

ACRC Korea Transparency Newsletter (Oct. 2023)

- ▷ **Promoting Cooperation on Anti-Corruption between Korea and Vietnam**
- ▷ **Resolving a 40-Year-Long Standing Issue concerning “Publicly Owned Land” at Sejong Leper Colony**
- ▷ **Administrative Authorities Should Bear the Responsibility for People’s Suffering Caused by Illegal Administrative Practices**
- ▷ **Listening to the Opinions of Experts from Legal and Academic Circles on the “Integration of Administrative Appeals”**
- ▷ **Mediating a Collective Complaint on the Inconveniences of Using a Bus Stop by “Installing a Pedestrian Path”**

Promoting Cooperation on Anti-Corruption between Korea and Vietnam

- *Organizing a meeting on anti-corruption cooperation based on the MOU on anti-corruption cooperation*

(Oct. 23, 2023, ACRC)

The Anti-Corruption and Civil Rights Commission (ACRC, Chairperson Kim Hong-II) held a meeting at the Government Complex Sejong on October 23 to discuss anti-corruption cooperation measures with the Central Committee for Internal Affairs of Vietnam (CCIA, Chairman Phan Dinh Trac).

20 individuals participated in the meeting, including ACRC Vice Chairperson and Secretary General Chung Seung-Yun, CCIA Deputy Chairman Vo Van Dung, and the delegation.

ACRC presented key integrity policies, including the implementation status of the “Prevention of Conflict of Interest Act” and the system of “Comprehensive Integrity Assessment*.” CCIA shared Vietnam’s anti-corruption policy direction and its outcomes. Subsequently, both parties engaged in discussions over measures for anti-corruption cooperation between the two countries.

* Comprehensive Integrity Assessment: a system designed to evaluate the level of integrity within public institutions and encourage them to identify and address corruption-prone factors

Vietnam is a major partner country as this year marks the 31st anniversary of the establishment of diplomatic ties with Korea in 1992. In addition, Vietnam is a participating state of the Indian-Pacific Economic Framework (IPEF) and a member of the Association of Southeast Asian Nations (ASEAN), just like Korea.

Since the initial signing of the MOU on anti-corruption cooperation with CCIA in February 2010, ACRC has remained committed to fostering active anti-corruption cooperation.

ACRC Vice Chairperson and Secretary General Chung Seung-Yun said, “It is meaningful that this meeting reaffirms the close and cooperative relationship between the two agencies. We look forward to enhancing the anti-corruption capacity of both countries by carrying out ongoing active cooperation, such as sharing policies, and establishing anti-corruption solidarity.”

CCIA Deputy Chairman Vo Van Dung said, “Various anti-corruption policies and institutions shared by ACRC over the past 10 years have been considerably helpful for the establishment and implementation of anti-corruption policies in Vietnam. We hope that this meeting establishes a closer relationship between the two agencies.”

Resolving a 40-Year-Long Standing Issue concerning “Publicly Owned Land” at Sejong Leper Colony

*- Enabling the land to be used as public parking lots
free of charge through the consultation and mediation with
Sejong-si and the Korea Land and Geospatial Informatix Corporation*

(October 12 2023, ACRC)

A long-standing issue regarding publicly owned land, which had persisted for over 40 years among the settlers of Sejong Leper Colony, has been resolved through mediation conducted by the Anti-Corruption and Civil Rights Commission (ACRC, Chairperson Kim Hong-Il).

ACRC resolved a collective complaint filed by the settlers of Sejong Chunggwang maeul, a leper colony, demanding the resolution of the publicly owned land conflict within the town, during an onsite mediation meeting, presided over by Chairperson Kim Hong-Il, held on October 12 at Sejong City Hall.

Due to the government’s isolation policy and social discrimination, people living with leprosy began residing in the abandoned mining area at San 143, Deunggok-ri, Bugang-myun, Sejong-si (formerly known as Buyong-myun Cheongwon-gun) by refurbishing “worksite restaurants” and cultivating forests and fields, after around 1973. A relatively large leper colony (Chunggwang maeul) was created with the increasing number of leprosy population migrating to the area following the establishment of Chunggwang Church around 1977.

The settlers of Chunggwang maeul built livestock sheds and sustained themselves through the livestock industry. However, at present, most of them are the elderly without a particular income, who receive government grants, living in poor welfare conditions and environment.

