

ACRC

## Ombudsman of Korea

Protecting people's rights  
and interests



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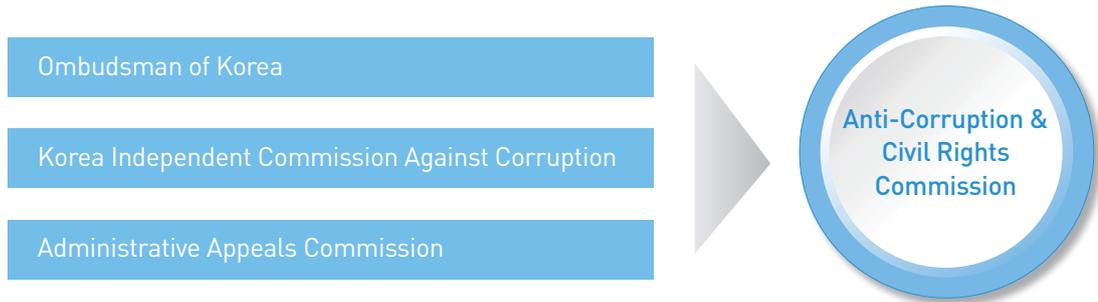
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# Introduction

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.

ACRC as the National ombudsman protects and advances people's rights and interests by ① addressing civil complaints, ② handling administrative appeals and ③ improving unreasonable systems.

## 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 the Joseon Dynasty, who is living in modern Korea with his vigor and passion to make a fair and clean society together with the Korean people. Chung-begi will be always at the front of protecting citizens from corruption and unfairness.

"Gwon-igi" represents Shinmungo of the Joseon Dynasty directly listening voices of people and communicating with people. Gwon-igi will protect the rights and interests of people serving as the Ombuds role.



# Addressing civil complaints

## Definition of Civil petition for grievance

The term “civil petition for grievance” means a civil petition for the redress of a grievance pertaining to matters that infringe on the rights of the people, or give any inconvenience or burden to people, due to the unlawful, irrational, or passive disposition of an administrative agency, etc. or the irrational administrative system (Paragraph 5 of Article 2 of the Act on the Prevention of Corruption and the Establishment of the ACRC)

The ACRC investigates civil petitions for grievances, and if it finds illegality or unfairness in a disposition, the ACRC issues recommendation for correction and expresses its opinions.

The ACRC mediates the petitioner and the agency as a third party, reaching an agreement and preventing conflicts.

In principle, grievance petitions shall be handled by the inspection department of the agency in charge or by the supervisory agency with the authority of guidance on the tasks related to the grievance petitions in question. But they can also be handled by the ACRC, which has the authority to address grievance petitions, as a government agency of last resort for complaint processing.

Addressing grievance petitions serves the following purposes. First, it provides administrative agencies with an opportunity to correct their own errors. The ACRC issues a corrective recommendation after investigation when there are substantial grounds to acknowledge that an administrative disposition is unlawful or unfair. It may express an opinion when the claim of the petitioner is based on reasonable grounds.

Second, in cases where relevant statutes, institutions and policies are deemed to be in need of improvement while processing grievance petitions, the ACRC provides recommendations for improvement measures and expresses opinions to the heads of relevant agencies to prevent the same kind of complaints from occurring again.

Lastly, The ACRC plays a role as a[n] mediator/arbitrator between the petitioner and the agency in charge from a third-party perspective to reach a settlement, or mediate/arbitrate disputes involving multiple parties. As one form of alternative dispute resolution (ADR), mediation is conducted for grievance petitions involving multiple parties, or complaints deemed to have far-reaching social consequences.

### Grievance Petitions 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
2022	37,569	37,598	2,422	25.7

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



The ACRC recommends that local governments and their affiliated agencies establish local grievance commissions (local ombudsman offices) equipped with expertise and independence, so that they can address grievance petitions on their own in a prompt and fair manner.

In 2020, the ACRC established operational rules for the ACRC National Consultative Council meeting to create an institutional link with local grievance commissions for consultation and exchange of opinions about a range of policies.

