

ANTI-CORRUPTION POLICY IMPLEMENTATION IN KOREA

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Abstract

An effective solution to the puzzle of anti-corruption policy implementation should include: establishment of national anti-corruption frameworks; monitoring and evaluation of the implementation status; strict punishment for wrongdoers; and active citizen involvement and support.

Korea's anti-corruption movement has been driven by two pillars of society: the government and civil society. On the government front, the Korea Independent Commission Against Corruption (KICAC) was established in 2002 to pursue a comprehensive approach to the fight against corruption. To coordinate government-wide efforts to fight corruption, the Interagency Meeting on Corruption was launched in 2004, bringing together all relevant government agencies. The focus of the second pillar has been the landmark Korean Pact on Anti-Corruption and Transparency (K-PACT), which was signed in 2005 by representatives of Korea's political, public, business, and civilian sectors. The K-PACT Council, a civil society organization, monitors and assesses K-PACT implementation and disseminates the K-PACT nationwide.

Biography of Presenter

Hae-yong Song is a commissioner of the Korea Independent Commission against Corruption and board member of the Council for the Korean Pact on Anti-Corruption and Transparency. He was formerly a board member of Transparency International Korea and Ombudsman of the Seoul Metropolitan Government, as well as co-chairman of the Organizing Committee for GF III and 11th IACC held in May 2003 in Seoul. He studied political theology at the University of Edinburgh and earned his master's degree in theology from Hanshin University in Seoul.

REALIZING ANTI-CORRUPTION COMMITMENTS IN KOREA

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Rapid economic development & negative side effects

Korea has achieved remarkable economic development since the 1960s, a feat which has been called the "Miracle on the Han River." And today Korea stands as the world's 12th largest economy.

Unfortunately, such success has not come without some problems. It is true that economic policies greatly have contributed to national development. At the same time, the nation was plagued with new problems, such as collusive ties between politicians and big businesses and influence-peddling practices.

In more recent years, every incoming administration has made the fight against corruption one of its key campaign platforms, giving rise to a variety of laws and regulations. Despite these initiatives, almost every administration was embroiled in corruption scandals of its own by the end of its term in office. As a result, the Korean public became increasingly disillusioned with the government.

Against this backdrop, in the late 1980s, Korea's citizens, students, and the media rose up to make a difference. A national consensus was formed that corruption should be eliminated altogether for a more mature democracy, based on equality and fairness. So, people demanded anti-corruption legislation and an independent institution that would exclusively tackle corruption.

Establishment of KICAC

Of course, there had already existed in Korea law enforcement agencies, such as the Public Prosecutors' Office, the Police, Board of Audit and Inspection, and the National Intelligence Service. The problem was that the anti-corruption measures they enforced were intermittent and focused mainly on detection and punishment. Most cases involving high officials and political elites did not result in sufficiently severe punishment.

Since 1996, civic organizations began calling for anti-corruption legislation. After discussions between citizens, the government, politicians, and academics, the National Assembly passed the Anti-Corruption Act in June 2001, and under this Act, the Korea Independent Commission Against Corruption (KICAC) was launched in January 2002.

The significance of KICAC is that it represents Korea's first comprehensive, systematic framework for fighting corruption. KICAC pursues a diverse range measures that are reactive and proactive. KICAC develops and coordinates anti-corruption measures applicable to all levels of government; makes recommendations for institutional improvement; conducts an integrity survey; monitors compliance with the Code of Conduct for Public Officials; and operates a reward and protection system for whistle-blowers.

Since the establishment of KICAC, Korea has made more dedicated efforts to stamp out corruption. And it has translated into significant progress. Based on voluntarism, participation and cooperation, every government agency has made extensive reforms to corruption-prone practices and systems. Moreover, the ethical behavior of public officials has improved considerably with the introduction of such systems as transparency education, an integrity survey, and the Code of Conduct for Public Officials. As a result, the incidences of giving and receiving bribes have noticeably decreased, with positive effects on the behavior and awareness of public officials.

Establishment of implementing frameworks

To further enhance the effectiveness of anti-corruption initiatives, Korea has built an implementation framework for each of the two alliances: public-sector collaboration and public-private partnership.

Public-sector collaboration: Interagency Meeting on Corruption

The efforts of a single agency may not be sufficient to tackle such a complex, persistent problem as corruption. In the past, the lack of collaboration and coordination of anti-corruption measures was a key reason why corruption remained so endemic in Korean society. It also explained why the successive anti-corruption drives of each administration failed to win broad public approval.