The settlers lodged a grievance complaint with ACRC, demanding “the sale or free usage of the city land, specifically 400-12 and 400-13 Deunggok-ri, Bugang-myun, Sejong-si (hereinafter referred to as the concerned land), which they have used for years by paying fees to cultivate forests and fields in order to create parking lots.”

ACRC developed mediated plans by conducting a range of on-site investigations, consulting with relevant agencies, and gathering opinions.

Sejong City has decided to address matters, including the alteration of land category and land registration ledger, to transfer the concerned land into the property of the administration and manage it. The city will directly manage the concerned land by itself by ensuring that the land is used without fees through public projects, including building public parking lots, in order to bolster the rights and interests of settlers and their welfare.

The Korea Land and Geospatial Informatix Corporation decided to promote housing stability within the leper colony by conducting measurements of the concerned land in accordance with the MOU signed with ACRC and the ombudsman operational plans and to actively cooperate in resolving the complaint, including reducing the measurement expenses.

The settlers will be committed to proactively cooperating to ensure that the concerned land is managed as the property of the administration through the seamless implementation of public projects.

ACRC Chairperson Kim Hong-Il said, “It is considerably meaningful that the recent mediation contributed to resolving the grievances of the residents of Chunggwang maetul, a leper colony, who have faced challenging lives due to social bias and discrimination. We urge relevant bodies in central and local

governments, as well as individuals across all social strata, to show their interest and support as understanding towards people affected by leprosy and pan-governmental collaboration and participation are necessary in order to address issues, such as the poor environment and welfare condition within the colony.”

Administrative Authorities Should Bear the Responsibility for People's Suffering Caused by Illegal Administrative Practices

- An administrative authority installed drainage on private property without permission, which is responsible for the payment of land rental fees and boundary measurement expenses -*

(October 31 2023, ACRC)

A judgment was made that it is unlawful for the administrative authority not to pay the rental fees for the land and the expenses for boundary measurement, burdened by the land owner, despite having installed drainage on the private property without the landowner's consent.

The Anti-Corruption and Civil Rights Commission (ACRC, Chairperson Kim Hong-II) offered a correction recommendation to the administrative authority, which failed to pay the rental fees for the land and compensate for the boundary measurement expenses to the landowner, on paying the rental fees and the measurement expenses.

Person A discovered that ○○-gun had installed drainage on his/her forest and field without permission and carried out a boundary measurement for a fee of 800,000 KRW to confirm that the drainage was placed within the property.

According to the measurement, it was verified that the drainage had been installed within Person A's property, and Person A requested ○○-gun to pay the land rental fees and the measurement expenses.

However, ○○-gun rejected the request, stating that there were no grounds to cover the rental fees and it does not have an obligation to compensate the measurement expenses.

In light of this, Person A filed a grievance complaint with ACRC in April 2023, asserting “it was ○○-gun that initially installed the drainage without my consent and I conducted the measurement to confirm such fact, which is why I cannot accept ○○-gun refusing to pay the land rental fees and measurement expenses.”

According to an investigation carried out by ACRC, ○○-gun had installed the drainage on Person A’s land without his/her consent and obtained illicit gains by utilizing and benefiting from the land without any legal grounds.

Moreover, the Commission determined that it is justifiable for ○○-gun to pay the rental fees and measurement expenses to Person A since he/she conducted the boundary measurement in order to verify whether the drainage encroached upon his/her property as ○○-gun installed the drainage without permission.

○○-gun accepted the ACRC’s recommendation and decided to pay Person A with the land rental fees and boundary measurement expenses.

ACRC Vice Chairperson Kim Tae-Gyu said, “Expenses resulting from the unlawful practices of administrative authorities should be borne by those authorities. We will be vigilant to ensure that no administrative expenses are shifted unreasonably on the people.”

Listening to the Opinions of Experts from Legal and Academic Circles on the “Integration of Administrative Appeals”

- Launch of the Administrative Appeals Integration Advisory Council, offering consultation on the scale and direction of the integration and various issues -

(October 11 2023, ACRC)

Opinions of experts from legal and academic circles will be heard regarding the ways to integrate 123 administrative appeals agencies to ensure that citizens can utilize the administrative appeals services more conveniently and efficiently.

