

# ACRC

A BIG STRIDE FORWARD FOR  
TRANSPARENCY AND  
PROTECTION OF CIVIL RIGHTS



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# Introduction

## Establishment

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



The purpose of the integration was to perform the duties of protecting citizens' rights at one agency in a more effective way which were handled by the three agencies: handling of civil grievances by Ombudsman of Korea; enhancement of national integrity level by Korea Independent Commission Against Corruption, and adjudication of administrative appeals by the Administrative Appeals Commission.

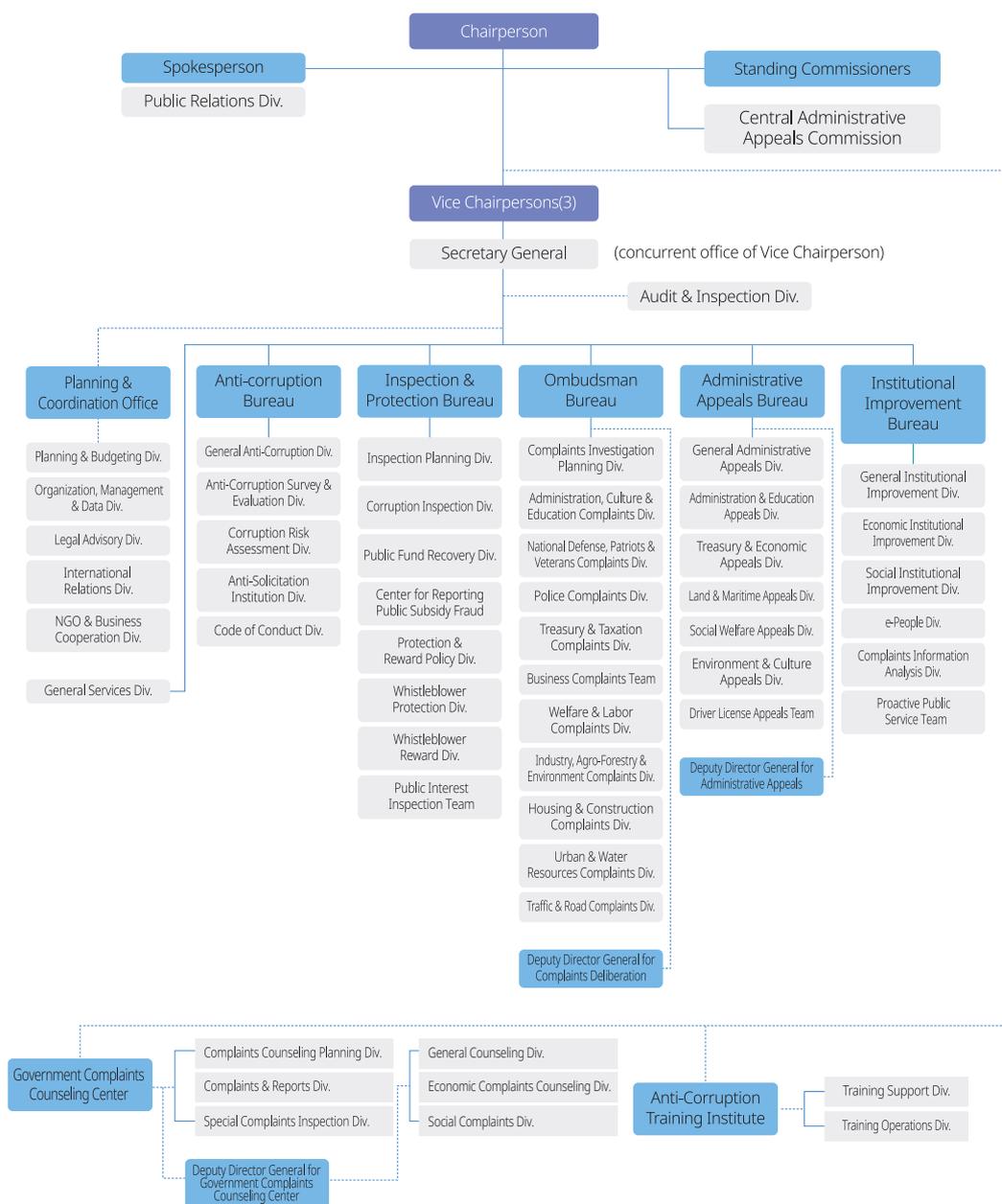
## The ACRC performs the following four functions

- Addressing civil complaints which cause inconvenience or burden to citizens
- Preventing and deterring corruption in the public sector to make a clean society
- Protecting people's rights from illegal or unfair administrative practices through the administrative appeals system
- Making recommendations of improvement on unreasonable laws or regulations that can lead to civil complaints or corruption-prone environment

\* Legal ground for the foundation of the ACRC: 「Act on the Prevention of Corruption and the Establishment and Management of the ACRC」



# Organizational Chart



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 the commissioners are guaranteed by the law.

## Number of Employees

Total	Political service	Senior executive service	3-4	4	4-5	5	6 and under	Official with Special Experiences	Research service	Special service
562	4	17	14	35	41	206	233	8	1	3

# Functions

## 01 Fighting Corruption

### Enhancing Integrity of Public Organizations

#### Coordinating National Anti-Corruption Initiatives

The ACRC formulates national anti-corruption policies implemented at the government level. For their systemic implementation, the commission established and is implementing a mid-to long-term anti-corruption roadmap and operates government-wide anti-corruption consultative council, the Anti-Corruption Policy Consultative Council for Transparent Society.

#### Anti-Corruption Policy Consultative Council for Transparent Society

The council is set up to push forward with government anti-corruption policies in a comprehensive and systemic way. It is chaired by the President of Korea and participated in by heads of 15 government agencies including the ACRC, the Korea Fair Trade Commission, the Ministry of Justice, and the Ministry of Interior and Safety. The Five-year Comprehensive Anti-Corruption Plan was established at the council's meeting in April 2018.

