

Independent Reporting Mechanism Republic of Korea: Progress Report 2012-13

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EXECUTIVE SUMMARY: REPUBLIC OF KOREA

Independent Reporting Mechanism (IRM) Progress Report 2012-13

The Republic of Korea is widely regarded as a global leader in open e-government. However, its OGP national action plan consisted mostly of vague statements, rather than clear and measurable commitments. The government did not demonstrate intent to engage with civil society during the OGP process, nor did it participate seriously in the IRM evaluation.

The Open Government Partnership (OGP) is a voluntary international initiative that aims to secure commitments from governments to their citizenry to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. The Independent Reporting Mechanism (IRM) carries out a biannual review of the activities of each OGP participating country.

The Republic of Korea officially began participating in OGP in September 2011 when Duk-Soo Han, Ambassador to the United States, declared the government's intent to join.

The Ministry of Security and Public Administration (MOSPA) is the lead institution coordinating OGP activities. However, there are limits to the MOSPA's coordinating power. Local governments in the country have a certain level of autonomy to manage and supervise their own administrative affairs, except when provided by law. For 15 out of 16 milestones, the National Action Plan did not specify which government bodies were involved. As a result, there is a significant lack of clarity about the degree to which the government's OGP commitments are being implemented.

OGP PROCESS

Countries participating in the OGP follow a process for consultation during development of their OGP action plan and during implementation.

In the Republic of Korea, it remains unclear whether the government engaged in OGP awareness-raising activities or even held consultations. Few of the civil society organizations (CSOs) or other stakeholders interviewed for this report were aware of the government's OGP commitments. Web searches in Korean and English did not reveal any online awareness-raising activities or consultations related to OGP.

For most of the IRM research period, the government did not respond to requests for information about OGP. Furthermore, the government has not circulated or published a self-assessment report. In contrast, it indicated to the IRM researcher that its report was considered "confidential." Lack of cooperation from the government significantly hindered the IRM's evaluation.

According to the OGP schedule, officials and civil society members are to revise the first plan or develop a new plan by April 2014, with consultations beginning January 2014.

At a glance

Member since:	2011
Number of milestones:	16

Level of Completion

Completed:	4 of 16
Substantial:	3 of 16
Limited:	0 of 16
Not started:	1 of 16
Unclear:	8 of 16

Timing

On schedule:	6 of 16
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Milestone emphasis:

Access to information:	3 of 16
Civic participation:	6 of 16
Accountability:	3 of 16
Tech & innovation for transparency & accountability:	2 of 16

Number of Milestones with:

Clear relevance to an OGP Value:	10 of 16
Moderate or transformative potential impact:	3 of 16
Substantial or complete implementation:	7 of 16
All three (☆)	1 of 16

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COMMITMENT IMPLEMENTATION

As part of OGP, countries are required to make commitments in a two-year action plan. The Republic of Korea had eight commitments, which were divided into 16 milestones. Table 1 summarizes each milestone, its level of completion, its ambition, and whether it falls within the Republic of Korea's planned schedule, and the key next steps for the milestone in future OGP action plans. Table 2 summarizes the IRM assessment of progress on each commitment. As described in Table 2, the Republic of Korea completed four of its milestones.

Table 1: Assessment of Progress by Commitment

MILESTONE NAME	POTENTIAL IMPACT				LEVEL OF COMPLETION				TIMING	NEXT STEPS
	NONE	MINOR	MODERATE	TRANSFORMATIVE	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLETE		
<p>✱ MILESTONE IS CLEARLY RELEVANT TO OGP VALUES AS WRITTEN, HAS SIGNIFICANT POTENTIAL IMPACT, AND IS SUBSTANTIALLY OR COMPLETELY IMPLEMENTED.</p>										
1. ENHANCING PUBLIC SERVICES										
1-1 Expanded communications channels between government and citizens										
1-1 (1) Use e-People to promote public input in policy development						Unclear			Unclear	Revision of commitment to be more achievable or measurable
1-1 (2) Promote the Proposal System for receiving public input electronically						Unclear			Unclear	Revision of commitment to be more achievable or measurable
1-2 Incorporation of public opinions into government decision-making										
1-2 (1) Develop a manual on consensus building among various stakeholders						Unclear			Unclear	Revision of commitment to be more achievable or measurable
1-2 (2) Conduct field visits to interact directly with stakeholders						Unclear			Unclear	Revision of commitment to be more achievable or measurable
1-3 Use of the Online Government Portal to improve service delivery										
1-3 (1) Simplify online civil affairs application forms									On schedule	None: completed implementation
1-3 (2) Refine the portal to be more user friendly									On schedule	None: completed implementation
1-3 (3) Customize online services for business									On schedule	None: completed implementation

MILESTONE NAME	POTENTIAL IMPACT				LEVEL OF COMPLETION				TIMING	NEXT STEPS
★ MILESTONE IS CLEARLY RELEVANT TO OGP VALUES AS WRITTEN, HAS SIGNIFICANT POTENTIAL IMPACT, AND IS SUBSTANTIALLY OR COMPLETELY IMPLEMENTED.	NONE	MINOR	MODERATE	TRANSFORMATIVE	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLETE		
1-3 Use of the Online Government Portal to improve service delivery										
1-3 (4) Establish an Online Civil Affairs Hub to provide 24-hour services									On schedule	None: completed implementation
1-4 Provision of diverse public services										
1-4 (1) Expand the “SOS Public Relief Service” crime prevention system to nationwide coverage									Behind schedule	New commitment based on existing implementation
2. INCREASING PUBLIC INTEGRITY										
2-1 Strengthening of information disclosure										
★ 2-1 (1) Disclose critical information on food, environment, and education									On schedule	Maintenance and monitoring of completed implementation
2-1 (2) Engage CSOs on relevant information to be disclosed					Unclear				Unclear	Further work on basic implementation
2-2 A corruption-free society										
2-2 (1) Strengthen asset disclosure for public servants									Behind schedule	Revision of commitment to be more achievable or measurable
2-2 (2) Monitor restrictions on post-public employment					Unclear				Unclear	Revision of commitment to be more achievable or measurable
3. EFFECTIVELY MANAGING PUBLIC RESOURCES										
3-1 Expansion of publicly available information										
3-1 (1) Release public information for private sector use on the data sharing portal									On schedule	Revision of commitment to be more achievable or measurable
3-1 (2) Engage citizens in administrative and budget processes					Unclear				Unclear	Revision of commitment to be more achievable or measurable

MILESTONE NAME	POTENTIAL IMPACT				LEVEL OF COMPLETION				TIMING	NEXT STEPS
★ MILESTONE IS CLEARLY RELEVANT TO OGP VALUES AS WRITTEN, HAS SIGNIFICANT POTENTIAL IMPACT, AND IS SUBSTANTIALLY OR COMPLETELY IMPLEMENTED.	NONE	MINOR	MODERATE	TRANSFORMATIVE	NOT STARTED	LIMITED	SUBSTANTIAL	COMPLETE		
3. EFFECTIVELY MANAGING PUBLIC RESOURCES										
3-2 Improvement of the One-Stop Budget Waste Portal										
3-2 (1) Enhance the portal to include central, metropolitan, and local governments					Unclear				Unclear	Revision of commitment to be more achievable or measurable