On December 15, 2022, the ACRC held the fourth meeting with the ombudsmen of 40 Local Ombudsmen attending. At the meeting, participants shared various ideas and opinions for the vitalization of the local ombudsmen nationwide.

In particular, participants shared the progress on resolving public complaints, such as the inconvenience of local residents, the vulnerable social group suffering from difficulties and revitalizing local ombudsmen through organic cooperation with the ACRC. Participants also shared cases of excellent operations, such as local ombudsmen in Asan visiting towns and villages to directly handle grievance petitions and promoting the service regularly. The ACRC shared cases of improving the blind spots of childbirth and child-rearing support system in which people could not receive the universally provided subsidies due to laws and guidelines that do not correspond to reality.

### Functions of ACRC National Consultative Council

- ① Matters related to information sharing and cooperation for vitalizing the operation of the local ombudsmen
- ② Matters related to the investigation and research of the local ombudsmen policies and systems, collection of opinions. etc.
- ③ Matters related to the consulting and training for strengthening the capacity of the local ombudsmen
- ④ Other matters to be referred by the chairperson concerning mutual cooperation with the ACRC

# Handling administrative appeals

An administrative appeal is a quasi-judicial procedure that seeks to protect the rights and interests of the people infringed upon due to illegal or unfair dispositions by administrative agencies.

## Advantages of Administrative Appeal

### 01 Simple and Quick with No Extra Cost

Unlike administrative litigation in court, it is free of charge and processed simply and quickly.

### 02 Support for Public Representative

An appellant who cannot appoint a legal representative due to their economic circumstances can receive free assistance from a public representative.

### 03 Win-Win through Mediation

Both parties can win through the mediation system, which seeks consent within both parties' rights and authority.

### 04 No Appeal against the Decision is Accepted

If there is a ruling admitting[accepting] the claim, the administrative agency must follow it. [No appeal can be made through administrative litigation]

※ Meanwhile, if a ruling does not accept (dismiss) the appellant's request, he or she may appeal through administrative litigation.

## ➔ Subject of Administrative Appeal under Article 3 of the Administrative Appeals Act

- 1 With respect to the disposition or omission by an administrative agency, an administrative appeal may be requested under the Administrative Appeals Act unless there are special provisions in other Acts.
- 2 With respect to the disposition or omission by the President, no request for administrative appeal may be filed, except in cases where other Acts provide for an administrative appeal.

## 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
2022	21,467	21,159	1,468	8.6

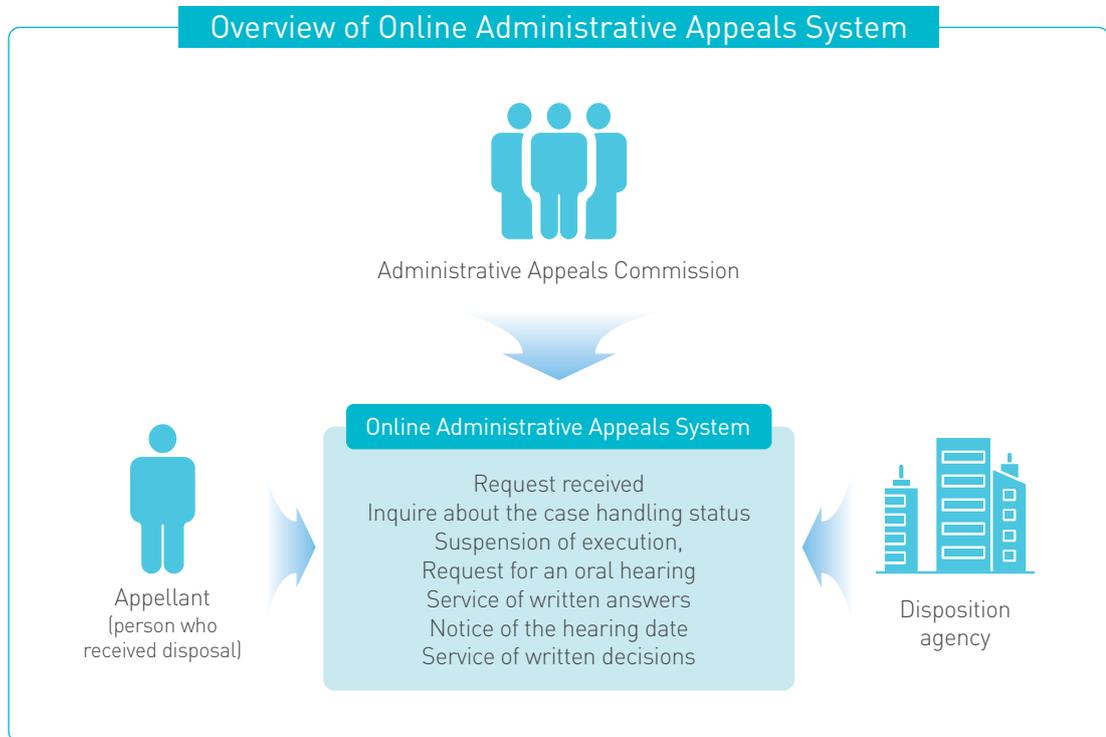
For those who have difficulty in appointing a representative for economic circumstances, the Administrative Appeals Commission appoints a public representative and subsidizes the expenses.