#### Assessing Comprehensive Integrity level of Public Organizations

The ACRC conducts the Comprehensive Integrity Assessment on public organizations of each level based on comprehensive data which include survey of citizens who used public services and survey of employees of the public organizations and other stakeholders; anti-corruption initiative outcomes and achievements of public organizations; and statistics of corruption cases in public organizations of all levels. The objective is to facilitate and support voluntary anti-corruption efforts of public organizations in a proactive and preventive manner, moving from reactive anti-corruption policies that focus on detection and punishment.

Since 2002, the ACRC has operated the Integrity Assessment which measures corruption level of public institutions based on stakeholder survey and others, and the Anti-Corruption Initiative Assessment which quantitatively and qualitatively measures anti-corruption achievements and efforts of public organizations of all levels based on assessment criteria. In 2021, to reflect the changed environment over the past 20 years and to more effectively support the anti-corruption efforts of each organization, the ACRC carried out integration of the two assessments, and the Comprehensive Integrity Assessment has been operated from 2022.

#### Conducting Corruption Risk Assessment

The Corruption Risk Assessment is an analytical mechanism designed to preemptively identify and remove corruption-causing factors in laws and regulations. Using the assessment, all the proposed enactments and amendments as well as existing legislations are examined for any factor that could cause occurrence of corrupt practices.



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

## Enhancing Integrity Awareness in the Entire Society

### Promoting Public-Private Partnership to Fight Corruption

The ACRC promotes public-private governance against corruption by building networks with civil society organizations, economic circles and professional associations for communication and cooperation. The commission is also operating a program to support civil society organizations' voluntary efforts to spread a culture of integrity.

#### Public-Private Council for Transparent Society:

In March 2018, the ACRC launched the Public-Private Council for Transparent Society consisting of 40 representatives of various sectors such as economic circles, professional associations, the media, the academia, and the public sector. The council discusses and promotes anti-corruption policy proposals and signing of Integrity Society Pact, etc.

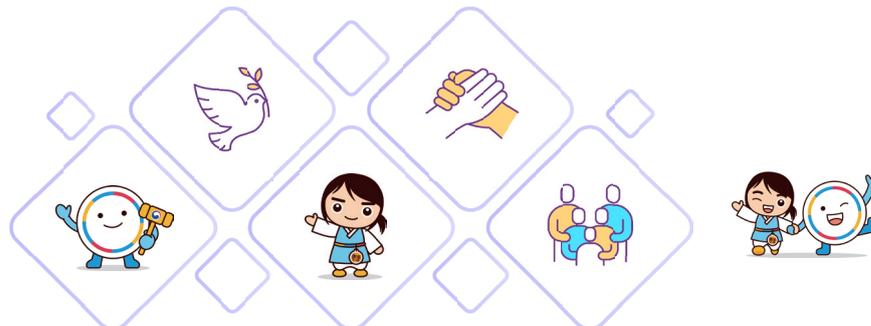
In addition, with an aim to spread and establish a corporate ethical culture, the ACRC publishes ACRC Ethics & Compliance Management Briefs that provides companies with latest ethical management information at home and abroad. The commission is now working on the development of a program on ethical management and compliance to support state-owned enterprises in autonomously preventing, detecting, and improving their corruption risks.

### 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 to enhance national integrity, the commission focuses on anti-corruption education for public servants and students.

In particular, the ACRC made it mandatory for all public officials to take anti-corruption education for two hours or more every year. To provide supports in this regard, the ACRC trains integrity education instructors, provides various educational materials including lecture plans and videos, and monitors anti-corruption educations of public organizations every year.

In addition, to provide professional and systemic anti-corruption education to public officials, young people, and ordinary citizens, the ACRC set up and has operated a dedicated anti-corruption training agency, the Anti-Corruption Training Institute (ACTI). The ACTI runs various educational programs for public officials, the general public, students, employees of state-owned enterprises, and foreign public officials.



*“The ACRC supports voluntary partnerships and spreads culture of integrity.”*

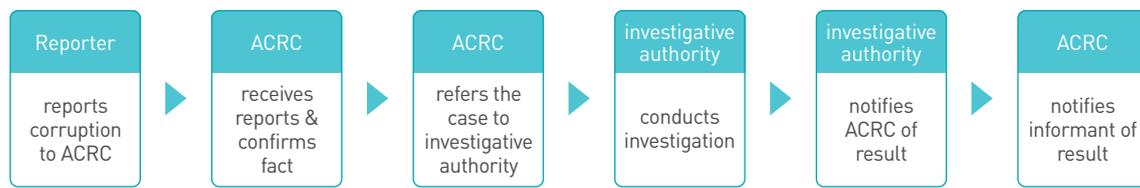
## Monitoring and Detecting Acts of Corruption, etc.

### Reporting Corruption

Any person may report the following act of corruption to the ACRC:

- (a) The act of any public official's abusing the position or authority or violating laws in connection with duties to seek gains for oneself or any third party
- (b) The act of inflicting damages on the property of public institutions in violation of laws, in the process of executing the budget of public institutions, acquiring, managing, or disposing of the property of public institutions, or entering into and executing a contract to which a public institution is a party
- (c) The act of coercing, urging, proposing and inducing the act above or act of covering it up

### How Corruption Reports are Processed



### 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
2015	3,885	3,904	296	75
2016	3,758	3,735	324	67
2017	4,066	3,966	221	48
2018	7,328	7,224	306	78
2019	9,435	8,718	415	190
2020	6,103	6,355	446	252
2021	9,690	10,176	128	361

### Reporting Violation of the Public Interest

Anyone who discovers a violation of the public interest can make a report to the ACRC, employer of a company where the violation occurred, supervisory institution, investigative authority, or National Assembly member, etc.

“Violation of the public interest” means an act of infringing on the health and safety of the public, the environment, consumer interests, fair competition, and public interest equivalent thereto and is subject to any penal provisions or an administrative action such as the cancellation or suspension of a permit or license, as defined in the Acts listed in an attached table of 「Protection of Public Interest Reporters Act」.

