased from 5,6 m<sup>3</sup>/ha (1952) to 145 m<sup>3</sup>/ha in 2015 (lit 5).

The forest estate area is classified into three forest ownership categories, National at 25% (1.617.000 ha), Public forest at 7%; (467.000 ha) and Private forest 68% (4.250.000 ha). Public forests include forests owned by the regional government (provinces) and municipalities (lit 5).

The Korean forests can be divided into warm-temperate and cool-temperate zones. Around 50% of the ROK forests are cool temperate forests. Main species are broadleaved deciduous trees like *Quercus* spp. (Oak), *Zelkova* spp., *Fraxinus* spp. (Ash), but also *Pinus densiflora* (Pine) and *P. koraiensis*. The other 50% of the ROK forest are in the warm-temperate (deciduous, mixed, or coniferous) forest and the main species are *Quercus actua* (Oak), *Castanopsis cuspidate* and *Camelia japonica* (lit 9).

Results of the 2015 forest statistics show that 41% of the national forest estate to be conifer species, 27% of the forests are classified as broadleaf and 29% to be categorised as mixed forest. Bamboo groves extend 204.000 ha, accounting for 3% (lit 5 & 83).

The distribution of forestry area by age-class is 32% of the total forestry area, for trees under 30 years old and 65%, for trees over 31 years old. The number of plant species in Korea's forests totals 5.026, which include 4.942 indigenous and 84 foreign plants, and 2.268 agro-types are not included (lit 83).

For the purpose of this Risk assessment the forests are separated in *natural forests* (mainly fragments of the original forest or forest with natural regeneration in the 1950s, see above) and semi-natural (*plantation*) forest, consisting of almost everything planted after that.

Korea forest service designated 450 management units around the country in about 2.9 million hectares as productive forestlands to increase the degree of self-sufficiency in domestic timber and to enhance its quality. Each productive forestland could be classified into one of six different forest types such as red pine (*Pinus densiflora* S. et Z.), rigida pine (*Pinus rigida* Mill.), japanese larch (*Larix leptolepis* Gord.), korean pine (*Pinus koraiensis* S. et Z.), oak and mixed forests.

Natural forest occupied the largest portion (72%), including red pine (29%, 850 thousand hectares), oak (22%, 650 thousand hectares) and mixed forest (21%, 620 thousand hectares). Planted forests count for 28% with japanese larch, rigida pine and korean pine occupied 16%, 7% and 5%, respectively (lit 27).

### Forest Management

- The **Korea Forest Service** (KFS) is charged with maintaining South Korea's national forest lands. They manage around 1.470.000 ha of forests. It is an independent agency specializing in forestry that is overseen by the Ministry for Food, Agriculture, Forestry and Fisheries. KFS is the main authority for forestry matters which are legislated under the Forestry Act of [2009](#) (lit 36). The KFS consists of several parts: The main KFS, separated in [5 regional offices](#), The Korea National Arboretum ([KNA](#)), The Forest Training Institute ([FTI](#)), Forest Aviation Headquarters ([FAH](#), around 100 helicopters in operation mainly for fire protection and other calamities), National Forest Seed and Variety Center ([NFSV](#)) and the National Institute of Forest Science ([NIFoS](#)). Each of the 5 regional KFS offices is separated into National Forest Stations. At the moment there 26 such stations. There is also a special *Forest Protection Bureau* with forest rangers but also to act in case of emergencies, deceases etc (lit 4).
- The '**Biodiversity Division, Nature Conservation Bureau**' of the Ministry of Environment is responsible for the implementation of (and response to) the Convention on Biological Diversity (BCD), of which ROK is a signature.
- **Korea National Park Service** ([KNPS](#)) is managing 671.590 ha at 22 national parks (see below).

### Categories of protection in South Korea:

A HCV definition does not exist in SK, nor is it used. Korea is protecting and managing areas especially worthy of protection for its excellent ecosystem and abundant biodiversity by designating them as protected areas in 10 major categories; i) Natural Parks, ii) Ecosystem and Landscape Conservation Areas, iii) Marine Ecosystem Protected Areas, iv) Marine Environment Conservation Zone, v) Wetland Protected Areas, vi) Baekdudaegan Mountains Reserve, vii) Forest Genetic Resource Reserve, viii) Nature Reserve, ix) Wildlife Protected Areas, and x) Special Islands. As of the end of 2013, [1.402 sites](#) and [2.070.300 hectares](#) (20% of the total land in SK) in total, with some overlapped areas, are designated as protected areas in the country (lit 83).

Flora & Fauna and cultural heritage is also protected by a [National red list](#) (lit 21). Below is some more information about the protection classes mentioned above:

Type	Number of sites	Number of hectares	Managed by
<b>Natural parks</b>			
<i>National Park</i>	21	665.624	Korea National Park Service
<i>Provincial park</i>	30	113.812	Regional authorities

<i>County Park</i>	27	23.779	Local authorities
<i>Geopark</i>	5	21.346	MoE
<b>Ecological landscape Conservation Areas</b>	36	35.451	The Ministry of Environment (MoE, 9 sites), Ministry of Oceans and Fisheries (4 sites) and local governments (23 sites).
<b>Marine Ecosystem Protected Areas</b>	9	21.300	MoE
<b>Marine Environment Conservation Zone</b>	4	188.200	MoE
<b>Wetland Protected Areas</b>	32	33.581	MoE (18 sites), Ministry of Oceans and Fishery (11 sites) MLTM, as well as local governments (3 sites).
<b>Baekdudaegan Mountains Reserve</b>	32	275.100	The Korea Forest Service (KFS) is responsible for the overall polices and management projects, while the MoE is involved in the protection of ecosystems. The sites are within the borders of 32 cities and counties. This protected area contains and connects several nature parks, National Parks, Provincial Park, County Park, and Ecosystem and Landscape Conservation Areas. Thus there is an overlap with other areas.
<b>Forest Genetic Resource Reserve</b>	378	149.400	KFS
<b>Nature Reserve</b>	11	45.400	MoE
<b>Wildlife Protected Areas</b>	379	89.876	Local and regional authorities
<b>Special Wildlife Protected Areas</b>	1	2.610	MoE
<b>Special Islands</b>	206	1.170	MoE
<b>Cultural Heritage Sites, Natural Monuments</b>	454	89.199	Cultural Heritage Administration
<b>Korea Forest Service protection classes</b>			
<i>Disaster prevention</i>		4610	KFS
<i>Living env. Protection</i>		12	KFS
<i>1st class watershed protect.</i>		101.872	KFS
<i>2nd class watershed protect.</i>		11.524	KFS
<i>3rd class watershed protect.</i>		155.795	KFS
<i>Landscape protection</i>		20.144	KFS
<i>Forest genetic resource protection</i>	378	131.812	KFS
<i>Baekdu daean protection</i>		263.427	KFS

Source; Lit 5, 7, 18, 66, 83 and 14 (page 26).

## Natural Parks

Natural parks are designated and managed to protect natural ecosystems, breathtaking natural scenery and cultural heritage. Natural parks are classified into national parks, provincial parks and country parks. The 78 sites are consisting of; 21 national parks, 29 provincial parks, and 28 county parks and 5 Geoparks. The last one is a newly established system in 2012. Five national Geoparks including Jejudo and Ulleungdo/Dokdo have been certified recently. Especially, Jejudo was certified as Global Geopark in October 2010 under the program of UNESCO. All parks are under the direct responsibility of the Ministry of Environment (MoE) and are managed according to the 2002 [National Park Act](#).

National parks. The Korea National Park Service ([KNPS](#)) was established in 1987 to enable professional management of national parks. Its vision is to become a 'world class professional park management organization that protects nature and ensures customer satisfaction'. Jirisan Mountain was the first to be designated as a national park in 1967. Since then, a total of 22 (21 + 1 independently managed area, see below) areas have been designated as a national park. 6.7% of the Republic of Korea is protected as national parks. On the KNPS website a complete [overview](#) can be found. Inside each National Park there are special 'protection zones', classified into [4 categories](#) (Birds, Habitats, Wetlands& Valleys and Rest-year-sabbatical system). Harvesting is not allowed in any park. The [Hallasan National Park](#) in Jeju Island is managed by the Jeju Special Self-Governing Province (lit 3).

Provincial parks. There are thus around [29 provincial parks](#) in SK.

A list of all parks could be found in lit 83, status of biodiversity 2013, page 61.

They are maintained by different authorities (provinces, Ministry of Land, Infrastructure and Transport (MOLIT) or others) and have to follow the same legislation as other Natural parks. In some cases these provincial parks also have to take into account the [Urban Park Act](#).

Some of these parks are more related to cultural heritage.

County parks.

A list of all parks could be found in lit 83, status of biodiversity 2013, page 62.

They are maintained by the county authorities and have to follow the same legislation as the other Natural parks (all based on the Natural Park Act).

Geoparks.

A list of all parks could be found in lit 83, status of biodiversity 2013, page 63.

They are maintained by the National authorities (MoE) and have to follow the same legislation as the other Natural parks (all based on the Natural Park Act).

## Ecosystem and Landscape Conservation Areas

A list of all parks could be found in lit 83, status of biodiversity 2013, page 44. The primary rule is that harvesting is not allowed in conservation areas, excluding special case, such as disease spread out. Korea does carry out EIA (environmental impact assessment) when civil-engineering construction is operated in protected areas, with forest expert. These protected sites are managed based on the '[Act on the conservation and use of biological diversity](#)'.



### **Marine Ecosystem Protected Areas, Marine Environment Conservation Zone and Wetland Protected Areas**

These categories are not relevant for this Risk assessment (no forest growing or harvesting).

### **Baekdudaegan Mountains Reserve**

The Korea Forest Service (KFS) is responsible for the overall policies and management projects, while the MoE is involved in the protection of ecosystems. The sites are within the borders of 32 cities and counties. This protected area contains and connects several nature parks, National Parks, Provincial Park, County Park, and Ecosystem and Landscape Conservation Areas. Thus there is an overlap with other areas. Management is based on the Natural Park Act.

### **Forest Genetic Resource Reserve**

The Korea Forest Service (KFS) is responsible for the overall policies and management, and management is based in the Forestry Act (lit 36). The primary rule is that harvesting is not allowed in these areas, excluding special case, such as disease spread out. Korea does carry out EIA (environmental impact assessment) when civil-engineering construction is operated in protected areas, with forest expert. There is overlap with other protection categories. There is a list with all 378 sites.

### **Nature Reserve**

The Korea Forest Service (KFS) is responsible for the overall policies and management, and management is based in the Forestry Act (lit 36). The primary rule is that harvesting is not allowed in these areas, excluding special case, such as disease spread out. Korea does carry out EIA (environmental impact assessment) when civil-engineering construction is operated in protected areas, with forest expert.

### **Wildlife Protected Areas & Special Islands**

These sites are overlapping with some of the above. Management is based on [Wildlife Protection Act](#), 2010.

### **Cultural Heritage Sites.**

The heritage preservation system of South Korea is a multi-level program aiming to preserve and cultivate Korean cultural heritage. The program is administered by the Cultural Heritage Administration ([CHA](#)), and the legal framework is provided by the Cultural Heritage Protection Act of 1962, last updated in 2012. The program started in 1962 and has gradually been extended and upgraded since then.

The CHA classifies cultural heritage into five major categories (state-designated heritage, city and province-designated heritage, cultural heritage material, registered cultural heritage, undesignated cultural heritage) and these are divided further into subcategories. Some of the heritage properties of South Korea has been inscribed into various UNESCO lists. As of 2014, the country has nine cultural and one natural World Heritage Sites: Jeju Volcanic Island, which is part of the [Hallasan National Park](#).

Harvesting, when applicable, is not allowed in any Heritage site. Only in exceptional cases it could be possible (for national importance), but an environmental impact assessment has to be carried out first to see what the potential dangers are.

As per 2016 there are 4330 cultural heritage sites registered, of which 454 are Natural Monuments (lit 18) and are directly related to nature and fully protected. All others are not related to forestry. These Natural Monuments can be wetlands, certain fish, caves, special topography (landscape), certain trees, insects, birds, etc (lit 66).

**International designated.**

In addition, several areas with excellent natural conditions or landscape are inscribed or designated as protected areas under international agreements such as Ramsar Wetland, UNESCO Biosphere Reserve and World Natural Heritage. Total 18 areas are listed as Ramsar Wetlands, while Seoraksan , Jeju, Shinan Dadohae and Gwangneung Forest were designated as UNESCO Biosphere Reserves. In 2007, Jeju Volcanic Island and Lava Tubes were inscribed in the list of UNESCO World Natural Heritage.

**UNESCO Biosphere Reserves:** Sites of conservation value internationally designated with the aim of integrating the interests of nature conservation, sustainable development, research and education. Biosphere Reserves are recognised by UNESCO (United Nations Educational, Social and Cultural Organisation). There are [5 reserves](#) in South Korea: Mount Sorak, 1982 (managed by KNPS), Jeju Island, 2002 (Jeju Special Self-Governing Province), Shinan Dadohae, 2009 (Shinan County, Jeonnam Province), Gwangneung Forest, 2010 (Korea National Arboretum) and Gochang, 2013 (Gochang county).

The reserves are also covered under other ROK protection classes.

**Ramsar Sites:** Sites designated internationally for the conservation of wetlands, particularly those of importance to waterfowl under The Convention on Wetlands of International Importance especially as Waterfowl Habitat, the so-called Ramsar Convention. South Korea currently has [22 sites](#) designated as Wetlands of International Importance (Ramsar Sites), with a surface area of 19.164 hectares (lit 88).