Table 2: Summary of Progress by Milestone

NAME OF MILESTONE	SUMMARY OF RESULTS
★ MILESTONE IS CLEARLY RELEVANT TO OGP VALUES AS WRITTEN, HAS SIGNIFICANT POTENTIAL IMPACT, AND IS SUBSTANTIALLY OR COMPLETELY IMPLEMENTED.	
1. ENHANCING PUBLIC SERVICES	
1-1 Expanded communications channels between government and citizens	
1-1 (1) Use e-People to promote public input in policy development <ul style="list-style-type: none"> Value Relevance: Clear Potential impact: Minor Completion: Unclear 	The e-People website allows citizens to send proposals, petitions, and complaints to the government. In 2012, the website took in 1.24 million complaints, 111,239 civil proposals, and 1,007 “policy discussions,” an improvement from previous years. Given these favorable numbers, the milestone is on track to be completed from a technical standpoint, but only when measured by its unusually vague language, including its lack of a timetable and benchmarks. It remains unclear how many of these petitions or complaints are acted upon and resolved. Furthermore, this milestone did not stretch government practice beyond what existed before the OGP action plan was created. In the next action plan, the IRM researcher recommends that the ministry focus on making this platform more interactive with users.
1-1 (2) Promote the Proposal System for receiving public input electronically <ul style="list-style-type: none"> Value Relevance: Clear Potential impact: Minor Completion: Unclear 	The researcher could not locate a mobile application for the Proposal System on government websites or in third-party “app stores” commonly used in Korea. As with the e-People website, stakeholders indicated that not many citizens seem to know about the Proposal System. Before this milestone can be implemented in a meaningful manner, significant revisions are needed. A timetable and measurable benchmarks are necessary to demonstrate how this milestone stretches government practice beyond the current efforts to improve existing platforms.
1-2 Incorporation of public opinions into government decision-making	
1-2 (1) Develop a manual on consensus building among various stakeholders <ul style="list-style-type: none"> Value Relevance: Clear Potential impact: Minor Completion: Unclear 	Stakeholders were unsure about the implementation of this milestone, because of the lack of measurable goals or a timetable. In the next action plan, the IRM researcher recommends clarifying the timeframe for completion of the manual. Stakeholders should also be consulted during the writing of the manual. If MOSPA has already written a manual, it should consider publishing it online in a machine-readable format. If the document is already online, MOSPA should make it more accessible and promote it.
1-2 (2) Conduct field visits to interact directly with stakeholders <ul style="list-style-type: none"> Value Relevance: Clear Potential impact: Minor Completion: Unclear 	One CSO representative said he had heard of “field administration visits” underway outside of Seoul, but did not know the details. While the IRM researcher discovered data on field consultations published on the MOSPA website, it was unclear whether these related to its OGP commitments. Without access to a government self-assessment, it remains unclear whether these visits were directly related to this milestone. For more meaningful implementation, the government should consider revising this milestone to include clearer benchmarks and a timeline. Stakeholder consultation is needed in both the implementation and monitoring of the field visit process.

1-3 Use of the Online Government Portal to improve service delivery	
1-3 (1) Simplify online civil affairs application forms <ul style="list-style-type: none"> Value Relevance: Unclear Potential impact: Minor Completion: Complete 	The government has completed this milestone, but only when measured against the vague text. Stakeholders were unsure about the quality of progress, given lack of communication from the government. Two stakeholders said that online civil affairs application forms had been simplified in a manner consistent with the milestone. At the same time, this milestone did not stretch government practice beyond what already existed before the OGP action plan was created. Furthermore, these milestones are primarily e-government commitments, and their relationship to OGP values is unclear.
1-3 (2) Refine the portal to be more user friendly <ul style="list-style-type: none"> Value Relevance: Unclear Potential impact: Minor Completion: Complete 	Although the portal has been improved, several stakeholders believed there are important security challenges that hinder accessibility of the online government portal. The website Minwon24, for example, automatically downloads two software programs without user permission. The IRM researcher also notes that many central, provincial, and local government portals prevent users from using third-party search engines to access government documents and data. The IRM researcher recommends that the government pledge a measurable decline in the number of software downloads required for e-government services. Furthermore, while this milestone helps to improve e-government services, there needs to be a stronger link to open government.
1-3 (3) Customize online services for business <ul style="list-style-type: none"> Value Relevance: Unclear Potential impact: Minor Completion: Complete 	Stakeholders indicated that individuals and corporations may now submit civil affairs documents using online and mobile software. However, the milestone did not stretch government practice beyond what existed before the action plan was created. Services like these have been available for some time. Furthermore, this milestone primarily relates to e-government, and its relationship to OGP values is unclear.
1-3 (4) Establish an Online Civil Affairs Hub to provide 24-hour services <ul style="list-style-type: none"> Value Relevance: Clear Potential impact: Minor Completion: Complete 	Stakeholders indicated that Minwon24 has been linked to the civil affairs websites of each government agency. As with other parts of this commitment, these activities were already underway prior to OGP. While this milestone is an important e-government activity, its relationship to OGP values is unclear.
1-4 Provision of diverse public services	
1-4 (1) Expand the “SOS Public Relief Service” crime prevention system to nationwide coverage <ul style="list-style-type: none"> Value Relevance: Unclear Potential impact: Transformative Completion: Substantial 	CSOs were generally impressed with the quality and sophistication of the SOS Public Relief Service. They believed that the service had been expanded nationwide by the end of 2012 as promised. However, stakeholders said that they were not approached for consultation, and were unsure as to how or whether MOSPA took into account the supposed feedback from law enforcement and citizens. The government did not deliver data that could potentially link a change in crime rates with the introduction of the SOS service, and the researcher could not find this correlation published online. As a result, this milestone’s relevance to OGP values is not clear. Moving forward, MOSPA should regularly communicate with stakeholders to identify priority areas for improving the system.
2. INCREASING PUBLIC INTEGRITY	
2-1 Strengthening of information disclosure	
★ 2-1 (1) Disclose critical information on food, environment, and education <ul style="list-style-type: none"> Value Relevance: Clear Potential impact: Transformative Completion: Substantial 	This milestone is scheduled for completion in the second year of the action plan. In June 2013, President Park Geun-hye announced a policy called “Government 3.0,” which promises to overhaul disclosure practices. Stakeholders noted significant improvements in information disclosure, as well as heightened political will, over the past six months. However, stakeholders also noted that the emphasis on the quantity of information releases has come at the expense of quality. The next OGP action plan should include specific deliverables that focus on releasing quality information that improves government accountability and reduces risks of corruption. This would include disclosing cases of severe disciplinary action against public servants.
2-1 (2) Engage CSOs on relevant information to be disclosed <ul style="list-style-type: none"> Value Relevance: Clear Potential impact: Moderate Completion: Unclear 	None of the stakeholders interviewed said that they were approached for consultation. Two stakeholders were aware of ongoing consultations between MOSPA, private business, and civil society. MOSPA did not deliver information on these consultations to the IRM researcher, and it is unclear why the stakeholders at IRM public forums were not included in these meetings. This led to skepticism over whether the commitment has been implemented, as promised, in a manner that is communicative and inclusive of diverse voices. The IRM researcher recommends that MOSPA consult a wider spectrum of stakeholders, particularly those with expertise in open data and freedom of information topics.

