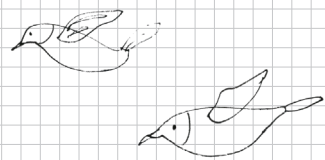


ACRC

Taking a Big Stride
Forward on Transparency &
Civil Rights



ACRC Anti-Corruption &
Civil Rights Commission
Republic of Korea



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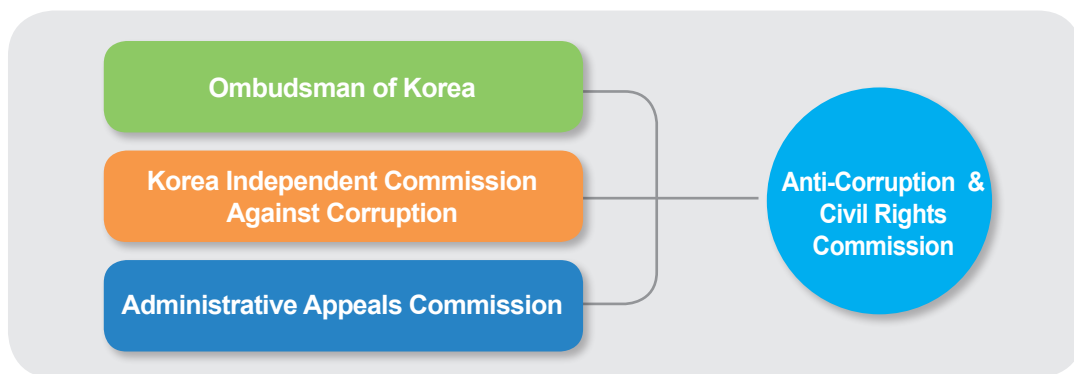
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Introduction

1 Establishment

The Anti-Corruption & Civil Rights Commission (ACRC) was launched on February 29, 2008 by integrating the Ombudsman of Korea, the Korea Independent Commission Against Corruption and the Administrative Appeals Commission.



With the consolidation of these three organizations, we can offer more convenient and efficient public services to the people, resolve people's grievances as swiftly as possible, and spread a culture of integrity throughout the society to create a more advanced country where civil rights are fully respected and the rule of law is abided by.