**KFS protection classes.**

The KFS uses the following protection classes in their own organisation (please note that with these sites there is a 100% overlap with protection classes mentioned above):

Protection classes										
Yeas	Total	Disaster prevention	Living env. Protection	1st class watershed protect.	2nd class watershed protect.	3rd class watershed protect.	Landscape protect.	Forest genetic resource protect.		Baekdu daean protect.*
								sites	area	
2008	665.830	5.075	12	110.560	12.511	153.559	19.388	286	101.298	263.427
2009	675.332	5.863	12	108.659	11.734	153.976	19.811	376	111.850	263.427

2010	676.908	4.702	12	104.829	11.603	155.898	19.831	381	116.606	263.427
2011	686.251	4.673	12	103.883	11.289	155.792	20.307	462	126.868	263.427
2012	689.196	4.610	12	101.872	11.524	155.795	20.144	378	131.812	263.427

Source: lit 5 and 7

\* The term Baekdu daegan refers to an elongated mountain ridge that runs from Baekdu Mountain in the north, to Jiri Mountain in the south it is 1400 kilometres in length. It is often referred to as the backbone of the Korean peninsula. The section in South Korea was designated as a national park in 2006. Besides the national park KFS has its own 6 protected sites there (see also lit 31).

### Laws, regulations, international agreements and status of implementation

South Korea signed '[The Convention on Biological Diversity](#)' (CBD) and the '*Biodiversity Division, Nature Conservation Bureau*' of the Ministry of Environment is responsible for its monitoring and reporting in South Korea. The CBD [Strategic Plan](#) for Biodiversity 2014-2018 is followed as a guideline for implementation. The [5th National Report](#) to the Convention on Biological Diversity was published in 2014. Actions are specified that aim to reduce and prevent the causes of biodiversity loss in all regions of the country (lit 83).

South Korea signed 11 related international agreements of which the CBD, Convention of Wetlands of International importance, International Plant Protection Convention and CITES, World Heritage Convention, UNFCCC Climate change convention and RAMSAR are the most important for biodiversity. There are zero flora and 31 fauna species listed with CITES appendix 1 (lit 83, and CITES website).

There are no Global 200 ecoregions as defined by WWF, Intact Forest Landscapes as mapped by Greenpeace and other organisations and no Biodiversity hotspots as defined by IUCN in ROK (lit 89).

In South Korea many international conventions are translated into national laws like (listing only the most important ones):

- Framework Act on Forest (2009)(lit 36).
- Promotion (creation) and Management of Forest Resources Act (2010)(lit 37).
- The Act on Conservation and Use of Biodiversity' (2012)(lit 56)
- The Act on Promotion on Forestry and Mountain Villages (Forest land use), 2009 (lit 38).
- Forest Land Management Act 2009 (lit 40).
- The Act on Management and operation of national forest, 2010 (lit 41).
- The Act on Forest Culture and Recreation, 2010 (lit 42).
- The Act on erosion control, 2008 (lit 43).
- The Act on Forest Protection, 2010 (lit 44).

- Wildlife Protection Act, 2010 (lit 45).
- National Park Act 2002 (lit 50).
- Act on the sustainable use of Timbers, 2012 (about Carbon sink and climate change)(lit 52).

In the past, wildlife, agriculture, forest, marine and bio-information were separately handled by different ministries; therefore, Korea's legal system related to biodiversity lacked a systematic management. A comprehensive response on national level was required to adapt to the globally changing demands including Nagoya Protocol adopted at COP 10. From this perspective, the Korean government enacted 'the *Act on Conservation and Use of Biodiversity*' in February, 2012. The Act has three main purposes: i) contribute to the enhancement of biodiversity by creating a national management system, ii) promote the sustainable use of biological resources, and iii) cooperate with the international mechanisms including the Convention and Nagoya Protocol. The Act implements the following: i) setting up the National Biodiversity Strategies and Action Plan (NBSAP, for BD purposes) every five years, ii) building a system for sharing information with National Biodiversity Centre with a view to an integrated management of information on biodiversity, iii) preparing National Index of Species, iv) promoting cooperation with North Korea for conservation of biodiversity and endemic species in the Korean Peninsula, v) fair and equitable sharing of benefits from the use of biological resources, and vi) prerequisite test of alien species for any hazards to the local ecosystem.

### **Forest operations and felling permits**

For any landowner willing to harvest trees the *Forestry Handbook* (Issues by Korea Forest research Institute) and the *Guidelines for harvesting and silvicultural activities* are to be followed (both in lit 46, Korean only). This publication is aiming for the implementation of SFM within South Korea. Compliance with the guidelines is mandatory for all forestry activities that require prior written approval, or a license, from the KFS. Besides this the fairly new '*Sustainable Forest Resource System Instructions defined by Korean Forest Service*' (lit 55) is applicable. These guidelines and the complete permit system legislation is based on the Forest Protection Act (lit 44) and the Forest Resources Creation and Management Act (Article 10, lit 37). See for more information the Risk assessment table below, section 3.1

### **Products**

With regards to *products* only Timber is taken into account as there are no cases, reports or proof that other products are commercially harvested or collected.

### **Main threats to HCVs from forest management activities**

Following the 5th National Report to the Convention on Biological Diversity (2014) (lit 83) the main threats for HCVs related to forest management are:

- *Urbanization*. The biggest threat to biodiversity is the decline of habitats for animals and plants. Highly developed urbanization and centralization cause difficulties in managing the natural environment and leads to a gradual decrease of native habitat. Overuse of land and rapid urbanization destroy ecosystem, damage natural landscape and degrade the green and wetland. In the last two decades, 2.1% of forest, 15.9% of farm land and 20.4% of wetland have been decreased. Destruction and degradation of native habitat will continue through growth in road construction and development. The area of forest was 6,422,000 ha in 2000 and decreased to 6,369,000 ha in 2010, and the length of road extension was 88.8 million km in 2000 and increased to 105.7 million km in 2012.

- *Invasive alien species (IAS)*. Invasive alien species cause a major threat to biodiversity. A species introduction is usually vectored by human transportation and trade. By the end of 2013, alien animal and plant species that were naturally or artificially introduced into the nation numbered 2,167 species (333 plants and 1,834 animals), among which 18 species were designated as IAS.
- *Poaching*. In spite of diverse programs of wildlife protection and management, the imbalance of ecosystem is caused by poaching or drastic population increase of a certain species due to the extinction of a natural enemy. Threats against wildlife are continuing due to the increased number of road kills through habitat fragmentation, poaching and illegal trading. Poaching and illegal trading prosecuted are 600-800 in every year and over 5,700 road kills were reported. The poaching of 602 cases was prosecuted in 2005, which increased to 643 cases in 2011. The illegal collection of the edible and medicinal plants in the wild, most often in the spring season, causes additional treats to the biodiversity of forests.
- *Climate change*. ROK has done extensive research into climate change and the possible change for biodiversity this will cause. In 2011, the National Institute of Meteorological Research (NIMR) announced a report describing the possible future changes for biodiversity and their impacts driven by the climate change. The report claims that if greenhouse gases (climate change) are emitted in current trend (RCP 8,5), the temperature in Korea will increase by 3,2 0 C, and the annual rainfall will increase by 15,8%, and surface of the sea level will rise by 27 cm. Due to the rise in temperature, subtropical climate will be expanded to all of the country. Understanding the seriousness of the climate change, ME (Ministry of Environment) and other government organizations have reported estimated impact it can pose on the general status of future biodiversity. Climate change on the Korean Peninsula is taking place at a faster rate than the global average. It has led to a rapid decline in biodiversity, with the average temperature in Korea's six major cities rising by approximately 1,5 C for the past 1000 years. When temperature rises by 2 C, the ecosystem in Korea might change from temperate to subtropical, which provoke reduction of pine tree forest and increase in southern IAS such as *Vespa nigrithorax* Buysson. Rise in summer temperature, led to a decline in the growth rate of indigenous tree species, Korea firs, on Jirisan and Hallasan. Furthermore, acidification of land has also become aggravated which stood at pH 5,48 in the 1980s but fluctuated to pH 4,95 in 2006 (lit 83).

Out of total 41.483 species, 2.038 species are designated as endangered and 109 of these are red species (lit 74). Based on the '*Act on Wildlife Protection and Management*', the number of endangered species is 246, in two classes. Class I includes 51 species of endangered wild animals and plants that have a rapid reduction in their population to the extent that they may become endangered in near future unless the threats are removed or diminished. Class II includes 195 species of wild animals and plants which show a concerning rate of reduction in their population due either to natural or artificial threats (lit 83).

### **FSC certification**

At the moment (Oct 2016) there are 8 FMU certificates (and 390.568 ha) in SK. Besides that, there are 259 COC's certified. KFS has certified 7 regional stations (out of 26). The last FMU is on the name of the National Institute of Forest Science. There are no private FMU's. The Fifth National Forest Plan (2008-2017) currently in effect aims to extend certified area up to 300.000 ha by the year of 2017 (already reached), and plans to develop a national certification system that can be internationally accredited as well (lit 4).

### **High Conservation Value Forest in South Korea.**

A HCV definition does not exist in SK, nor is it used. Flora & Fauna and cultural heritage is protected by a [National red list](#) (lit 21) and the above mentioned protection classes and organisations.

The CNRA analyses below is based on so called 'source types'. A source type is a timber/NFTP source with similar geographical and/or functional characteristics with a homogenous risk designation. These are potential sources from which timber could enter the market, and end up in the supply chain of FSC certified timber processing companies. Such source types need to be defined because risks could be different with each of them. The following source types were identified:

- Semi-natural permanent forest, National or Public owned, for production and recreation.
- Semi-natural permanent forest, privately owned, for production and recreation.
- Semi-natural forest on agricultural lands, privately owned, for production.
- Semi-natural conservation areas, public owned, for conservation.
- Semi-natural conservation areas, public owned, for conservation and traditional medical herbs (< 5 ha).
- Semi-natural, semi- conservation areas, public owned, that can be converted to construction sites and infrastructure.
- Semi-natural protected area, National or Public owned, for full protection.
  
- Natural Forest, National owned, for full protection.
- Natural Forest, conservation area, Public owned, for full protection.
- Natural Forest, conservation area, public owned, for conservation and traditional medical herbs (< 5 ha).
- Natural forest, semi- conservation areas, public owned, that can be converted to construction sites and infrastructure.
- Natural Forest, protected area, National or Public owned, for full protection.

Each of the HCV classes mentioned below is thus assessed against these source types.

- HCV 1 - Species diversity
- HCV 2 - Landscape-level ecosystems and mosaics
- HCV 3 - Ecosystems and habitats
- HCV 4 - Critical ecosystem services
- HCV 5 - Community needs
- HCV 6 - Cultural values

**Experts consulted**

	Name	Organization	Area of expertise (category/sub-category)
1.	Namhun Ro	SGS Korea	HCV expert for South Korea

## Risk assessment

Indicator	Sources of Information	HCV occurrence and threat assessment	Functional scale	Risk designation and determination
3.0		<p>a) Are there data available, sufficient for determination of HCV presence and distribution within the area under assessment, according to the requirements of this document?</p> <p>In South Korea there is sufficient information and data available to draw conclusions about the HCV presence and distribution within the area under assessment. See introduction text above and literature list below. With each of the HCV categories below the relevant literature is mentioned.</p> <p>b) Are there data available, sufficient for assessment of the threats to HCVs from forest management activities according to the requirements of this document?</p> <p>In South Korea there is sufficient information and data available to draw conclusions about the threats to HCVs from forest management activities. See introduction text above and literature list below. With each of the HCV categories below the relevant literature is mentioned.</p>		<p>Low risk</p> <p>The following thresholds are met:            (1) Data available are sufficient for determining HCV presence within the area under assessment and (2) Data available are sufficient for assessing threats to HCVs caused by forest management activities.</p>
3.1 HCV 1	<p>1,4,7,12, 31,37,44,46,55, 59,83,87</p> <p>For maps see lit 59-60</p>	<p><b>Species diversity; Introduction</b></p> <p>Forests in South Korea (ROK) does contain HCV 1. HCV 1 occurrence and threat assessment for South Korea consist of 5 different <u>sub</u>-assessments. First of all, we assess the implementation of the International agreements (mainly CBD) into the country specific laws. After that we check the daily practise in the field with felling/harvesting licenses. We also judge if the law enforcement is up to a satisfactory level. By looking at the biodiversity level improvements over the last years we will decide if all implemented regulations and enforcement actually result in increased biodiversity levels. And in a conclusion we decide if all source types have to be analyses separately or not.</p> <p><b>Implementation of the International agreements (mainly CBD). National Biodiversity Strategies and Action Plan (NBSAP)(lit 83)</b></p>	Country (all regions, forest types, land classes and ownership).	<p>Low risk</p> <p>The following thresholds are met:            (7) HCV 1 is identified and its occurrence is likely in the area under assessment, but it is effectively protected from threats from management activities.</p>