2-2 A corruption-free society	
2-2 (1) Strengthen asset disclosure for public servants <ul style="list-style-type: none"> • Value Relevance: Clear • Potential impact: Minor • Completion: Not started 	Little progress has been made on this commitment, and it remains uncertain if it will be completed. In the past decade, the government has taken a number of steps to combat corruption. However, these have focused on reductions in petty corruption, while many stakeholders considered larger-scale political corruption to be a far more pressing concern that has gone largely unaddressed. Stakeholders were overwhelmingly concerned that strengthening existing laws would do little to create a “corruption-free society,” and that asset disclosure, a decades-old practice, carry too many loopholes. The existing milestone would benefit from clearer language as to how asset disclosure will be strengthened, preferably with a timeline.
2-2 (2) Monitor restrictions on post-public employment <ul style="list-style-type: none"> • Value Relevance: Unclear • Potential impact: None • Completion: Unclear 	Nearly all stakeholders believed that public trust in higher levels of government has been significantly damaged, especially by secretive public-private “revolving doors” and “parachute employment” schemes (<i>nakhasan</i>) for top public officials. Under <i>nakhasan</i> arrangements, senior officials and political allies receive lucrative senior positions in public companies, a system of gratitude for years of public service. Several stakeholders noted that tight-knit arrangements like these have fueled corruption. Citing recent scandals, they believed that promises to better monitor restrictions on post-public employment had done little good. The IRM researcher recommends that MOSPA be more specific about how the government will monitor post-public restrictions on employment, using clear timelines and benchmarks. The government should also notify the public when violations have been uncovered and acted upon.
3. EFFECTIVELY MANAGING PUBLIC RESOURCES	
3-1 Expansion of publicly available information	
3-1 (1) Release public information for private sector use on the data sharing portal <ul style="list-style-type: none"> • Value Relevance: Clear • Potential impact: Minor • Completion: Substantial 	Stakeholders were unsure of the extent of implementation, given the lack of clear milestones and vague wording. The researcher and most stakeholders understood this milestone to refer to the Data.go.kr website, which lists an exhaustive number of categories and publishes thousands of documents. However, other parts of this commitment appeared not to be implemented. For example, none of the stakeholders could locate “online counselors” to assist in information searches. The IRM researcher recommends that this commitment be revised to be clearer and more measurable, focusing on a single area rather than a broad range of information. To improve the accessibility of the portal, more data should be released in machine-readable format.
3-1 (2) Engage citizens in administrative and budget processes <ul style="list-style-type: none"> • Value Relevance: Clear • Potential impact: Minor • Completion: Unclear 	The wording of this milestone is too vague to firmly measure implementation. It calls for the more efficient use of public resources and engaging citizens more broadly in administrative and budget processes. It does not list any measurable targets, and stakeholders believed that MOSPA could refer to too wide a range of initiatives when declaring completion. Web searches revealed a broad swathe of MOSPA consultations, making it unclear which ones directly related to this milestone. With no concrete information or self-assessment from MOSPA, it is difficult to evaluate the level of citizen engagement in administrative and budget processes.
3-2 Improvement of the One-Stop Budget Waste Portal	
3-2 (1) Enhance the portal to include central, metropolitan, and local governments <ul style="list-style-type: none"> • Value Relevance: Unclear • Potential impact: Minor • Completion: Unclear 	Stakeholders were unclear whether the government has created an online budget waste reporting portal. One stakeholder thought perhaps this milestone might refer to the website “digitalbrain.go.kr,” or D-Brain, which coordinates fiscal information exchanges between the central government, local governments and public agencies. However, the website is an internal portal for officials and civil servants. There is no evidence that it relates to open government. Many stakeholders commended the Seoul Metropolitan City government for its Budget Misuse Report Center, which could serve as a model for future central government efforts. The IRM researcher recommends that MOSPA specify how to access the budget waste management portal, and whether it is available for use by the general public.

RECOMMENDATIONS

The Republic of Korea is a developed democracy with a high level of public participation and technological prowess. In June 2013, President Park Geun-hye unveiled a new strategy called “Government 3.0,” promising to overhaul information disclosure practices and foster greater transparency and accountability. Stakeholders remarked that this initiative has already resulted in positive changes.

However, since 2008, the government has also curtailed the rights to freedom of expression and assembly—with increased censorship of the Internet, attempts to influence state-owned broadcasters, and a growing numbers of defamation lawsuits and criminal charges against critics, writers, academics, and activists.

In this context, the IRM researcher recommends the following.

1. Continued emphasis on improving e-government services and information disclosure

Through “Government 3.0,” public officials have an opportunity to disclose more useful online data, specifically that which would better empower citizens in the decision-making process. The next National Action Plan should focus on the quality, rather than quantity, of disclosed information. The IRM researcher recommends that the action plan should draw a clearer distinction between e-government and open government, and specify how improvements in e-government will lead to more opportunities for transparency, public participation, and accountability.

Security remains a concern with the use of e-government services in Korea. For example, e-government websites often require users to register using their real names, making some users uncomfortable about posting their opinions or submitting petitions. Stakeholders further identified several e-government websites that downloaded software onto users’ computers without their permission.

2. Stronger anti-corruption commitments to improve public integrity

Stakeholders believed that the next action plan needs more measurable benchmarks for curtailing corruption, including details on what steps the government will take to monitor post-public employment.

3. Revisions to defamation, communications, and national security laws

While libel and slander laws can co-exist with the principles of democracy, excessively broad laws are sometimes used to persecute government critics and stifle freedom of information. The next action plan would benefit from a revised approach to libel and slander. These laws should stipulate truth as a stronger defense in defamation lawsuits and place the burden on the accuser, rather than the accused, to prove that statements were false or not “solely” in the public interest.

4. Proactive engagement with the public in the OGP process

MOSPA should identify an OGP forum for consulting stakeholders in an open and democratic manner. Many felt MOSPA should be more proactive in soliciting stakeholder opinions, rather than formulating and implementing its commitments in a manner perceived as uncommunicative and unilateral.

5. Adoption of more specific commitments

Stakeholders felt that the National Action Plan was written in excessively vague language. Furthermore, nearly all commitments are pre-existing and most do not offer significant improvements to existing services. Commitments should be framed in a more specific manner, offering stakeholders a measurable sense of what MOSPA is planning under the OGP initiative and what it has accomplished.

6. Adherence to the OGP process

The government chose not to publish a self-assessment report and remained disengaged throughout most of the IRM research period. At forums, stakeholders were unsure how to measure implementation without seeing the government’s self-assessment report. For the next action plan, the government should prioritize more active public communication and awareness-raising activities at each step of the OGP process.

Eligibility Requirements 2012: To participate in OGP, governments must demonstrate commitment to open government by meeting minimum criteria on key dimensions of open government. Third-party indicators are used to determine country progress on each of the dimensions. The OGP Support Unit converts the raw data into a four-point scale, listed in parentheses below. For more information, visit <http://www.opengovpartnership.org/how-it-works/how-join/eligibility-criteria>. Raw data has been recoded by OGP staff into a four-point scale, listed in parentheses below.