2 Main Functions

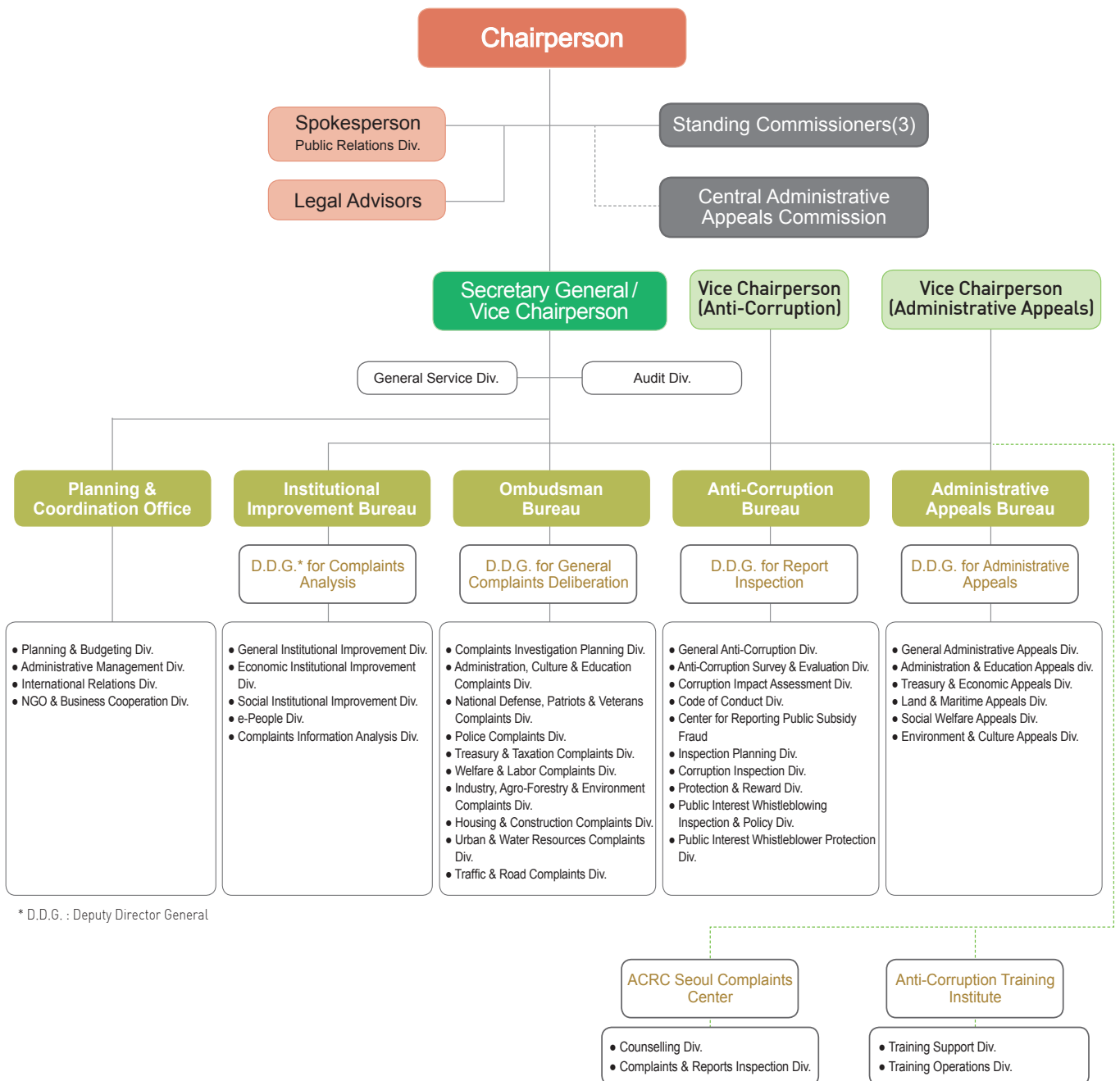
The Anti-Corruption & Civil Rights Commission performs the following 4 functions:

- Address civil complaints which cause inconvenience or burden to citizens
- Build a clean society by preventing and deterring corruption in the public sector
- Protect people's rights from illegal and unfair administrative practices through the administrative appeals system
- Make recommendations of improvement on unreasonable laws or systems which may lead to civil complaints or corruption-prone environment

Legal ground for the foundation of the ACRC

「Act on Anti-Corruption and the Establishment and Operation of the ACRC」 (Act No. 8878)

Organizational Chart



* D.D.G. : Deputy Director General

The ACRC consists of a total of 15 commissioners including the Chairperson (minister-level), 3 Vice-Chairpersons (vice minister-level), 3 Standing Commissioners and 8 Non-standing Commissioners.

The status and independence in work of all commissioners are guaranteed by the law.

Services

1 Addressing Civil Complaints

Investigating & Handling Civil Complaints

Counseling & Application

Citizens may personally file complaints or designate a representative, via personal visit, mail, internet, or fax.

Subjects: Illegal and unfair practices of administrative agencies, infringement of rights and grievances of the people by the lack of appropriate systems and policies.

Investigation

Investigators of the ACRC may demand that the administrative agencies concerned (respondent) give explanation on the filed complaints and submit relevant materials and documents. They may also request attendance and testimony of complainants, stakeholders, reference persons and relevant staff members. And, they may conduct an on-site investigation of related premises or facility and seek advice from specialists.

Deliberation & Decision-Making

Upon the completion of investigation, the commission deliberates opinions and evidence submitted. Based on the deliberation results, it recommends corrective measures or issues official opinions on the complaints or the relevant laws, institutions, and policies.

Notification

The ACRC should immediately notify the parties concerned of its decision related to the complaints. And, the related administrative agencies should report how they have implemented the ACRC's recommendations or opinions no later than 30 days after receiving such notification from the ACRC. If there are viable reasons to prevent the administrative agency concerned from accepting and following the ACRC's decision, the agency can request re-deliberation.