		<p>Under Articles 6 and 26 of the Convention, the contracting parties are obliged to establish national strategies and submit reports. Accordingly, Korea established National Biodiversity Strategies and Action Plan (NBSAP) over two occasions. Following deliberation by the Cabinet Council in 1997, Korea finalized the 1st NBSAPs and submitted to the COP 4 meeting in 1998. <u>The 1st National Biodiversity Strategies and Action Plan (NBSAP, 1998)</u> focuses on preserve of biodiversity, sustainable use of biological use, capacity building and better management practices.</p> <p>In October 2008, the Task Force on Biodiversity was established for the purpose of drawing up the National Biodiversity Strategies and compiling the National Report, and the formulation of the <u>2nd NBSAP</u> was launched. The 2nd NBSAP for 2009-2013, focused on the equitable sharing of benefits from biodiversity and the sustainable uses of biological and genetic resources. In 2011, the original NBSAP was revised in order to reinforce the area related the equitable sharing of benefits arising from the use of genetic resources to reflect the Nagoya Protocol. Comprehensive understanding of the current status of the biological resources in Korea was shared with the establishment of the National Species List inclusive of nationally endangered species list, designation of the protected areas and its expansion. Further, the national biological diversity protection agency has been founded. Amendments in related regulations and laws are introduced in order to systematically categorize the designation of 22 protected areas. National Parks as well as the areas with excellent scenery, sites with rare biodiversity resources, wetlands and various islands are now included, which resulted in the increased number of nationally designated protected areas from 1.297 in 2008 to 1.402 in 2013. In 2013, a newly selected national park, Mudeungsan, was designated. Effective management practices for IAS (Invasive Alien Species) in Korea to reduce the habitat loss and fragmentation are now in place as well. Nationwide crackdown on illegal poaching, international smuggling and trafficking of the endangered wildlife is enforced. National research organizations specializing in biodiversity and its protection are expanded. Some of the newly set up agencies are; National Institute of Ecology (2013), Marine Biodiversity Institute of Korea (2014), National Institute of Nakdong River Biological Resources (2014), National Baekdudaegan Arboretum (2015), National Endangered Species Restoration Center (2016), National Sejong Arboretum (2017) (lit 83).</p>		
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		<p>The 3rd NBSAP was established in early 2014. As a hosting nation of the CBD COP12, one of the core objectives of the new NBSAP is still mainstreaming biodiversity conservation, sustainable use of biological resources and strengthening action plans for ecosystem threats. Under these 3 goals 9 approaches were drafted to achieve these goals. The main indicators are suggested as follows; expanding protected area from 2.000.000 ha in 2011 to 2.300.000 ha in 2020, accelerating the survey program for indigenous species with a goal of 60.000 species by 2020 and creating goods and services using biological resources from 6 trillion Korean won (KRW) in 2010 to 40 trillion KRW in 2020. A major threat to species diversity in South Korea are invasive alien species (IAS).</p> <p>There are 2.167 alien animal and plant species naturally or artificially introduced into Korea. Among them, 18 species that disturb ecosystem and encroach on endemic species are designated as IAS for control purpose. Invasive alien species are prohibited from being planted or released into nature, and restricted from being imported except for research purpose. In addition, ME, local governments, and volunteers are carrying out efforts to exterminate and eliminate IAS. An ecological risk assessment system has been set up to control IAS. This is to protect endemic biological diversity and resources as well as to minimize the economic damage and the ecological disturbance by preventing the settlement and spread of IAS around the country. Policy direction for controlling IAS is:</p> <ol style="list-style-type: none"> <li>1) Promote early detection, surveillance and rapid response of the alien species coming into the country</li> <li>2) Assess ecological risks for biodiversity</li> <li>3) Manage, mitigate and restore of ecological risk caused by alien species</li> <li>4) Build governance amongst central, local governments and local resident as well as international societies</li> <li>5) Raise public awareness and education to control alien species</li> </ol> <p><b>Daily practise in the field with felling/harvesting licenses</b></p> <p>For any landowner willing to harvest trees the <i>Forestry Handbook</i> (Issues by Korea Forest research Institute) and the <i>Guidelines for harvesting and silvicultural activities</i> are to be followed (both in lit 46, Korean only). This publication is aiming for the implementation of SFM within South Korea. Compliance with the guidelines is mandatory for all forestry activities that require prior written approval, or a license, from</p>		
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		<p>the KFS. Besides this the fairly new '<i>Sustainable Forest Resource System Instructions defined by Korean Forest Service</i>' (lit 55) is applicable. These guidelines and the complete permit system legislation is based on the Forest Protection Act (lit 44) and the Forest Resources Creation and Management Act (Article 10, lit 37).</p> <p>Whenever a tree is harvested the following could be required: Legal Rights to Harvest, Land tenure and management rights, Concession licenses, Management and harvest plan and Harvesting permits (lit 7). Any harvesting will be assessed against the Timber harvesting regulations, protected sites and species, Environmental requirements (Environmental impact assessment in case a protected area is at stake), Health and safety regulations and Legal employment (lit 7). All above mentioned regulations and guidelines are applicable to all three types of ownership: National, public (provincial, municipalities) and private.</p> <p>Following the granting of a harvesting permit the <i>Forest Protection Bureau</i> of the KFS is responsible for monitoring that timber harvesting is in compliance with the conditions of the permit.</p> <p>Before harvesting each landowner should fill in and submit a special application form to the local authorities, together with his FM plan (if there is any required), planned harvesting amount, planting plan, etc (all following requirements listed in documents mentioned above). The local authority goes out to the field to check the status and comparing this with the information on the application form. If there is no problem, the local authority issues the harvesting permit. They also check things against the GISDB online system (see below). Depending on the cases permits are also required from a regional KFS office. This is the case when it's about forest &gt;5 ha (and not solitary trees or agricultural lands).</p> <p><i>Environmental impact assessment.</i> A special '<i>Integrated Environmental Impacts Assessment Act</i>' came into force in 2012. This act is also based on the existing '<i>framework Act on Environmental Policy</i>' and it makes sure that a strategic environmental assessment takes place in environmental sensitive areas, and based on sometimes small scale environmental impact assessment (lit 83). When is an Environmental impact assessment (EIA) carried out?</p>		
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		<p>The ROK government has produced maps for the entire country which are based on actual vegetation maps and distribution maps of flora and fauna (and national red list). This so called GISDB system is publically available <a href="#">online</a> and is a 'living' system. It is updated when required. Bases on this system a first decision (by local authorities or KFS) is made if an EIA might be required, or a harvesting permit may be issued. There is also a somewhat lighter version available (a '<i>prior environmental review</i>'). See for further details Lit 83, page 40.</p> <p>All governmental staff members have access to the public GISDB system; however, it is controlled by KFS. Local governmental staffs collect the, revised, data manually and send it back to KFS to revise the DB information online. KFS itself uses a special version, called FGIS-DB, for the national forest that has more detail information with function for forestry operation.</p> <p>The above seems to be a robust enough system to protect HCV's.</p> <p><b>Law enforcement</b></p> <p><i>Illegal harvesting.</i> Over 2014 there were 3.123 cases of illegal harvesting, amounting to 1.143 ha and 736.393 m3 of timber. This was substantial more than the previous years (mostly 2300 cases). Out of the 3.123 cases in 2014 there were 2.411 cases about illegally converting forest to other uses (lit 31). Out of a total of 6.335.000 hectares of forests in ROK, the illegal harvesting of 1.143 hectares <u>means 0,01%</u>. Which is neglectable for the purpose of this Risk assessment. There are no official international reports or international messages about substantial illegal harvesting inside ROK (lit 1,74,85 and 90). The country is not associated with or designated as source of conflict timber according to latest available research. Nevertheless, South Korea is one of the world's largest importers of timber and wood-based products. About 90% of the country's demand for timber is met by imports, nearly 15% of which are estimated to be illegal conflict timber (this is imported timber only). The government's response to the trade in illegal timber has been the new legislation on the sustainable use of timber which was passed in 2012 and includes provisions related to illegal logging. The private sector response has been slow, although the rapid growth in the number of companies with FSC chain-of-custody certification may indicate a shift (lit 1). Nevertheless, no formal actions or bans are required or in place, thus the situation seems not to be that threatening.</p>		
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		<p><b>Biodiversity level increase?</b></p> <p>By looking at the biodiversity level improvements over the last years we will decide if all implemented regulations and enforcement actually result in increased biodiversity levels. We realize that such levels only increase after some time, thus conclusions based on this assessment will only act as guidance. We also realize that, in the case of ROK, it seems that climate change is having a bigger than average impact on the biodiversity in the country. This means that species are replaced by other species because the country itself turns from a mainly temperate into a subtropical climate (lit 83).</p> <p>The main document that should give an answer to the biodiversity and habitat trends is the 'Biodiversity statistics 2013', written because of the CBD reporting (lit 83). Unfortunately, this document only <u>list</u> protected areas and species, but does not give any trend. Thus it is not very useful. The NGO '<i>Birds Korea</i>' came to the same conclusions and therefore did their own research: '<i>Birds Korea 2014</i>' (lit 12). This document only handles about birds, of course, but they are suitable enough as indicator species to use for this assessment. Therefore, this document is the only document available to draw conclusions about trends in biodiversity.</p> <p><u>Birds (based on '<i>Birds Korea 2014</i>' (lit 12))</u></p> <p>Birds Korea conducted research (including extensive literature review, fieldwork and analysis) to identify bird population trends in the ROK over two overlapping time-scales, historical (1910-1999) and recent (1990-2014). Using a range of published and unpublished materials, they assessed the status and population trends of all of the nation's 365 regularly-occurring bird species, and identified historical or recent population trends in 258 species. They found (substantial) historical declines in 120 species and recent decrease in 103 species. A total of 44 species decreased during both time-periods and an additional five regularly occurring species were found to be lost to the national avifauna since 1910. One of these species is now presumed to be extinct globally. One endemic subspecies also became extinct during the Twentieth Century. During the same time-frames, there was historical increase in 61 species and recent increase detected in 77 species, including four Globally Threatened species and three recent colonists.</p> <p>Birds Korea believe that the science is clear: more species of bird are declining in the ROK than increasing; and the rate of habitat loss,</p>		
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		<p>especially of intertidal wetland, has not yet been reduced. Rather, if development projects continue as proposed, the rate of loss of natural intertidal wetland is predicted to increase between now and 2020. Flawed policies on wetlands over the past few decades mean that the majority of the nation's most-threatened and fastest-declining bird species are those which are dependent on intertidal and freshwater wetlands. Even during the past ten years, ROK have lost to reclamation several of the nation's most important sites for shorebirds, and many of the nation's rivers have been degraded by massive infrastructural development.</p> <p>Birds Korea also stated that it is important to recognize that wise policies initiated in the 1970s led to large-scale reforestation and afforestation in the ROK, and forest now supports the majority of the nation's abundant and increasing bird species. These policies also resulted in multiple other longer-term benefits to the nation. They reduced soil erosion; have helped improve air and water quality; are providing citizens with much-needed recreational space; and only in the past decade or so, the nation's forests have become widely-understood as playing an important role in ameliorating some of the effects of human-induced climate change.</p> <p>However, following Birds Korea, despite the many gains in conservation infrastructure and public awareness, much of the progress towards <u>in situ</u> conservation of biodiversity has stalled. According to the 2016 Environmental Performance Index (EPI), the ROK ranked 80 (was 94<sup>th</sup> in 2010) overall among 180 countries studied – the lowest among OECD members.</p> <p>The CBD goals agreed upon in 2014 were:</p> <ol style="list-style-type: none"> <li>a) "By 2020, the rate of loss of all natural habitats is at least halved and where feasible brought close to zero, and degradation and fragmentation is significantly reduced".</li> <li>b) "By 2020, the extinction of known threatened species has been prevented and their conservation status, particularly of those most in decline, has been improved and sustained".</li> <li>c) "By 2020, knowledge, the science base and technologies relating to biodiversity, its values, functioning, status and trends, and the consequences of its loss, are improved, widely shared and transferred, and applied".</li> </ol>		
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		<p>In ROK there are no large-scale, long-term nationwide monitoring programs in place, and the first major research on shorebirds was conducted only in the late 1980s and on wintering ducks in the 1990s. The MoE Winter Census, the nation's largest bird survey effort, started in 1999 and in 2014 covered 195 sites, and in-depth research started on migrant landbirds only in the 2000s. For most of the period between 1910 and 1990 (even until 2000) there is therefore no data for the majority of species with which to determine population trends. Instead, there are subjective descriptions of abundance and distribution for species given in some literature only.</p> <p><u>Forest bird species.</u>  Forest (as defined by the CBD) covered most of the Korean Peninsula until a few hundred years ago and supports a substantial proportion of the ROK's bird species including the endemic Tristram's Woodpecker (perhaps extirpated in the ROK but surviving in the DPRK), two endemic subspecies of White-backed Woodpecker <i>Dendrocopos leucotos</i>, and one Globally Threatened species (Fairy Pitta <i>Pitta nympha</i>).</p> <p>As there appears to be inadequate information with which to determine accurately the rate of habitat loss and degradation in most of these habitats, the additional assumption is made that declines in species that are ecologically-dependent on a given habitat are primarily the result of loss or degradation of that habitat, unless other more important drivers of decline can also be identified. That means that we assume that, when species decline, this is caused by habitat decline. Similarly, we assume that an increase in species dependent upon a certain habitat type will be at least in part due to improvements in quality or area of that habitat type.</p> <p><u>Listings in Birds Korea 2014 (lit 12)</u>  Approximately <u>95 of the nation's 365 regularly occurring bird species</u> are ecologically dependent on Forest, including 19 of the ROK's 27 sedentary species. <u>Seven Forest species are Red-Listed, 20 are Amber-Listed and none are yet Grey-Listed</u> by Birds Korea.</p> <p>Meaning of colors:  <i>Grey: Already Extirpated. No record since 1980</i>  <i>Red: Highest Conservation Priority, Globally Threatened; Severe Population Decline</i></p>		
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		<p><i>Amber: High Conservation Priority. Globally Near Threatened; Nationally Threatened; International Importance; Moderate Population Decline</i>  <i>Green: Lower Conservation Priority Meet none of the criteria for Grey-, Red-, or Amber-Listing</i></p> <p>Throughout the ROK, the maturation of replanted forest and the warming climate (with milder winters and wetter summers) have led to substantial population increases in some species, perhaps especially in those with the centre of their distribution to the warmer south and east of the ROK. The Green-Listed Varied Tit, for example, was considered as “rare” by Wolfe (1950) but “common” by Won (2000).</p> <p>During the present century, there has been a six-fold increase in numbers recorded by the MoE Census between 2002 and 2013. Thus we may assume that there is no substantial threat to biodiversity HCV's in forests, as birds, as indicator species, are increasing in numbers in general (lit 12). Besides birds there is no other way or source to judge if biodiversity is increasing or not.</p> <p><b>Conclusions and applicable to all source types?</b>  Laws and regulations in South Korea are not related to land-use or legal land classifications. All laws and regulations are relevant for any tree, on any land, from any type of owner, in any type of forest. Any forest cannot be felled without a local authority permit or KFS license. With an illegal harvesting rate of 0,01% we may also assume that law enforcement is in place, and equal for all ownership types. That means that we do need to make a distinction between private or state owners. It also doesn't matter if we analyse the situation in production or protected forests, nor in natural or semi-natural forests. This means that we draw a conclusion for all source types at once.</p> <p>Based on all of the above we may conclude that ROK is well underway to protect species, biodiversity and habitats, from a legislation point of view. We may also assume that the daily practise in the field, with harvesting permits, the environmental impact assessments and the online map systems are good enough, and publically available, to guarantee a proper implementation of laws without much room for doubts and mistakes. Besides this the law enforcement is strict enough, and increasingly effective. Biodiversity levels seems to be increasing in forests, although</p>		
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		<p>this is difficult to assess in the ROK because the only official ROK-CBD report (lit 83) does not give any trends over time.</p> <p><i>Based on the above sub-assessments we conclude that, for HCV 1, all of South Korea is considered Low Risk.</i></p>		
3.2 HCV 2	31,76,80,81 83,84	<p><b>Landscape-level ecosystems and mosaics</b></p> <p>There are no forest ecosystems in South Korea that meet the definition for large, landscape-level ecosystems or ecosystem mosaics that contain viable populations of the great majority of the naturally occurring species in natural patterns of distribution and abundance (lit 31, 76, 80, 81, 83, 84).</p> <p>It was decided that this type of HCV is not present in South Korea. <i>Therefore, it is concluded this indicator is low risk in this context.</i></p>	Country (all regions, forest types, land classes and ownership).	<p>Low risk</p> <p>The following thresholds are met: (9) There is no HCV 2 identified and its occurrence is unlikely in the area under assessment.</p>
3.3 HCV 3	1,4,7,12, 31,37,44,46, 55,59,83,87  For maps see lit 59-60	<p><b>Ecosystems and habitats</b></p> <p>Forests in ROK does contain HCV 3.</p> <p>With regards to HCV 3, please see HCV 1 for the major sub-assessments, which are the same (and with the same conclusions) for HCV 3. The only thing different is the Biodiversity level increase assessment, which should now focus on habitats. By looking at the habitat level improvements over the last years we will decide if all implemented regulations and enforcement actually result in increased habitat levels. We realize that such levels only increase after some time, thus conclusions based on this assessment will only act as guidance.</p> <p>See 1. In the ROK there seems to be no clear study or research about habitats in general, nor is there any agreements which habitats there exists. 'Bird Korea' decided that any loss in species is therefore a result of habitat loss. This is also the approach of RAMSAR, for example. Thus no further information can be given here, as it is fully linked with HCV 1 above. For the conclusion we thus assume that these are the same as HCV 1.</p> <p><b>Applicable to all source types?</b></p> <p>See also above under HCV 1 for further details and analyses, we will not repeat the information here.</p>	Country (all regions, forest types, land classes and ownership).	<p>Low risk</p> <p>The following thresholds are met: (15) HCV 3 is identified and/or its occurrence is likely in the area under assessment, but it is effectively protected from threats caused by management activities.</p>