Budget Transparency: Proposal and audits public	(4 out of 4)	Access to Information: Law Enacted	(4 out of 4)
Asset Disclosure: Elected official disclosure	(3 out of 4)	Civic Participation: 8.82 of 10	(4 out of 4)

Geoffrey Cain is an independent researcher with expertise in governance, and press and Internet censorship.

The Open Government Partnership (OGP) aims to secure concrete commitments from governments to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. OGP's Independent Reporting Mechanism assesses development and implementation of national action plans to foster dialogue among stakeholders and improve accountability.



I. BACKGROUND

The Open Government Partnership (OGP) is a voluntary, multi-stakeholder international initiative that aims to secure concrete commitments from governments to their citizenry to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. In pursuit of these goals, OGP provides an international forum for dialogue and sharing among governments, civil society organizations, and the private sector, all of which contribute to a common pursuit of open government. OGP stakeholders include participating governments as well as civil society and private sector entities that support the principles and mission of OGP.

Introduction

The Republic of Korea officially began participating in OGP in September 2011 when Duk-Soo Han, Ambassador of the Republic of Korea to the United States, declared the government's intent to join.

To participate in OGP, governments must exhibit a demonstrated commitment to open government by meeting a set of minimum performance criteria on key dimensions of open government that are particularly consequential for increasing government responsiveness, strengthening citizen engagement, and fighting corruption. Indicators produced by organizations other than OGP to determine the extent of country progress on each of the dimensions, with points awarded as described below. South Korea entered into the partnership exceeding the minimal requirements for eligibility, with a high score in each of the criteria. At the time of joining, the country had the highest possible ranking for Open Budgets (4 out of a possible 4),¹ an access to information law,² Asset Disclosure for politicians,³ and a score of 8.82 out of a possible 10 on the Economist Intelligence Unit's Democracy Index Civil Liberties subscore.⁴

All OGP participating governments must develop OGP country action plans that elaborate concrete commitments over an initial two-year period. Governments should begin their action plans by sharing existing efforts related to a set of five "grand challenges," including specific open government strategies and ongoing programs. (See Section 4 for a list of grand challenge areas.) Action plans should then set out each government's OGP commitments, which stretch government practice beyond its current baseline with respect to the relevant grand challenge. These commitments may build on existing efforts, identify new steps to complete ongoing reforms, or initiate action in an entirely new area.

Along with the other cohort 2 OGP countries, the Republic of Korea developed its national action plan from January through April 2012. The effective start date for the action plan submitted in April was officially 1 July 2012 for implementation through 30 June 2013. At the time of writing, the country had not published its self-assessment report. According to the OGP schedule,⁵ officials and civil society members are to revise the first plan or develop a new plan by April 2014, with consultation beginning January 2014.

Pursuant to OGP requirements, the Independent Reporting Mechanism (IRM) of OGP partnered with an experienced, independent local researcher to carry out an evaluation of the development and implementation of the country's first action plan. In the Republic of Korea, the IRM partnered with Geoffrey Cain, an independent researcher with expertise in governance, and press and Internet censorship, who authored this progress report. It is the aim of the IRM to inform ongoing dialogue around development and implementation of future commitments in each OGP participating country.

Institutional Context

South Korea's Ministry of Security and Public Administration (MOSPA) is the lead institution to coordinate OGP activities. MOSPA is responsible for the general coordination of public service in the country, including national administration, government organizations, personnel management, e-government, and disaster safety. It also offers support to local governments for administration, finance, and regional development.

There are limits to the MOSPA's coordinating power. Although it is responsible for setting norms and administrative planning for public service, local government departments manage and supervise their own administrative affairs except when provided by law. Under the Constitution, they may, within the limit of the law, "enact provisions relating to local autonomy regulations."⁶ National and provincial governments have a legal duty to offer support to municipalities.

The extent of MOSPA's coordinating powers should be understood in line with the principle that municipalities are not entirely subordinate to national or provincial governments; they have a certain level of autonomy. Unless otherwise noted, references to "the government" are specific to MOSPA in its lead role for OGP in South Korea.

The National Action Plan did not specify which government bodies implemented seven out of eight commitments. Throughout the IRM process, MOSPA did not deliver this information to the researcher.

In February 2013, President Park Geun-hye assumed office on a campaign ticket of "economic democratization" and the "creative economy," a set of plans that called for a more transparent and accountable government as one step towards improving the economy. In June 2013, to help realize this vision, her administration put forth a policy called "Government 3.0," pledging 100 million disclosures annually and the release of more data for entrepreneurial use. In October 2013, the government implemented the open data act, the main vehicle for enacting Government 3.0.

Methodological Note

The IRM partners with experienced, independent national researchers to author and disseminate reports for each OGP participating government. In the Republic of Korea, the IRM partnered with Geoffrey Cain of Seoul. The researcher reviewed the government's first national action plan,⁷ gathered the views of civil society, and interviewed appropriate government officials and other stakeholders. The report was reviewed by OGP staff and a panel of experts.

To gather the voices of multiple stakeholders, the national researcher organized two stakeholder forums in Seoul, which were conducted according to a focus group model. The researcher also reviewed South Korea's National Action Plan, a key document to which numerous references are made.

Summaries of these forums and more detailed explanations are given in the Annex.

Additional documents can be found on the Republic of Korea document library at <http://bit.ly/Ie1GS1>

¹ Open Budget Partnership, *Open Budgets Change Lives* (Washington, DC: Open Budget Partnership, 2012). http://internationalbudget.org/wp-content/uploads/2011/06/2010_Full_Report-English.pdf

² <http://www.right2info.org/laws/constitutional-provisions-laws-and-regulations#section-108>

³ Simeon Djankov, Rafael La Porta, Florencio Lopez-de-Silanes, and Andrei Shleifer, "Disclosure by Politicians," (Tuck School of Business Working Paper 2009-60, 2009): <http://bit.ly/19nDEfk>; Organization for Economic Cooperation and Development (OECD), "Types of Information Decision Makers Are Required to Formally Disclose, and Level Of Transparency," in *Government at a Glance 2009*, (OECD, 2009). <http://bit.ly/13vGtgS>; Ricard Messick, "Income and Asset Disclosure by World Bank Client Countries" (Washington, DC: World Bank, 2009). <http://bit.ly/1clokyf>

⁴ Economist Intelligence Unit, "Democracy Index 2010: Democracy in Retreat" (London: Economist, 2010). Available at: <http://bit.ly/eLC1rE>

⁵ <http://www.opengovpartnership.org/sites/default/files/attachments/OGP%20Calendar%20For%20All%20Countries.docx>

⁶ Republic of Korea. *The Constitution of the Republic of Korea* (Seoul: Constitutional Court of Korea, 1948, amended 1987). Available at: http://www.ccourt.go.kr/home/att_file/download/Constitution_of_the_Republic_of_Korea.pdf

⁷ <http://bit.ly/193hYDO>

II. PROCESS: DEVELOPMENT OF ACTION PLAN

Countries participating in OGP follow a set process for consultation during development of their OGP action plan. According to the OGP' Articles of Governance, countries must:

- Make the details of their public consultation process and timeline available (online at minimum) prior to the consultation
- Consult widely with the national community, including civil society and the private sector; seek out a diverse range of views and; make a summary of the public consultation and all individual written comment submissions available online
- Undertake OGP awareness raising activities to enhance public participation in the consultation
- Consult the population with sufficient forewarning and through a variety of mechanisms—including online and through in-person meetings—to ensure the accessibility of opportunities for citizens to engage.

