SHIN & KIM

Center for Trade, Industry and Public Affairs

For decades, a global order anchored in free trade and established norms has underpinned international business operations, enabling companies to develop long-term strategies, allocate capital efficiently, and expand into new markets within a largely transparent and predictable regulatory environment.

However, this foundation has fundamentally shifted. Market uncertainty is rising sharply due to intensifying U.S.–China technological competition, heightened geopolitical fragmentation, frequent changes in tariffs and industrial policies, and the ongoing restructuring of export controls, economic sanctions, and subsidy regimes in major economies.

Companies must now move beyond basic regulatory compliance and adopt a more integrated approach to managing legal, commercial, and geopolitical risks. Investment structures, supply chains, partner selection, and geopolitical risk management must be evaluated and designed within a single strategic framework. The ability to proactively integrate evolving trade dynamics into business strategies and reflect them in decision-making processes is now a core driver of corporate competitiveness. As a result, the demand for highly specialized, multidisciplinary advisory services capable of addressing these interconnected challenges is rapidly increasing.

The Center for Trade, Industry and Public Affairs at Shin & Kim LLC is a strategic advisory platform dedicated to providing integrated advisory services at the intersection of trade, economic security, industrial policy, and geopolitics. The Center operates beyond traditional regulatory interpretation and reactive risk management, conducting comprehensive and forward-looking assessments of evolving trade and industrial policies and their impact on corporate strategy and investment structures. By identifying regulatory and geopolitical risks at an early stage, the Center supports clients throughout the entire strategic decision-making process, from planning and execution to long-term risk management.

Focusing on strategic sectors such as defense, energy and infrastructure, shipbuilding, batteries, semiconductors, and AI, the Center provides tailored and practical advisory services through continuous monitoring and analysis of regulatory, policy, and geopolitical developments across key economic regions, including the U.S., EU, and China.

Shin & Kim officially launched the Center in 2026. The Center is led by Senior Foreign Attorney Se-jin Kim, former Director of the Trade Dispute Response Division at the Ministry of Trade, Industry and Energy, who leads the Center's strategic

initiatives and overall operations.

While traditional trade legal advice focused on regulatory interpretation and dispute resolution, the decision-making environment companies face today requires sophisticated, multidisciplinary analysis at the intersection of law, public policy, industrial strategy, economic security, and geopolitics. For example, when dealing with the Committee on Foreign Investment in the United States (CFIUS), a conventional legal review is insufficient. Effective investment planning and structuring require the simultaneous consideration of U.S. industrial policy objectives, supply chain and national security considerations, federal and state incentive programs, and parallel regulatory developments in other key jurisdictions.

To address these needs, the Center brings together legal, regulatory, policy, and strategic expertise within a single integrated platform, enabling the coordinated design of trade, industrial, and public policy strategies across multiple jurisdictions. By eliminating the fragmentation and coordination inefficiencies that often arise when legal, policy, and business advisory functions are handled separately, the Center provides a seamless, one-stop advisory solution that combines legal analysis with strategic decision-making support.

The Center continuously monitors, analyzes, and assesses major trade, industrial, and economic security policies across key economies, including the United States, the European Union, and China. It then synthesizes these developments into actionable insights that support critical business decisions, including market entry strategies, investment timing, site selection, supply chain planning, transaction structuring, and long-term risk management.

- China’s Five-Year Economic Development Plan, Anti-Foreign Sanctions Law
- U.S. export controls, National Security Strategy (NSS), National Defense Strategy (NDS), and Maritime Action Plan (MAP)
- EU industrial policy and trade regulation (e.g., Foreign Subsidies Regulation) legislative trends, etc.

Key Services

The Center for Trade, Industry and Public Affairs provides services focused on the following core advisory areas.

① Strategic Investment and Transaction Structuring

We provide end-to-end support throughout the entire investment lifecycle, from the development of overseas investment strategies to the structuring, implementation, and execution of complex transactions. We design **optimal investment and transaction structures tailored to each company’s business objectives and regulatory environment** by comprehensively considering **domestic and international subsidy programs, foreign investment reviews** (such as the U.S. CFIUS), export controls, procurement regulations, tax systems, and financial factors. Furthermore, through our extensive network of leading international law firms, industry specialists, and policy consultants, we provide integrated, cross-border advisory services that address the diverse regulatory requirements, policy developments, and incentive frameworks applicable across multiple jurisdictions.

- **Utilization of Government Incentive Programs**: Strategies for leveraging domestic and international subsidies and incentives, including South Korea’s foreign investment cash support, the U.S. Marine Prosperity Zones (MPZ) and Inflation Reduction Act (IRA), and EU state aid

- **National Project and R&D Advisory**: Strategies for participating in national projects for strategic industries; response to audits of public investment projects
- **Overseas Expansion Advisory for Strategic Industries**: Designing overseas joint venture structures in shipbuilding, defense, and energy sectors; responding to investment requirements of allied nations (Bridge Strategy)
- **Fiscal and Industrial Policy Analysis**: Formulation of business strategies based on analysis of government budget and fiscal cycles, as well as industrial restructuring policies
- **Supply Chain Restructuring Advisory**: Designing diversification and stockpiling structures for strategic items such as rare earths, critical minerals, and battery materials

② Economic Security and Regulatory Response

We conduct comprehensive analyses of the economic security, trade, and industrial regulatory frameworks of major jurisdictions, evaluate their potential impact on corporate business operations, supply chains, and investment strategies, and develop tailored risk mitigation and strategic response measures.