		<i>Based on the above sub-assessments we conclude that, for HCV 3, all of South Korea is considered Low Risk.</i>		
3.4 HCV 4	5,31,32,43	<p><b>Critical ecosystem services.</b> Under HCV 4 we assess if there are forests present and classified as important for erosion control, preventing of flooding, barriers from destructive fire and clean water catchments. We also assess if forest management activities are threatening these areas.</p> <p>Forests in South Korea does contain HCV 4.</p> <p>In ROK forests are <u>not</u> categorized by the ‘functions’ as mentioned above, except for watershed areas. This means that we cannot judge <i>officially</i>, if there are forests present and classified as important for erosion control, preventing of flooding and barriers from destructive fire. Thus we have to assess this in a more general way in some cases, one by one.</p> <p><b>Forests acting as protection against erosion and flooding.</b> Officially there are no special forests classified as important for the protection of flooding or erosion. Nevertheless, we need to assess if there is a potential problem with flooding and if there is a risk of forest management contributing to this problem.</p> <p>Over the centuries, Korea's inhabitants have cut down most of the ancient Korean forests, with the exception of a few remote, mountainous areas. The disappearance of the forests has been a major cause of soil erosion and flooding in the past. Because of successful reforestation programs and the declining use of firewood as a source of energy since the 1960s, most of South Korea's hills in the 1980s were amply covered with foliage. After the war erosion was of course a potential big problem because hardly any forest was left. But due to the rapid reforestation major problems seems to be avoided. The Act on erosion control, 2008 (lit 43) was developed to formalize erosion control, also in forest management areas. Over 2012 additional erosion control measures were taken in 140 hectares only (lit 5). Thus this is negligible. There are no annual flooding's reported in the last years that are initiated by erosion and caused by forest management actions.</p>	Country (all regions, forest types, land classes and ownership).	Low risk  The following thresholds are met: (21) HCV 4 is identified and its occurrence is likely in the area under assessment, but it is effectively protected from threats caused by management activities.

With regards to the presence of forests acting as protection against flooding and erosion, and if these are potentially threatened by forest management activities, the conclusion is that their occurrence is small in the area under assessment, and it is effectively protected from threats caused by management activities.

**Forests acting as barriers for destructive fire.**

Officially there are no special forests classified as acting as barriers for destructive fire. Nevertheless, we need to assess if there is a potential problem with forest fires and if there is a risk of forest management contributing to this problem.

KFS established a central forest fire monitoring system and has more than 20,000 fire spotters across the country. Besides that, the KFS forest Aviation Headquarters (FAH) operates around 100 helicopters, mainly for fire protection and other calamities. In 2012 there were 197 forest fires; 87 were caused by carelessness, 18 by weed burning, 13 by trash burning and 79 because of other causes. This resulted in the loss of 49 ha of forest (Lit 5). The number of fires is decreasing over the years (in 2008 there were still 389 cases) (lit 31/32).

The guidelines in the Forestry Handbook (lit 46) are forcing any forest owner to take action with regards to protection against fire. Besides this the annual amount of forests lost to forest fires is negligible. There are no special forests classified and acting as barriers for destructive fire, nor is there any need to appoint such forests. Thus there is no danger that any forest management will contribute to any further increase of forest fires.

**Forests acting as clean drinking water catchments and protection of water quality.**

There are so called '1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> class watershed' protected forest areas in ROK with a total of 269.191 hectares. Thus we need to assess if there is a potential problem with water catchment and quality and if there is a risk of forest management contributing to this problem.

The [Ministry of Environment](#) in ROK is responsible for all drinking water related issues. All 1st, 2nd and 3rd class watershed' sites are well marked on digital and online maps (lit 59). These sites can occur in forest areas as well. The ministry act according to the Water Supply and

		<p>Waterworks Installation Act (2012) and the <a href="#">Drinking water management act (2015)</a>. Besides that forest managers are instructed by the Forestry Handbook (lit 46) what to do in case of forest management in watershed areas. With an illegal harvesting rate of 0,01% we may also assume that law enforcement is in place.</p> <p>With regards to the presence of forests acting as a source for clean drinking water, and if these are potentially threatened by forest management activities, the conclusion is that they are present in the area under assessment, and they are effectively protected from threats caused by management activities. We found no further evidence or data that prove otherwise.</p> <p><i>Based on the above sub-assessments we conclude that, for HCV 4, all of ROK is considered low risk.</i></p>		
3.5 HCV 5	1,90	<p><b>Community needs</b> This HCV does not appear to occur in the ROK context. No forest areas were identified that are <b>fundamental</b> to meeting the <b>basic needs</b> of local communities or indigenous people. There are no cases in literature, press or international reports to be found where this is stated different. There are also no special laws or regulations that regulate such things, which is another indication that there is no clear need for this.</p> <p>Besides this no sources mention indigenous people (IP) presence in South Korea, neither the sources that give overviews, such as The Indigenous World, nor could any report or website be found mentioning or claiming IP presence or a discussion or debate about such a presence (lit 1 and local expert).</p> <p><i>See also the CNRA cat 1 (indicator 1.13) and cat 2 (indicator 2.3) assessment (lit 90) where risks are also identified as low. For HCV 5, all of South Korea is considered Low Risk.</i></p>	Country (all regions, forest types, land classes and ownership).	<p>Low risk</p> <p>The following thresholds are met: (23) There is no HCV 5 identified and its occurrence is unlikely in the area under assessment.</p>
3.6 HCV 6	18,66,81	<p><b>Cultural values and Cultural Heritage Sites.</b> HCV 6 is present in the area under assessment and all significant cultural features created intentionally by humans are identified. Examples of cultural sites found in forests (such as archaeological sites,</p>	Country (all regions, forest types, land classes and ownership).	<p>Low risk</p> <p>The following thresholds are met: (29) HCV 6 is identified and/or its occurrence is likely in the area under</p>

	<p>monuments etc) are rarely considered <b>critical</b> to local community's traditional cultural identity. But nevertheless these sites are important.</p> <p>The heritage preservation system of South Korea is a multi-level program aiming to preserve and cultivate Korean cultural heritage. The program is administered by the Cultural Heritage Administration (<a href="#">CHA</a>), and the legal framework is provided by the <a href="#">Cultural Heritage Protection Act of 1962</a>, last updated in 2012. The program started in 1962 and has gradually been extended and upgraded since then.</p> <p>The CHA classifies cultural heritage into five major categories (state-designated heritage, city and province-designated heritage, cultural heritage material, registered cultural heritage, undesignated cultural heritage) and these are divided further into subcategories. Some of the heritage properties of South Korea has been inscribed into various UNESCO lists. As of 2014, the country has nine cultural and one natural World Heritage Sites: Jeju Volcanic Island, which is part of the <a href="#">Hallasan National Park</a>.</p> <p>As per 2016 there are 4330 cultural heritage sites registered, of which 454 are Natural Monuments (lit 18) and are directly related to nature and fully protected. All others are not related to forestry. These Natural Monuments can be wetlands, certain fish, caves, special topography (landscape), certain trees, insects, birds, etc (lit 66). All heritage sites are publicly available on the <a href="#">CHA website</a>.</p> <p>Harvesting, when applicable, is not allowed in any Heritage site. Only in exceptional cases it could be possible (for national importance), but an environmental impact assessment has to be carried out first to see what the potential dangers are.</p> <p>In South Korea the <i>Korean National Commission for UNESCO (KNCU)</i> is responsible for all UNESCO matters and there is a special <a href="#">website maintained</a> (lit 81). There are no South Korean sites on the UNESCO 'danger' list of <a href="#">World Heritage sites in Danger</a>. South Korea itself did not report any major problems with protection in their official <a href="#">'cycle 1'</a> report to UNESCO (lit 81). There are no cases in literature, press or international reports to be found where heritage sites seems to be threatened by forest management. There are also no economic incentives that would lead to,</p>	<p>assessment, but it is effectively protected from threats caused by management activities.</p>
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		and no well-known cases of, forest managers causing damage or disturbing sites or features of national cultural significance.  <i>For HCV 6, all of South Korea is considered Low Risk.</i>		
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### Recommended control measures

Indicator	Recommended control measures
3.0	
3.1 HCV 1	
3.2 HCV 2	
3.3 HCV 3	
3.4 HCV 4	
3.5 HCV 5	
3.6 HCV 6	

### Information sources

No.	Source of information	Relevant HCV category and indicator
	<b>South Korea specific</b>	
1	Chatham House Illegal Logging Indicators Country Report Card, 2016 <a href="http://www.illegal-logging.info/regions/south-korea">http://www.illegal-logging.info/regions/south-korea</a>	All
2	FAO country profile, 2016 <a href="http://www.fao.org/countryprofiles/index/en/?iso3=KOR">http://www.fao.org/countryprofiles/index/en/?iso3=KOR</a>	All
3	National Park (NP) website, 2016 <a href="http://english.knps.or.kr/">http://english.knps.or.kr/</a>	All
4	Korea Forest Service (KFS) website, 2016 <a href="http://www.forest.go.kr">http://www.forest.go.kr</a> / <a href="http://english.forest.go.kr">http://english.forest.go.kr</a> for a quick glance click <a href="#">here</a> . Please note that the Korean version includes much more information than the English one.	All
5	KFS Korean Forest at a Glance (English), 2013 <a href="http://english.forest.go.kr/images/korea/koreaforest.pdf">http://english.forest.go.kr/images/korea/koreaforest.pdf</a>	All
6	Korea Forest Service (KFS) website, history of use and forests. <a href="http://english.forest.go.kr/newkfsweb/html/EngHtmlPage.do?pg=/esh/koforest/UI_KFS_0101_020100.html&amp;mn=ENG_01_02_01">http://english.forest.go.kr/newkfsweb/html/EngHtmlPage.do?pg=/esh/koforest/UI_KFS_0101_020100.html&amp;mn=ENG_01_02_01</a>	All
7	SGS Qualifor standard for forest certification against the FSC Principles and Criteria. 2015. <a href="http://www.sgs.com/~media/Global/Documents/Technical%20Documents/SGS%20Standards/SGS%20SSC%20AD33%20KR%2007%20FM%20Checklist%20Korea.ashx">http://www.sgs.com/~media/Global/Documents/Technical%20Documents/SGS%20Standards/SGS%20SSC%20AD33%20KR%2007%20FM%20Checklist%20Korea.ashx</a>	All