A fifth requirement, during implementation, is set out in the OGP Articles of Governance. This requirement is dealt with in the section “III: Consultation during implementation”:

- Countries are to identify a forum to enable regular multistakeholder consultation on OGP implementation—this can be an existing entity or a new one.

This is dealt with in the next section, but evidence of consultation both before and during implementation is included here and in Table 1 for ease of reference.

Table 1: Action Plan Consultation Process

Phase of Action Plan	OGP Process Requirement (Articles of Governance Section)	Did the government meet this requirement
During Development	Timeline and process: Prior availability	No
	Timeline: Online	No
	Advance notice	No
	Awareness-raising activities	No
	Online consultations	No
	In-person consultations	No
	Summary of comments	No
During Implementation	Regular forum	No

Advance Notice of Consultation

It remains unclear whether the government gave any advance notice of the consultation process and timeline, engaged in OGP awareness raising activities, or even held the required consultations at all. At stakeholder forums and in private interviews, all civil society organizations (CSOs), academic experts, and interested parties said they did not receive advance notice of public forums, while nearly all were unaware of South Korea's OGP commitments until contacted by the researcher. On this note, most CSOs were uncertain or doubted whether the government held consultations during the formation of its National Action Plan as well as during the implementation stage. Web searches in Korean and English on search engines and government websites did not reveal any online awareness raising activities or consultation notices related to OGP.

The government, meanwhile, has not circulated or published a self-assessment report. During much of the IRM process, MOSPA did not respond to multiple requests for meetings and for basic information on the consultation process, although it became more responsive near the end of the research period in late October 2013. Nevertheless, given the lack of a MOSPA response and confusion among the main stakeholders, the evidence strongly suggests that either the Ministry did not undertake OGP awareness raising activities or hold stakeholder consultations; if consultations were held, it gave minimal or no advance notice to stakeholders.

Quality and Breadth of Consultation

At forums and in private interviews, stakeholders said they were not informed and were not aware of any OGP-related consultations. If the consultations were held, CSOs said they did not know who would have attended. During the bulk of the IRM process, the government did not respond to multiple inquiries, arrange or facilitate requested meetings, or provide information about its consultations.

The IRM researcher consulted many of the most vocal stakeholders in the field of open data and open government, such as Open Net Korea, Creative Commons Korea, and the People's Solidarity for Participatory Democracy (PSPD). The fact that MOSPA did not communicate with them regarding the OGP commitments strongly suggests it either did not hold consultations at all, or held them with an extremely limited range of actors and in a manner not inclusive of the national community.

III. PROCESS: CONSULTATION DURING IMPLEMENTATION

As part of their participation in OGP, governments commit to identify a forum to enable regular multistakeholder consultation on OGP implementation—this can be an existing entity or a new one. This section summarizes that information. This is also referenced in Table 1 in the prior section.

Consultation Process

There remains no evidence from forums and interviews that the government held consultations during the implementation stage. CSOs and interested parties were unaware of any regular consultation or forum held during the implementation process, and did not receive advance notice from the government if forums were held. During the bulk of the IRM process, the government did not respond to written inquiries or meeting requests from the researcher.

On October 21, 2013, the government e-mailed the national researcher a document summarizing the implementation of some OGP commitments, but the summaries did not clarify the existence of consultations or other details of significance. Web searches in English and Korean, on search engines and ministry websites, revealed no announcements of upcoming consultations or summaries of previous ones.

IV. IMPLEMENTATION OF COMMITMENTS

All OGP participating governments develop OGP country action plans that elaborate concrete commitments over an initial two-year period. Governments begin their OGP country action plans by sharing existing efforts related to their chosen grand challenge(s), including specific open government strategies and ongoing programs. Action Plans then set out governments' OGP commitments, which stretch government practice beyond its current baseline with respect to the relevant policy area. These commitments may build on existing efforts, identify new steps to complete on-going reforms, or initiate action in an entirely new area.

OGP commitments are to be structured around a set of five “grand challenges” that governments face. OGP recognizes that all countries are starting from different baselines. Countries are charged with selecting the grand challenges and related concrete commitments that most relate to their unique country contexts. No action plan, standard, or specific commitments are to be forced on any country.

The five OGP grand challenges are:

1. Improving Public Services—measures that address the full spectrum of citizen services including health, education, criminal justice, water, electricity, telecommunications, and any other relevant service areas by fostering public service improvement or private sector innovation.
2. Increasing Public Integrity—measures that address corruption and public ethics, access to information, campaign finance reform, and media and civil society freedom.
3. More Effectively Managing Public Resources—measures that address budgets, procurement, natural resources, and foreign assistance.
4. Creating Safer Communities—measures that address public safety, the security sector, disaster and crisis response, and environmental threats.
5. Increasing Corporate Accountability—measures that address corporate responsibility on issues such as the environment, anti-corruption, consumer protection, and community engagement.

While the nature of concrete commitments under any grand challenge area should be flexible and allow for each country's unique circumstances, OGP commitments should be relevant to OGP values laid out in the OGP Articles of Governance and Open Government Declaration signed by all OGP participating countries. The IRM uses the following guidance to evaluate relevance to core open government values:

- **Access to information** - These commitments:
 - pertain to government-held information;
 - are not restricted to data but pertains to all information;
 - may cover proactive or reactive releases of information;
 - may pertain to strengthen the right to information; and
 - must provide open access to information (it should not be privileged or internal only to government).
- **Citizen Participation** — governments seek to mobilise citizens to engage in public debate, provide input, and make contributions that lead to more responsive, innovative and effective governance. Commitments around access to information:
 - open up decision-making to all interested members of the public; such forums are usually “top-down” in that they are created by government (or actors empowered by government) to inform decision-making;

- often include elements of access to information to ensure meaningful input of interested members of the public into decisions;
 - often include the enhancing citizens' right to be heard, but do not necessarily include the right to be heeded.
- **Accountability** — there are rules, regulations, and mechanisms in place that call upon government actors to justify their actions, act upon criticisms or requirements made of them, and accept responsibility for failure to perform with respect to laws or commitments.
 - As part of open government, such commitments have an "open" element, meaning that they are not purely internal systems of accountability without a public face.
- **Technology and Innovation** — Commitments for technology and innovation
 - promote new technologies offer opportunities for information sharing, public participation, and collaboration.
 - Should make more information public in ways that enable people to both understand what their governments do and to influence decisions;
 - May commit to supporting the ability of governments and citizens to use tech for openness and accountability; and
 - May support the use of technology by government employees and citizens alike.

Countries may focus their commitments at the national, local and/or subnational level—wherever they believe their open government efforts are to have the greatest impact.

Recognizing that achieving open government commitments often involves a multiyear process, governments should attach timeframes and benchmarks to their commitments that indicate what is to be accomplished each year, wherever possible.

