

Ombudsman

Annual Report 2007



Anti-Corruption and Civil Rights Commission
Republic of Korea

Chief Ombudsman's Message



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

This Annual Report reports on the activities and accomplishments of the Ombudsman of Korea for the year 2007.

Since its establishment in April 1994, the Ombudsman of Korea fulfilled its responsibility to protect the rights of citizens victimized by maladministration by standing at the point of convergence between the people and the administration.

First of all, in 2007, the "e-People" system, through which the people can conveniently file complaints on the Internet and participate in government policies, was expanded not only to include central and local administrative agencies, but also to include public organizations. In addition, we launched a nationwide call center service that allows users to conveniently receive counseling and guidance on government-related petitions and complaints by just making a single phone call.

Furthermore, in an effort to fundamentally resolve complaints, we further consolidated the system to improve complaint handling system and expanded the foundation for exploring institutional improvements.

We also laid the foundation for the Ombudsman service in the military and police sectors by actively handle complaints in the sectors which had previously been considered an off-limits area for petitions and complaints.

In the meantime, we offered on-site complaint handling and counseling services, not only in remote areas, but also for overseas Korean residents and migrant workers residing in Korea. This shows our consideration to ensure that not even the small voices of social minorities and the socially disadvantaged are left unheard.

However, it is also true that there were still limitations to the Ombudsman of Korea's powers and activities in comprehensively accommodating various needs, which includes safeguarding citizens' rights in a swift, efficient and effective manner.

In a bid to respond to the people's heightened awareness of their rights and meet their diverse needs, the Anti-Corruption and Civil Rights Commission (ACRC) was launched in February 2008 by integrating the existing civil rights protection organizations. With the inauguration of the ACRC, citizens, who had experienced inconveniences due to the former division of civil rights protection agencies, have come to enjoy swifter and more substantive services.

The Anti-Corruption and Civil Rights Commission will strive to further develop the complaint-handling system of "customer satisfaction," which has been the core value of the Ombudsman of Korea, and address problems that had surfaced in the course of its operation. Based on the larger power resulting from the integration of the three agencies, we will strive continuously to create "a country without unfairness and a clean society."

Lastly, I would like to ask the people and administrative agencies to show continued support and deep interest in our organization. The operational status of the Ombudsman of Korea in 2007 is hereby reported to the President and the National Assembly and publicly announced in accordance with Article 26 of the Act on Anti-Corruption and the Establishment and Operation of the Anti-Corruption and Civil Rights Commission.

June 2008

A handwritten signature in black ink, appearing to read 'Kun Yang', with a stylized, flowing script.

YANG, KUN
Chairman

Anti-Corruption and Civil Rights Commission

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Ombudsman of Korea

Part 1. >>>

Introduction to the Ombudsman of Korea

- 1.1 History of Anti-Corruption & Civil Rights Commission
- 1.2 Functions & Authorities
- 1.3 Complaint Handling Process

Introduction to the Ombudsman of Korea

1. 1. History of Anti-Corruption & Civil Rights Commission

The Ombudsman of Korea is an ombudsman organization that was established in 1994 to respond to the changing administrative environment, thereby safeguarding the rights and interests of the people in a simple and swift manner from a third-person perspective.

Administration of today is characterized not only by quantitative increases, but also by growing qualitative complexity. This has led to increases in the discretionary power or arbitrariness of administrative agencies, expanding the number of cases where the rights and interests of the people are infringed. However, under the former institutional mechanisms for civil rights protection, they not only mainly dealt with post-remedial measures on actions taken. Also, those who are eligible for application for such measures were limited to people who have legal rights or interests and the criteria for ruling on a petition or complaint were also mainly based on legitimacy.

Therefore, when the citizens had grievances, the opportunities for receiving protection of their civil rights were often limited due to the rigidity and formality of the existing civil rights protection systems.

The Ombudsman of Korea system was designed to investigate and deliberate regarding the rights and interests of the people, which are not protected by the existing civil rights protection systems, in a simple and swift manner from a third-party perspective, and if complaints are deemed to be valid, it recommends to the relevant administrative agencies to rectify them or make institutional improvements, thereby protecting the rights and interests of the people.

Against this backdrop, the Ombudsman of Korea was inaugurated as a committee-style administrative agency whose independence and neutrality were guaranteed with the enactment of the Framework Act on Administrative Regulation and Civil Petitions.

At the time of its establishment, the Ombudsman of Korea consisted of a chief ombudsman and four ombudsmen (including a standing ombudsman). However, due to lack of an independent administrative backup organization, the head of the Joint Civil Service Office of the Government assisted in a secretarial capacity the administrative affairs of the Ombudsman of Korea. With the enactment of the Ombudsman of Korea Secretariat Installation Ordinance on December 31, 1996, the Joint Civil Service Office of the Government was abolished and the Ombudsman of Korea established a secretariat comprising two bureaus, one deliberation office, and 10 divisions, reborn as a full-fledged complaint-handling organization with administrative support.

In accordance with the Civil Petitions Treatment Act, enacted on August 22, 1997, the number of ombudsmen was increased from five to ten and a subcommittee system responsible by areas of expertise was introduced. Moreover, the Act provided the legal ground for installing the secretariat and required a standing member to concurrently serve as the head of the secretariat.

The Ombudsman of the Korea Secretariat Installation Ordinance was abolished on February 28, 1998 and superseded by the Ombudsman of Korea Regulations, which expanded the investigation personnel and required subcommittees by areas to be established and operated. On May 24, 1999, the secretariat was reorganized into three bureaus to twelve divisions with the establishment of an integrated complaint counseling center, strongly reinforcing its counseling and guidance functions as a comprehensive complaint-handling administrative agency.

On October 30, 2005, the Ombudsman of Korea Establishment and Operation Act was enacted, subordinating it to the President, from the Prime Minister and making the chief ombudsman a standing position. This was followed by the establishment of the Online Citizen Participation Plaza, the launch of the government call center, as well as the launch of

military and police ombudsmen. As of 2007, the Ombudsman of Korea had four bureaus, two offices, one center, and twenty-four teams.

With the enactment and enforcement of the Act on Anti-Corruption and the Establishment and Operation of the Anti-Corruption and Civil Rights Commission on February 29, 2008, the Ombudsman of Korea ended its 14-year history and was integrated with the Korea Independent Commission against Corruption and the Administrative Appeals Commission, recently renamed the Anti-Corruption and Civil Rights Commission.

1. 2. Organization

ACRC consists of a total of 15 commissioners including 1 Chairman (minister-level), 3 Vice-Chairmen (vice minister-level), 3 Standing Commissioners and 8 Non-standing Commissioners. To deal with administrative tasks, the secretariat is set up, divided into three bureaus of Ombudsman, Anti-Corruption and Administrative Appeals. They are headed by each vice-chairman. The status and independence in work of all commissioners are guaranteed by the law.



Ombudsman of Korea

1. 3. Functions & Authorities

Functions

■ Recommendations of corrective measures and expression of opinions concerning unlawful or unjustifiable administrative actions

The Ombudsman of Korea handles complaints on acts in which people's rights are infringed upon or where people suffer inconvenience or burdens due to unlawful, unjustifiable actions or passive acts by administrative agencies or unreasonable institutional mechanisms. If the results of investigation of complaints show that actions by administrative agencies are deemed unlawful or unjustifiable, the Ombudsman recommends corrective measures to administrative agencies concerned. If it is deemed that the complainant's case is well-founded, the Ombudsman submits such opinions to the administrative agency concerned.

■ Recommendations for institutional improvements and expression of opinions concerning unreasonable laws and institutional systems

In cases where it is deemed necessary to improve the relevant administrative systems and their operation in the process of handling complaints, the Ombudsman of Korea makes recommendations for their improvement or submits its opinions to agencies concerned, thereby preventing recurrence of the same complaints.

Authorities

■ Authority to request submission of relevant materials

In the process of investigating complaints, the Ombudsman of Korea may request that the relevant administrative agencies provide explanations or submit appropriate materials and documents. It also may request that employees of administrative agencies concerned, complainants, interested parties or reference people appear in person and express their opinions.

■ Authority to mediate grievances involving multiple parties

The Ombudsman of Korea may, upon request or ex officio, conduct mediation if deemed necessary to ensure swift and impartial resolution of any complaint that involves multiple parties or has far-reaching social impact. A decision based on such conciliation has the same effect as a settlement under the Civil Act.

The Ombudsman of Korea handles complaints on acts in which people's rights are infringed upon or where people suffer inconvenience or burdens due to unlawful, unjustifiable actions or passive acts by administrative agencies or unreasonable institutional mechanisms. If the results of investigation of complaints show that actions by administrative agencies are deemed unlawful or unjustifiable, the Ombudsman recommends corrective measures to administrative agencies concerned. If it is deemed that the complainant's case is well-founded, the Ombudsman submits such opinions to the administrative agency concerned.

■ Authority to request an audit and inspection

If it is found, in the course of investigating or handling any complaint, that any employee of the administrative agency concerned, carried out his/her duties unlawfully and unjustifiably by intention or through gross negligence, the Ombudsman of Korea may request the Board of Audit and Inspection to conduct an audit and inspection (local governments in the case of regional ombudsmen).