\* Agricultural Products Quality Control Act, Special Act on the Safety Control of Public Structures, Food Sanitation Act, Natural Environment Conservation Act, and other Acts (471 in total)

### Public Interest Violation 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	8,239	168
2015*	5,771	7,089	90
2016	2,611	2,560	79
2017	2,521	2,238	85
2018	3,923	3,952	37
2019	5,164	5,165	388
2020	5,546	5,563	629
2021	4,531	4,782	432

\* The number of reports dropped after the Act was amended in July 2015, which limits those subject to receiving rewards to internal whistleblowers.

### Reporting Public Subsidy Frauds

The ACRC receives public subsidy fraud reports through the Government Welfare Fraud Report Center established in 2013. Examples of subsidy frauds are as follows:

- Fraudulent or illicit payment related to social security benefits (National Pension, National Health Insurance, Industrial Accident Compensation Insurance, Employment Insurance);
- Fraudulent or illicit payment of public assistance (National Basic Living Security, Basic Pension for Senior Citizens, Medical Care Assistance)
- Fraudulent or illicit payment of subsidy (aid) for welfare facilities
- Fraudulent or illicit payment made in violation of Subsidy Management Act

### Public Subsidy Fraud Report Cases

Year	Received	Handled	Referred
2013	145	101	1
2014	802	766	103
2015	896	901	197
2016	1,032	1,020	192
2017	927	862	168
2018	1,466	1,466	265
2019	1,536	1,526	321
2020	1,187	1,205	299
2021	1,598	1,639	62

### Enacting Public Funds Recovery Act

Along with the indispensable increase in welfare budget, there has been an increase in illicit claims for public finance. In order to recover and sanction illicitly claimed public funds, on April 16, 2019, the Act on Prohibition of False Claims for Public Funds and Recovery of Illicit Profits was enacted as a general law.

Under the Act, illicitly claimed profits and interest will be recovered entirely in cases where:

- public funds are falsely or illicitly claimed by those who are unqualified;
- public funds are excessively claimed in a false or any other illicit way;
- public funds are used not in pursuant to laws or municipal ordinances or for the purposes of other than the originally stated ones; or
- subsidies are otherwise incorrectly provided.

Sanctions include imposition/collection of additional monetary sanctions up to five times and disclosure of the names of those who excessively or repetitively claimed

## Protecting and Rewarding Whistleblowers

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

### Protecting Whistleblowers

**Personal Confidentiality:** The Protection of Public Interest Reporters Act bans disclosing or publicizing to any third party public interest whistleblower’s personal information or other facts that can infer the identity of the whistleblower.

\* Proxy reporting by lawyers was introduced through the amendment of the Act to strengthen personal confidentiality of whistleblowers.

**Protection of Personal Safety:** The ACRC can request the police to take protective measures for public interest whistleblowers and their family members when they have faced or are likely to face serious danger to their lives.

**Prohibition of Personally, Administratively, and Economically Disadvantageous Measures:** Public interest whistleblowers can request the ACRC to take necessary measures to recover their original status when they face disadvantageous measures due to the reporting, such as dismissal, discharge, unpaid wages, cancelation of permit or license, or cancelation of contract.

**Reduction of and Exemption from Responsibility:** Public Interest whistleblowers are exempted from confidentiality obligation. Criminal punishment, disciplinary measures or administrative disposition imposed on them in relation to the case they reported can be exempted or reduced.

### Rewarding Whistleblowers

**Rewards, Awards, and Relief Money:** When a whistleblowing directly results in the recovery of or increase in revenue of the central or local governments through penalty surcharges and others, the ACRC provides the whistleblower with a reward of up to KRW 3 billion. Even when no direct recovery of or increase in revenue followed, if the whistleblowing serves the public interest, then the reporter, with a recommendation of the relevant agency, will be awarded up to KRW 200 million by the ACRC. Also, when the report causes damages or expenses related to medical treatment, residential relocation, litigation, wage loss or other reasons, the ACRC will provide relief funds to the whistleblower.

#### Reward Payment

(Unit: case, KRW 1,000)

Year	Corruption Reporter			Public Interest Violation Reporter		
	Cases	Benefits Incurred*	Rewards	Cases	Benefits Incurred*	Rewards
08	18	2,149,407	328,175	-	-	-
09	20	5,811,771	642,146	-	-	-
10	23	4,505,568	603,641	-	-	-
11	12	18,834,014	1,499,401	-	-	-
12	40	11,131,730	1,400,444	32	147,860	28,475
13	37	8,393,380	951,210	319	1,230,929	227,708
14	30	6,878,647	619,347	657	2,239,585	397,340
15	29	28,770,531	1,426,658	511	1,988,446	379,997
16	90	23,997,537	2,275,033	2476	8,344,742	1,603,578
17	113	26,539,641	2,108,374	1,710	11,198,923	1,976,511
18	166	36,836,590	3,114,994	277	66,077,269	2,213,658
19	197	28,364,346	2,312,974	211	22,254,652	1,534,593
20	238	46,003,611	3,842,099	249	25,258,924	1,560,901
21	485	40,862,696	3,397,868	138	10,312,828	811,290

\* The amount of compensations are calculated based on the amount of the recovered or increased revenues of the State or local governments.

***“The ACRC protects whistleblowers who disclose wrongdoing or illegal acts.”***

## Implementation of the Improper Solicitation and Graft Act

Since 2011, with a goal of breaking the vicious cycle of improper solicitation/entertainment and corruption, the ACRC had pushed the enactment of the Improper Solicitation and Graft Act. In March 2015, the Act was passed by the National Assembly, and it took effect on September 28, 2016.

### Scope of Application

- Civil servants of the State and local governments, and heads and employees of public service-related organizations and public organizations
- Heads and employees of schools of various levels and executive officers and employees of school foundations
- Heads and employees of media companies
- Non-public officials participating in decision making procedures of public organizations (private persons performing public duties)
- General public who make improper solicitation or offer unacceptable financial or other advantages to a public official

### Content of the Law

- No one shall make an improper solicitation for any public official, etc. performing his or her duties, directly or through a third party, to handle 14 types of duties including authorization, permission, etc. in violation of laws or abuse of his/her position or power.
- No public official and their spouse shall receive, request or promise to receive prohibited money, goods, etc.