Civil Complaints Cases

Year	Received	Handled	Accepted	Acceptance rate of civil complaints(%)*
2009	29,716	28,163	4,821	20.0
2010	32,584	34,510	4,033	14.9
2011	32,351	32,082	3,014	15.0
2012	34,347	33,242	3,620	17.9
2013	31,681	32,737	3,667	18.0
2014	30,038	28,744	3,495	21.4

* acceptance rate of civil complaints: the number of accepted cases in favour of complainants out of civil complaints where simple queries are excepted from all complaints received

“The ACRC investigates and handles complaints filed by citizens.”

e-People (www.epeople.go.kr)

The administration process in these days is becoming more and more complex and diverse. For this reason, citizens, who intend to file complaints, face difficulties in finding the right agency to contact. e-People is the system handling civil complaints online at the pan-governmental level to provide people with easier access to public services.

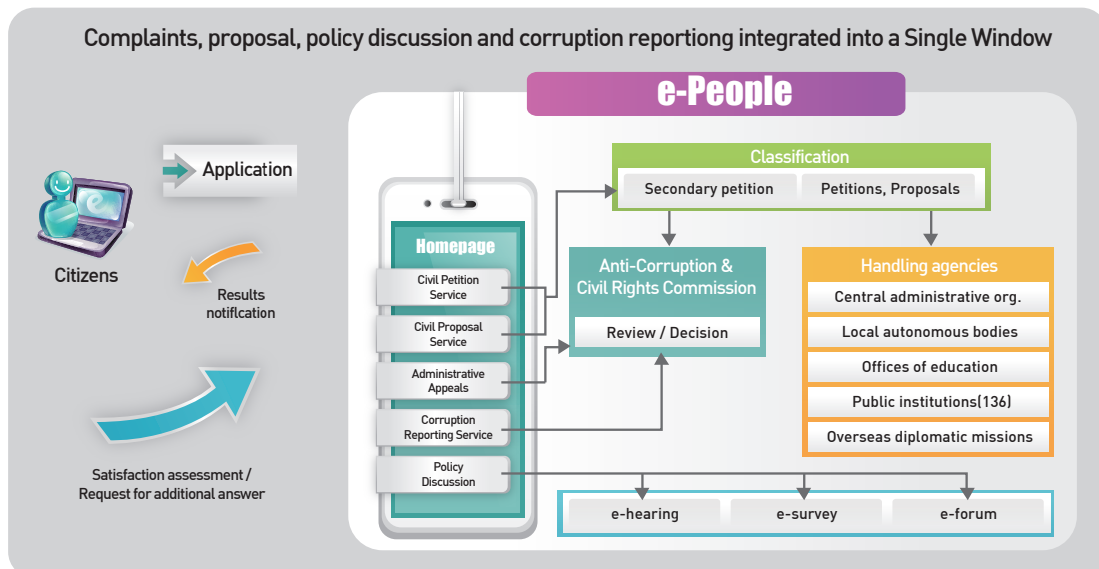
E-People, an online government portal, connects all central administrative organizations, all local autonomous bodies, all offices of education, major public institutions (136), overseas diplomatic missions, and National Court Administration. Using e-People, citizens and foreigners living in Korea can submit grievances, proposals, reports of corruption, and administrative appeals related to government services.

The received complaints are sent to the suitable agencies that can most effectively deal with these complaints. In the case where more thorough investigation is needed, the ACRC directly handles and processes those complaints.

Plus, this online portal system enables people to make suggestions regarding administrative affairs and participate in policy decisions to ensure more creative administration.

Currently, the multilingual service of e-People is provided in 12 languages: English, Chinese, Japanese, Vietnamese, Mongolian, Indonesian, Thai, Uzbek, Bengali (language of Bangladesh), Cambodian, Sinhala (language of Sri Lanka), and Nepali

“e-People” : People’s online petition and discussion portal



No Voice left unheard

“e-People is the government portal that allows citizens to file complaints online.”