8	State of South Carolina 2003, South Korea market profile for forestry (and timber market). <a href="https://www.state.sc.us/forest/fprodsko.pdf">https://www.state.sc.us/forest/fprodsko.pdf</a>	All
9	World Forest Institute, Forestry in Korea, 2005. Powerpoint about forest, market, history and main problems. Received from local expert Namhun Ro.	All
10	Research Institute of Agriculture and Life Sciences, <u>Forest Policy</u> and <u>Law for Sustainability</u> within the Korean Peninsula, 2014. <a href="http://www.mdpi.com/2071-1050/6/8/5162">http://www.mdpi.com/2071-1050/6/8/5162</a>	All
11	Forest Cover.org. Forest Cover Change in the Korean Peninsular Assessed Using Global Land Survey data. 2005. <a href="ftp://ftp.glcf.umd.edu/www/pMaterials/posters/AAG2010_dohyung.pdf">ftp://ftp.glcf.umd.edu/www/pMaterials/posters/AAG2010_dohyung.pdf</a>	All
12	Birds Korea, Status of Birds 2014. <a href="http://www.birdskorea.org/Habitats/Yellow-Sea/YSBR/BK-HA-ROK-Status-of-Birds-2014.shtml">http://www.birdskorea.org/Habitats/Yellow-Sea/YSBR/BK-HA-ROK-Status-of-Birds-2014.shtml</a>	All
13	Korea Environment Institute, Nature and Biodiversity Management in Korea: A Policy Perspective, 2014. <a href="http://www.otterspecialistgroup.org/Library/Colloquium_10/Presentations/10-10-11-50_Nature_and_Biodiversity_management_in_Korea.pdf">http://www.otterspecialistgroup.org/Library/Colloquium_10/Presentations/10-10-11-50_Nature_and_Biodiversity_management_in_Korea.pdf</a>	All
14	ASEAN Korea biodiversity and natural resources conservation in protected areas in Korea and the Philippines, 2010. Received from local expert Namhun Ro.	All
15	KFS, Register of most important plants in SK, 2016. Received from local expert Namhun Ro.	All
16	KFS, Rare species list, 2016 Received from local expert Namhun Ro.	All
17	National Park service, Status of Flora, Fauna, and rare species. Received from local expert Namhun Ro.	All
18	National Park service, Natural monument of wild life and endanger species & Designated Cultural Assets List (there are 454 sites classified as Cultural assets and are all protected areas; wetland, fish, cave, topography, tree, insect, bird, etc) Received from local expert Namhun Ro.	All
19	Ministry of Environment, Endangered species list. Received from local expert Namhun Ro.	All
20	Ministry of Environment. Biodiversity Conservation and Use in Korea, 2016. General introduction. <a href="http://eng.me.go.kr/eng/web/index.do?menuId=416">http://eng.me.go.kr/eng/web/index.do?menuId=416</a>	All
21	Ministry of Environment/ National Institute of Biological Resources. Korean Red List of Threatened Species Second Edition. 2014 <a href="http://www.nationalredlist.org/files/2016/04/Korean-Red-List-of-Threatened-Species-English-compressed-2.pdf">http://www.nationalredlist.org/files/2016/04/Korean-Red-List-of-Threatened-Species-English-compressed-2.pdf</a>	All
22	National Institute of Biological Resources, Wildlife Survey-2014 Received from local expert Namhun Ro.	All
23	Ministry of Environment. Protected Area Designation and Management, an introduction. <a href="http://eng.me.go.kr/eng/web/index.do?menuId=411&amp;findDepth=1">http://eng.me.go.kr/eng/web/index.do?menuId=411&amp;findDepth=1</a>	All
24	KFS, The Fifth National Forest Plan (2008-2017). Currently in effect. <a href="http://english.forest.go.kr/newkfsweb/html/EngHtmlPage.do?pg=esh/policy/UI_KFS_0102_010500.html&amp;mn=ENG_02_01_05">http://english.forest.go.kr/newkfsweb/html/EngHtmlPage.do?pg=esh/policy/UI_KFS_0102_010500.html&amp;mn=ENG_02_01_05</a>	All

	The original report is only in Korean language and <a href="#">can be found here</a> .	
25	KFS, Forest Ecosystem Restoration by large area plantation in Republic of Korea, 2015. <a href="https://www.cbd.int/doc/meetings/ecr/cbwecr-2014-05/other/cbwecr-2014-05-day2-01-en.pdf">https://www.cbd.int/doc/meetings/ecr/cbwecr-2014-05/other/cbwecr-2014-05-day2-01-en.pdf</a>	All
26	CIFOR, Forest transition in South Korea: reality, path and drivers, 2012. <a href="http://www.cifor.org/library/3515/forest-transition-in-south-korea-reality-path-and-drivers/?pub=3515">http://www.cifor.org/library/3515/forest-transition-in-south-korea-reality-path-and-drivers/?pub=3515</a>	All
27	KFS. Classification of Forest Types for Timber Productive Forestlands Using GIS, 2007. Korean Journal of Forest Measurements Vol. 10 64-70 2007. <a href="http://english.forest.go.kr/newkfsweb/cop/bbs/selectBoardArticle.do;jsessionid=DLhzShMT1gpsCGD3Jsd26NL23HLzQJTJzBQCwTKGfvQLN50vqtsS11529729176?nttld=2909215&amp;bbsId=BBSMSTR_1275&amp;pageUnit=50&amp;searchtitle=title&amp;searchcont=&amp;searchWrd=&amp;ctgryLrcls=&amp;ctgryMdcls=&amp;ctgrySmcls=&amp;ntcStartDt=&amp;ntcEndDt=">http://english.forest.go.kr/newkfsweb/cop/bbs/selectBoardArticle.do;jsessionid=DLhzShMT1gpsCGD3Jsd26NL23HLzQJTJzBQCwTKGfvQLN50vqtsS11529729176?nttld=2909215&amp;bbsId=BBSMSTR_1275&amp;pageUnit=50&amp;searchtitle=title&amp;searchcont=&amp;searchWrd=&amp;ctgryLrcls=&amp;ctgryMdcls=&amp;ctgrySmcls=&amp;ntcStartDt=&amp;ntcEndDt=</a>	All
28	KFS. lessons learned from the Republic of Korea's National Reforestation Programme. 2014. <a href="https://www.cbd.int/ecorestoration/doc/Korean-Study_Final-Version-20150106.pdf">https://www.cbd.int/ecorestoration/doc/Korean-Study_Final-Version-20150106.pdf</a>	All
	<b>Statistics</b>	All
31	KFS, STATISTICAL YEARBOOK OF FORESTRY 2016 (and other years) <a href="https://translate.googleusercontent.com/translate_c?depth=1&amp;hl=en&amp;rurl=translate.google.com&amp;sl=ko&amp;tl=en&amp;u=http://www.forest.go.kr/newkfsweb/cop/bbs/selectBoardList.do%3FbbsId%3DBBSMSTR_1064%26mn%3DKFS_02_03_06&amp;usg=ALkJrhICHkn2Dvqd1SzGaW071yoDpO3Brw">https://translate.googleusercontent.com/translate_c?depth=1&amp;hl=en&amp;rurl=translate.google.com&amp;sl=ko&amp;tl=en&amp;u=http://www.forest.go.kr/newkfsweb/cop/bbs/selectBoardList.do%3FbbsId%3DBBSMSTR_1064%26mn%3DKFS_02_03_06&amp;usg=ALkJrhICHkn2Dvqd1SzGaW071yoDpO3Brw</a>	All
32	Statistics Korea. Agriculture and Forestry stats. <a href="http://kostat.go.kr/portal/eng/surveyOutline/1/1/index.static">http://kostat.go.kr/portal/eng/surveyOutline/1/1/index.static</a>	All
	<b>Laws, regulation and policies</b>	All
36	Framework Act on Forest (2009), (Based on old version 2001 and Forestry Act 1961). The 'Framework Act on Forest' was enacted replacing the existing Forest Law. Its main concept is sustainable forest management(SFM), and assessment criteria and indicators are provided as well. <a href="http://faolex.fao.org/docs/texts/kor93907.doc">http://faolex.fao.org/docs/texts/kor93907.doc</a>	All
37	Creation and management of forest resources (2006). This Act was enforced in 2006 to manage the resources according to the criteria and indicators for sustainable forest management. <a href="http://elaw.klri.re.kr/eng_service/lawView.do?hseq=32212&amp;lang=ENG">http://elaw.klri.re.kr/eng_service/lawView.do?hseq=32212&amp;lang=ENG</a>	All
38	The Act on Promotion on Forestry and Mountain Villages (Forest land use), 2009 (based on 1997 version) <a href="http://elaw.klri.re.kr/eng_service/lawView.do?hseq=28110&amp;lang=ENG">http://elaw.klri.re.kr/eng_service/lawView.do?hseq=28110&amp;lang=ENG</a>	All
39	The Act on Forestry Cooperatives Federation, 2008 and the Act on Reconstruction of Forestry Cooperatives Federation. (based on 1980 version). Korean only. <a href="http://www.law.go.kr/lsSc.do?menuId=0&amp;p1=&amp;subMenu=1&amp;nwYn=1&amp;section=&amp;tabNo=&amp;query=%EC%82%B0%EB%A6%BC%EC%A1%B0%ED%95%A9%EB%B2%95#undefined">http://www.law.go.kr/lsSc.do?menuId=0&amp;p1=&amp;subMenu=1&amp;nwYn=1&amp;section=&amp;tabNo=&amp;query=%EC%82%B0%EB%A6%BC%EC%A1%B0%ED%95%A9%EB%B2%95#undefined</a>	All
40	Forest Land management Act 2009 (based on 2002 version) <a href="http://english.molit.go.kr/upload//eng_law//20110126145609449_FRAMEWORK%20ACT%20ON%20THE%20NATIONAL%20LAND.pdf">http://english.molit.go.kr/upload//eng_law//20110126145609449_FRAMEWORK%20ACT%20ON%20THE%20NATIONAL%20LAND.pdf</a>	All

41	State forest administration and management act, 2015 <a href="http://www.law.go.kr/eng/engLsSc.do?menuId=1&amp;query=natural+park&amp;x=0&amp;y=0#liBgcolor4">http://www.law.go.kr/eng/engLsSc.do?menuId=1&amp;query=natural+park&amp;x=0&amp;y=0#liBgcolor4</a>	All
42	The Act on Forest Culture and Recreation, 2010 <a href="http://elaw.klri.re.kr/eng_service/lawView.do?hseq=37292&amp;lang=ENG">http://elaw.klri.re.kr/eng_service/lawView.do?hseq=37292&amp;lang=ENG</a>	All
43	The Act on erosion control, 2008. <a href="http://elaw.klri.re.kr/eng_service/lawView.do?hseq=27905&amp;lang=ENG">http://elaw.klri.re.kr/eng_service/lawView.do?hseq=27905&amp;lang=ENG</a>	All
44	The Act on Forest Protection, 2010 (based on env. conservation act 2004) <a href="http://elaw.klri.re.kr/eng_service/lawView.do?hseq=33687&amp;lang=ENG">http://elaw.klri.re.kr/eng_service/lawView.do?hseq=33687&amp;lang=ENG</a>	All
45	Wildlife Protection Act, 2010 (based on 2004 version). <a href="http://elaw.klri.re.kr/eng_service/lawView.do?hseq=32441&amp;lang=ENG">http://elaw.klri.re.kr/eng_service/lawView.do?hseq=32441&amp;lang=ENG</a>	All
46	Forestry Handbook Issues by Korea Forest research Institute, local standard. Received from local expert Namhun Ro. Korean only.	All
47	KFS, Criteria and Indicators for SFM, 2005. <a href="http://english.forest.go.kr/newkfsweb/html/EngHtmlPage.do?pg=/esh/sfm/UI_KFS_0103_030000.html&amp;mn=ENG_03_03">http://english.forest.go.kr/newkfsweb/html/EngHtmlPage.do?pg=/esh/sfm/UI_KFS_0103_030000.html&amp;mn=ENG_03_03</a>	All
48	Guidelines for harvesting and silvicultural activities. See 46, same document, page 24.	All
49	Forest zoning system. See 46, same document. Page 20, about bufferzones etc.	All
50	National Park Act 2002. <a href="http://www.law.go.kr/eng/engLsSc.do?menuId=1&amp;query=forestry&amp;x=0&amp;y=0#liBgcolor0">http://www.law.go.kr/eng/engLsSc.do?menuId=1&amp;query=forestry&amp;x=0&amp;y=0#liBgcolor0</a>	All
51	KFS. Summary of all applicable forest laws, 2016. For all content see <a href="#">this link</a> . <a href="http://english.forest.go.kr/newkfsweb/html/EngHtmlPage.do?pg=/esh/resource/UI_KFS_0104_030000.html&amp;mn=ENG_04_03">http://english.forest.go.kr/newkfsweb/html/EngHtmlPage.do?pg=/esh/resource/UI_KFS_0104_030000.html&amp;mn=ENG_04_03</a>	All
52	Act on the sustainable use of Timbers, 2012 (about Carbon sink and climate change) <a href="http://elaw.klri.re.kr/eng_service/lawView.do?hseq=25594&amp;lang=ENG">http://elaw.klri.re.kr/eng_service/lawView.do?hseq=25594&amp;lang=ENG</a>	All
53	KSF, National Institute of Forest Science. With many publications: <a href="http://english.forest.go.kr/newkfsweb/cop/bbs/selectBoardList.do?bbsId=BBSMSTR_1275&amp;mn=ENG_11_05_01">http://english.forest.go.kr/newkfsweb/cop/bbs/selectBoardList.do?bbsId=BBSMSTR_1275&amp;mn=ENG_11_05_01</a>	All
54	KFS, Forest Transition in Korea: Trends, Characteristics and Implications, 2009. Study about deforestation. <a href="http://english.forest.go.kr/newkfsweb/cop/bbs/selectBoardArticle.do?ntId=2909581&amp;bbsId=BBSMSTR_1275&amp;pageUnit=100&amp;searchtitle=title&amp;searchcont=&amp;searchWrd=forest&amp;ctgryLrcls=&amp;ctgryMdcls=&amp;ctgrySmcls=&amp;ntcStartDt=&amp;ntcEndDt=">http://english.forest.go.kr/newkfsweb/cop/bbs/selectBoardArticle.do?ntId=2909581&amp;bbsId=BBSMSTR_1275&amp;pageUnit=100&amp;searchtitle=title&amp;searchcont=&amp;searchWrd=forest&amp;ctgryLrcls=&amp;ctgryMdcls=&amp;ctgrySmcls=&amp;ntcStartDt=&amp;ntcEndDt=</a>	All
55	KFS. Sustainable Forest Resource System Instructions (Korean version only) <a href="http://www.forest.go.kr/newkfsweb/cop/bbs/selectBoardArticle.do?bbsId=BBSMSTR_1005&amp;mn=KFS_03_05_04&amp;ntId=55906">http://www.forest.go.kr/newkfsweb/cop/bbs/selectBoardArticle.do?bbsId=BBSMSTR_1005&amp;mn=KFS_03_05_04&amp;ntId=55906</a>	All
56	Act on Conservation and Use of Biodiversity (2012) <a href="http://www.wipo.int/wipolex/en/details.jsp?id=13975">http://www.wipo.int/wipolex/en/details.jsp?id=13975</a>	All
	<b>Maps</b>	
59	Korea Forest Service. FGIS. All mapping, online. In Korean language only, use google translate. <a href="http://116.67.44.22/forest/?systype=geopdf#/">http://116.67.44.22/forest/?systype=geopdf#/</a>	1,3
60	GISDB system, based actual vegetation map and distribution map of flora and fauna. This system is used as basic data for <b>environmental impact assessment</b> in various development projects and harvesting permit systems.	All