This section details each of the commitments of the Republic of Korea included in its initial action plan. The commitments follow the same sequence as in the action plan.

A number of the commitments have multiple milestones. In these cases, the milestones have been evaluated together on a single fact sheet in order to avoid repetition and make reading easier for OGP stakeholders.

While most indicators given on each commitment fact sheet are self-explanatory, a number of indicators for each commitment deserve further explanation.

- **Relevance:** The IRM researcher evaluated each commitment for its relevance to OGP Values and OGP Grand Challenges.
 - **OGP values:** Some OGP commitments are unclear in their relationship to OGP values. In order to identify such cases, the IRM researcher made a judgment based on a close reading of the commitment text. This identifies commitments whose relationship to fundamental issues of openness could have been better articulated.
 - **Grand challenges:** While some commitments may be relevant to more than one grand challenge, the reviewer only marked those that had been identified by government (as almost all commitments address a grand challenge).
- **Ambition:**
 - *Potential impact:* OGP countries are expected to make ambitious commitments (with new or pre-existing activities) that stretch government practice beyond an existing baseline. In accordance with a

broad definition of ambition, the IRM researcher judged how potentially transformative commitment might be in the policy area. This is based on the researcher's findings and experience as a public policy expert.

- *New or pre-existing*: The IRM researcher also recorded, in a non-judgmental fashion, whether a commitment was based on an action that pre-dated the action plan.
- Timing:
 - *Projected completion*: The OGP Articles of Governance encourage countries to put forth commitments with clear deliverables with suggested annual milestones. In cases where this information is not available, the IRM researcher makes a best judgment, based on the evidence of how far the commitment could possibly be at the end of the period assessed.

1-1 Creating a Communications Channel for Government and Citizens

In terms of improving public services, public service itself first needs to be defined and we should identify the areas for improvement and needs of citizens. In this context, the Korean Government plans to provide wider opportunities for greater citizen engagement and expand communication channels to reflect their needs and creative ideas in the decision-making process.

- As public voice is considered a critical element in policy formulation, citizens' opinions have become central in the decision making and policy implementation. Therefore, greater policy discussions will take place through the e-People to promote more public input in future policy development by reviewing relevant policy agenda and inconveniences experienced by citizens.
- Moreover, the Korean Government will actively promote the Proposal System to encourage greater citizen engagement for obtaining public opinions. This will be done not only in the form of document submission, but also through mobile applications, making public participation available, anytime, anywhere.

Commitment Description						
Answerability	Lead institution	Not clear				
	Supporting institutions	Not clear				
	Point of contact specified?	No				
Specificity and measurability		Low (Commitment language describes activity that can be construed as measurable with some interpretation on the part of the reader)				
Relevance	OGP grand challenges	Improving public services				
	OGP Values					
	Milestone	Access to Information	Civic Participation	Accountability	Tech & Innovation for Trans. & Acc.	None
	1. Promote public input in policy development		✓			
	2. Promote Proposal System		✓			
Ambition						
Milestone		New vs. pre-existing	Potential impact			
1. Promote public input in policy development		Pre-existing	Minor (the commitment is an incremental but positive step in the relevant policy area)			

2. Promote Proposal System	Pre-existing	Minor (the commitment is an incremental but positive step in the relevant policy area)
Level of completion		
1. Promote public input in policy development		
Start date: Not clear	Actual completion	Unable to tell from government or civil society responses
Plan or action? Carry out an action	Projected completion	Complete
2. Promote Proposal System		
Start date: Not clear	Actual completion	Unable to tell from government or civil society responses
End date: Not clear from text	Projected completion	Complete
Next steps		
1. Promote public input in policy development	Revision of the commitment to be more achievable or measurable	
2. Promote Proposal System	Revision of the commitment to be more achievable or measurable	

What happened?

The e-People website is a centralized platform for users to send proposals, petitions and complaints, made available in Korean as well as other languages spoken in the country such as English, Chinese, Japanese, Vietnamese, Tagalog and Mongolian. In 2012, the website took in 1.24 million complaints, 111,239 civil proposals, and 1,007 “policy discussions,” an improvement from 696,715 complaints, 84,026 civil proposals, and 669 policy discussions in 2009, according to the government. These items are forwarded to the appropriate agency for review. However, it remains unclear how many of these petitions or complaints are acted upon and resolved. Still, in 2011, the website was awarded the United Nations Public Service Award in the category of “advancing knowledge management in government.”

Given these favorable numbers, the commitment is on track to be completed from a technical standpoint, but only when measured by its unusually vague language, including its lack of a timetable and benchmarks. Because of this, stakeholders were divided on whether implementation was meaningful. On the one hand, some stakeholders remarked that there has been considerable improvement on the e-People system in the past year, and expressed the perception that more citizens have been partaking in online policy discussions as backed by the government’s self-reported data.

The government reported that the satisfaction rate of petitioners through e-People has been on the rise. In 2012, 65.2 percent of petitioners were satisfied with the service, while 25.8 percent were unsatisfied, an improvement from 51.2 percent satisfaction and 32.3 percent dissatisfaction in 2008.

Even if this is true, the researcher has few ways to measure the progress of the commitment given its dearth of measurable benchmarks, and MOSPA’s decision not to publish the government self-assessment report. The researcher could also not locate a

mobile application for the Proposal System on e-government websites, and third-party “app stores” commonly used in Korea, such as Google Play and olleh.

Despite increasing satisfaction rates, stakeholders offered the additional perception that, overall, not many citizens seem to know about e-People or the Proposal System, suggesting that the government has not met its commitment to “promote” greater policy discussions, even if the breadth of public participation is growing.

Did it matter?

The commitment did not stretch government practice beyond what existed before the action plan was created. Civil society participants generally acknowledged that the government has created and has been constantly improving these excellent platforms. However, many urged the ministry to look beyond its software achievements and to tap into these platforms in a way more interactive with users.

Three other stakeholders perceived a number of areas of improvement. They were skeptical of the action plan's claim that citizen opinions have become “central” in the decision-making and policy implementation processes, even if public participation is improving. One NGO added that citizens must register using their national IDs and real names to use these websites, making some reluctant to post opinions.

Another CSO noted that e-People is not a two-way “communication channel,” as the commitment proclaims, but rather resembles an online submission website where the government appears to passively listen to citizen petitions; one stakeholder urged the government to more actively engage in policy discussions with users.

Even though the e-People website and Proposal System are excellent, award-winning platforms, MOSPA’s uncommunicative approach towards the National Action Plan sows confusion and suspicion among some stakeholders. It is counter-productive in respect of efforts to convince them that these online tools are actually being improved.

Moving forward

Before this commitment can be implemented in a meaningful manner, significant revisions are needed. A timetable and one or more measurable benchmarks are prerequisites. MOSPA may also consider revising the commitment to stretch government practice beyond the improvement of existing platforms. This may include setting progress based on the number of significant policy discussions graphed and compared on a month-by-month or year-by-year basis, releasing anecdotes as to how the government interacted with citizens on the platforms, and offering examples as to how citizen opinions shaped specific decision-making and implementation processes.

Going forward, the government should solicit regular consultation from stakeholders, including seeking feedback on how the commitment itself and the platforms can be improved.