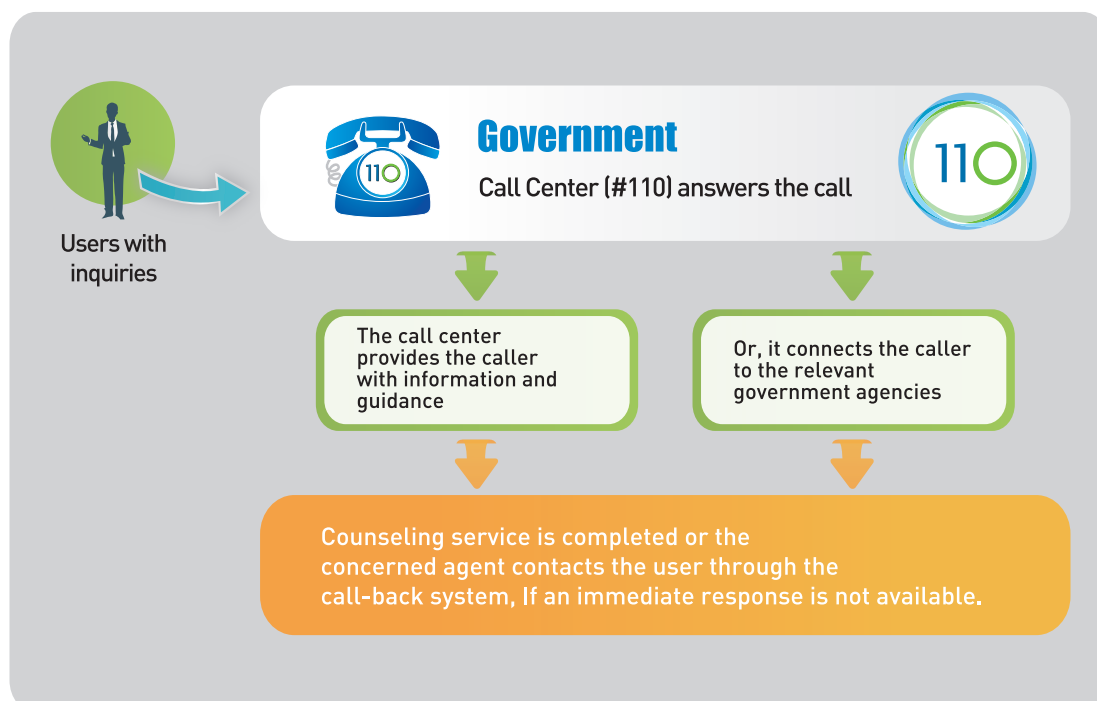
Integrated Government Call Center (#110)

Those who want to obtain information on civil services provided by any administrative agencies can call 110, the phone number of the Integrated Government Call Center, anywhere in Korea. With this service, the ACRC ensures maximum convenience for people who use public services and is opening a new chapter in offering customer-oriented administrative service.

The public organizations connected to this call center include all central administrative agencies, all local autonomous bodies, and all metropolitan & provincial offices of education, and main public institutions (12). This center provides counseling and guidance service to citizens about civil service with the single number of 110.

One of the strength of this call center is that counsellors, not an automatic response system (ARS), are available to respond to callers. Simple issues are processed by counsellors themselves while more sophisticated matters including taxation, labor and welfare are directed to specialized call centers or complaint handling systems of the agencies concerned.

When complainants are connected to the agencies concerned, the complaint details are transferred electronically, thereby eliminating the need for them to repeat their complaints. In addition, the 'Call back' system is introduced to give answers to complainants later when issues are not urgent or immediate reply is not possible.



“For any inquiries about government service, just call 110 anywhere in Korea.”

2 Fighting Corruption

Coordinating National Anti-Corruption Policies

Coordinating National Anti-Corruption Initiatives

The ACRC formulates national anti-corruption policies to be implemented at every level of the government. And, it discusses and coordinates government-wide measures designed to prevent corruption in the long term.