To ensure the success of anti-corruption policies, there was a need to build a solid anti-corruption system that enlisted the participation of all government agencies concerned. Recognizing this need, the Korean government created the Interagency Meeting on Corruption in January 2004. It sets the basic direction for national anti-corruption strategies, develops anti-corruption policies, and monitors and promotes the implementation of these policies.

Presided over by the President of Korea, the Interagency Meeting on Corruption brings together the heads of 15 anti-corruption agencies, including the Ministry of Justice, the Public Prosecutors' Office, and the National Tax Service.

Public-private partnership: K-PACT

Following the establishment of a governmental framework for implementing anti-corruption policies, the public-private partnership to fight against corruption was created in the form of the Korean Pact on Anti-Corruption & Transparency, or K-PACT.

The landmark K-PACT was signed in March 2005 by representatives from the public, political, business and civilian sectors. It is a social commitment that engages all sectors of society in cooperative and voluntary efforts to overcome corruption and achieve a transparent society.

The K-PACT Council was created to enhance cooperation among the signatories of the K-PACT. The Council's primary role is to monitor, assess, disseminate and renew K-PACT implementation. KICAC, as one of the signatories to the Pact, provides administrative and financial support for K-PACT implementation.

The K-PACT is disseminated to diverse sectors and regions. For example, industries vulnerable to corruption (such as construction and health-care) have joined in, adopting their own K-PACTs.

In contrast to government-led anti-corruption initiatives, the K-PACT engages all the signatories on an equal footing. In this regard, the K-PACT has been recognized as an exemplary model of "new governance."

Although the K-PACT is a nonbinding commitment, it represents a horizontal network of governance, and therefore has added importance in current Korean society where democratization has unleashed intense conflicts between diverse interests and needs.

Monitoring and evaluation of anti-corruption initiatives

In the public sector, the monitoring and evaluation of anti-corruption initiatives is conducted by KICAC. Every year, KICAC assesses the appropriateness and effectiveness of anti-corruption measures undertaken by public-sector organizations, and publicizes the results of its assessment. The assessment criteria include anti-corruption mechanisms, institutional improvements, compliance with the Code of Conduct, efforts to encourage citizens to report corruption, and anti-corruption training.

KICAC also conducts an annual Integrity Survey that measures corruption levels in the public sector. By publicizing the Integrity Index of each public agency and giving awards to top-performers, KICAC encourages public-sector organizations to step up their anti-corruption efforts and disseminates best practices.

As to K-PACT implementation, a group of experts selected by the K-PACT Council reviews progress reports submitted by each signatory agency and conducts onsite examinations. It also conducts a citizens' survey on the effectiveness of the K-PACT. Based on the analyses of reviews and survey findings, the Council evaluates the overall implementation of the K-PACT and reports those results to the public.

Effective solution to "implementation puzzle"

How can we enhance the effectiveness of anti-corruption policies? Based on Korea's experiences, the three core elements are as follows:

First, we need a national anti-corruption system and mechanisms for monitoring and evaluating its implementation. The two main pillars of Korea's national anti-corruption system are the Interagency Meeting on Corruption and the K-PACT Council.

These bodies should monitor and evaluate on a regular basis how each of the parties implements their tasks, and incorporate the evaluation results in future policies. They should also provide incentives for excellent performers and publicize exemplary cases nationwide.

Strict law enforcement is also indispensable to an effective national anti-corruption system. Corrupt practices should be met with stringent punishment. For this to happen, law enforcement agencies must crack down on corruption regardless of external influence, and the courts should not be lenient with crimes of corruption. In addition, we need to overcome negative socio-cultural factors, such as cronyism and regionalism.

Finally, we need popular participation and support for the fight against corruption. The 21st century has been called the "era of governance." Without popular participation and support, policies are no longer legitimate and a government is not deemed trustworthy by the people. This is especially true with the corruption issues.

To address corruption problems in society as a whole, businesses should improve their corporate governance and enhance accounting transparency. The civilian sector should play an active role in monitoring and evaluating government affairs.

In this respect, Korea's active grass-root movement since the 1990s has been the main driving force behind a more mature democracy and transparent society.

In conclusion, we should note that the introduction of systems and regulations does not guarantee effective implementation. More fundamentally, individual ethics as well as social attitudes need to improve. And it is not limited to just one country; rather it is a worldwide issue. So, now is the time for all of us to cooperate in addressing matters of ethics and attitudes to put an end to corruption.