■ Authority to make public announcements

The Ombudsman of Korea may make public announcements of the content of its recommendations made or opinions submitted, the results of handling by administrative agencies that received such recommendations or opinions, and the reasons for non-compliance with recommendations by administrative agencies concerned, provided that such public announcement is not restricted under any other Act or will not violate the privacy of individuals.

■ Authority to file special reports to the President and the National Assembly

In cases where any unreasonable system is found in the course of handling complaints or where there exists any measure deemed to require improvement, the Ombudsman of Korea may submit an opinion thereon to the President or the National Assembly.

■ Authority to submit opinions on institutional improvements

In cases where the relevant laws or ordinances are acknowledged to be clearly unreasonable in the course of handling complaints, the Ombudsman of Korea may submit opinions on the revision or abolition of such laws or ordinances to the National Assembly or local assemblies.

■ Authority to impose fines for negligence

The Ombudsman of Korea may impose fines for negligence of up to KRW 5 million on any person who obstructs, refuses, ignores or intentionally postpones, without any justifiable cause, the execution of duties under Article 31 of the Ombudsman Act.

1.4 Complaint Handling Process

1) Counselling and filing a complaint

Anyone may file a complaint personally or through their representative in writing, by mail, via the Internet, or by fax.

2) Fact-finding investigations

Complaints handled at the Ombudsman of Korea undergo a series of fact-finding investigations, which include requesting the administrative agency concerned to provide explanations or submit relevant materials and documents; requesting the complainant or petitioner, interested parties, reference person or employee of the administrative agency concerned to appear in person and give his/her opinions; conducting on-site inspection of the administrative agency concerned; and commissioning experts to make an appraisal.

3) Deliberation and resolution of complaints

When investigative activities are completed, a sub-committee or the all-member committee deliberates arguments and evidence and passes a vote on recommendation for corrective actions (In the case of a sub-committee, all of its members should vote in favor, and in the case of an all-member committee, the majority of members should be present and the majority of those present should vote for the recommendation of corrective measures), if there is a sufficient cause to verify any action as illegal or unjustifiable. If the complainant's case is deemed to be well-founded, they pass a vote on submitting an opinion to the head of the administrative agency concerned. Moreover, if improvement of any relevant act and statute, system, or policy is deemed necessary, the committee passes a vote on recommendation for institutional improvement or submission of an opinion.

4) Notification of decisions and notification of handling results

The Ombudsman of Korea shall draw up a resolution letter and a complaint handling result notice and shall, without delay, notify those concerned of the decision. The head of the administrative agency concerned receiving the recommendation or opinion from the Ombudsman, shall comply therewith, except for cases where there is a justifiable cause, and shall notify the Ombudsman of the result of handling the recommendation or opinion within 30 days after receiving the recommendation or opinion. If there is a special circumstance deemed to be difficult to comply with in accordance with the Ombudsman's decision, the administrative agency concerned may request the Ombudsman to conduct re-deliberation.



Ombudsman of Korea

Part 2. >>>

Complaint Handling Statistics

- 2.1. Complaints received and processed
- 2.2. Recommendations of Corrective Measures
- 2.3. Settlement by Agreement and Conciliation

Complaint Handling Statistics

2.1. Complaints received and processed

1) Overview

In 2007, the Commission received a total of 25,437 complaints and processed 23,373 of them.

Of the 25,437 complaints received, 1,756 complaints were carried over from 2006 to 2007 while 23,681 new complaints were received in 2007. Of them, 23,373 complaints (or 91.9%) were fully processed and the remaining 2,064 complaints (or 8.1%) were carried over into 2008.

Figure 2-1

Complaints received and carried over in 2007

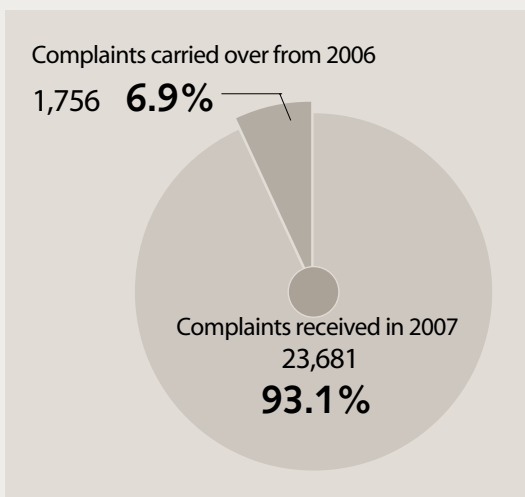
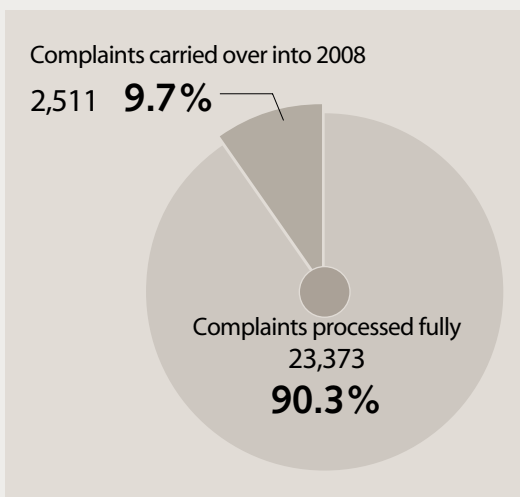


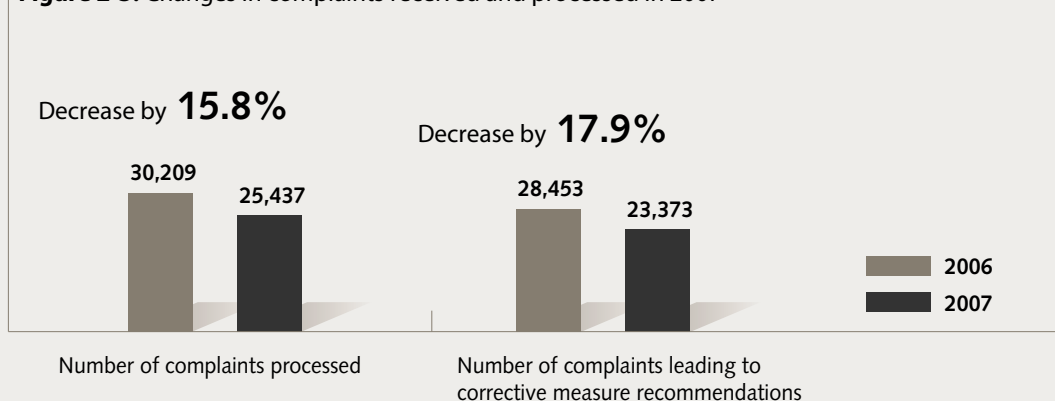
Figure 2-2

Complaints processed in 2007



As indicated in Figure 2-3, the number of complaints received in 2007 (including those carried over from the preceding year) declined by 15.8% and complaints fully processed also decreased by 17.9%, compared to the previous year. This decrease in complaints is mainly attributable to the fact that complaints, which sharply rose in 2006 thanks to far-reaching public awareness efforts at the time of the reinauguration of the Ombudsman of Korea in October 2005, returned to the past trends in 2007.

Figure 2-3. Changes in complaints received and processed in 2007



2) Complaints handled by types and analysis

The 23,373 complaints processed in 2007 included recommendations for corrective measures (1,167), expression of opinions (437), settlement by mediation and agreement (2,929), dismissal (1,256), guidance (11,509), and transfers (6,075). Of them, recommendations for corrective measures, expression of opinions, and settlement by mediation and agreement, which reflected requests by complainants, were 4,533 cases, accounting for 19.4% of the total complaints processed, a 13.4% increase from 17.1% in the preceding year.

What is notable in complaint processing in 2007 is that, as shown in Table 2-1 <Increase/Decrease status of complaints processed in 2007>, the number of complaints processed decreased by 17.9%, compared to 2006, whereas the acceptance rate for

requests by complainants increased by 13.5%.

This is a result of the Ombudsman of Korea's placing emphasis on efforts to practically settle complaints through mediation and agreement, along with an increase in recommendations of corrective measures and expression of opinions.