Assessing Integrity of Public Organizations

The ACRC assesses the levels of integrity of public sector organizations each year by surveying citizens who have had firsthand experience with public services. The commission also evaluates the anti-corruption initiatives taken by public organizations on a regular basis. The fundamental objective of these assessments is to encourage public organizations to make voluntary efforts to tackle corruption.

Integrity Assessment Results

Year	General integrity level (perfect score :10)	Rate of providing bribes (%)
2009	8.51	0.3
2010	8.44	0.4
2011	8.43	0.3
2012	7.86	0.3
2013	7.86	0.3
2014	7.78	0.7

Closing Legal & Regulatory Loopholes

The ACRC makes recommendations to help government agencies to amend ambiguous and corruption-prone laws and institutions, and monitors the implementation of the ACRC's recommendations.

Conducting Corruption Impact Assessment

The Corruption Impact Assessment is an analytical mechanism designed to identify and remove corruption-causing factors in advance in laws and regulations. Under this system, every proposed enactment and amendment as well as existing legislation is examined for any factor that could contribute to the occurrence of corrupt practices.

Enforcing the Code of Conduct for Public Officials

To enhance ethics in public service, the ACRC enacted the Code of Conduct for Public Officials in February 2003 as an ethical guidance for public officials. Based on this model code, public sector agencies have introduced their own codes of conduct. The ACRC monitors compliance with and investigates violations of these codes by public sector employees.

“The ACRC formulates and implements anti-corruption policies at the national level.”

Encouraging Voluntary Partnerships

Raising Public Awareness on Corruption Issues

The ACRC carries out a variety of public awareness programs to encourage citizen's cooperation and participation in enhancing national integrity. To raise awareness of the risks of corruption and establish a sustainable system of national integrity, the ACRC focuses on anti-corruption education for public servants and students.

Promoting Public-Private Partnership to Fight Corruption

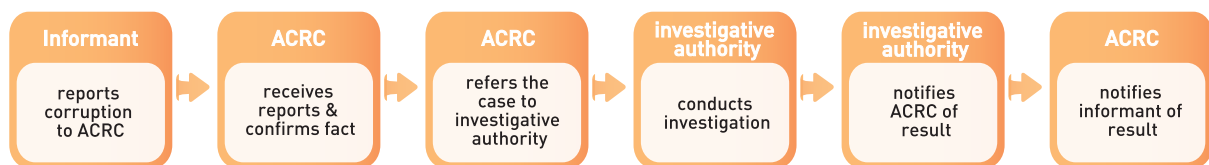
The ACRC communicates and cooperates through the establishment of networks with public institutions and civic organizations to promote public-private partnerships against corruption. We provide financial support on civil groups' selected initiatives to spread integrity culture. The ACRC also runs various educational programs for compliance officers and delivers recent trends and best practices on ethical management inside and outside Korea to encourage corporate ethical management.

Monitoring and Detecting Corrupt Practices

Receiving Corruption Reports

Any person may report an act of corruption to the ACRC. The "acts of corruption" here even include forcing or inducing a person to commit corruption, proposing or recommending a person to do so, or forcing a person to conceal the act of corruption.

How Corruption Reports are Processed



- The ACRC may file a direct accusation with the prosecution against "high-ranking" public officials with suspected corrupt conduct.
- The ACRC may request reinvestigation when the initial investigation is deemed inadequate.
- If an accusation against high-ranking officials is dismissed, the ACRC may file an application for adjudication with the High Court

Corruption Report Cases

Year	Received	Handled	Referred	Notified as violations of the code of conduct
2009	2,693	2,695	106	47
2010	3,099	3,066	81	73
2011	2,529	2,546	73	80
2012	2,527	2,529	74	79
2013	3,735	3,670	139	43
2014	4,510	4,481	236	53

"The ACRC supports voluntary partnerships and monitors acts of corruption"

Protection of Public Interest Whistleblowers

The ACRC will contribute to the stability of people's livelihoods and to a more transparent and ethical social climate by protecting and supporting people who report violations of the public interest.