1-2 Better Communication Channel between Government and Citizens at All Levels of Administration

President Lee Myung-bak believes that “Policy consumers have the solutions to challenges we face in policy implementations.” Emphasizing the government efforts in incorporating public opinions by listening to what citizens say about various policies and strategies, central government ministries plan to conduct ‘Field Administration’, for the provision of quality administrative services to meet their expectations.

Moreover, a field administration manual will be developed to further strengthen communication between the government and public, thus embracing different voices of society in the decision-making process. This procedure is expected to address more pragmatic solutions and minimize potential conflicts through reaching consensus with various stakeholders and identify any problems in advance. A ‘One-stop Problem Solving Field Administration’ will be implemented with government officials at all levels making field visits, conducting direct contact with local residents and stakeholders to find appropriate solutions.

Commitment Description						
Answerability	Lead institution	Not clear				
	Supporting institutions	Not clear				
	Point of contact specified?	No				
Specificity and measurability		Low (Commitment language describes activity that can be construed as measurable with some interpretation on the part of the reader)				
Relevance	OGP grand challenges	Improving public services				
	OGP Values					
	Milestone	Access to Information	Civic Participation	Accountability	Tech & Innovation for Trans. & Acc.	None
	1. Develop field administration manual		✓	✓		
	2. Implement 'Field Administration'		✓	✓		
Ambition						
Milestone		New vs. pre-existing	Potential impact			
1. Develop field administration		Not clear based on desk research and	Minor (the commitment is an incremental but positive step in the relevant policy area)			

manual	interviews	
2. Implement 'Field Administration'	Not clear based on desk research and interviews	Minor (the commitment is an incremental but positive step in the relevant policy area)
Level of completion		
1. Develop field administration manual		
Start date: Not clear	Actual completion	Unable to tell from government and civil society responses
End date: Not clear	Projected completion	No dates or milestones attached or inferable
2. Implement 'Field Administration'		
Start date: Not clear	Actual completion	Unable to tell from government and civil society responses
End date: Not clear	Projected completion	No dates or milestones attached or inferable
Next steps		
1. Develop field administration manual	Revision of the commitment to be more achievable or measurable	
2. Implement 'Field Administration'	Revision of the commitment to be more achievable or measurable	

What happened?

Not enough information is available to judge the completion of this commitment. At forums and in interviews, all stakeholders were unsure of the implementation of this commitment because of the lack of measurable goals or a timetable. Stakeholders also perceived language to be jumbled and difficult to distinguish, unsure of the precise meaning of the phrase "one-stop problem solving administration."

Furthermore, no stakeholder had ever heard of a "field administration manual." One CSO said it had heard of "field administration visits" underway outside of Seoul, but did not know the details. The stakeholder was unaware of such a project in the capital.

The same CSO noted, however, that its survey has found increasing public satisfaction with the public participation process. This finding could signify progress on the quality of field administration visits, depending on how the unclear text is interpreted.

With a lack of information from the government and uncertainty among stakeholders, the researcher has little material with which to measure implementation. Searches on the MOSPA website, in Korean and English, did not reveal clear details about a "one-stop problem solving field administration." One search result briefly mentioned a plan to create an administrative field manual, but it is not clear whether it has been completed.

The MOSPA search engine did reveal records from October 2012 listing the number of NGOs that signed up for apparent field visits, or what appear to be consultations, with civil servants. This possibly suggested a level of implementation. Without a government

self-assessment, it remains unclear whether these visits were the same ones referred to in the commitment.¹

Finally, this commitment makes a passing reference to satisfying “policy consumers.” MOSPA’s precise message in this wording is unclear, but the phrase implies that citizens are “receiving” and “consuming” policy that has been made for them by the government, rather than actively partaking in the process of policy formulation. Such phrasing gives the impression that the South Korean government—at least under the previous presidential administration that wrote this National Action Plan—has not internalized or given serious consideration to OGP principles such as citizen participation.

Did it matter?

With little or no information from both government and CSOs to judge implementation, the IRM researcher cannot gauge its impact.

Moving forward

For more meaningful implementation, the government should consider revising the wording of this commitment, adding clearer benchmarks and a timeline. While the creation of a field administration manual is measurable, other outcomes remain hazy. The commitment would benefit from laying out a plan to review and release the number of field visits per month or year, the locations and effectiveness of those visits (to see whether they are inclusive of all regions and provinces), and the topics of discussion between public servants and residents. While the IRM researcher discovered data on field consultations published on the MOSPA website, it was unclear whether these related to its OGP commitment.

If it has not been done already, stakeholder consultation is needed both in the implementation and monitoring of the field visit process, as well as the writing of the field administration manual. If MOSPA has written a manual, it should consider utilizing its sophisticated e-government system, publishing it online in a machine-readable format. If the document is already online, MOSPA should make it more accessible and promote it.

¹ Ministry of Security and Public Administration (MOSPA), “Non-profit private organization enrollment (30/09/2012)”, MOSPA, accessed on October 13, 2012, <http://bit.ly/1dwnR41> (Korean). Link currently not functioning.

1-3 Improved Accessibility with Online Government Portal

As mentioned earlier, the Korean Government strives to improve the online government portal by providing user-friendly services and promoting convenience in service delivery.

- To enhance users' convenience, relevant agencies will continue to work on simplifying online civil affairs application forms through reflecting the opinions of users.
- In addition, we plan to refine the system into more user-friendly one, revising the online Frequently Asked Questions (FAQ) sections and changing administrative terms into more familiar words for citizens to enhance their understanding.
- Service improvement not only for individuals, but for corporate organizations is also being planned. Customized online services for business will be introduced, offering mobile based "Online submission of civil affairs documents for businesses." This system ensures service users to submit various civil affairs documents to corporate organizations more conveniently by utilizing online and mobile applications.
- "Online Civil Affairs Hub" is planned to be established by linking the 24-hour public online services (Minwon24) and civil affairs websites of each government agency, allowing real-time processing of civil affairs and enhanced customer satisfaction.

Commitment Description						
Answerability	Lead institution	Not clear				
	Supporting institutions	Not clear				
	Point of contact specified?	No				
Specificity and measurability		Medium (Commitment language describes activity that can be construed as measurable with some interpretation on the part of the reader)				
Relevance	OGP grand challenges	Improving public services				
	OGP Values:					
	Milestone	Access to Information	Civic Participation	Accountability	Tech & Innovation for Trans. & Acc.	None
	1. Simplify civil affairs application forms					✓
	2. Make portal more user-friendly					✓

	3. Customize services for business					✓
	4. Establish “Online Civil Affairs hub”	✓				
Ambition						
Milestone	New vs. pre-existing	Potential impact				
1. Simplify civil affairs application forms	Pre-existing	Minor (the commitment is an incremental but positive step in the relevant policy area)				
2. Make portal more user-friendly	Pre-existing	Minor (the commitment is an incremental but positive step in the relevant policy area)				
3. Customize services for business	New	Minor (the commitment is an incremental but positive step in the relevant policy area)				
4. Establish “Online Civil Affairs hub”	Pre-existing	Minor (the commitment is an incremental but positive step in the relevant policy area)				
Level of completion						
1. Simplify civil affairs application forms						
Start date: Not clear	Actual completion		Complete			
End date: Not clear	Projected completion		Complete			
2. Make portal more user friendly						
Start date: Not clear	Actual completion		Complete			
End date: Not clear	Projected completion		Complete			
3. Customize services for business						
Start date: Not clear	Actual completion		Complete			
End date: Not clear	Projected completion		No dates or milestones attached or inferable			

4. Establish “Online Civil Affairs hub”		
Start date: Not clear	Actual completion	Complete
Plan or action? Carry out an action	Projected completion	Complete
Next steps		
1. Simplify civil affairs application forms	None: completed implementation	
2. Make portal more user-friendly	None: completed implementation	
3. Customize services for business	None: completed implementation	
4. Establish “Online Civil Affairs hub”	None: completed implementation	

What happened?