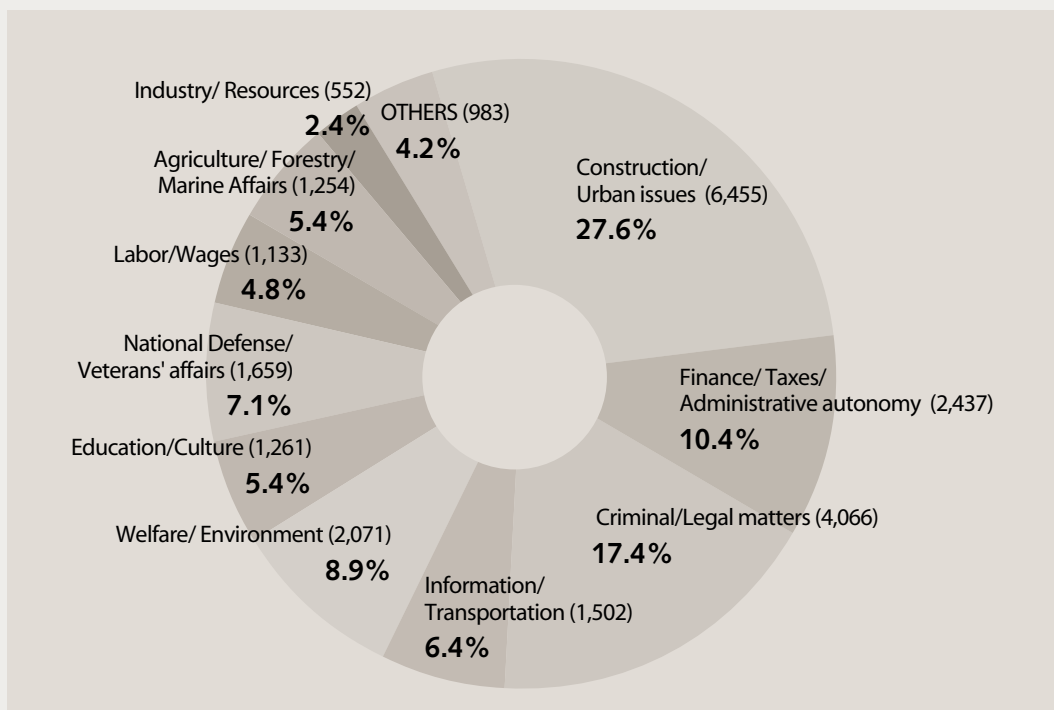
Table 2-1. Complaints processed by type in 2007

Category	Total	Corrective Recommendation	Institutional Improvement	Expression of Opinions	Mediation & Agreement	Dismissal	Guidance	Transfer
2007	23,373	1,167	-	437	2,929	1,256	11,509	6,075
2006	28,453	1,141	8	335	3,381	2,087	12,738	8,763
Increase/ Decrease	△5,080 (△17.9%)	26 (2.3%)	△8	102 (30.4%)	△452 (△13.4%)	△831 (△39.8%)	△1,229 (9.6%)	△2,688 (30.7%)

* Performance for institutional improvement in 2007 will be separately described in Chapter 4

3) Complaints processed by area

As shown in Figure 2-4, of the 23,373 complaints processed by the Ombudsman of Korea in 2007, the largest share concerned construction and urban issues (27.6%); followed by criminal and legal matters (17.4%); finance and taxes (10.4%); welfare and environment (8.9%); national defense and veterans' affairs (7.1%); information and transportation (6.4%); agriculture, forestry, and marine affairs (5.4%); education and culture (5.4%); labor and wages (4.8%); and industry and resources (2.4%).

Table 2-4. Complaints processed by area in 2007

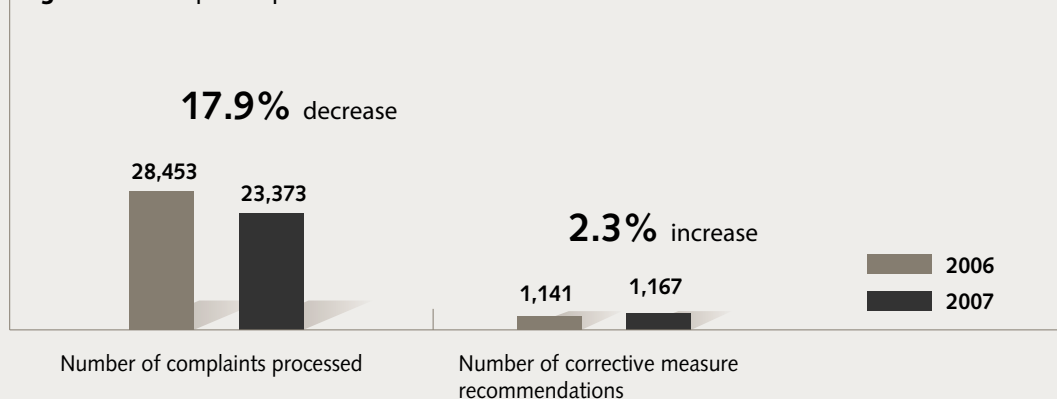
2.2 Recommendations of Corrective Measures

1) Increase/ Decrease trends

As indicated in Figure 2-5, of the 23,373 complaints processed by the Ombudsman of Korea in 2007, about 5% (1,167 complaints) led to recommendations for corrective measures by administrative agencies concerned. This represents a 2.3% increase (26 complaints), compared to 1,141 corrective recommendations in 2006.

The increase in the number of complaints leading to recommendations of corrective measures is attributable to the fact that conditions for more in-depth investigations and reviews were created as complaints were received on a steady basis in 2007, allowing the Ombudsman of Korea to properly process an appropriate numbers of complaints.

Figure 2-5. Complaints processed and recommendations of corrective measures



2) Recommendations of corrective measures by organization

When complaints that led to recommendations of corrective measures are classified by respondent (organization), central administrative agencies including the offices of education accounted for 34.8% (406 complaints), local governments 33.2% (388 complaints), and government-invested organizations 13.1% (373 complaints), respectively.

Of the 406 recommendations of corrective measures issued to central administrative agencies, 195 (48.0%) and 101 recommendations (24.9%) were directed at the National Tax Service and the Ministry of Construction and Transportation. These two agencies accounted for 72.9% of the total correction recommendations issued to central administrative agencies.

In the case of local governments, of the total 388 recommendations, the Seoul Metropolitan Government accounted for the largest share of 20.9% (81 recommendations), followed by Gyeonggi-do (73 recommendations or 18.8%) and Gyeongsangnam-do (30 recommendations or 7.4%). A total of 154 recommendations were issued to local governments in the Seoul metropolitan area, accounting for 39.7% of the total recommendations issued.

Among government-invested organizations, of the total of 373 recommendations, the Korea Land Corporation accounted for the largest share of 41% (153 recommendations), followed by the Korea Expressway Corporation (12.9% or 48 recommendations), the SH Corporation (10.2% or 38 recommendations), and the Korea Workers' Welfare and Compensation Service (9.4% or 35 recommendations).

Table 2-2. Recommendations of corrective measures by respondent organization in 2007

Category	Total	Central Administrative Agencies						Local Governments						Government-Invested Organizations					
		Sub-total	National Tax Service	Ministry of Construction & Transport	National Police Agency	Ministry of National Defense	Others	Sub-total	Seoul	Gyeonggi	Gyeongnam	Others	Sub-total	Korea Land Corporation	Korea Expressway Corporation	SH Corporation	Korea Workers' Welfare & Compensation Service	Others	
Correction recommendations (No.)	1,167	406	195	101	41	31	38	388	81	73	30	73	37.3	153	48	38	35	99	
Correction recommendations (No.)	100	34.8	16.7	8.7	3.5	2.7	3.3	33.2	6.9	6.3	2.6	6.3	32.0	13.1	14.1	3.3	3.0	8.5	

3) Recommendations of corrective measures by area

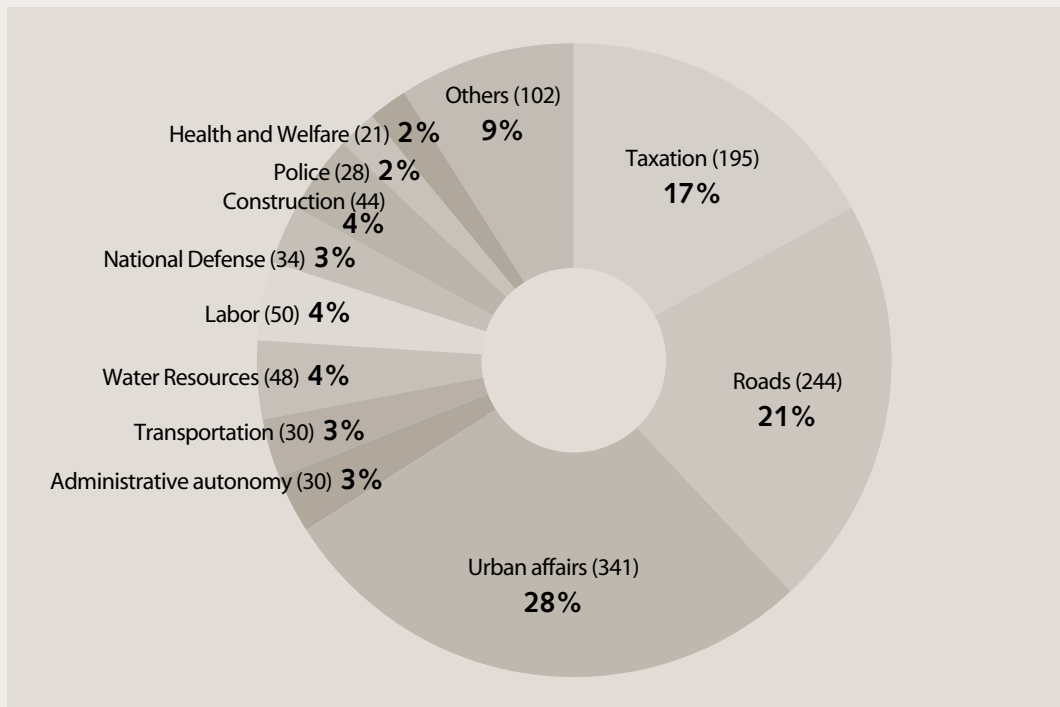
In terms of correction recommendations issued by area, construction and urban matters topped the list with 696 recommendations (59.6%), followed by finance and taxes (226 or 19.4%), labor and wages (50 or 4.3%). These three areas account for 83.3% of the total recommendations.

aTable 2-3. Recommendations of corrective measures by area in 2007

Category	Total	Finance/Taxes	Construction/Urban matters	Information/Transportation	Industry/Resources	Agriculture/Forestry/Marine Affairs	Labor/Wages	Welfare/Environment	Education/Culture	National Defense/Veterans' affairs	Criminal/Legal matters	Police	Others
Correction recommendations (No.)	1,167	226	696	33	13	14	50	37	15	42	12	28	1
Percentage(%)	100	19.4	59.6	2.8	1.1	1.2	4.3	3.2	1.3	3.6	1.0	2.4	0.1

In detail, as shown in Figure 2-8, urban affairs associated with compensation for public projects topped the list with 341 recommendations (29.2%), followed by road area, including damage inflicted by road building (244 or 20.9%) and taxation related to national tax (195 or 16.7%).