Violation of the Public Interest

"Violation of the public interest" means an act that infringes on the health and safety of the public, the environment, consumer interests and fair competition, etc. and is subject to 1) any penal provisions defined in the Acts* listed in an attached table of 「the Act on the Protection of Public Interest whistleblowers」, or 2) an administrative action such as the cancellation or suspension of a permit or license.

* 「Agricultural Products Quality Control Act」, 「Special Act on the Safety Control of Public Structures」, 「Food Sanitation Act」, 「Natural Environment Conservation Act」 and other 177 Acts

Procedure of the Public Interest Reports

When the ACRC receives a public interest violation report, it undertakes fact-finding investigations within 60 days after the report was filed, refers the case to investigative agencies, and notifies the reporter of the investigation result.

Protection of Public Interest Whistleblowers**

Personal Confidentiality: It is banned in 「the Act on the Protection of Public Interest whistleblowers」 to disclose to or publicize to any third party personal information concerning the public interest whistleblower, etc. or other facts that infer the identity of the whistleblower.

Protection of Personal Safety: The ACRC may request the police to take protective measures for a public interest whistleblower (and his/her relatives) when they have faced or are likely to face serious danger to their lives.

Prohibition of Disadvantageous Measures: A public interest whistleblower may request the ACRC to take necessary measures to recover his/her original status when the whistleblower was dismissed, lost his/her position, or was disadvantaged in some other way because of whistleblowing.

** Any person who violates the Protection of Public Interest Whistleblowers shall be punished by imprisonment for not more than three years or by a fine not exceeding KRW 30 million (USD 30,000 approximately)

Rewards and Relief Money: When a public interest whistleblowing directly results in the recovery of or increase in revenue such as penalty surcharges for the central or local governments, the ACRC provides the whistleblower with a reward of up to KRW 1 billion (USD 1 million). Also, when the whistleblowing report causes damages or expenses related to medical treatment, residential relocation, litigation, wage loss or other reasons, the ACRC provides relief funds.

Public Interest Report Cases

Year	Received	Handled	Referred
2011	292	227	8
2012	1,153	1,113	104
2013	2,887	2,509	73
2014	9,130	8,498	168

3 Handling Administrative Appeals

Administrative Appeals System

The administrative appeals system is a mechanism allowing people whose legal rights have been violated or who have experienced any form of injustice by government administrative agencies to file appeals to the agencies. Compared to going to the court, this free of charge scheme provides quicker and simpler service to the people.

Subjects

The general public have the right to make an administrative appeal when their legal rights have been infringed or they have experienced any form of illegal and unfair exercise of public power ("disposition") or "omission."

- 1) "Disposition" is a legal act performed by administrative agencies directly related to the people's rights and duties. It includes granting specific rights or imposing duties on people in accordance with the law.
- 2) "Omission" is a failure to perform an act requested by the party concerned and required by the law.

Procedure

Application Submission

An appellant can submit administrative appeals to the disposition agency or the ACRC via personal visit, mail, or internet (www.simpan.go.kr).

Answer Submission

The disposition agency writes an answer regarding the appellant's appeals within ten days after receiving his/her application, and presents it to the ACRC. Then, the Central Administrative Appeals Commission within the ACRC sends the answer to the appellants to enable them to understand the opinion of the disposition agency concerned.

Deliberation & Adjudication

The ACRC thoroughly examines statements of both sides, and sets the date for deliberation. After deliberating whether the appealed case is illegal or unfair, it notifies the results to the disposition agency and the appellant with a written document.

