

Press Release



Ministry of Justice

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Set-up of a Cooperative System to Prevent Investor-State Disputes with Foreign-Invested Firms

MOU signed between the MOJ and the Foreign Investment Ombudsman

□ On Friday, April 30, 2021, Minister of Justice Park Beom Kye made a visit to the Korea Trade-Investment Promotion Agency (KOTRA) and the Invest Korea Plaza (IKP) in order to sign a Memorandum of Understanding (MOU) with the Foreign Investment Ombudsman in Korea (Dr. Kim Sung Jin)* to prevent Investor-State Disputes.

* Foreign Investment Ombudsman went into effect as of October 26, 1999, under the Foreign Investment Promotion Act, so as to help foreign-invested companies find solutions to difficulties, collect and analyze relevant information and come up with plans to improve foreign investment.

※ The MOU signing ceremony proceeded in full compliance with COVID-19 safety and health guidance.

○ The MOJ sees the signing of this MOU with the Foreign Investment Ombudsman as a chance to set up a cooperative system in order to

settle foreign investment disputes efficiently and prevent potential Investor-State Disputes effectively.

- The MOJ and the Foreign Investment Ombudsman may, upon mutual agreement, cooperate on various issues when necessary:
 - △ share information about actions necessary to prevent international investment disputes,
 - △ cooperate in providing a business-friendly investment environment for foreign investors and improving the system,
 - △ jointly hold conferences to hear about difficulties and recommendations from foreign investors,
 - △ exchange human resources and use each other's' networks, etc.

- Minister Park stressed the importance of entrepreneurship among young people for Korea's economic development and therefore placed emphasis on the implications of this MOU by saying, "I came to believe, even to support our young entrepreneurs to start businesses and expand into overseas markets, that the Korean government should provide foreign-invested companies with information and business-friendly investment environment so as not to cause them any inconvenience in Korea."
- Moreover, after signing the MOU, Minister Park, at the conference with representatives from the foreign Chambers of Commerce in Korea and foreign-invested companies, expressed his intention to strengthen cooperation with the Foreign Investment Ombudsman and come up with solutions to difficulties that foreign-invested companies may be facing.
- Meanwhile, Mr. Sean Blakeley, Chairman of the British Chamber of

Commerce in Korea, expressed gratitude towards Minister Park's efforts to lift restrictions on visa issuance to British citizens; Mr. Yang Xiao Jun, Executive President of the Chinese Chambers of Commerce in Korea, asked the Korean government to continue to provide a business-friendly investment environment; and, Mr. James Kim, Chairman of American Chambers of Commerce in Korea, mentioned that he would give his full support for cooperative relationship between the MOJ and the Foreign Investment Ombudsman in various ways.

- On Friday, April 30, 2021, the MOJ also published 『Easy Understandable ISDS Cases』 . The above case book file has been uploaded and posted on the bulletin board for foreign legal resources and latest trends on the MOJ homepage at www.moj.go.kr, so that anyone interested in Investor-State Disputes may access it for information.
- 『Easy Understandable ISDS Cases』 was designed to offer a better understanding of critical points and implications of the awards on Investor-State Dispute cases for different policy areas and faithfully reflects the latest trends and discussions in the field of Investor-State Dispute Settlement.
- Minister Park emphasized in the preface that he would like to see this case book provide those who attract foreign investment with policy implications so as to prevent possible disputes ahead of time and, if not, then promptly resolve matters; and also expressed his hopes that the case book would present a variety of international investment

dispute cases to Korean corporations overseas in their relevant business areas so that the Investor-State Dispute Settlement procedure would be regarded as an effective remedy.

- The MOJ will continue to make various efforts to prevent Investor-State Disputes by promoting the government's capacity for preventing and responding to Investor-State Disputes, cooperating with relevant government agencies, and training working-level officials.



▲ Minister Park is greeting the attendees at the MOJ-Foreign Investment Ombudsman MOU signing ceremony.



▲ After signing the MOU, Minister Park is shaking hands with Dr. Kim Sung Jin, the Foreign Investment Ombudsman in Korea.



▲ After signing the MOU, Minister Park is posing for commemorative photos.



▲ After signing the MOU, Minister Park is taking commemorative photos with participants.



▲ Minister Park is carefully listening to the views of the representatives from the foreign chambers of commerce in Korea and foreign-invested firms.



▲ Minister Park is carefully listening to the views of the representatives from the foreign chambers of commerce in Korea and foreign-invested firms.



▲ Minister Park is enjoying pleasant talks with the representatives from the foreign chambers of commerce in Korea and foreign-invested firms.