Figure 2-8. Details of corrective measure recommendations by area in 2007



2.3 Settlement by Agreement and Conciliation

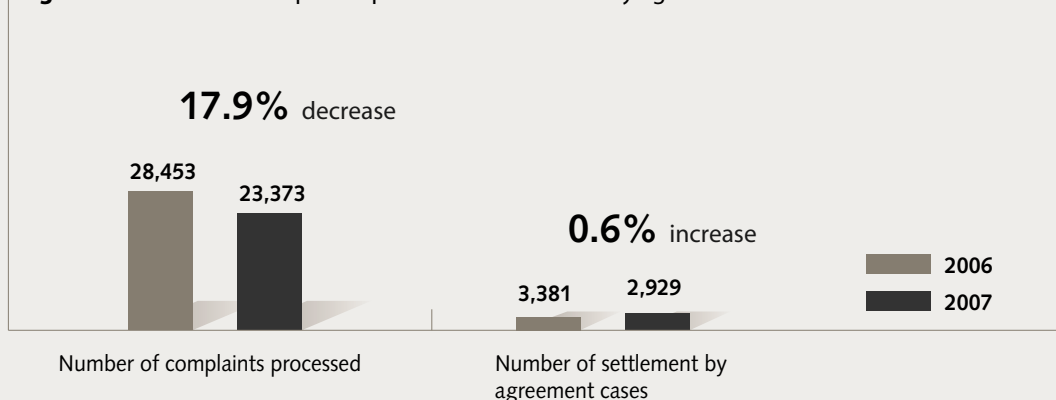
1) Agreement

As shown in Figure 2-9, of the total 23,373 complaints processed by the Ombudsman of Korea in 2007, about 12.5% or 2,929 cases were categorized as settled by agreement. This indicates that the ratio of settlement by agreement increased 0.6% from 11.9% (3,381

cases out of 28,453) in 2006.

This is a result of strengthened efforts to pursue alternative settlement of complaints by agreement and conciliation in accordance with the changed situation of complaints, which are becoming ever-more diversified and complex.

Figure 2-9. Trends of complaints processed and settled by agreement in 2007



2) Conciliation

The Ombudsman of Korea strengthened its efforts to find win-win solutions to complaints through dialogue and compromise as an impartial mediator of conflict between the complainant and the administrative agency.



In order to promote conciliation-based settlement, the Ombudsman of Korea pursued conciliation and settlement at each stage of the complaint handling process. Since the enactment of the Ombudsman of Korea Establishment and Operation Act, conciliation meetings have been held and presided over either by the chief ombudsman or an ordinary ombudsman.

Table 2-4. Conciliation meetings in 2007

	Number of meetings	Number of complaints	Number of acceptances or agreements
Presided over by the chief ombudsman	11	10	10
Presided over by the ordinary ombudsman	13	13	12

In particular, in the case of complaints with far-reaching social impact, such as ones involving multiple number of persons, on-site conciliation meetings are held where the chief ombudsman or an ombudsman visit the site and listen to the opinions of parties involved and present alternative solutions, thereby settling complaints.

In 2007, a total of 24 conciliation meetings presided over either by the chair ombudsman or member ombudsman were held, and 22 out of 23 complaints were settled by agreement.

Table 2-5. Conciliation meetings presided over by the chief ombudsman in 2007

Serial No.	Date	Description	Complaint number	Respondent	Result	Area
1	Mar.14	Construction of an interchange	2BA-0702-003529	Regional Construction & Management Administration	Agreement	Road
2	Apr.19	Converting leased apartments into lotting-out sale	2BA-0702-035073 Oi 3	Mayor of City	Agreement	Housing
3	Apr.20	Redeliberation by Ministry of Patriots' and Veterans' Affairs	2CA-0702-010177	Deliberation Committee	Agreement	Military
4	Apr.20	Resolving damage of concrete mixers due to relocation of the U.S. army base to Pyeongtaek	2BA-0702-030469	Forces Korea Base Relocation Office	Agreement	Military
5	May 8	Improving the structure of the Donghongcheon IC	2BA-0703-001139	Corporation	Agreement	Road
6	May 23	Change in railway routes	2BA-0608-026509	Service	Agreement	Transportation
7	Aug. 1	Traffic safety measures for the street in front of Pangok Middle School	2AA-0703-028735	Mayor of City	Agreement	Transportation
8	Aug. 6 Nov.20	Relocation of Daegu Haeseo Elementary School	2BA-0705-002895	Mayor of City	Agreement	Education
9	Aug.23	Expanding a bridge	2BA-0707-016925	Regional Construction & Management Administration	Agreement	Road
10	Nov.27	Improvement of the structure of Geumgok Interchange	2BA-0709-013297	Regional Construction & Management Administration	Agreement	Road

Table 2-6. Conciliation meetings presided over by the ombudsman in 2007

Serial No.	Date	Description	Complaint number	Respondent	Result	Area
1	Jan.11	Request for anti-disaster measures	2BA-0611-048483	-Head of Regional Forest Service -Head of National Forest Management Office	Agreement	Housing
2	Feb.15	Request for postponement of contract fulfillment following advance agreement	2CA-0609-038105	Regional Corporation	Agreement	Urban affairs
3	Apr.24	Request for taking appropriate steps for completion of apartment construction	2BA-0702-021034	Head of District Office	Agreement	Construction
4	Apr.25	Exclusion from housing site development zones, etc.	2CA-0703-031113	Mayor of City Corporation	Agreement	Urban affairs
5	May.16	Withdrawal of report on establishment of waste disposal facilities and construction of structures	2BA-0703-018087	Governor of County	Failed to reach agreement	Environment
6	May.25	Road design change	2BA-0702-003475	Head of Regional Construction & Management Administration	Agreement	Road
7	May.29	Request for preventing flooding damage caused by land readjustment project	2BA-0704-006068	Mayor of City	Agreement	Urban affairs
8	June.14	Compensation for business closure	2BA-0704-017777	Corporation	Agreement	Urban affairs
9	Aug.31	Housing construction project	2CA-0706-023173	Mayor of City	Agreement	Housing
10	Oct.17	The issue of right to indemnity of Seungdang Village	2AA-0707-039400 Oi	Service	Agreement	Labor
11	Nov.19	Repair of defect	2BA-0709-028445	Corporation	Agreement	Housing
12	Dec. 4	Objection to an apartment business	2BA-0710-041455	Mayor of City	Agreement	Housing
13	Dec. 6	Protect right to learn following the creation of an industrial complex	2BA-0707-030843	Corporation	Agreement	Urban affairs



Ombudsman of Korea





Ombudsman of Korea

Part 3. >>>

Major Cases

- 3.1. Recommendation Cases
- 3.2. Agreement Cases
- 3.3. Conciliation Cases

Major Cases

3.1. Recommendation cases

■ Objection to non-consent to athlete transfer

(1) Complaint Summary

The complainant is a badminton player of High School. His family moved from Jeju Island to Incheon due to livelihood issues. However, the respondent, Association, did not issue consent to the athlete's transfer, making it impossible for the complainant to play badminton competitively in Incheon. Given the circumstances, the complainant requested the Ombudsman of Korea to provide protection of his rights as an athlete.

(2) Issue of Contention

To determine whether the decision by Association that did not consent to athlete transfer, citing the reason that it would create a precedent in cases where families move for livelihood reasons, is justifiable.

(3) Complaint Handling Process

The Ombudsman of Korea deliberated whether the case was true by reviewing materials submitted by the respondent and requesting it to attend a meeting for investigation.

(4) Results

The respondent's non-consent to athlete transfer of the complainant is not in accordance with the Constitution of the Republic of Korea, as it restricts citizens' rights to pursue happiness, as specified in Article 10 of the Constitution, and the right to choose schools, which is derived from citizens' right to education under Article 31-1 of the Constitution. Moreover, it violates Article 17-2-5 of the "Athlete Registration Regulations" of the Association, which stipulates that in a case where all family members transfer due to relocation of their residence for the head of the family to maintain livelihood, a transfer consent letter may be issued, enabling the moving athlete to continue to play as an athlete, without being bound by a change in the place of registration and the organization to which the athlete belongs. Based on the findings, the Ombudsman deemed it appropriate for Association to consent to the athlete's transfer, thereby enabling the complainant to continue his career as a badminton player at High School in Incheon and issued a corrective recommendation to this effect.

- by Administration and Culture Investigation Team -

■ Compensation for ferry business

(1) Complaint summary

The complainant filed a complaint arguing that they were no longer able to continue ferry business due to the construction of a bridge between Mokpo and Aphae, requesting business compensation for the invalidation of their ferry business licence.