Examples of administrative appeals

- Cancellation or suspension of driving licenses
- Rejection of welfare nomination as patriots and veterans
- Refusal to disclose administrative information
- Imposing & collecting social insurance contributions

Cases of Administrative Appeals

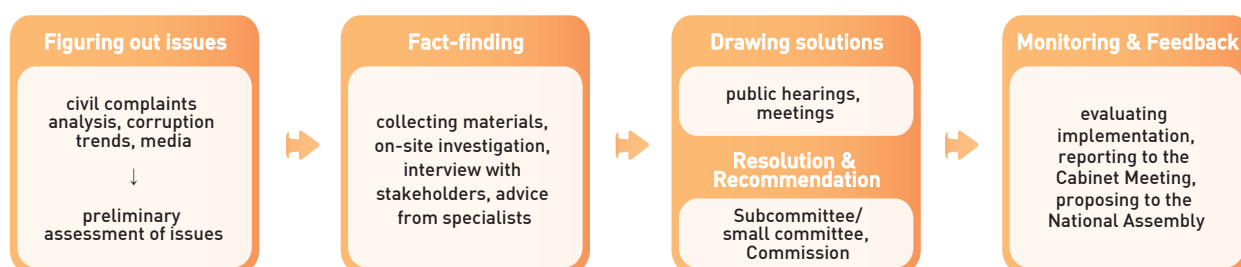
Year	Submitted	Handled	Deliberated in favor of appellants	Rates in favor of appellants(%)
2009	29,572	27,461	4,162	15.2
2010	31,019	30,472	4,990	16.4
2011	28,058	28,923	4,840	16.7
2012	25,317	24,987	3,983	15.9
2013	25,570	24,405	4,227	17.3
2014	25,301	25,270	4,131	16.3

4 Institutional Improvement

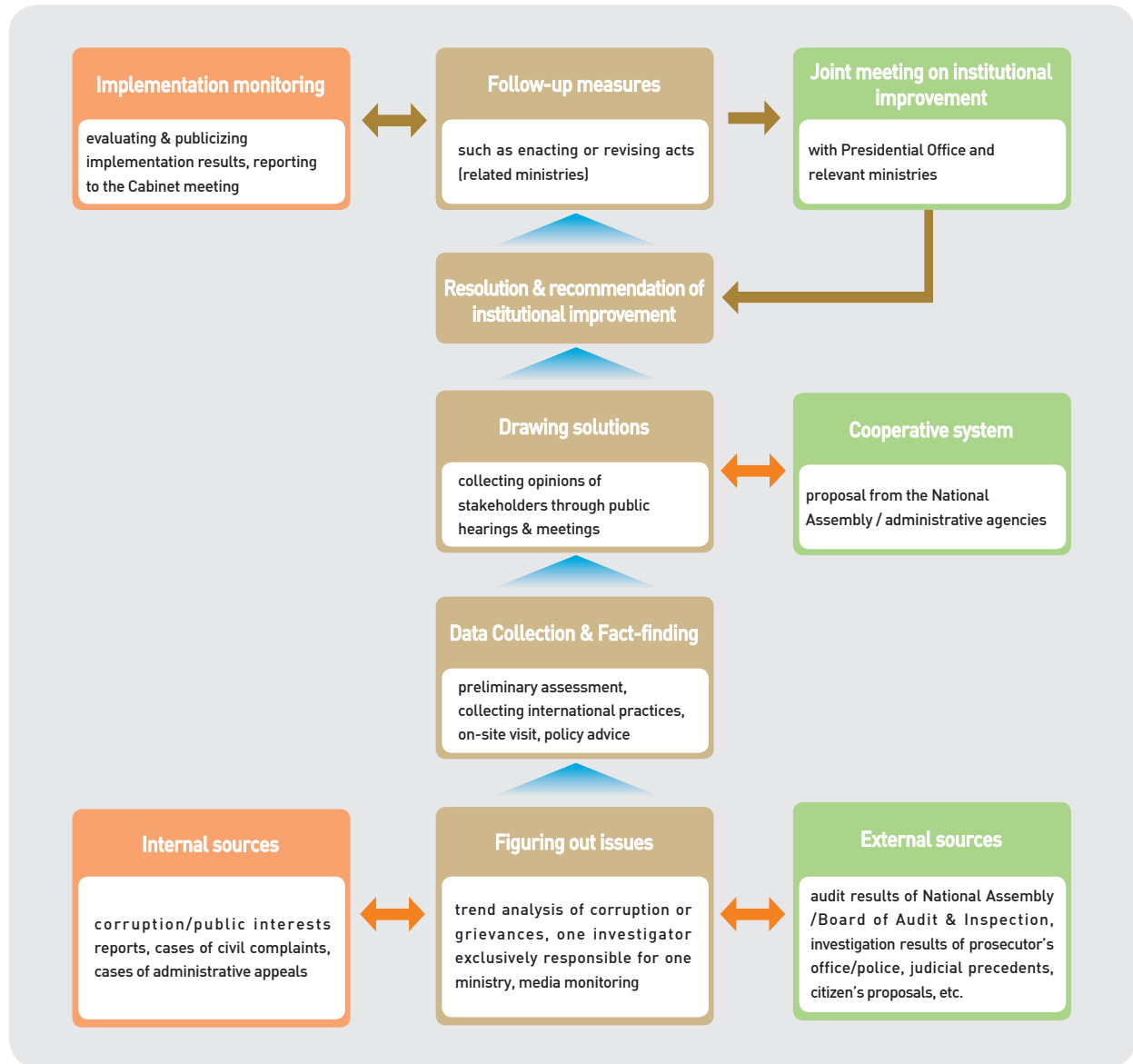
The ACRC analyses corruption acts and the current trends of civil petitions, figures out corruption-prone or complaint-causing areas, and recommends public organizations to improve unreasonable laws and institutions.