	<a href="https://egis.me.go.kr/main.do">https://egis.me.go.kr/main.do</a> (Korean language only)	
	<b>Cultural heritage</b>	
66	Cultural Heritage Administration. Natural Monuments List (and different categories) <a href="http://english.cha.go.kr/english/new/index.action">http://english.cha.go.kr/english/new/index.action</a>  <b>See this list for all 4330 sites</b> <a href="http://english.cha.go.kr/english/search_plaza_new/EDetail_Result_new.jsp?maxDocs=10000&amp;docStart=1&amp;docPage=10&amp;query=0&amp;region=&amp;targetzone=&amp;queryText=* &amp;fieldText=1 &amp;Province=ALL&amp;Asset=&amp;Reign=ALL&amp;CanAsset=1 &amp;mc=EN_03_02&amp;page=1 &amp;query=&amp;cultural=ch&amp;asset=all&amp;startNum=&amp;endNum=&amp;startYear=&amp;endYear=&amp;province=00&amp;reign=99">http://english.cha.go.kr/english/search_plaza_new/EDetail_Result_new.jsp?maxDocs=10000&amp;docStart=1&amp;docPage=10&amp;query=0&amp;region=&amp;targetzone=&amp;queryText=* &amp;fieldText=1 &amp;Province=ALL&amp;Asset=&amp;Reign=ALL&amp;CanAsset=1 &amp;mc=EN_03_02&amp;page=1 &amp;query=&amp;cultural=ch&amp;asset=all&amp;startNum=&amp;endNum=&amp;startYear=&amp;endYear=&amp;province=00&amp;reign=99</a>	6
	<b>General sources HCV</b>	
74	Greenpeace Intact Natural Forest Landscapes, General <a href="http://www.intactforests.org/world.map.html">http://www.intactforests.org/world.map.html</a>	3
75	IUCN Red List, Country info <a href="http://www.iucnredlist.org/about/summary-statistics#Tables_5_6">http://www.iucnredlist.org/about/summary-statistics#Tables_5_6</a>	1
76	World Resource Inst., General Atlas of Forest and Landscape Restoration <a href="http://www.wri.org/resources/maps/atlas-forest-and-landscape-restoration-opportunities">http://www.wri.org/resources/maps/atlas-forest-and-landscape-restoration-opportunities</a>	3
77	HCV network, General <a href="https://www.hcvnetwork.org/resources/global-hcv-toolkits">https://www.hcvnetwork.org/resources/global-hcv-toolkits</a>	All
78	High Conservation network, The use of the 'Common guidance for the identification of High Conservation Values' for the assessment of HCV presence is recommended. Also use this for interpretation of 'Significant values'. <a href="https://www.hcvnetwork.org/resources/folder.2006-09-29.6584228415/2013_commonguidancev5">https://www.hcvnetwork.org/resources/folder.2006-09-29.6584228415/2013_commonguidancev5</a>	All
79	Proforest, HCV Toolkit <a href="http://www.proforest.net/en/publications/high-conservation-value-forest-toolkit">http://www.proforest.net/en/publications/high-conservation-value-forest-toolkit</a>	All
80	Ramsar, Ramsar sites <a href="http://www.ramsar.org/wetland/republic-of-korea">http://www.ramsar.org/wetland/republic-of-korea</a>	All
81	UNESCO, UNESCO Biosphere sites <a href="http://www.unesco.org/new/en/natural-sciences/environment/ecological-sciences/biosphere-reserves/asia-and-the-pacific/republic-of-korea/">http://www.unesco.org/new/en/natural-sciences/environment/ecological-sciences/biosphere-reserves/asia-and-the-pacific/republic-of-korea/</a>  <b>ROK, reporting to Unesco:</b> <a href="http://whc.unesco.org/archive/periodicreporting/apa/cycle01/section1/kr.pdf">http://whc.unesco.org/archive/periodicreporting/apa/cycle01/section1/kr.pdf</a>  <b>National website:</b> <a href="http://unesco.korea.cafe24.com/wp/?ckattempt=1">http://unesco.korea.cafe24.com/wp/?ckattempt=1</a>	6
82	Natura 2000, EU website with maps and data of all sites <a href="http://ec.europa.eu/environment/nature/natura2000/data/index_en.htm">http://ec.europa.eu/environment/nature/natura2000/data/index_en.htm</a> (NA)	All
83	Convention on Biological Diversity (CBD), Country profile.	1,3

	<a href="https://www.cbd.int/countries/?country=kr">https://www.cbd.int/countries/?country=kr</a> <b>National website</b> <a href="http://www.cbd-chm.go.kr/english">http://www.cbd-chm.go.kr/english</a> <b>Direct link to 5th National report</b> <a href="https://www.cbd.int/doc/world/kr/kr-nr-05-en.pdf">https://www.cbd.int/doc/world/kr/kr-nr-05-en.pdf</a> <b>Direct link to report Biodiversity Stats Korea 2013</b> <a href="http://www.cbd-chm.go.kr/dirFileDownload.do?path_key=etc&amp;sfile_nm=eng_rpt3.pdf&amp;file_nm=Biodiversity+Statistics+of+KOREA.pdf">http://www.cbd-chm.go.kr/dirFileDownload.do?path_key=etc&amp;sfile_nm=eng_rpt3.pdf&amp;file_nm=Biodiversity+Statistics+of+KOREA.pdf</a> <b>Direct link to Korea's National Biodiversity Strategy</b> <a href="http://www.cbd-chm.go.kr/dirFileDownload.do?path_key=etc&amp;sfile_nm=eng_rpt2.pdf&amp;file_nm=Korea%27s+National+Biodiversity+Strategy+2014-2018.pdf">http://www.cbd-chm.go.kr/dirFileDownload.do?path_key=etc&amp;sfile_nm=eng_rpt2.pdf&amp;file_nm=Korea%27s+National+Biodiversity+Strategy+2014-2018.pdf</a>	
84	Intact Forest Landscapes, Country profile (NA with South Korea) <a href="http://www.intactforests.org/data.ifl.html">http://www.intactforests.org/data.ifl.html</a>	3
85	Global Forest Watch, Country profile. <a href="http://www.globalforestwatch.org/country/KOR">http://www.globalforestwatch.org/country/KOR</a>	All
86	WWF, WWF Global 200 Ecoregion/habitat list <a href="http://wwf.panda.org/about_our_earth/ecoregions/about/habitat_types/">http://wwf.panda.org/about_our_earth/ecoregions/about/habitat_types/</a>	All
87	FSC Int website & local standards, Country profile. <a href="https://ic.fsc.org/national-standards.247.htm">https://ic.fsc.org/national-standards.247.htm</a> (there is no ROK local standard).	All
88	EU Habitats Directive, About protected habitats and EU countries <a href="http://biodiversity.europa.eu">http://biodiversity.europa.eu</a> (but NA for SK).	All
89	FSC international GFR, Already approved CNRA's. <a href="http://www.globalforestregistry.org/">http://www.globalforestregistry.org/</a>  <b>Direct link to most legislation applicable</b> <a href="http://globalforestregistry.org/related_files/download_related_file/158">http://globalforestregistry.org/related_files/download_related_file/158</a>	All
90	FSC CNRA South Korea cat 2 (Wood harvested in violation of traditional and human rights), draft copy only. (not online yet)	5

## Controlled wood category 4: Wood from forests being converted to plantations or non-forest use

### Risk assessment

Indicator	Source of information	Functional scale	Risk designation and determination
4.1	<p><b>Legislation</b></p> <ul style="list-style-type: none"> <li>MOUNTAINOUS DISTRICTS MANAGEMENT ACT [Enforcement Date 28. Sep, 2019.] [Act No.13256, 27. Mar, 2015. Partial Amendment] Article 14, 15, 17, 18 <a href="http://www.law.go.kr/lsInfoP.do?lsiSeq=152308&amp;chrClsCd=010203&amp;urlMode=engLsInfoR&amp;viewCls=engLsInfoR#0000">http://www.law.go.kr/lsInfoP.do?lsiSeq=152308&amp;chrClsCd=010203&amp;urlMode=engLsInfoR&amp;viewCls=engLsInfoR#0000</a></li> <li>ENFORCEMENT DECREE OF MOUNTAINOUS DISTRICTS MANAGEMENT ACT [Enforcement Date 25. Jan, 2016.] [Presidential Decree No.26922, 22. Jan, 2016., Other Laws and Regulations Amended] Article 15, 17 <a href="http://www.law.go.kr/lsSc.do?menuId=0&amp;p1=&amp;subMenu=1&amp;nwYn=1&amp;section=&amp;tabNo=&amp;query=%EC%82%B0%EC%A7%80%EA%B4%80%EB%A6%AC%EB%B2%95%20%EC%8B%9C%ED%96%89%EB%A0%B9#undefined">http://www.law.go.kr/lsSc.do?menuId=0&amp;p1=&amp;subMenu=1&amp;nwYn=1&amp;section=&amp;tabNo=&amp;query=%EC%82%B0%EC%A7%80%EA%B4%80%EB%A6%AC%EB%B2%95%20%EC%8B%9C%ED%96%89%EB%A0%B9#undefined</a></li> <li>ENFORCEMENT REGULATION OF MOUNTAINOUS DISTRICTS MANAGEMENT ACT [Enforcement Date 30. Dec, 2015.] [Presidential Decree No.184, 30. Dec, 2015., Other Laws and Regulations Amended] Article 16 <a href="http://www.law.go.kr/lsSc.do?menuId=0&amp;p1=&amp;subMenu=1&amp;nwYn=1&amp;section=&amp;tabNo=&amp;query=%EC%82%B0%EC%A7%80%EA%B4%80%EB%A6%AC%EB%B2%95%20%EC%8B%9C%ED%96%89%EA%B7%9C%EC%B9%99">http://www.law.go.kr/lsSc.do?menuId=0&amp;p1=&amp;subMenu=1&amp;nwYn=1&amp;section=&amp;tabNo=&amp;query=%EC%82%B0%EC%A7%80%EA%B4%80%EB%A6%AC%EB%B2%95%20%EC%8B%9C%ED%96%89%EA%B7%9C%EC%B9%99</a></li> </ul> <p><b>Sources:</b></p> <ul style="list-style-type: none"> <li>JB News, 2015. <i>Notification of preliminary notice of the place for the permission to expire - following-up control of Cheonan-si city related to management of forest</i></li> </ul>	-	<p><b>Content of law</b></p> <p>In South Korea, conversion of land is only possible in the mountainous districts, and is strictly controlled under the <i>Mountainous Districts Management Act</i>. The following reasons for conversion of land are permissible:</p> <ol style="list-style-type: none"> <li>Installation of facilities for forest management, mountain village development, and forestry experimental research, and public forest facilities and auxiliary facilities thereof, such as arboretums, forest ecological gardens, and natural recreation forests. 'Public forest facilities and auxiliary facilities' means;             <ol style="list-style-type: none"> <li>Facilities for forest management, mountain villages development, forestry research</li> <li>Facilities for arboretum, forest eco-park, recreational forest.</li> <li>Facilities for therapy forest, healing forest, forest campground, forest reports</li> </ol> </li> <li>Building houses and other auxiliary facilities of farmers, foresters and fishermen;</li> <li>Installation of facilities prescribed by Presidential Decree, such as warehouses, pickup points, processing facilities, etc., of agricultural, forestry and fishery products that shall be subject to a building permit or reporting under the Building Act. 'Warehouses, pickup points, processing facilities, etc., of agricultural, forestry and fishery products ' means;             <ol style="list-style-type: none"> <li>Warehouses, load places, processing facilities</li> <li>Repair facilities and storages for agricultural machines</li> <li>Silkworm rearing facilities</li> </ol> </li> </ol> <p>Under the <i>Enforcement Regulation of Mountainous Districts Management Act</i>, the period for conversion by area</p> <ol style="list-style-type: none"> <li>Under 10,000 square meters: within 3 years</li> <li>From 10-20,000 square meters: within 4 years</li> <li>From 20-30,000 square meters: within 5 years</li> <li>30,000 square meters or more: within 10 years</li> </ol>