\* Meaning of unacceptable financial or other advantages :

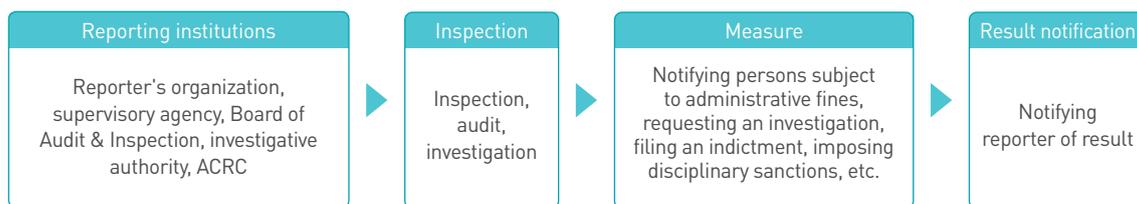
- In case where such advantages are related to duties, all of the advantages received are defined as unacceptable advantages.
- In case where such advantages are not related to duties, advantages exceeding 1 million won at a time (or 3 million won in a fiscal year) are defined as unacceptable advantages.

\* Exceptions of unacceptable financial or other advantages

Advantages provided by close relatives, advantages provided uniformly in a normally accepted range by an organizer of an official event, and souvenirs or promotional goods distributed to many and unspecified persons, etc.

- Public officials, etc. shall not receive an honorarium for a duty-related outside lecture exceeding the specified limits.

### How Violation Reports of the Act are Processed



### Reports on the violation of Improper Solicitation and Graft Act

Period	Improper solicitation	Graft-receiving	Outside lectures (excessive honoraria received)	Total
'16.9.28.~'17.12.31.	435 cases	967 cases	166 cases	1,568 cases
'18	3,330 cases	959 cases	97 cases	4,386 cases
'19	2,098 cases	879 cases	43 cases	3,020 cases
'20	1,110 cases	637 cases	14 cases	1,761 cases
Total	6,973 cases	3,442 cases	320cases	10,735 cases
Sanctions*	41 persons	977 persons	4 persons	1,025 persons

*“The Improper Solicitation and Graft Act brings a new wave of integrity to Korea.”*

## Enforcing the Act on the Prevention of Conflict of Interest Related to Duties of Public Servants

The ACRC had pushed the enactment of the Act on the Prevention of Conflict of Interest Related to Duties of Public Servants to prevent public officials from seeking private interests in relation to their duties and to secure fairness in the performance of public duties by preventing and managing conflict of interest situations. The Act was enacted in May 2021 and will be enforced from May 19, 2022. About two million public officials are governed by this Act.

### Scope of Application

- Public officials of constitutional institutions such as the National Assembly, courts, the Constitutional Court, the Election Commission, the Board of Audit and Inspection.
- Public officials of central administrative institutions and their affiliated agencies.
- Public officials of local governments and local councils.
- Public officials of educational administrative institutions and national and public schools.
- Executive officers and employees of public organizations and public service-related organizations.
- Private persons who acquired property/financial benefits using duty-related secret or undisclosed information received from a private person performing public duties or public officials (people who are not public officials).

### Content of the Law

- Public officials shall comply with ten standards of conduct, five duties of reporting and submission and five restrictions and prohibition.

	Standards	Content
Reporting · submission (5)	Disclosure of personally interested persons and application for challenge or evasion	If public official's duty-related persons (persons who requested specific actions or measures in performance of duties or are impacted by any advantage or disadvantage in the performance of duties) are personally related to the public official, the public official should report the fact and apply for evasion.
	Disclosure of ownership/purchase of public duty-related real estate	Public officials who are working for public organizations dealing with real estate must report an ownership or purchase of real estate located in the organizations' development project by the public officials, their spouse, their lineal ascendant or descendant who share livelihood.
	Submission of records of high-ranking officials' business activities in the private sector	High-ranking officials must submit their private sector activity records for the 3 years before their appointment, within 30 days after his appointment.
	Report of transactions with duty-related persons	Public officials must report a financial or real estate transactions or contract between their duty-related persons and the public officials themselves, their spouse, their direct lineal ascendants/descendants.
	Report of personal contact with retirees	Public officials must report a personal contact such as playing golf, traveling, or gambling together with a retiree of his organization who is related to his public duty.
Restriction · prohibition (5)	Restriction on duty-related outside activities	Public officials should not get paid for the provision of labor or advice, duty-related knowledge or information to a duty-related persons.
	Restriction on employment of family members)	Public institutions should not employ family members of their high-ranking officials, HR officers, etc. without an open competitive recruitment process.
	Restriction on private contracts	Public institutions should not make private contracts with their high-ranking officials, officials in charge of contract affairs, their family members, or a corporation that is represented by them or their family members.
	Prohibition of private use of or profiting from public institutions' goods	Public officials should not personally use or profit from goods, etc. owned or rented by public institutions.
	Prohibition of use of job secrets, etc	Public officials should not get valuables or property benefits using their organization's secrets or undisclosed information, and they should not allowing a third party to do so.

- If public officials violate the 10 standards of conduct, they could be subject to punishments such as criminal penalty, administrative fines, disciplinary measures, or return of illicit benefits.
- Anyone who has become aware of the violation of the Act can report the fact to the public organization where the violation occurred, the organization's supervisory agency, the Board of Audit and Inspection, investigative agency, or the ACRC.

## 02 Handling Civil Complaints

### Investigating & Handling Civil Complaints

#### Counseling & Application

Anyone (including a foreigner living in Korea) can file a complaint in person or through a representative via personal visit, mail, internet, or fax. Subject matters of complaints are illegal or unfair dispositions, or citizen inconveniences or burden imposed by administrative agencies. The ACRC, to reach out to citizens and resolve their grievances on site, is running Complaint Handling Outreach Bus which is an onsite outreach complaint handling bus. In addition, to provide counseling on complex complaints which involve multiple government agencies in one place at one time, the commission is operating the Government Complaints Counseling Center as well.