※ Not exceeding 500,000 won per case within the budget

### ➔ Who can apply for the appointment of a public representative?

- 1 Recipient under subparagraph 2 of Article 2 of the 「National Basic Living Security Act」
- 2 Persons eligible for support according to Articles 5 and 5-2 of the 「Single-parent Family Support Act」
- 3 Beneficiaries under subparagraph 3 of Article 2 of the 「Basic Pension Act」
- 4 Recipients under subparagraph 4 of Article 2 of the 「Disability Pension Act」
- 5 Persons eligible for protection under subparagraph 2 of Article 2 of the 「North Korean Defectors Protection And Settlement Support Act」
- 6 Other persons whom the chairperson deems unable to appoint a representative due to economic circumstances

Unlike the existing administrative appeal process in writing, now you can quickly and conveniently request an administrative appeal online, check the progress and results, etc.



# Improving unreasonable systems

## Institutional Improvement Procedure



For institutional improvement, the ACRC analyzes public grievances, proposals, and reports to find issues to be corrected, prepare improvement plans, and recommend relevant administrative agencies to make improvements. After providing recommendations, the ACRC continuously checks whether they are implemented well.

### ➔ Recommendation to improve regulations, systems and policies

Discovering and improving public safety issues such as jobs, housing, medical care, complex administrative procedures, etc., based on the analysis of frequent grievance petitions, etc.

Subtype	Content
Inclusion Safety Net	Wasted budget, public-private partnership, abuse of power, etc.
Firsthand experience by the youth	Improvements by life cycle, such as education, employment, and housing
Unfair and preferential treatment	Rapid institutional improvement by detecting frequent complaints and issues (COVID-19 response, etc.)

## 📍 Management of Implementation Status

The ACRC manages recommended tasks using various means to encourage implementation, such as inspecting and evaluating the institutional improvement status and customized consulting for organizations with low performance

※ Follow-up management including surveying & Implementation status review

- On-site or written survey (frequently or by design)
- Anti -corruption Initiative Assessment, comprehensive assessment of civil petition handling service (yearly)
- Consulting of institutional improvement, reporting to the cabinet meeting, proposals to National Assembly etc.