On October 11, the Anti-Corruption and Civil Rights Commission (ACRC, Chairperson Kim Hong-II) launched “Administrative Appeals Integration Advisory Council,” consisting of experts from legal and academic circles, at the Government Complex Seoul.

The council is organized into six divisions, including ▲ general management, ▲ taxation, ▲ rewards and insurance, ▲ labor, ▲ land, and ▲ personnel. Council members of each division will provide expert consultations on the scale and direction of the integration of administrative appeals and various issues.

Administrative appeal is an institution through which citizens whose rights and interests have been violated due to illegal and unreasonable dispositions seek assistance from administrative agencies before filing a lawsuit with the court. This institution offers advantages, such as simple procedures, prompt handling, and being cost-free.

However, citizens face challenges regarding where and by when they should file administrative appeals since there are 57 general administrative appeals agencies* and 66 special administrative appeals agencies**, each with distinct competent authorities and procedures.

*Established under the Administrative Appeals Act, such as Central Administrative Appeals Commission, Municipal and Provincial Administrative Appeals Commission, etc.

**Established under individual laws rather than the Administrative Appeals Act, such as Tax Tribunal, Appeals Committee, etc.

In addition, there have been inefficiencies within government operations, such as organizational overlaps and personnel redundancies, due to the establishment and functioning of multiple administrative appeals agencies.

Previously, ACRC conducted a survey on the integration of 123 administrative appeals agencies through the People's Idea Box from July 24 to August 6. According to the survey result, 3,486 out of 4,424 respondents (78.8%) supported the integration of administrative appeals.

In light of this, ACRC will devise measures to integrate administrative appeals by December of this year in order to ensure that the rights of citizens are protected in a more convenient and efficient manner.

ACRC Chairperson Kim Hong-Il said, "I express my deepest gratitude to the council members for their collaborative efforts in devising methods to integrate administrative appeals that citizens can recognize and relate to. We will actively support the activities of the council members."

Mediating a Collective Complaint on the Inconveniences of Using a Bus Stop by “Installing a Pedestrian Path”

*- ACRC resolved a collective complaint filed by 1,304
apartment households through the consultation with
Yangju-si and LH -*

(October 5 2023, ACRC)

The Anti-Corruption and Civil Rights Commission (ACRC, Chairperson Kim Hong-Il) mediated and resolved a collective complaint filed by future residents of the apartment complex in district A18 of Yangju Hoecheon New Town, who need to take a detour for hundreds of meters or traverse a green buffer zone in order to reach a nearby bus stop.

ACRC provided mediation to install a pedestrian path within the green buffer zone, ensuring residents' convenient access to the bus stop through consultations with Yangju-si, responsible for managing the zone, and Korea Land and Housing Corporation (LH), the operator of the apartment housing construction project.

District A18 is an area designated for the construction of a large apartment complex accommodating 1,304 households. In order for the residents to access the bus stop located on the north side of the complex, they should either take a detour for hundreds of meters using the front gate or traverse a 10-meter green buffer zone located between the apartment and the bus stop.

The green buffer zone serves as a facility designed to prevent pollution, including air pollution, noise and vibration, odors, other equivalent pollution, as well as various accidents and natural disasters.

In July, future residents filed a grievance complaint with ACRC, urging the installation of a pedestrian path, claiming that it is inconvenient to take a long detour and is not safe to traverse the green buffer zone to access the nearby bus stop.

ACRC formulated mediated plans in consultation with Yangju-si and LH, based on the cases where other local governments had installed pedestrian paths within green zones to address inconveniences faced by majority of residents.

According to the mediation, LH will develop installation plans for a pedestrian path linking the apartment complex to the bus stop, based on which it will install the pathway that will directly connect the bus stop and the path within the apartment before the moving-in day of District A18 in January 2024.

Yangju-si also agreed to the installation of the pedestrian path and will collaborate starting with the planning stage to address the grievances of residents.

ACRC Vice Chairperson Kim Tae-Gyu said, “Yangju-si and LH displayed a deep understanding of the inconveniences anticipated by future residents and engaged in the mediation of ACRC, resulting in the resolution of the collective complaint. It is a relief that the mediation ensured 1,304 incoming households to access the bus stop conveniently from the very first day of their residency in the apartment.”