#### Investigation

When receiving a complaint, ACRC investigators may request the administrative agency against which the complaint is made (the respondent) to give explanation on the case on its side and to submit relevant materials and documents. Investigators of the ACRC may ask attendance and testimony to the complainant, stakeholders, the respondent, etc.; conduct an on-site investigation of related premises or facility; and request advice from experts.

#### Deliberation & Decision-Making

When an investigation is completed, the ACRC makes a deliberation on the case based on opinions submitted and the investigation result. When deemed necessary, it issues a recommendation or expresses opinions asking imposition of administrative dispositions, or corrective measures on the relevant laws and regulations.

#### Notification

Upon completion of a deliberation, the ACRC should immediately notify its decision to the parties concerned (reporter and the respondent). Within 30 days after receiving the notification, the administrative agency concerned (the respondent) should send to the ACRC its implementation status of the commission's recommendation. If the administrative agency was unable to carry out the ACRC's decision, they must provide the reason to the ACRC.

#### Civil Complaints Cases

Year	Received	Handled	Accepted	Acceptance rate (%)*
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
2015	31,308	31,112	3,195	23.9
2016	30,252	30,625	3,031	27.0
2017	26,533	26,623	2,586	25.2
2018	30,712	29,609	2,413	24.7
2019	56,189	42,031	2,452	20.7
2020	49,390	54,657	2,245	18.5
2021	56,423	58,880	2,120	21.1

\* Acceptance rate: The ratio of the number of cases accepted to the number of civil complaints filed in total, excluding simple queries.

***“The ACRC, as National Ombudsman institution, investigates and handles complaints filed by citizens.”***

## Digital Platform for the People's Rights and Interests

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

The administration process of today has been getting more and more complex and diverse. So, citizens who intend to file complaints, often face difficulties in finding the right agency to contact. To provide citizens with easier and more convenient access to public services, the ACRC operates the e-people system.

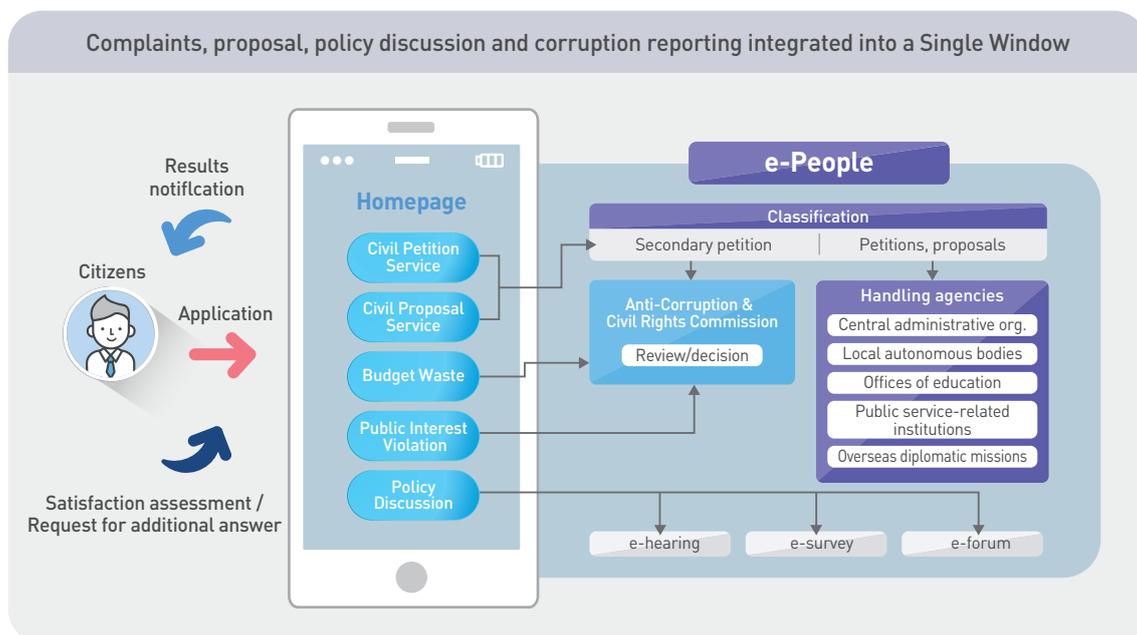
e-People system is the representative government digital communication system where 1,074 central administrative agencies, local governments and public institutions are closely connected, and 13 million civil complaints are resolved on an annual basis.

In addition to complaint-filing, e-People system enables people to make suggestions regarding administrative affairs and to participate in policy decisions. This helps the government to provide proactive civil services.

At this time of great transition to the digital era, however, there remained needs to fundamentally resolve the inconvenience of the people and civil petitions and to actively collect people's ideas and suggestions and reflect them in policies, by grafting more advanced digital technologies.

The ACRC will also accelerate the enactment of the "e-People Act" and lay the foundation to leap forward with its digital platform for the people's rights and interests.

### "e-People" : People's online petition and discussion portal



### No voice left unheard

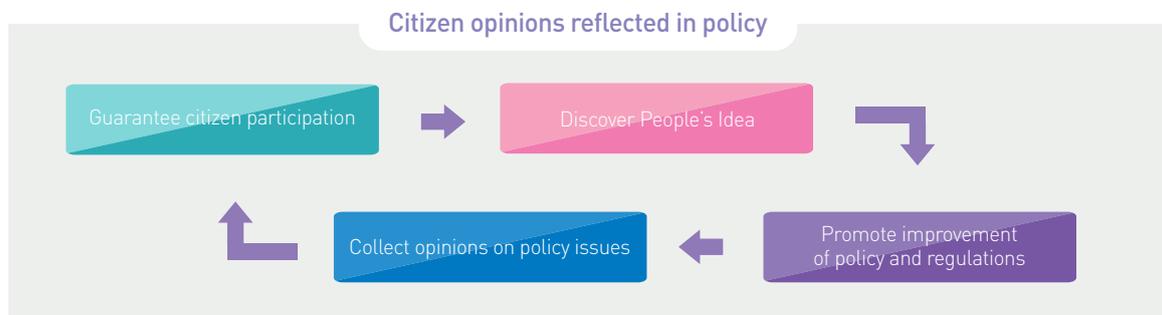
*"e-People is the government portal that allows citizens to file complaints and to participate in government decision-making process online."*

### People's Idea Box ([www.epeople.go.kr/idea](http://www.epeople.go.kr/idea))

On March 28, 2016, the ACRC opened People's Idea Box ([idea.epeople.go.kr](http://idea.epeople.go.kr)), a representative portal for the people to participate in the policy-making process, using the opinions for institutional improvements and analyzing big data of civil complaints in a scientific way. The aim was to overcome the problems of the existing communication system and create a 'next-generation public-private communication space', where policy alternatives can be found through collective intelligence.