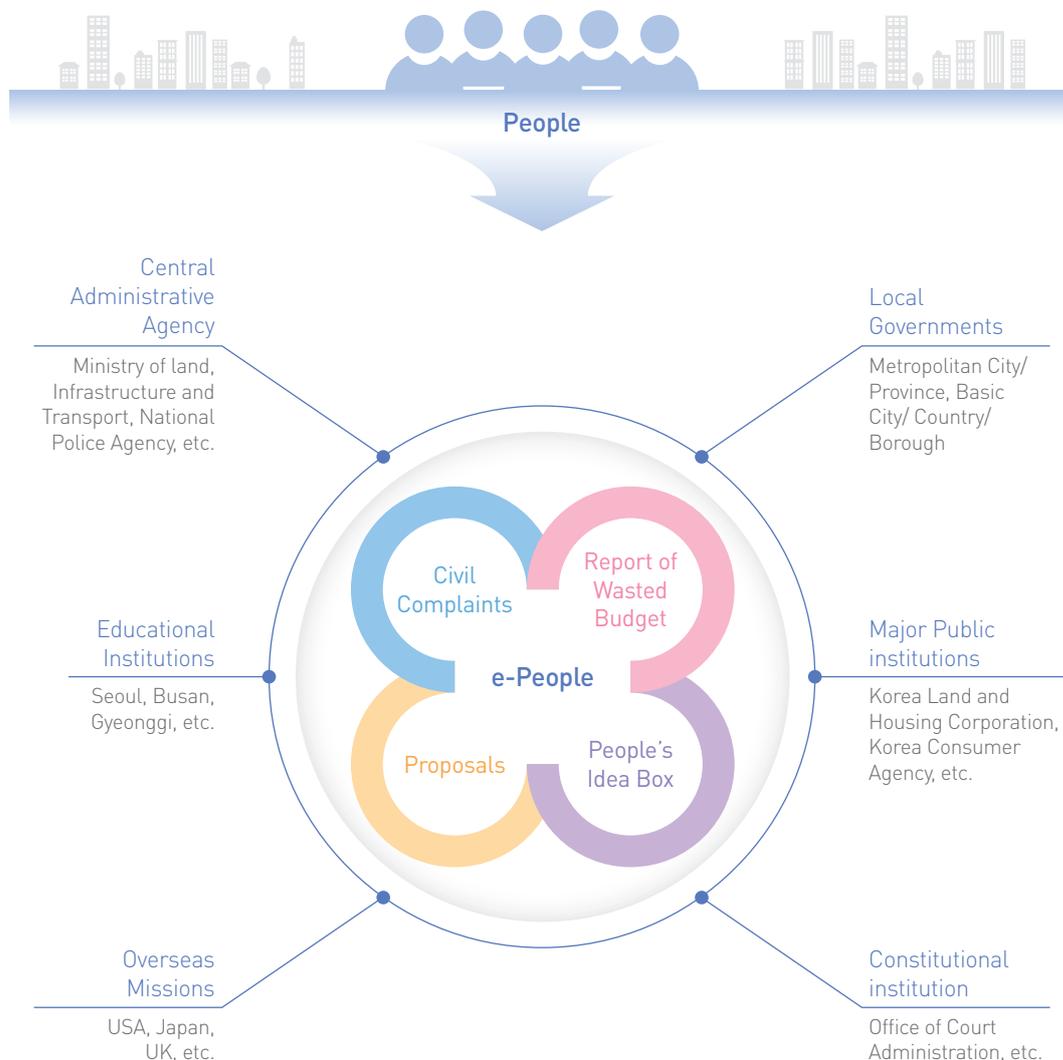
### Institutional Improvement Recommended Cases

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	18	18	36	100.0
2022	25	12	37	97.3

For institutional improvement to positively change people's lives, it is important to listen to the voices of the people from the task discovering stage. The ACRC uses national communication platforms, such as "e-People" and "People's Idea Box," to listen to people's complaints more often and actively communicate with the public from the beginning to the end of institutional improvement.

## e-People, a Pan-Governmental Representative Online Communication Channel

As a pan-governmental representative online communication channel that allows convenient submission and handling of civil complaints and proposals to the government through the internet, it provides a one-stop service based on its connection to all administrative agencies (central, local governments, offices of education, overseas missions), the judiciary, and major public institutions.



## People's Idea Box, a Platform for Public Participation in Policymaking

It is an online policy communication space operated by the ACRC. Anyone can participate, register policy ideas, and realize policies and systems through sound discussion and cooperation.



People's Idea Box



## How to Participate

**1** Search People's Idea Box on the internet through a PC or mobile phone, or enter [idea.epeople.go.kr](http://idea.epeople.go.kr) directly into the address bar and visit the site.

**2** Join membership at the People's Idea Box site, and leave your ideas or add opinions for or against other people's ideas.

**3** **Write Your Ideas** Please give your story about the inconveniences you experienced in life and the policies that need to be changed.

**Get Involved** Add your ideas to what others think by participating in votes and polls and leaving comments.

**View Results** Check out the ideas realized through your participation in ideas and policies.



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