

THE FORMULATION OF KOREA'S RESOURCE POLICY: RESOURCE DIPLOMACY, PUBLIC-PRIVATE CONSORTIUM AND INTERNATIONAL AGREEMENTS

*Joongi Kim**

ABSTRACT

As one of the world's most resource dependent countries, Korea has been trying to utilize a proactive resource policy to obtain energy, food and minerals from overseas resource providers. Government-owned and government-controlled enterprises largely in consortium with private sector companies have become key actors in this process. From passively purchasing resources through the marketplace, they have instead begun to pursue direct ownership, development and investment arrangements, leading to a reconfiguration in relations vis-à-vis resource-providing countries. To prepare for reunification and due to pressure to delink unconditional aid, Korea has been unable to use development aid or other forms of government assistance as part of its overseas resource policy. An underappreciated aspect of Korea's transition has been the contributions of international agreements in laying the foundations for this new brand of resource policies. Agreements can play an important role in transition economies and under-developed countries, which are more prone to system risks and legal uncertainty. This paper assesses the development, efficacy and characteristics of Korea's international policy regime with respect to resource-rich countries and analyses potential implications for the future. Korea's widespread dependence on overseas resources

* Professor of Law, Yonsei Law School, Seoul, South Korea. The author can be reached at kimjg@yonsei.kr.

such as energy, minerals and food is first analysed. It then shows how Korea's resource policy has evolved from a more passive stage of resource acquisition to actively developing, exploring and producing resources overseas often through strategic cooperation between public entities and private enterprises. Next, the paper illustrates how international treaties and agreements have contributed to provide the framework for this proactive resource policy to be cultivated. It highlights how international agreements will continue to help Korea develop a more systematic and comprehensive strategy for its international policies surrounding resources such as energy, food and minerals.

KEYWORDS: *Korea, resources policy, international treaties, energy, food, minerals, development aid*