People's Idea Box allows users to selectively mix functions, such as idea presentation, discussion, voting, and survey, as they need and to find the best policy alternative that can be satisfied by the majority. Using the platform, citizens can directly participate in the process of designing public policies and administrative services as a policy prosumer.

#### Operation Method



In the first year of its launch, 2016, around 16,000 people used the platform. Five years later, in 2021, that number increased 27 folds to 445,000, solidifying its position as a representative public participation platform.

※ Participation by year: 231,000 people in 2019 → 358,000 people in 2020 → 445,000 people in 2021

With the platform, people's idea will be advanced through expert consultations and then be reflected in public policies. The ACRC will continue to make various efforts to make the platform become a crucial channel for collecting public opinions when the government establishes important policies.

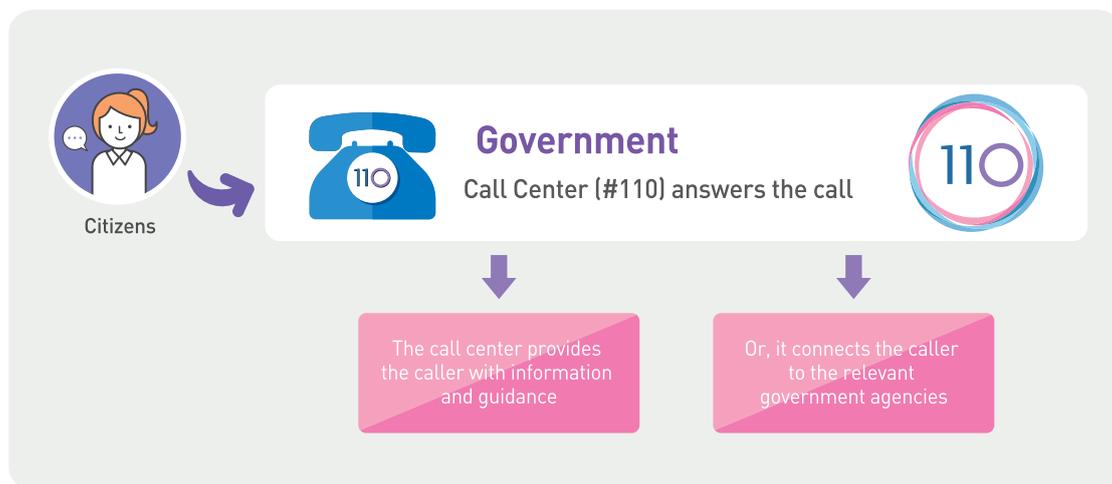
## Integrated Government Call Center (#110)

Those who want to get information on civil services can call 110 to the Integrated Government Call Center anywhere in Korea. By operating the government call center, the ACRC guarantees civil service users the maximum level of conveniences and is taking a lead in providing user-oriented administrative service.

All central administrative agencies, all local autonomous bodies, and all metropolitan & provincial offices of education, and main public agencies are linked to the government call center. By calling 110, citizens can receive information and counselling on any government service.

One of the strength of this call center is that it is answered by a counsellor, not an automatic response system (ARS). Counselors handle simple inquiries, while complicated issues related to taxation, labor and welfare are directed to a specialized call center or the relevant agency's complaint handling system.

When a caller making a complaint is directed to the relevant agency, the complaint details are transferred electronically with them, so the caller does not need to explain the complaints again.



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

## Big Data Analysis

For the big data analysis of more than 13 million civil complaints and policy proposals accumulated every year, the internal data of the ACRC (administrative appeals, anti-corruption, Integrated Government Call Center (#110), etc.) and the external data of the public and private sectors will be connected and integrated in the form of clouds to be analyzed.

In this way, it will strengthen the function of forecasting civil complaints that predicts and alerts the damages directly related to the people's daily lives.



## 03 Handling Administrative Appeals

### Administrative Appeals System

#### Overview

Administrative appeal is predicated upon the Constitution of the Republic of Korea and Administrative Appeals Act. It has two objectives of civil right remedy and administrative control. In other words, its purpose is to ensure legitimacy and rationality of administrative actions by protecting people's rights and interests, and providing opportunities for administrative agencies to rectify their own wrongdoing.

The rulings on administrative appeals are legally binding on administrative agencies, thereby resulting in strong effect as a civil right remedy. It is free, quick, and simple comparing to administrative lawsuits.

#### History

Administrative appeal has its root in the Petition Act which was enacted on August, 1951. Its function and role were limited at the time, but the Administrative Appeals Act, which was enacted and enforced in 1985, applied judicial proceedings as required by the Constitution and went through multiple revisions to enhance independence and fairness.

#### Subject Matters and Categories

Subject matters of administrative appeals are disposition or omission rendered by an administrative agency, or any other exercise of public power or the refusal of such exercise. Administrative agency includes the State, local governments, and public organizations or individuals delegated to administrative authority. Administrative appeals are classified as follows:

- Appeals for revocation: Appeals for revocation or modification of an illegal or unjust disposition rendered by an administrative agency
- Appeals for affirmation of nullity, etc.: Appeals for affirmation of the effectiveness or ineffectiveness of a disposition, or the existence or non-existence of such disposition
- Appeals for performance of obligation: Appeals for a specified disposition against an illegal or unjust disposition of refusal or omission

### Procedure



#### Application Submission

An appellant can file administrative appeals to the disposition agency or the ACRC via personal visit, mail, or internet ([www.simpan.go.kr](http://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 (CAAC) of the ACRC sends the answer to the appellants to enable them to understand the opinion of the disposition agency concerned.