<p><i>conversion.</i>  <a href="http://www.jbnews.com/news/articleView.html?idxno=660173">http://www.jbnews.com/news/articleView.html?idxno=660173</a>, accessed 19 April 2017.</p> <ul style="list-style-type: none"> <li>• Kim Tae-Hoon for Newsway.co.kr, 2014. <i>Intensive crackdown on illegal activities for mountain areas in Kyungnam province.</i>  <a href="http://news.newsway.co.kr/view.php?tp=1&amp;ud=2014072913591129978&amp;md=20140729140208_AO">http://news.newsway.co.kr/view.php?tp=1&amp;ud=2014072913591129978&amp;md=20140729140208_AO</a>, accessed 19 April 2017.</li> <li>• Park Ki-Yong for kwnews.co.kr, 2015. <i>Concentrated illegal activities in forests.</i>  <a href="http://www.kwnews.co.kr/nview.asp?s=501&amp;aid=215122800007">http://www.kwnews.co.kr/nview.asp?s=501&amp;aid=215122800007</a>, accessed 19 April 2017.</li> <li>• Asia Today, 2016. <i>Asan City, Permit Period Last Manned · Permission commenced, construction is encouraged.</i>  <a href="http://www.asiatoday.co.kr/view.php?key=20160119010011152">http://www.asiatoday.co.kr/view.php?key=20160119010011152</a>, accessed 19 April 2017.</li> <li>• Yonhapnews.co.kr, 2016. Goyang City, mountain area inspection.  <a href="http://www.yonhapnews.co.kr/bulletin/2016/02/25/0200000000AKR20160225187300060.HTML?input=1195m">http://www.yonhapnews.co.kr/bulletin/2016/02/25/0200000000AKR20160225187300060.HTML?input=1195m</a>, accessed 19 April 2017.</li> <li>• Nam Jin-cheon for kado.net, 2016. <i>Goseong County conducts safety inspection for exclusive use of mountain areas.</i>  <a href="http://www.kado.net/news/articleView.html?idxno=769681">http://www.kado.net/news/articleView.html?idxno=769681</a>, accessed 19 April 2017.</li> <li>• Hae-Min Kwon for news1.kr, 2016. Hoengseong-gun, illegal mountain area A, <a href="http://news1.kr/articles/?2567299">http://news1.kr/articles/?2567299</a>, accessed 19 April 17.</li> <li>• Anh Seo-yon for news1.kr, 2016. Court "Jeolla illegal production area, only to be restored to the ground".  <a href="http://news1.kr/articles/?2574840">http://news1.kr/articles/?2574840</a>, accessed 19 April 2017.</li> <li>• Transparency International, 2017. Corruption Perception Index 2016 – South Korea.  <a href="http://www.transparency.org/news/feature/corruption_perceptions_index_2016#table">http://www.transparency.org/news/feature/corruption_perceptions_index_2016#table</a>.</li> </ul>	<p>When the KFS or local government authority receives an application for permission for conversion of a mountainous district pursuant to Article 14 of the Act, he/she shall grant such permission only where such application meets the following criteria.</p> <ol style="list-style-type: none"> <li>1. It shall not substantially hinder the management and control of neighbouring forests;</li> <li>2. It shall not include substantial areas of high-grade forests, such as successful forest plantation areas;</li> <li>3. It shall not substantially impede the maintenance of forest ecosystem functions, such as preservation of rare species of wild fauna and flora;</li> <li>4. It shall cause no risk of disaster, such as erosion or collapse of earth or sand;</li> <li>5. It shall not substantially harm the functions of water storage and water quality preservation of forests;</li> <li>6. It shall not constitute forests worth preservation in view of their characteristics, such as the form of a mountainous district and the composition of standing trees;</li> <li>7. It shall include appropriate project plans and areas to be converted, and also ways of conversion to minimize damage to natural scenery and forests, which are not likely to impede restoration from such conversion.</li> </ol> <p>Under the <i>Enforcement Decree of Mountainous Districts Management Act</i>, applications for conversion should be made according to the following requirements:</p> <ul style="list-style-type: none"> <li>• any person who intends to convert a mountainous district area of <b>2km<sup>2</sup> or more</b> (or 1km<sup>2</sup> in preserved mountainous districts) shall submit the application to the Administrator of the Korea Forest Service.</li> <li>• any person who intends to convert a mountainous district from 500m<sup>2</sup>-2km<sup>2</sup> (or 30m<sup>2</sup>-1km<sup>2</sup> in Preserved mountainous districts) shall submit the application to; <ul style="list-style-type: none"> <li>○ The Administrator of the Korea Forest Service for <b>national forests</b>;</li> <li>○ The Head of city or province for <b>public/private forest</b>.</li> </ul> </li> <li>• any person who intends to convert a mountainous district under 500m<sup>2</sup> (or 30m<sup>2</sup> Preserved mountainous districts) shall submit the application to; <ul style="list-style-type: none"> <li>○ The Administrator of the Korea Forest Service for <b>national forests</b>;</li> <li>○ Head of city or county or district for <b>public/private forest</b>.</li> </ul> </li> </ul> <p><b>Is the law enforced?</b>  Yes, the applicable legislation is properly enforced.</p> <p>According to the media news (JB News, 2015, Kim Tae-Hoon for Newsway.co.kr, 2014. Park Ki-Yong for kwnews.co.kr, 2015. Asia Today, 2016. Yonhapnews.co.kr, 2016. Nam Jin-cheon for kado.net, 2016. Hae-Min Kwon for news1.kr, 2016. Anh Seo-yon for</p>
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<ul style="list-style-type: none"> <li>World Bank, 2015. Worldwide Governance Indicators – Republic of Korea. <a href="http://info.worldbank.org/governance/wgi/#reports">http://info.worldbank.org/governance/wgi/#reports</a></li> <li>Expert consultation carried out in Seoul by NEPCoN, March 2016.</li> </ul>	<p>news1.kr, 2016), governments (for examples, Gyeongsangnam-do Province, Cheonan-si city, Yangyang-gun County, Asan-si, Goyang-si, Goseong-gun County) conduct the intensive following-up controls after permitting the conversions in order to eradicate the illegal activities. If illegal activities are detected, the governments (for examples, Hoengseong-gun County &amp; Hongcheon National Forest Station, Jeju Special Self-Governing Province) give legal penalties to the lawbreakers.</p> <p>Moreover, the assessment for category 1 shows that other environmental legislation is enforced.</p> <p>In 2016, Transparency International scored South Korea 53/100. The 2015 World Bank Worldwide Governance indicators for South Korea were:</p> <ul style="list-style-type: none"> <li>- Voice and Accountability: 69/100</li> <li>- Political Stability and Absence of Violence: 52/100</li> <li>- Government Effectiveness: 80/100</li> <li>- Regulatory Quality: 84/100</li> <li>- Rule of Law: 81/100</li> <li>- Control of Corruption: 70/100</li> </ul> <p>The relative levels of risk of corruption are considered low, and no sources reviewed, experts interviewed or field experiences indicate a specific risk of corruption within the forest sector in South Korea. Extensive research, experience in the Korean forestry sector from the team of authors of this report and discussions with experts in Seoul in 2016 has not revealed any information to indicate a risk in this indicator.</p> <p><b>Is it possible to conclude that the spatial threshold can be met by assessing the enforcement of legislation?</b></p> <p>No, the applicable legislation is not sufficient to assess this indicator with the legal-based thresholds, because the relevant legislation (<i>Mountainous Districts Management Act, Enforcement Decree of Mountainous Districts Management Act and Enforcement Regulation of Mountainous Districts Management Act</i>) does not prohibit conversion to the outcomes of the indicator.</p> <p>Even though, the applicable legislation is well enforced, Korean forests don't meet the spatial threshold within 0.02% or 5,000ha in terms of national level, because relevant legislations don't include the requirements related to a spatial threshold. According to the 'Statistical Yearbook of Forestry' published by Korea Forest Service, forest conversion areas and proportions compared with total forest area (approximately 6.34</p>
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		<p>million ha) during 5 years in the past are like following (Source: Korea Forest Service, 2015, pp.192).</p> <ul style="list-style-type: none"> <li>- 2010 year: 11,851 ha (0.19%)</li> <li>- 2011 year: 8,026 ha (0.13%)</li> <li>- 2012 year: 7,753 ha (0.12%)</li> <li>- 2013 year: 7,432 ha (0.12%)</li> <li>- 2014 year: 8,544 ha (0.13%)</li> </ul> <p>* average of during 5 years in the past: 8,721 ha (0.14%)</p> <p>Furthermore, data from the FAO (2014) indicates a total loss in forests of 32600 ha per year between 2005 and 2010. While this is not the net forest loss, nor is it directly linked to forest management practices, these findings indicate that the spatial thresholds are at risk of being violated.</p> <p><b>Risk designation</b> Specified risk</p>
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**Recommended control measures**

N/A

## Controlled wood category 5: Wood from forests in which genetically modified trees are planted

### Risk assessment

Indicator	Sources of information	Functional scale	Risk designation and determination
5.1	<p><b>Sources</b></p> <ul style="list-style-type: none"> <li>• ACT ON CONSERVATION AND UTILIZATION OF BIODIVERSITY (Ministry of Environment)</li> <li>• Biosafety White Paper 2015</li> <li>• Country Profile: Republic of Korea, Biosafety Clearing-House, Convention on Biological Diversity, <a href="http://bch.cbd.int/about/countryprofile.shtml?country=kr">http://bch.cbd.int/about/countryprofile.shtml?country=kr</a> (last visited Dec. 9, 2013).</li> <li>• Domestic Data, Korea Biosafety Clearing House, <a href="http://www.biosafety.or.kr/01_basic/sub0301.asp">http://www.biosafety.or.kr/01_basic/sub0301.asp</a></li> <li>• ENFORCEMENT RULE OF SEED INDUSTRY ACT (Ministry of Agriculture, Food and Rural Affairs)</li> <li>• Forest Webzine by National Forestry Cooperative Federation</li> <li>• Hankook Daily News. (2010). <a href="http://www.hankookilbo.com/v/ab6fb615cbf241deb98b68366fb9d03a">http://www.hankookilbo.com/v/ab6fb615cbf241deb98b68366fb9d03a</a></li> <li>• <a href="http://elaw.klri.re.kr/kor_service/lawView.do?hseq=24570&amp;lang=ENG">http://elaw.klri.re.kr/kor_service/lawView.do?hseq=24570&amp;lang=ENG</a></li> <li>• <a href="http://me2.do/Gnu0E1lc">http://me2.do/Gnu0E1lc</a></li> <li>• <a href="http://www.biosafety.or.kr/">http://www.biosafety.or.kr/</a></li> <li>• <a href="http://www.law.go.kr/lsInfoP.do?lsiSeq=152015&amp;lsId=011540&amp;chrClsCd=010202&amp;urlMode=lsEflInfoR&amp;viewCls=thdCmpNewScP#AJAX">http://www.law.go.kr/lsInfoP.do?lsiSeq=152015&amp;lsId=011540&amp;chrClsCd=010202&amp;urlMode=lsEflInfoR&amp;viewCls=thdCmpNewScP#AJAX</a></li> <li>• <a href="http://www.law.go.kr/lsInfoP.do?lsiSeq=179894&amp;lsId=008223&amp;chrClsCd=010202&amp;urlMode=lsEflInfoR&amp;viewCls=thdCmpNewScP#0000">http://www.law.go.kr/lsInfoP.do?lsiSeq=179894&amp;lsId=008223&amp;chrClsCd=010202&amp;urlMode=lsEflInfoR&amp;viewCls=thdCmpNewScP#0000</a></li> <li>• <a href="http://www.sanimji.com/">http://www.sanimji.com/</a></li> <li>• Korea Bio Safety Information Center</li> <li>• Korea Biosafety Clearing House, Yujeonja Byunhyung Saengmulchae Kwalyun Juyo Tongye (Yo-yak) [Statistics on Genetically Modified Organisms (Summary)] 13 (Apr. 9, 2013), <a href="http://www.biosafety.or.kr/bbs/mboard.asp?exec=view&amp;strBoardID=bsn_064&amp;intPage=1&amp;intCategory=0&amp;strSearchCategory=js_namejs_subject&amp;strSearchWord=&amp;intSeq=69104">http://www.biosafety.or.kr/bbs/mboard.asp?exec=view&amp;strBoardID=bsn_064&amp;intPage=1&amp;intCategory=0&amp;strSearchCategory=js_namejs_subject&amp;strSearchWord=&amp;intSeq=69104</a></li> </ul>	Country	<p>There is currently legislation covering GMO (trees) in South Korea. The Transboundary Movement, etc. of Living Modified Organisms Act, Act on Conservation and Utilization of Biodiversity and the Enforcement Rule of Seed Industry Act regulate this area. Korea signed the Cartagena Protocol on Biosafety in 2000 and enacted implementing legislation, the Act on Transboundary Movements of Living Modified Organisms and Other Related Matters (LMO Act), the following year. The LMO Act regulates overall issues concerning genetically modified organisms (GMOs). Importing, cultivating, researching, and developing GMOs are permitted under the LMO Act, as long as applicable procedures are observed.</p> <p>The legislation includes a ban for commercial use of GMO (trees) and there is currently no evidence of unauthorized use of GM trees. According to 'The report on natural environment monitoring of GMO and follow-up management', there were 184 autogenous GMOs discovered from 2009 to 2015, of which there were 91 corn, 85 raw cotton, 6 canola, and 2 bean by item. (There has not been any GM trees discovered.)</p> <p>There is currently no commercial use of GM trees in the Korea, but a number of trials of GM is ongoing.</p> <p>Licenses are required for commercial use of GM trees, but no licenses have been issued for GM trees.</p> <p><b>Low risk.</b> (The following thresholds are met: 'Low risk' threshold (2): There is no commercial use of GMO (tree) species in the are under assessment. AND 'Low risk' threshold (3): Other available evidence does not challenge a 'low risk' designation.</p>