(2) Issue of contention

To determine whether the ferry business is eligible for compensation in a case where a ferry business is unable to be continued due to the construction of a bridge.

(3) Complaint handling process

The respondent claimed that it is unjustifiable for the business to be compensated, as it did not restrict or prohibit the ferry business and there had been no precedent for such business compensation. However, it was deemed that the ferry business is a business that transports people and vehicles across a certain area of the sea, so the hinterland for the ferry business is considered to be the sea surface. As it was deemed clear that the ferry business could not be maintained due to the construction of the bridge. The Ombudsman of Korea issued a recommendation for the respondent to pay business compensation.

(4) Results

The Ombudsman issued a corrective recommendation that the respondent pay business compensation for the ferry business that lost more than two-thirds of its hinterland owing to the construction of a bridge between Mokpo and Aphae.

(5) Significance

Compensation related to public projects should be determined on the basis of the Act on the Acquisition and Compensation for Land, etc. for Public Projects. However, the Ombudsman issued a corrective recommendation on the administrative action taken by an administrative organization that excluded the complainant from being eligible for compensation, citing reasons that there was no direct administrative action or a precedent of compensation, thereby guaranteeing the business rights of ferry business operators.

- by Agriculture, Forestry, Maritime & Environment Investigation Team -

■ Land Compensation

(1) Complaint summary

The complainant owns a piece of land of 53m² located in 208-4, ○○dong, ○○City,

Jeollanam-do Province. However, it is connected to the section for the Dongsuncheon-Gwangyang Double-track Railway Construction Project and the relocation project section of National Road No.2. The complainant claims that, as the area of the land is too small to construct a building, thus making it difficult for it to be used as originally intended, the administrative agency concerned should compensate the complainant by purchasing the land.

(2) Issue of contention

To determine whether the land subject to the complaint can be used as a site for building.

(3) Complaint handling process

The Ombudsman of Korea received relevant materials from the Korea Rail Network Authority and made an on-site visit to the land owned by the complainant to confirm the shape and scale of the land subject to the complaint, as well as conducting a legal deliberation. In consideration of the small area of the land and the fact that the National Road No. 2 to be relocated will be constructed about 1.5m higher than the land, the Commission determined that it would be extremely difficult to use the land as a building site.

(4) Results

The Commission issued a correction recommendation that the respondent administrative agency purchase the 53β≥ land owned by the complainant and located in 208-4, ○○dong, ○○City, Jeollanam-do Province, which is adjacent to the Dongsuncheon-Gwangyang Double-track Railway Project section and the National Road No.2 relocation section. The respondent administrative agency accepted the recommendation and compensated the complaint by purchasing the land.

(5) Significance

The Ombudsman resolved the complaint with a reasonable decision appropriate to the on-site conditions by confirming whether the case was true through an on-site investigation and also by conducting a legal deliberation.

- by Transportation Investigation Team -

■ Apartment Deposit Refund

(1) Complaint summary

The complainant claims that 164 households have been denied refunds of apartment deposits worth a total of KRW 973 million from Housing Guarantee company based on the reason that they failed to pay the deposits, out of the total money required to purchase new apartment units (deposit, part-payment, remainder money), which went bankrupt later, to the designated bank account, and requested the Ombudsman of Korea to provide help for them to receive refunds of the deposits. (The complainant: Gwon, middle school 3rd year.)

(2) Issue of contention

To determine whether the households can get their deposits refunded in accordance with the provisions of the surety if they paid the deposits not into a designated bank account, but in cash and in person at the model house.

(3) Complaint-handling process

The investigation result showed that a housing guarantee for housing lotting-out is designed to protect those who are lotted-out housing in the case of bankruptcies of the developer. The Housing Guarantee company is a public organization established by law to protect those who sign contracts on housing lotting-out and it is recognized that the complainants actually paid deposits. Although the responsibility for checking whether the deposits were safely transferred to the designated bank account lies with the Housing Guarantee, it neglected to fulfill its duty. Moreover, customarily when contracts are signed, developers often receive deposits at their office, rather than asking clients to transfer them to a designated bank account, to secure the contracts. Given all the above considerations, the Commission issued a corrective recommendation that the respondent refund the actually-paid deposits to the complainants.

(4) Results

The respondent accepted the Ombudsman's recommendation and promised to refund the deposits to the complainants.

(5) Significance

This is a case where the Ombudsman issued a corrective recommendation regarding rejection or non-performance of administrative agencies by applying legislation purposes and related laws. (The case was reported on "Eye Focus with Sohn Suk-hee," a live radio show, and in leading daily newspapers including The Seoul Shinmun.)

- by Housing and Construction Investigation Team -

■ Reinvestigation of a traffic accident

(1) Complaint summary

In a traffic accident that took place while the husband of the complainant was walking across a pedestrian crossing, it is unjustifiable that the respondent concluded that the pedestrian jaywalked.

(2) Issue of contention

To determine whether the traffic accident site was a pedestrian crossing and whether there was any negligence on the part of the driver.

(3) Complaint handling process

An on-site inspection was carried out and relevant materials of the respondent were reviewed.

(4) Result

Firstly, regarding whether the traffic accident in fact took place at the pedestrian crossing as claimed by the complainant, there is a statement by a witness that the spot where the pedestrian was hit was actually past the pedestrian crossing and that additional signs were not detected in traces of sudden braking on the pedestrian crossing, so the claim by the complainant was deemed difficult to accept. However, the investigation result into speeding of the vehicle shows that the rapid braking trace length was measured at 38.2m, longer by about 10.1m than the length measured by the respondent. Even when the speed of the vehicle is calculated on the basis of 28.1m, the length of sudden braking trace measured by the respondent, the speed was calculated to be 74.13 km/h, not 60 km/h. This indicates that the speed of the vehicle before the traffic accident claimed by the respondent lacks objectivity, merely relying on statements by the driver. Considering the road's gradient and the length of rapid braking trace, the speed of the vehicle before the accident was estimated to be around 86.43 km/h, which exceeds the 80 km/h maximum speed limit for the accident area. This was deemed to violate Article 17-3 of the Road Traffic Act, so the Ombudsman of Korea issued a corrective recommendation that the respondent conduct a reinvestigation into the traffic accident.

(5) Significance

In the case of important petitions, such as fatal traffic accidents, handling such cases negligently without verifying the detailed circumstances, is an example of the unfair handling of cases. A more proactive approach of continuously studying and developing one's duties is required.

- by Police Complaints Investigation Team -

3.2. Agreement cases

■ Reinstatement of citizenship, adjustment of family register and resident registration

(1) Complaint summary

The complainant was a first-generation Korean Chinese and his family register was revived in a Korean court in 1984. After a background check and resident registration in 2003, he was granted as a recipient of the basic livelihood security benefit. However, now he is required to undergo citizenship reinstatement procedures by the Ministry of Justice and obtain a new family register and resident registration card. Under the circumstances, the complainant requested that he be allowed to reinstate his citizenship and adjust his family register and resident registration in a prompt manner, while continuing to receive the basic livelihood support.

(2) Issues of contention

To determine whether foreigners who have become illegal residents exempted from penalties or fines due to special circumstances;

Whether the period of citizenship reinstatement deliberation by the Ministry of Justice, which normally takes more than 18 months can be shortened;

Ways to support livelihood expenses for those who are not legal citizens.

(3) Complaint handling process

The Ombudsman of Korea visited the Ministry of Justice and immigration office under its jurisdiction and reached agreement on the exemption of fines for illegal stay and on the shortening of the citizenship reinstatement deliberation period. The Ombudsman also issued a corrective recommendation to the local government with jurisdiction over the residence of the complainant that it should support livelihood expenses with private subsidies while the complainant is in the process of reinstating his citizenship.

(4) Results

The Ministry of Justice exempted the complainant from paying fines for illegal stay and decided to permit his citizenship reinstatement after shortening the deliberation period to three months. The local government of his place of residence provided livelihood support of KRW 500,000 every month until the day permission was granted for his citizenship reinstatement, with the support from churches, and corrected his family register and resident registration details immediately upon his citizenship reinstatement.

3.3. Conciliation cases

■ Relocation of Elementary School

(1) Complaint summary

Due to its proximity to ○○ international airport and a military airport, ○○ Elementary School students suffer from the roaring sounds generated when airplanes and fighters take off or land, which makes it difficult to have normal classes for students. Under the circumstances, the school requested the relocation of the school.

(2) Issue of contention

To determine whether the elementary school can be relocated to another area based on the reason that normal classes for students are difficult due to the loud noise generated by the nearby airfields.

(3) Complaint handling process

There were conflicting positions on the issue between the respective administrative agencies involved. ○○ City maintained that the ○○ Industrial Complex project was aimed at securing insufficient industrial sites and relocating the elementary school located outside the

industrial complex into the inside of the industrial complex did not satisfy the purpose of creating the industrial complex. On the other hand, the head of ○○ Office of Education called for providing a site for the school's relocation in the ○○ Industrial Complex, as it was realistically difficult to secure another school site, given the need for an appropriate commuting distance of elementary school students. The Commission set up mediation meetings presided over by the Chief Ombudsman on two occasions, on August 6 and November 20, respectively.