#### Deliberation & Adjudication

The CAAC commissioners thoroughly examine statements of both sides. After deliberating and adjudicating whether the appealed case is illegal or unfair, the ACRC notifies the results to the disposition agency and the appellant with a written document.

## Examples of Administrative Appeals

- Dispositions of various types of authorization, permission, license, or qualification
- Administrative dispositions of driving licenses under the Road Traffic Act
- Dispositions of imposing business suspension, penalty surcharge, or charge
- Dispositions of rejecting welfare nomination as patriots and veterans
- Dispositions of imposing & collecting social insurance contributions such as employment insurance
- Dispositions of disqualification for a national examination
- Dispositions of refusing to disclose administrative information
- Dispositions relating to immigration and visit period

### Cases of Administrative Appeals

Year	Submitted	Handled	Deliberated in favor of appellants	Rates in favor of appellants(%)
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
2015	24,425	24,947	3,933	17.4
2016	26,730	26,080	3,901	16.8
2017	27,918	25,775	3,584	15.8
2018	23,043	25,153	3,814	16.8
2019	24,076	21,534	1,567	10.0
2020	22,367	22,727	1,573	8.6
2021	19,229	18,873	1,710	10.3

## Central Administrative Appeals Commission

The Central Administrative Appeals Commission (CAAC) manages administrative appeals system of Korea and was established and has been operated under the ACRC. The CAAC consists of not more than 50 members including vice-ministerial Chairman, standing commissioners, non-standing commissioners. It reviews and makes a ruling on appeals against those dispositions rendered by central administrative agencies and its affiliated institutions, mayors of a Special Metropolitan City or a Metropolitan City, and Provincial Governors.

The CAAC surveys and counsels other administrative appeals agencies, provides training and publicity regarding administrative appeals system, and makes recommendations on unreasonable statutes which may induce illegal and unfair administrative actions.

## State-appointed Agent System

Administrative appeal is “a system for the people”, which is aimed to better relieve citizens’ rights and interests by giving citizens an easy access to it and to ensure self-control of administration. Recently, as cases with complex factual and legal relationship increased, the rate of lawyers or agents employed in administrative appeals has continued to grow. However, legal or institutional support for appellants who can not afford such an expert service is relatively insufficient.

To help them receive legal support, the court-appointed agent system was introduced for administrative appeals on November 1, 2018. The CAAC supports the appointment of a court-appointed agent for the appellants who cannot afford an agent due to economic difficulties.

## Administrative Appeal Mediation System

With the society fast changing, public administrations' responsiveness has weakened. This has led to increased disputes between citizens and administrative institutions in various types and scale. Administrative appeals have some limitations in resolving them, however, because they cannot rule in favor of the both sides.

To remove such limitations, mediation system was introduced for administrative appeals on May 1, 2018. Using the system, a big and serious cases that have strong conflict between the parties or have a far-reaching impact can be resolved smoothly through settlement by both parties with optimal results, while simple and trivial cases can be swiftly resolved.

## Indirect Compulsion System

If the CAAC delivers a ruling in favor of an appellant who filed an appeal against illegal or improper rejection dispositions by an administrative authority, the disposition agency should implement the CAAC's ruling. However, there are some cases where they do not follow the CAAC's ruling.

To resolve this problem, Indirect Compulsion System was introduced in 2017. The system forces the appellee to compensate the appellant for the period that it did not implement the ruling. This helps increase the effectiveness of the ruling and better protect the rights and interests of the public.

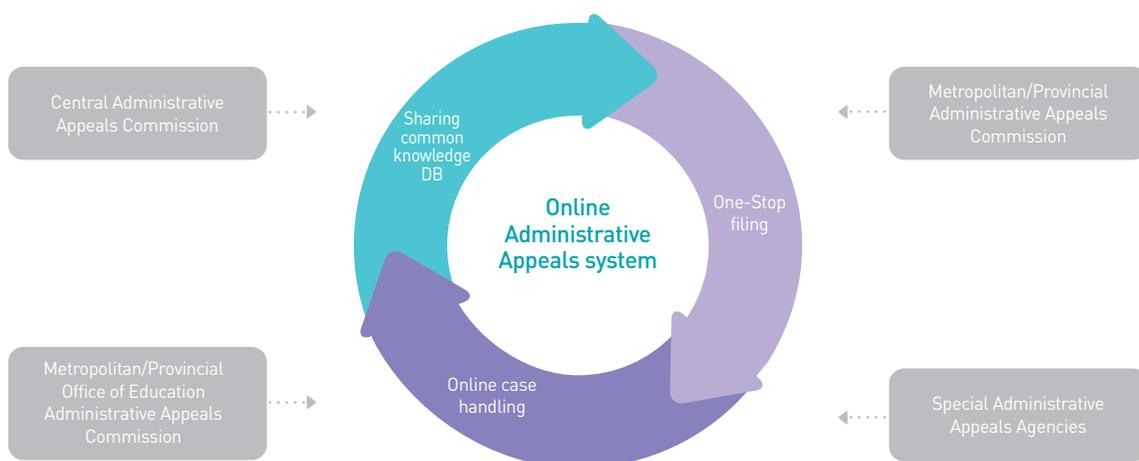
## Online Administrative Appeals System

People who intend to file an administrative appeal can send an application and check the status and result of the ruling on their case through online administrative appeals ([www.simpan.go.kr](http://www.simpan.go.kr)) on computers or mobile phones from anywhere at anytime.

If they select a disposition agency, the online system automatically transfers their appeal to the relevant administrative appeals agencies. With an input of a couple of relevant information, they can see similar appeal cases and the ruling and check the most relevant cases.

Administrative appeals agencies and disposition agencies linked to the online system can handle all the related works using the system including the receipt of applications, forwarding, and drafting documents.

In addition, the ACRC will provide the "EASY Administrative Appeals Service" which gives customized ruling examples by administrative disposition type and helps appellants to fill out a written appeal automatically if they input certain information when claiming the administrative appeal.