	<ul style="list-style-type: none"> <li>Library of Congress, 2016. Restrictions on Genetically Modified Organisms: South Korea. <a href="https://www.loc.gov/law/help/restrictions-on-gmos/south-korea.php">https://www.loc.gov/law/help/restrictions-on-gmos/south-korea.php</a>, accessed 19 April 2017.</li> <li>TRANSBOUNDARY MOVEMENT, ETC. OF LIVING MODIFIED ORGANISMS ACT (Ministry of Trade, Industry and Energy) • TRANSBOUNDARY MOVEMENT, ETC. OF LIVING MODIFIED ORGANISMS ACT (Ministry of Trade, Industry and Energy)</li> </ul>		
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GMO Context Question	Answer	Sources of Information (list sources if different types of information, such as reports, laws, regulations, articles, web pages news articles etc.).
1 Is there any legislation covering GMO (trees)?	<b>Yes.</b> <ul style="list-style-type: none"> <li>TRANSBOUNDARY MOVEMENT, ETC. OF LIVING MODIFIED ORGANISMS ACT (Ministry of Trade, Industry and Energy)</li> <li>ACT ON CONSERVATION AND UTILIZATION OF BIODIVERSITY (Ministry of Environment)</li> <li>ENFORCEMENT RULE OF SEED INDUSTRY ACT (Ministry of Agriculture, Food and Rural Affairs)</li> </ul>	<p>Korea signed the Cartagena Protocol on Biosafety in 2000 and enacted implementing legislation, the Act on Transboundary Movements of Living Modified Organisms and Other Related Matters (LMO Act), the following year. The LMO Act regulates overall issues concerning genetically modified organisms (GMOs). Importing, cultivating, researching, and developing GMOs are permitted under the LMO Act, as long as applicable procedures are observed.</p> <p>TRANSBOUNDARY MOVEMENT, ETC. OF LIVING MODIFIED ORGANISMS ACT (Ministry of Trade, Industry and Energy) [Enacted by Act No. 6448, Mar. 28, 2001] [Amended by Act No. 9932, Jan. 18, 2010]</p> <ul style="list-style-type: none"> <li>- Article 8 (Approval on Importation, etc.) Those who intend to import (including importation on hand luggage; hereinafter the same shall apply) living modified organisms shall obtain approval of the head of a related central administrative agency, as prescribed by Presidential Decree. Those who intend to import living modified organisms used for discharge into the environment shall obtain approval on import of the head of a related central administrative agency through the head of the competent national authority</li> <li>- Article 12 (Approval on Production, etc.) Those who intend to produce living modified organisms shall obtain approval of the related central administrative agency, as prescribed by Presidential Decree.</li> <li>- Article 14 (Prohibition, etc. of Importation or Production)</li> </ul> <p>ACT ON CONSERVATION AND UTILIZATION OF BIODIVERSITY (Ministry of Environment) [Enacted by Mar. 18, 2014] [Partially amended by Act No. 12459, Mar. 18, 2014]</p> <ul style="list-style-type: none"> <li>- Article 24 (Management of Fauna and Flora Disturbing Ecosystem)</li> </ul> <p>ENFORCEMENT RULE OF SEED INDUSTRY ACT (Ministry of Agriculture, Food and Rural Affairs) [Enacted by Act No. 5024, Dec. 6, 1995] [Amended by Act No. 9401, Jan. 30, 2009]</p> <ul style="list-style-type: none"> <li>- Article 27 (Declaration of Production, Importation and Sales of Varieties)</li> </ul>

2	Does applicable legislation for the area under assessment include a ban for commercial use of GMO (trees)?	<p><b>Yes.</b></p> <ul style="list-style-type: none"> <li>• ACT ON CONSERVATION AND UTILIZATION OF BIODIVERSITY (Ministry of Environment)</li> <li>• TRANSBOUNDARY MOVEMENT, ETC. OF LIVING MODIFIED ORGANISMS ACT (Ministry of Trade, Industry and Energy)</li> <li>• ENFORCEMENT RULE OF SEED INDUSTRY ACT (Ministry of Agriculture, Food and Rural Affairs)</li> </ul>	<p>TRANSBOUNDARY MOVEMENT, ETC. OF LIVING MODIFIED ORGANISMS ACT (Ministry of Trade, Industry and Energy) [Enacted by Act No. 6448, Mar. 28, 2001] [Amended by Act No. 9932, Jan. 18, 2010]</p> <ul style="list-style-type: none"> <li>- Article 14 (Prohibition, etc. of Importation or Production) The head of the related central administrative agency may prohibit or restrict the importation or production of living modified organisms falling under any of the following subparagraphs: <ul style="list-style-type: none"> <li>1. Living modified organisms acknowledged to be inflicting, or acknowledged that it is likely to inflict, adverse effects on public health, and on the conservation and sustainable use of biodiversity;</li> <li>2. Organisms obtained by breeding with a living modified organism falling under subparagraph 1;</li> <li>3. Living modified organisms acknowledged to have, or acknowledged that it is likely to have, socially and economically negative effects on the value of biodiversity of Korea.</li> </ul> </li> <li>- Article 39 (Penal Provisions) A person who falls under any of the following subparagraphs shall be punished by imprisonment for not more than five years or fine not exceeding 70 million won <ul style="list-style-type: none"> <li>1. A person who imports or produces living modified organisms, the importation or production of which is prohibited or restricted;</li> <li>2. A person who imports or produces living modified organisms, the approval of which has been revoked;</li> <li>3. A person who has living modified organisms distributed in Korea in violation of an order for destruction</li> </ul> </li> </ul> <p>ACT ON CONSERVATION AND UTILIZATION OF BIODIVERSITY (Ministry of Environment) [Enacted by Mar. 18, 2014] [Partially amended by Act No. 12459, Mar. 18, 2014]</p> <ul style="list-style-type: none"> <li>- <b>Article 24</b> (Management of Fauna and Flora Disturbing Ecosystem) It is not allowed to import, bring, breed, cultivate, graze, transplant, hand over, take over, store, transport or distribute organisms disturbing the ecosystem.</li> </ul>
3	Is there evidence of unauthorized use of GM trees?	<p><b>No.</b></p>	<p>According to 'The report on natural environment monitoring of GMO and follow-up management', there were 184 autogenous GMOs discovered from 2009 to 2015, of which there were 91 corn, 85 raw cotton, 6 canola, and 2 bean by item. (There has not been any GM trees discovered.)</p> <p>Discovery of autogenous GMO in Korea (2015, Hankook Daily News)  <a href="http://www.hankookilbo.com/v/ab6fb615cbf241deb98b68366fb9d03a">http://www.hankookilbo.com/v/ab6fb615cbf241deb98b68366fb9d03a</a></p>
4	Is there any commercial use of GM trees in the country or region?	<p><b>No.</b></p>	<p>There were no GMOs that are commercially produced and cultivated in Korea as of July 2014 (Korean Biosafety Centre). It is possible to cultivate GMOs in Korea only after completing a risk evaluation on the environment and humans and getting approval of production by the government.</p>
5	Are there any trials of GM trees in	<p><b>Yes.</b></p>	<ul style="list-style-type: none"> <li>- Research on developing super clones whose productivity of biomass and efficiency of energy conversion are increased over 30% more than its original variety is ongoing (Participation at Kyunghee University, National Institute of Forest Science, etc.)</li> </ul>

	the country or region?		<ul style="list-style-type: none"> <li>- Developing GM poplar that has more outstanding absorbing ability for heavy metals and a higher survival rate in closed mine areas than general varieties in tests. (POSTECH, National Institute of Forest Science)</li> <li>- Adaptability trial of GM poplar that has a salt-tolerant gene is put in reclaimed land. (Korea Research Institute of Bioscience and Biotechnology)</li> <li>- Research on developing GM poplar that has functions of purification of soil pollution and environment stress-tolerance is ongoing. (Seoul University, Korea University, National Institute of Forest Science, Korea Research Institute of Bioscience and Biotechnology, etc.)</li> </ul> <p>Biosafety White Paper 2015, pp. 311-312 (Trends of researching and developing GM trees in Korea)</p> <p>Forest Webzine by National Forestry Cooperative Federation (Sep 2015, National Institute of Forest Science, Youngim Choi)</p> <p><a href="http://www.sanrimji.com/site/websolution/menu/1368.do?issueNo=4040&amp;categoryNo=10&amp;articleNo=25948&amp;scene=article-detail">http://www.sanrimji.com/site/websolution/menu/1368.do?issueNo=4040&amp;categoryNo=10&amp;articleNo=25948&amp;scene=article-detail</a>.</p>
6	Are licenses required for commercial use of GM trees?	<b>Yes.</b> • ACT ON CONSERVATION AND UTILIZATION OF BIODIVERSITY(Ministry of Environment)	ACT ON CONSERVATION AND UTILIZATION OF BIODIVERSITY (Ministry of Environment) [Enacted by Mar. 18, 2014] [Partially amended by Act No. 12459, Mar. 18, 2014] <ul style="list-style-type: none"> <li>- Article 24 (Management of Fauna and Flora Disturbing Ecosystem) Although it is not allowed to import, bring, breed, cultivate, graze, transplant, hand over, take over, store, transport or distribute organisms disturbing the ecosystem, it is possible to distribute GM trees only with the approval by the Minister of Environment in the case that it is used for academic research, education, display and food.</li> </ul>
7	Are there any licenses issued for GM trees relevant for the area under assessment? (If so, in what regions, for what species and to which entities?)	<b>No</b>	TRANSBOUNDARY MOVEMENT, ETC. OF LIVING MODIFIED ORGANISMS ACT (Ministry of Trade, Industry and Energy) [Enacted by Act No. 6448, Mar. 28, 2001] [Amended by Act No. 9932, Jan. 18, 2010] <ul style="list-style-type: none"> <li>- Article 9 (Importation of Living Modified Organisms for Experiment, Research, etc.) Those who intend to import living modified organisms for experimentation and research or for display at exposition or exhibition shall obtain approval of the head of a related central administrative agency or make a statement to the head of the related central administrative agency, as prescribed by Presidential Decree</li> <li>- Article 22 (Permission, etc. for Establishment, Operation of Research Facilities) Those who intend to establish and operate facilities in which living modified organisms are developed or on which experiments are conducted shall obtain permission of the head of the related central administrative agency, or make a statement to the head of the related central administrative agency by class of safety management of research facilities</li> </ul> <p>Korea Bio Safety Information Center <a href="https://www.kribb.re.kr/eng/sub02/sub02_07_03.jsp">https://www.kribb.re.kr/eng/sub02/sub02_07_03.jsp</a></p> <ul style="list-style-type: none"> <li>- Statistical figures of approval status of R&amp;D and notification status of research facility by year (2008-2016)</li> <li>- Specific region and name of facilities and species are opened to the public only when there is a request.</li> </ul>

			<p>- Laboratory and experimental field of National Institute of Forest Science (located in Suwon, Gyunggi province) are officially registered in the Ministry of Agriculture, Food and Rural Affairs.</p> <p>Forest Webzine by National Forestry Cooperative Federation(Feb 2014, National Institute of Forest Science, Hyosin Lee - <a href="http://www.sanrimji.com/site/websolution/menu/1368.do?issueNo=2741&amp;categoryNo=10&amp;articleNo=23983&amp;scene=article-detail">http://www.sanrimji.com/site/websolution/menu/1368.do?issueNo=2741&amp;categoryNo=10&amp;articleNo=23983&amp;scene=article-detail</a>. Introduction of domestic R&amp;D trends of GM trees</p> <p>Notification obligation for research facility of LMO (2007, Newsis) <a href="http://news.naver.com/main/read.nhn?mode=LSD&amp;mid=sec&amp;sid1=105&amp;oid=003&amp;aid=0000706730">http://news.naver.com/main/read.nhn?mode=LSD&amp;mid=sec&amp;sid1=105&amp;oid=003&amp;aid=0000706730</a></p>
8	What GM 'species' are used?	<b>'Poplar'. Only for trials.</b>	<ul style="list-style-type: none"> <li>• Biosafety White Paper 2015, p.47 (LMO research and related industrial trends)</li> <li>- Although research and development on GM trees in Korea is limited to poplars, developing a technique of trait conversion for species such as a pine tree, larch, spruce, hibiscus, is consistently ongoing.</li> </ul>
9	Can it be clearly determined in which MUs the GM trees are used?	<b>Yes, but there are no management units where GM trees are used.</b>	

#### Recommended control measures

N/A