Each organization voluntarily selects its institutional improvement tasks and improves its institutions while the ACRC supports their efforts by conducting "Anti-Corruption Initiative Assessment."

Procedures of Institutional Improvement



Institutional Improvement System Chart



Institutional Improvement Recommended Cases

Year	Civil complaint area	Anti-corruption area	Total
2009	99	18	117
2010	69	22	91
2011	48	33	81
2012	44	22	66
2013	50	16	66
2014	45	18	63

“The ACRC is dedicated to identifying and improving ineffective administrative systems.”

5 International Cooperation

The Korean government has been committed to global initiatives to combat corruption and resolve grievances of the people.

For example, Korea has been actively participating in G20 Anti-Corruption Working Group and APEC Anti-Corruption & Transparency (ACT) Working Group. The ACRC also played a leading role in establishing the ACA (Anti-Corruption Agency) Forum where the heads of the anti-corruption bodies discuss anti-corruption issues in the Asian-Pacific region, and serves as the Secretariat of the ACA Forum.

In addition, the ACRC has faithfully tried to implement international anti-corruption conventions such as the OECD Anti-Bribery Convention and the UN Convention Against Corruption (UNCAC). At the same time, the ACRC signed anti-corruption MOUs with Indonesia, Thailand, Vietnam and Mongolia to help building their anti-corruption capacity by offering technical assistance like 'the Integrity Assessment.'

On the Ombudsman side, the ACRC has been playing an important role to promote exchange and cooperation through various initiatives as a member of the International Ombudsman Institute (IOI) and the Asian Ombudsman Association (AOA). Furthermore, the ACRC signed Ombudsman MOUs with Indonesia, Thailand, Vietnam and other countries to protect expatriate citizens and enterprises in each other's territory by resolving their civil complaints and strengthening bilateral cooperation. The ACRC will contribute to improving Ombudsman capacity by sharing best-practices and experiences.

The ACRC, through its Ombudsman and anti-corruption functions, will continue to cooperate with the international communities more closely and constructively.

“We will strengthen our cooperation with the international community”



A new Korea starts by dismantling outmoded ways of thinking.

Our priority today should be on putting people's rights
ahead of administrative convenience.
Let's be a nation that applies principles fairly and transparently.

The ACRC is committed to making the Republic of Korea
such a country, one all Koreans can take pride in at all times.

Let us not forget that our conduct today
shapes the Korea of tomorrow.



Addressing Civil Complaints
Provide counseling and application
services to nationals, foreigners,
and expatriates



Preventing Corruption
Implement various policies to deter the
corruption of public officials, leading to
the nurturing of a clean society



Resolving Appeals
Protect people's rights from illegal
and unfair administrative practices
through the appeals system



ACRC Anti-Corruption &
Civil Rights Commission



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