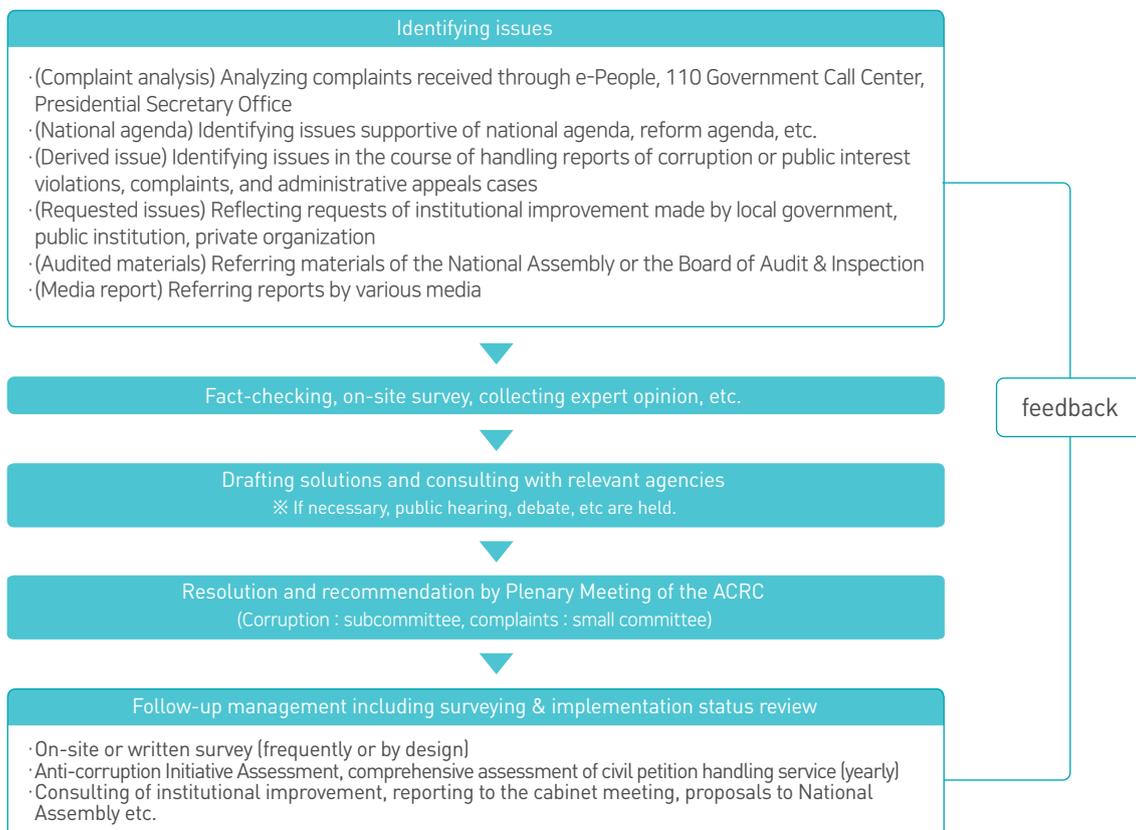
***"Administrative appeals system ensures legitimacy and rationality of administrative actions."***

## 04 Institutional Improvement

The ACRC recommends institutional improvement to the head of public institutions to prevent corruption based on its analysis on the occurrence of corrupt acts. If it finds in the process of handling complaints that there should be improvement on laws, regulations, or policies that may cause inconvenience for citizens, the ACRC issues to the head of the relevant public institutions a recommendation on reasonable improvement or expresses its opinion on such laws, regulations, or policies.

The commission also ensures the effective implementation of its recommendations by receiving from the public institution the implementation results of the recommendation and then checking and reviewing the implementation status.

### Institutional Improvement System Chart



### Institutional Improvement Recommended Cases

Year	Civil complaint area	Anti-corruption area	Total	Acceptance rate[%]
2009	99	18	117	97.4
2010	69	22	91	92.3
2011	48	33	81	92.6
2012	44	22	66	97.0
2013	50	16	66	98.5
2014	45	18	63	96.8
2015	43	14	57	98.2
2016	42	10	52	96.2
2017	36	24	60	96.7
2018	33	25	58	100
2019	48	13	61	98.4
2020	36	12	48	100.0
2021	21	18	39	100.0

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

## 05 Enhancing International Cooperation

The Korean government has been participating in international initiatives to combat corruption and remove people's grievances.

As the anti-corruption control tower of the Korean government, the ACRC faithfully implements international conventions against corruption such as the UN Convention against Corruption and the OECD Anti-Bribery Convention, and actively participates in the initiatives of international anti-corruption rounds such as the G20 and APEC.

The ACRC is also continuously sharing Korea's successful anti-corruption policies and its experiences of anti-corruption policy implementation with countries in need through technical assistance on anti-corruption policies in partnership with the United Nations Development Program (UNDP). The commission is actively engaged in bilateral cooperation as well with anti-corruption agencies of many countries around the world.

When it comes to its Ombudsman function, as a member of the International Ombudsman Institution and the Asian Ombudsman Association, the ACRC plays an important role in promoting cooperation and change in the global ombudsman community. At the Ombudsman World Conference, the commission introduced its onsite-oriented grievance handling as an advanced ombudsman agency. As such, the ACRC is actively engaging in policy exchanges with ombudsman institutions throughout the world.

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

### ACRC mascots

#### Chung-begi and Gwon-igi

Chung-begi was modeled after Eosa who protected people's rights and interests by hiding his identity and detecting corrupt officials in the local governments, Gwon-igi was modeled after Shinmungo and Gyeokjang that allowed citizens to report corrupt officials and maladministration directly to the king by hitting the drum or on King's parade.

"Chung-begi" is young Eosa Park Munsu, an undercover royal inspector of Josun Dynasty, who is living in the modern Korea with his vigor and passion to make a fair and clean society together with Korean people. Chung-begi will be always at the front of protecting citizens from corruption and unfairness.

"Gwon-igi" represents Shinmungo of Josun Dynasty directly listening voices of people and communicating with people. Gwon-igi will protect rights and interest of people serving as the Ombudsman role.



*"We will strengthen our cooperation with the international community"*



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