(4) Results (Chief Ombudsman's on-site mediation)

It was mediated that ○○ City would provide a site of 15,000m² located to the south of ○○ Polytech College within the ○○ Industrial Complex, and that a decision on whether to relocate the ○○ Elementary School would be taken after collecting opinions of residents concerned; and that matters related to how to collect opinions would be decided by the head of ○○ Office of Education; and that, once the relocation of the ○○ Elementary School is decided, ○○ Office of Education would secure necessary funding to implement the project in good faith to ensure the school's swift relocation.

(5) Significance

Amid sharp confrontations among administrative agencies regarding the relocation of the elementary school, the Ombudsman came up with the optimal alternatives and strived to persuade administrative agencies concerned and make them understand the reasons for the decision. This case is an example that shows how a mutually beneficial settlement of a complaint satisfied both the administrative agencies concerned and the complainant.



Ombudsman of Korea

Part 4. >>>

Institutional Improvements

4-1. Overview

4-2. Major accomplishments and case studies

Institutional Improvements

4-1. Overview

In 2007, the Ombudsman of Korea explored diverse sources for institutional improvements, thereby completing institutional improvement projects through the analysis of repetitive complaints. Furthermore, it strived to improve institutional systems such as unreasonable laws and regulations that cause inconveniences and grievances to the people by issuing recommendations on institutional improvements and expanding research projects on special tasks. In order to heighten the participation by its employees in the process of institutional improvements, the Ombudsman of Korea planned and held the "one person, one institutional improvement campaign." The Ombudsman also made concerted efforts in follow-up management in order for recommendations for institutional improvements to be reflected in related laws and statutes at an early date to contribute to safeguarding the rights and interests of citizens.

As a result, in 2007, there were 111 institutional improvements recommended and the acceptance ratio of the recommendations was heightened by further systemizing follow-up management after issuing recommendations, reaping good results. Moreover, much was achieved in terms of systemization of institutional improvement work, as evidenced by heightened participation of employees in institutional improvements.

4-2. Major Accomplishments and Case Studies

1) Expansion of recommendations on institutional improvements by diversifying sources

The Ombudsman of Korea explored diverse sources, including Online Citizen's Participation Plaza, theme tasks, and media monitoring, thereby seeking expanded exploration of matters subject to institutional improvements and recommendations on them. In 2007, in particular, it intended to explore institutional improvement tasks through public suggestions and research into theme tasks.

Table 4-1. Institutional improvements achieved through public suggestions in 2007

No.	Titles
1	Measures to protect patients' privacy during outpatient examinations (Apr.18, 2007, Ministry of Health and Welfare)
2	Improvement of the Act on the Lapse of Criminal Sentences to reflect the deletion of lapsed criminal sentences from criminal records (Apr.18, 2007, Ministry of Justice)
3	Obligating the marking of the shelf life of foods and improvement of ways to mark them (June 20, 2007, Korea Food & Drug Administration)
4	Obligating the marking of the shelf life of ice cream products among livestock products and improving the location of the marking (June 20, 2007, National Veterinary Research Quarantine Service)
5	Obligating marking of production dates and the shelf life of medicines and cosmetics and improvement of ways to mark them (June 20, 2007, Ministry of Health and Welfare)
6	Improvement of insurance benefit payment criteria for prosthetic appliances for disabled persons (Oct. 17, 2007, the Ministry of Health and Welfare)
7	Revision of regulations that prohibit social welfare facilities from running shuttle bus service (Nov. 20, 2007, Ministry of Construction and Transportation)
8	Reinforcing requirements for displaying advertisements inside taxis (Nov. 20, 2007, Ministry of Construction and Transportation)

First, the "exploration of tasks through public suggestions" is a project that presses ahead with institutional improvements after reviewing suggestions made by the people. In 2007, a total of 10 tasks were explored and implemented through the public suggestions and among them, eight cases, including "Improvement of the Act on the Lapse of Criminal Sentences to reflect the deletion of lapsed criminal sentences from criminal records" were recommended to administrative agencies concerned.

Meanwhile, a project, "Exploration of institutional improvement tasks through research of theme tasks," was launched in which issues expected to cause many complaints are selected as main themes and institutional improvement tasks are explored through intensive workshops and forums with the participation of relevant experts, civic organizations, government officials, parties of interest, and then recommendations are issued. In 2007, a total of four issues were selected as theme tasks, including "Improvement of the joint liability on guarantee system in the case of supporting funds for renting houses for low-income people." Among the four, recommendations were issued for institutional improvements in two cases of "Measures to improve vocational rehabilitation service for mentally disabled persons (Nov.20, 2007)" and "Improvement of criteria for grading mentally disabled persons (Dec.27, 2007)."

2) Institutional improvements through the analysis of repetitive complaints

Since 2005, the Ombudsman of Korea implemented a project that explored tasks requiring institutional improvements and made improvements by systematically classifying and analyzing repetitive complaints and petitions filed with the Ombudsman to effectively resolve complaints. 2007 was the final year for the project and, in accordance with the initial project implementation plan by year, 4,034 cases in 413 areas, which are allotted for the third-year stage, including "operation of private institutes" and "operation of the National Housing Funds," were reviewed and analyzed. As a result, 30 issues of contention in 23 areas were selected and, among them, the Ombudsman of Korea issued recommendations for institutional improvements for seven cases. Table 4-2 shows the Ombudsman's institutional improvement performance through analysis of repetitive complaints in 2007.

Table 4-2. Institutional improvements achieved through the analysis of repetitive complaints in 2007

No.	Titles
1	Improvement of contract terms concerning ways to give advance notice (notification) on insurance contract cancellation.
2	Improvement of matters concerning establishment and operation of private institutes and matters concerning report by private tutors
3	Easing deadlines for submitting documents required to receive loans to fund housing rental for those who are scheduled to be married.
4	Improvement of regulations on public display of related data for cases where renewal projects such as housing redevelopment are implemented.
5	Improvement of regulations on charging reparations on road occupation
6	Improvement of standards of compensation for resident relocation expenses in the case where the owner/ tenant dies before receiving compensation
7	Improvement of regulations on assessment of uncompensated land which was used for public projects

Among recommendations issued for institutional improvements in 2007, major cases that were reflected in relevant institutional systems include "easing deadlines for submitting documents required to receive loans to fund housing rental for newly weds, "extension of the period for applying for payment of retirement benefit," and "expansion of the scope of school fee loans for teachers working for private schools."

Although projects, which had been implemented since 2005, were completed at the end of 2007, the Ombudsman of Korea decided to pursue the project on an ongoing basis in consideration of the importance of institutional improvements through the analysis of repetitive complaints.



Ombudsman of Korea

Part 5. >>>

Counseling and Guidance

Counseling and Guidance

In addition to its functions to investigate and handle complaints which infringe on people's rights or cause inconveniences or burdens due to unlawful, unjustifiable or passive action by administrative agencies concerned (including actual actions, or just negligence) or unreasonable administrative systems, the Ombudsman of Korea carries out counseling and guidance functions to ensure the stabilization of the people's livelihood.

In that the Ombudsman of Korea is an administrative agency that deals with complaints comprehensively, counseling and guidance can be described as the Ombudsman's general and important functions. Therefore, the Ombudsman not only deals with matters of applications, including permits, authorizations, patents, licenses, approvals, designations, recognition, recommendations, examination, inspections, and certifications, and administration-related petitions, which involve laws and statutes, institutional systems, and procedures, but also listens to and counsels disputes among various private persons or difficulties that can take place in citizens' daily lives, and inform the people concerned of appropriate remedial methods. Therefore, citizens who have insufficient knowledge of legal matters or who are in need financially can visit the Ombudsman of Korea at any time and can receive guidance on appropriate remedial methods from experts to help resolve their difficulties.

In order to provide the people easier access to counseling and guidance offered by the Ombudsman of Korea, it established and has operated a joint civil service office at the government complex in Daejeon and a complaint counseling center at the civil guidance wing at the government complex in Gwacheon. On November 23, 2007, counseling centers were additionally opened at the Busan City Hall and the Daegu City Hall, allowing citizens

to receive specialized knowledge service.

The Ombudsman of Korea also offers counseling tours to safeguard the rights and interests of local and foreign people who reside in rural areas, fishing villages, remote islands, and areas lacking access to information, with difficult accessibility to the Ombudsman. By offering on-site civil petitions administration service, the Ombudsman of Korea listens to the people's grievances and reinforces its capacity to resolve complaints. In addition, citizens can enjoy free-of-charge cyber-counseling service on their various complaints with citizen ombudsmen with expertise in different areas of society who are appointed by the Ombudsman.

The counseling and guidance sessions offered by the Ombudsman of Korea are classified into three categories: in-person sessions, where the complainant may visit the complaint counseling center at the offices of the Ombudsman of Korea and receives counseling from investigation officers concerned or specialized counselors in person; phone sessions where the complaint receives counseling by phone; and online sessions where the complainant visits online website of the Ombudsman and counsels with the investigation officer via the cyber counseling corner. (The administrative counseling member system run by the Ombudsman of Korea in the past was transferred to the Ministry of Government Administration and Home Affairs as of October 31, 2005.)

Through proactive counseling and guidance by using such diverse counseling channels, in 2007, the Ombudsman of Korea further enhanced the level of satisfaction on the part of complainants and sharply raised the degree of trust in complaint handling administration.