- **United States**: Committee on Foreign Investment in the United States (CFIUS), Export Administration Regulations (EAR)/International Traffic in Arms Regulations (ITAR), Office of Foreign Assets Control (OFAC) sanctions, Federal Acquisition Regulation (FAR)/Defense Federal Acquisition Regulation Supplement (DFARS), Buy America requirements, Berry Amendment, Cybersecurity Maturity Management Capability (CMMC)
- **EU**: Foreign Subsidies Regulation (FSR), foreign investment screening, Carbon Border Adjustment Mechanism (CBAM), supply chain due diligence, battery regulations, Industrial Acceleration Act (IAA)
- **China**: Data Security Law, Anti-Foreign Sanctions Law, Export Control Law, National Security Review
- **South Korea**: Supply Chain Stabilization Act, Foreign Investment Incentive System, Specialized Subsidy System for Strategic Industries

③ Trade, Industrial Policy, and Geopolitical Responses

We analyze the impact of geopolitical shifts—such as the U.S.-China strategic competition, the situation in the Middle East, and the Russia-Ukraine war—as well as the trade and industrial policies of major countries on corporate investment, supply chains, and business models, and translate these insights into actionable strategic responses.

- **U.S. Trade and Tariff Response**: Tariff refunds, volume management, response to Section 301 investigations, and preparation and submission of written comments for public hearings
- **U.S. Investment Structure Design**: Designing market entry structures and coordinating with subsidies while considering the Committee on Foreign Investment in the United States (CFIUS), export controls, Buy America requirements, and federal procurement regulations
- **EU Regulatory Response**: Public procurement strategies based on the Foreign Subsidies Regulation (FSR), monitoring of the EU Industrial Acceleration Act (IAA) legislation, and development of regulatory strategies for batteries and the Carbon Border Adjustment Mechanism (CBAM)
- **China Risk Management**: Prevention of technology and data leaks, monitoring of Chinese economic policies, and response to US-China regulatory conflicts

④ Key Industry-Specific Regulatory and Strategic Advisory Services

- **Defense**: Export controls, overseas expansion strategies, international defense cooperation, compliance with U.S. procurement regulations
- **Energy & Infrastructure**: Overseas investment, supply chain stabilization, coordination of inbound and outbound investment
- **Shipbuilding:** Response to the U.S. Maritime Action Plan (MAP) and ROK-U.S. shipbuilding cooperation, design of overseas joint venture structures
- **Batteries**: Integrated response to the U.S. Inflation Reduction Act (IRA), EU CRMA and battery regulations, and China's rare earth export controls
- **Semiconductors**: Response to U.S.-China export controls, supply chain restructuring strategy
- **AI & Quantum Computing**: Trends in emerging technology regulations, national security reviews, and technology transfer risk management

Experience

Advisory on Supply Chain and Economic Security Risks in Strategic Industries (Defense, Nuclear, Batteries, Shipbuilding, etc.)

- Comprehensive advisory on supply chain restructuring, export controls, sanctions risks, and overseas joint venture structures for key strategic industries.

Advisory on Response to Investigations under U.S. Trade Laws

- Submission of written comments regarding investigations into unilateral U.S. trade measures; development of strategies for public hearings; review of procedural and legal applications; and drafting of response documents.

Advisory on FTA Negotiation Support and Treaty Review

- Legal advisory on follow-up negotiations for the Korea-EU FTA; legal review of EU proposals; support for developing negotiation positions through comparative analysis of treaties such as GATS and CETA

Export Control and Economic Sanctions Risk Advisory

- Corporate risk response strategies regarding export controls and financial sanctions in major countries, including a strategic report on China's graphite and rare earth export controls, U.S.-China risk management strategies, and legal analysis of Korean won-denominated payments for exports to Iran.

Digital Trade and AI Regulatory Policy Advisory

- Analysis of global AI regulatory trends and policy advisory on digital trade.

Advisory on Foreign Investment Incentive Programs and Various Government R&D Support Programs

- Advisory on foreign investment support systems and government R&D support policies.

Participation in Government Trade Strategy Development and Dispute Resolution

- Support for WTO dispute response (e.g., the Korea-U.S. washing machine safeguard dispute), trade negotiations, and economic security policy design.

Representation in Korea’s First ISDS Case

- Representation in the first Investor-State Dispute Settlement (ISDS) proceeding initiated by a Korean company against a foreign government (under UNCITRAL and ICSID Rules)

Advisory on WTO Dispute Law and Institutions

- In-depth advisory on the Dispute Settlement Understanding (DSU), including legal reviews regarding the moratorium on non-violation complaints and analysis of WTO panel reports

Trade and Industry Policy Advisory

- Support for the development of legislative strategies and the implementation of government policies in the trade and industry sectors for the National Assembly, political parties, local governments, and research institutions

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