1) Counseling and guidance by investigation officers

Citizens who are experiencing difficulties due to unlawful or unjustifiable actions by administrative agencies or unreasonable administrative systems, or who are not well aware of procedures for handling administrative work, may appeal their complaints or make inquiries via phone, in-person visits, or the Internet. They can receive compassionate

counseling and guidance service from investigation officers working for the Ombudsman of Korea at any time.

Concerning matters related to handling procedures of administrative work, investigation officers provide detailed information on the handling procedures in person. On the other hand, concerning matters of expressing grievances or requesting remedial measures in relation to administrative actions, they are received as complaints and investigated and processed accordingly. Complaints are often resolved during counseling sessions.

As shown in Table 5-1, investigation officers offered a total of 8,814 counseling and guidance sessions in 2007. Among these sessions, 7,743 sessions were in-person and 1,071 sessions were via the Internet. Compared to the previous year, the number of online sessions declined 65.2%, while in-person sessions increased 13.8%. The drop in online counseling is attributable to the growing use of the Online Citizen Participation Plaza by complainants as a result of the integrated operation of the existing grievance handling system and the online channel. The growing popularity of in-person counseling is a result of improved accessibility to the Ombudsman of Korea with the establishment of complaint counseling centers in Busan and Daegu, in addition to the existing regional counseling centers (Daejeon and Gwacheon Counseling Centers).

The overall decline in the total amount of complaint counseling by investigation officers via counseling channels is due to the fact that, with the opening of the government call center in May 2007, complaint counseling by phone (1588-1517, 110) was transferred to the government call center.

Table 5-1. Complaint counseling by investigation officers by counseling channel (Unit: No. of cases)

Year	Total	By phone	Visit	Internet
2007	8,814	-	7,743	1,071
2006	90,889	81,007	6,801	3,081
2005	90,860	81,414	4,596	4,850

※ Counseling by phone was excluded following the opening of the government call center (May 2007).

Table 5-2. Counseling and guidance by investigation officers by area (Unit: No. of cases)

Year	Total	Finance/ Taxation	Administ ration /Local Affairs	Construction / Urban Affairs	Information/ Transportation	Industry/ Resources	Agriculture / Forestry/ Marine Affairs	Labor/ Wages	Welfare/ Environm ent	Education / Culture	National Defense & Veterans' affairs	Civil/ Criminal Affairs
2007	8,814	1,043	579	1,655	782	103	359	453	497	194	692	2,457
2006	90,889	13,042	5,592	15,502	10,005	1,728	2,960	6,066	11,484	3,125	3,980	17,405
2005	90,860	13,232	5,989	14,969	9,625	1,873	3,357	5,933	10,231	3,099	3,654	18,898

2) Complaint counseling by specialized counselors

In a bid to proactively respond to ever-diversifying and specialized complaints and provide high-quality complaint handling service, the Ombudsman of Korea has been offering counseling and guidance service by specialized counselors. The Ombudsman has appointed as specialized counselors experts, such as lawyers, judicial scriveners, property appraisers, and certified public labor attorneys, as well as employees dispatched from complaint handling-related organizations such as the Korea Legal Aid Corporation and the Financial Supervisory Service. Meanwhile, it has appointed retired government officials with abundant knowledge and experience with administration as honorary counselors to offer various complaint counseling and guidance services.

Among specialized counselors, lawyers offer counseling on overall legal petitions, ranging from petitions related to civil affairs, such as property ownership conservation, housing lease protection, credit/debt settlement, compensation for damage; criminal affairs-related petitions, such as investigation into accused incidents and correction of unjustifiable investigations, to domestic affairs-related petitions such as divorce and inheritance, and request to file administrative lawsuits. Judicial scriveners offer counseling on various legal procedures such as registration, family register, auction & deposition, and enforcement of lawsuits, whereas certified public labor attorneys offer counseling on labor-related activities, including requests for industrial disaster compensation, determination of degree of disability and recuperation, requests for payment of deferred wages and dismissal. Property

appraisers provide counseling on calculation of appropriate prices for properties and compensation.

Experts dispatched from the Korea Legal Aid Corporation offer counseling on various legal aid for damages for citizens who lack legal knowledge, whereas experts dispatched from the Financial Supervisory Service provide counseling on refund of insurance claims and unfair transaction contracts. In an effort to effectively respond to changing administrative environments and demand for complaint counseling, the Ombudsman of Korea has recruited an expert in psychological counseling since June 2005 and set up complaint counseling centers at Busan City Hall and Daegu City Hall in November 2007.

Honorary counselors help the people fill in complaint request forms, offer guidance or fill in the forms on behalf of the people. They also offer guidance on complaint handling procedures and help complainants with complaints and grievances on various government policies, persuading them and helping them better understand government policies through counseling. Specialized counselors provided a total of 8,143 counseling/ guidance sessions. Among them, 3,745 counseling sessions were offered by professional experts, including lawyers, judicial scriveners, and specialized counselors dispatched from the Korea Legal Aid Corporation, accounting for 46% of the total number of counseling/guidance sessions. The remaining 4,398 counseling sessions (54%) were provided by honorary counselors. The number of counseling sessions by specialized counselors drastically decreased as from 2006, due to the fact that, with the opening of the government call center, complaint counseling by phone (1588-1517, 110) was transferred to the government call center, as mentioned earlier.

Table 5-3. Complaint counseling by specialized counselors (Unit: No. of cases)

Kinds of Complaint Counseling	2007	2006	2005
Total	8,143	17,361	14,997
Legal counseling	2,838	8,362	7,439
Counseling on official property prices	9	42	26
Labor counseling	263	782	748
Insurance-related complaint counseling	146	1,481	1,059
Counseling on customer protection	24	442	-
Psychological counseling	465	618	258
Counseling by honorary counselors	4,398	5,634	5,467



Ombudsman of Korea

Part 6. >>>

Innovation

6.1. Online Citizen Participation Plaza ("e-People")

6.2. The Government Call Center

Innovation

6.1. Online Citizen Participation Plaza ("e-People")

1) "Sinmungo (Petitioner's Drum)" revived as "e-People" after 600 years



Throughout its traditional culture and history, Korea already produced a variety of systems to allow the voices of the people to be heard and to resolve their problems, having open dialogue with the people. Already 600 years ago, King Taejong hung Sinmungo (petitioner's drum) to listen to the voices of the people, thereby running state affairs.

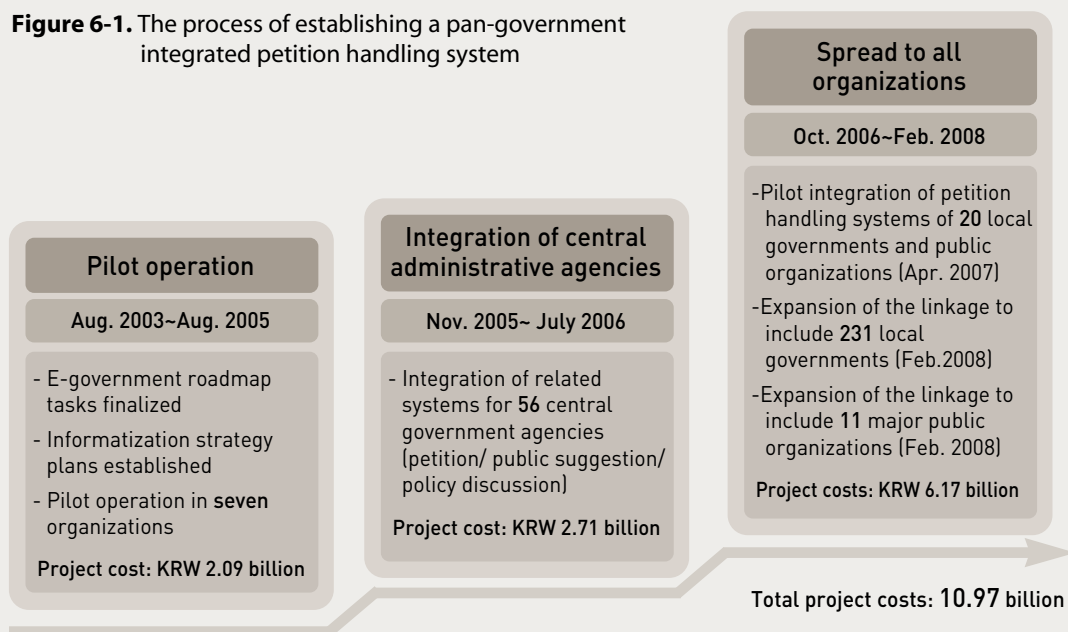


Inheriting such wisdom of the Korean ancestors, the Ombudsman of Korea presented the vision of "Beat & Change!" to the people and created an online citizen participation portal "e-People" which incorporates all channels of administrative agencies to the people, including petitions, public suggestions and policy discussions.

2) The full-fledged launch of one-stop service "e-People"

With a project to establish a 3-phase system to expand the "e-People," which started from July 2007, the world's first one-stop government-wide integrated complaint handling system called "e-People"(one-stop) was fully launched. The online portal system integrates and links petition handling systems of Korea's all administrative agencies encompassing 56 central administrative agencies, 248 local governments, and 14 public agencies.

Figure 6-1. The process of establishing a pan-government integrated petition handling system



3) Project implementation process

Since the system's establishment in June 2004, the Ombudsman of Korea incorporated petition, public suggestion, and citizen participation functions of all 56 central administrative agencies in July 2006. In April 2007, petition systems of 17 local governments in Busan and three public organizations were linked, followed by linkage of systems of remaining local governments and public organizations, thereby completing the establishment of pan-government integrated complaint handling system, uniting the entire public organizations of the Republic of Korea.

4) Complaint handling service innovation through the "e-People"

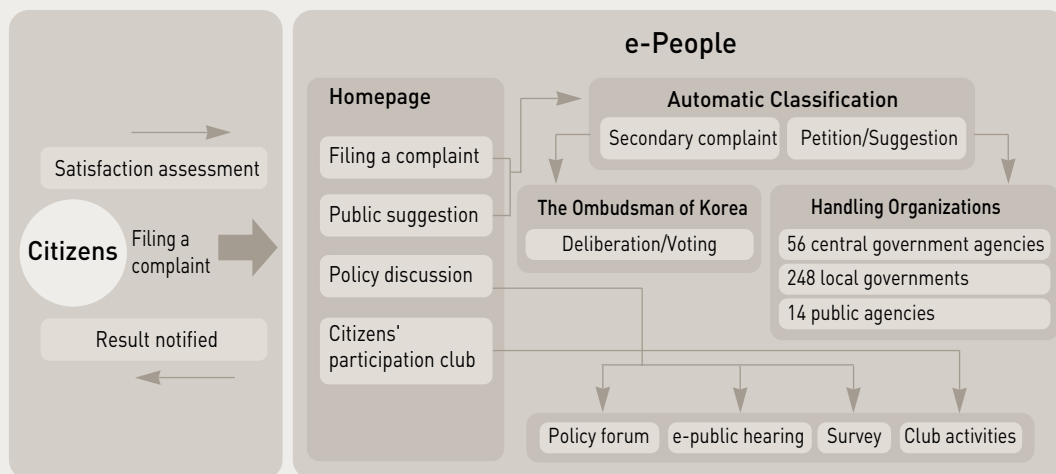
With the establishment of the "e-People," complainants no longer need to visit agencies concerned or make inquiries to file a complaint. When the complainant files a complaint or places a suggestion, it is received and classified to be transferred to the agency that can best handle the complaint among Korea's entire public organizations via the automatic classification

Table 6-1. Integrated and linked organizations

Phase	Target Organization	Integrated or linked organizations
Pilot system	7 central administrative agencies	Cheongwadae, the Office for Government Policy Coordination, the Ombudsman of Korea, the Ministry of Construction and Transportation, the Ministry of Health and Welfare, the Ministry of Environment, the Board of Audit and Inspection
Expansion stage 1	49 central administrative agencies	All the central administrative agencies
Expansion stage 2	17 local governments	Busan Metropolitan City, 16 counties and districts in Busan
	3 public organizations	National Health Insurance Corporation, Korea Consumer Agency, Korea Water Resources Corporation
Expansion stage 3	231 local governments	All local governments
	11 public organizations	Korea Housing Corporation, Korea Land Corporation, Korea Road Corporation, Korea Electric Power Corporation, Korea Legal Aid Corporation, Korea Pension Management Corporation, Korea Workers' Compensation and Welfare Service, Health Insurance Review and Assessment Service

system. If the complaint is identified as a secondary complaint in the process, it is passed to the Ombudsman of Korea where in-depth investigation and handling of the complaint is conducted. Furthermore, citizens can participate directly in policy-making processes of the government through policy discussions and e-public hearings and can form citizen participation clubs to exchange opinions among members and deliver consensus opinions to the government. This process is notified to the people in real time by processing stages and follow-up management has been also made possible according to satisfaction assessment.

For instance, in the past, if Mr. A filed a complaint, which should be submitted to the Ministry of Construction and Transportation, to Guri City, Gyeonggi-do Province, the petition document had to be transferred to the Ministry of Construction and Transportation with official documentation, and Mr. A had to make inquiries here and there to identify which department

Figure 6-2. Conceptual map of the e-People system

and which person in charge would handle the complaint, taking up much time. However, now, if Mr. A files a complaint with Guri City, the complaint is transferred to the Ministry of Construction and Transportation in real time via the "e-People" system and he can conveniently view the entire process of handling the complaint by the government official in charge at the Ministry of Construction and Transportation on the Internet in his living room.

5) Excellence of the "e-People" system

The e-People system has complied with web standards for the first time as a public organization website in Korea to enable normal service, irrespective of different user environments, such as PC operating systems and Web browsers. Moreover, it has enhanced Web accessibility to allow information-marginalized persons with vision impairment and aged persons to use it in an easy and convenient manner. It also sharply reinforced personal information security functions to protect personal information of complainants, striving to enhance functions of the system. As a result, the e-People system was chosen as "the World e-Gov Forum Top 10" held in France in October 2006 and selected a best-practice case at a 5-year e-government review, receiving the Prime Minister's Award in September 2007, in recognition of the excellence of the system at home and abroad.

Figure 6-3. Advantages of the e-People system

Complaint by area	In the past	e-People
Automatic Identification	One had to visit various different agencies	One can file a complaint even though one does not know which organization is in charge
Overlapped and repetitive complaints	One had to copy the complaints and submit them to several organizations	Automatic identification - Combined handling as a single case
Transfer	By mail	Online real-time transfer
Satisfaction measurement	Impossible to measure	Follow-up service is possible over unsatisfied complainants
Similar complaint cases	Impossible to search	Possible to search
Frequently occurring complaints	Difficult to identify	Automatic record search by complaints received in relevant laws and statutes → institutional improvements to be implemented
Complex complaints	Collaborative processing of documents	Online real-time collaborative handling
Complaint-handling status assessment	Impossible to conduct	Systemic assessment

Domestic and international awards

- Selected as France World e-Gov Top 10 (Oct.2006)
- Selected as one of the Korean government's top-10 innovative excellence cases (Oct. 2006, Government Information Agency)
- Selected as Asia's representative case by the International Ombudsman Institute (Oct. 2006)
 - Ombudsman and E-Government, the Korean case
- Selected as one of the "top-10 cases" at the Government Innovation Best Practice Congress (Nov. 2006)
 - "Internationally Recognized Brand" Prize at Government Innovation Brand Congress (Nov. 2006)
- Selected as one of the seven good practice cases of the e-government, operation of nationwide tour promotional hall (Nov. 2006 ~ Feb. 2007)
- Selected as the representative accomplishment in the category of major policy tasks at the 2006 Government Work Assessment (March 2007)
- Selected as a best practice case at the five-year e-government accomplishment report congress, receiving Prime Minister Prize (Sept. 2007)
- Selected as one of the Participatory Government's Ten Good Information Systems (Jan. 2008)
- Selected as a best-practice case in the category of major policy tasks at the 2007 Government Performance Assessment (Feb. 2008, Government Performance Assessment Committee)

6.2. The Government Call Center

1) Establishment and purpose of the Government Call Center

The vision of the Government Call Center service is to become a government-wide call-service hub which offers counseling and guidance on all government-related complaints anywhere in the nation, if the people remember just a single telephone number. Its purpose is to improve user convenience when citizens use the complaint handling service and to enhance efficiency of administrative work, thereby dramatically improving the complaint handling service.

Advantages of the Government Call Center service are as follows: Firstly, easy access to the government service is enhanced with the use of the telephone number 110, which is the same nationwide; second, inconvenience of the complainant is minimized by offering the personal touch of access to a counselor, rather than through mechanical guidance via ARS (Automatic Response System); third, typified petitions or simple inquiries are processed by service representatives; and finally, specialized matters are directed to existing professional call centers or agencies concerned.

As such, the Government Call Center was established to offer a "one-call, one-stop" service by providing counseling or guidance to the complainant or connecting the complainant to related administrative agencies concerning government-related inquiries, reports, or suggestions received by phone (hereafter referred to as "petition calls") via a single number (# 110).

2) Operation scale and petition call processing procedures

The Ombudsman of Korea launched a nationwide 110 service on May 10, 2007. The Government Call Center currently has 120 seats for counseling, 30 seats for IT education hall, and 100 staffs (12 counseling managers and 88 service representatives). Initially, the number of service representatives was 60, but it increased to 100 in October 2007. Its operating hours are 9 a. m. to 7 p. m. during weekdays and 9 a.m. to 1 p.m. on Saturdays (Sundays and public holidays are closed and ARS is operational).

As for petition handling methods of the Government Call Center, simple inquiries, typified petitions, inquiries on government agencies are processed and completed at the Government Call Center. When it is difficult to complete the cases by a service representative, a counseling team at the Center acting for the administrative agency concerned handles and closes the cases. In cases of more specialized matters, the calls are relayed to administrative agencies concerned. Calls are also relayed to external institutions which do not have their own counseling teams at the Center. As for cases of relaying calls to external institutions, calls are directly connected or the institutions will call back to citizens.

3) Operation of "Happy Call"

The Government Call Center endeavors to improve its phone complaint-handling service by operating the "Happy Call" system on a monthly basis in which, in response to complaints received, the call center makes a phone call to the complainant to inform him or her of the complaint handling result and listen to their grievances. According to the result of the Happy Call system, although there was some dissatisfaction on handling complaints directed to agencies concerned, the majority of the people expressed high satisfaction over the 110 complaint handling call service.