The government has completed this commitment, but only when measured against the vague text. While declaring completion, many stakeholders were unsure about the quality of progress given lack of communication from the government.

Two CSOs interviewed said that online civil affairs application forms and frequently asked questions (FAQs) had been simplified in a manner consistent with the commitment, pointing to online examples.^{1 2}

They also believed that, as pledged, Minwon24 has been linked to the civil affairs websites of each government agency, and that individuals and corporations may now submit civil affairs documents using online and mobile software. However, they added that services like these have been available for some time, making this a minor improvement.

For the first two bullet points, CSOs pointed to the non-existence of key benchmarks and a timeline as impeding measurement. Two stakeholders, however, added that a timeline seems inappropriate for this commitment. They said that language simplification has undergone a process of “continual improvement” even before the National Action Plan was published.

Several NGOs interviewed believed that this commitment left out more important security challenges for accessibility of the online government portal. The website Minwon24, for example, automatically downloads two software programs called “xw_install.exe” and “TouchEnKey_Installer_3103.exe” without user permission; without installation, the website is inaccessible. CSOs were overwhelmingly concerned with these automatic software downloads carried out without user consent. McAfee internet protection software even warned that the download for TouchEnKey_Installer_3103.exe “exhibited one or more risky behaviors” and blocked access.

NGOs were aware of other software requirements that blocked accessibility to government portals, such as requirements to install ActiveX. Similarly, the e-People website automatically downloads software called “nProtect KeyCrypt” when accessing the front page. However, the same NGOs acknowledged improvement in recent years, pointing out that the number of required software downloads is being reduced.

Minwon24 also runs a Twitter account, but its Tweets are locked as of December 2013, effectively making them unavailable to the public and requiring the administrator to authorize followers.

One stakeholder expressed concern that many central, provincial, and local government portals have embedded code that blocks all search robots from domestic and overseas search engines such as Naver and Google from searching through their websites. The IRM researcher confirmed the existence of this code, although it has not been embedded into all government websites. One analyst says that 13.9 percent of central government websites, 30.9 percent of “central government customer services,” 46.2 percent of public service websites, 20.7 percent of local government websites, and 58.8 percent of educational board websites have this code. MOSPA responded in January 2013 that Minwon24 does not have this code³. Nevertheless, this contradicts the pledge for greater accessibility, preventing users from using third-party search engines to access government documents and data. It remains unclear why this code has been inserted into official portals.

Did it matter?

The commitment did not stretch government practice beyond what existed before the action plan was created. Furthermore, these milestones are primarily e-government commitments, and their relationship to OGP values is unclear.

Civil society participants generally acknowledged that the government has completed all or parts of this commitment despite the hazy connection to OGP values. Many also felt that suspicious and unapproved software downloads, as well as security concerns, stood in the way of the government’s overall aim of “improved accessibility,” laid out in the title of the commitment.

Moving forward

As a way of improving accessibility, the government should consider working a new perspective into this commitment, pledging a measurable decline in the number of software downloads required for e-government services. MOSPA should aim to eventually eliminate them altogether. It should also link this commitment more firmly to one or more OGP values, finding a way to better make use of its e-government services to improve open government.

If the government chooses to continue improvements on the completed commitment, specific timelines and benchmarks would be helpful for stakeholders. For example, the government can lay out how it defines, or comes to an agreement on, what constitutes “familiar words” for its FAQs. When the text is simplified, the government can publish online snapshots comparing the old platforms with the updated ones. Public consultation, the extent of which remains unclear so far, can aid in this process.

¹ National Information Agency, “FAQ” Data.go.kr, <http://bit.ly/18jRrYs> (Korean)

² Ministry of Health and Welfare. “FAQ”, Data.go.kr, accessed October 14, 2013, <http://bit.ly/1fDHTcK> (Korean).

³ <http://slownews.kr/10883>

1-4 Provision of Diverse Public Services

The Korean Government continues to reform existing public services and reflect citizens' ideas to provide diverse and high quality services to the public.

As a good example, there have been considerable public demands recently for effective measures to prevent crimes committed against women and children. In response to this, the Korean Government (Ministry of Public Administration and Security) has introduced the "SOS Public Relief Service", a new crime prevention system, which utilizes the latest information technology, allowing a silent call to the police from a mobile device for automatic location tracking and rescue. The new initiative, currently available in selected metropolitan areas, will be expanded nationwide by the end of 2012. Feedback from service providers (police) and users (citizens) will be taken into consideration for the improvement of this service.

Commitment Description						
Answerability	Lead institution	Ministry of Public Administration and Security (MOSPA)				
	Supporting institutions	Not clear				
	Point of contact specified?	No				
Specificity and measurability		Medium (Commitment language describes an activity that is objectively verifiable, but does not contain specific milestones or deliverables)				
Relevance	OGP grand challenges	Improving public services				
	OGP Values	Access to Information	Civic Participation	Accountability	Tech & Innovation for Trans. & Acc.	None
						✓
Ambition						
New vs. pre-existing			Potential impact			
Pre-existing			Transformative (the commitment entails a reform that could potentially transform “business as usual” in the relevant policy area)			
Level of completion						
Start date:		Actual completion		Substantial		
Not clear						
End date:		Projected completion		Complete		
Before end of 2012						

Next steps	New commitment building on existing implementation
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What happened?

CSOs were generally impressed with the quality and sophistication of the SOS Public Relief Service. They believed the service had been expanded nationwide by the end of 2012 as promised, but were unsure about how far and wide the government gathered feedback during the implementation period. This makes progress "substantial" rather than fully "completed" when measured against the government's benchmark.

One CSO questioned the ministry's claim that the service had 760,000 users (a factor that led to uncertainty over whether the government had been effective in promoting the service or soliciting widespread feedback). The CSO agreed that, while this may be a significant number, it seems unlikely that the service has been used so widely. It also remains unclear whether the service has proven useful given the number of times it has been successfully used. In 2012, 20 suspects (15 for sexual harassment and five for bullying) were arrested and five victims (two in elevator accidents, two missing children, and one who was attempting suicide) were rescued, according to MOSPA.

Stakeholders added that they were not approached for consultation, and were unsure as to how or whether MOSPA took into account the supposed feedback from law enforcement and citizens. MOSPA did not deliver this information to the researcher. The most recent public survey the researcher could find was in 2011, before the implementation period.¹

Web searches on the National Police Agency and MOSPA websites, in Korean and English, did not reveal significant details about the feedback process, although several detailed materials were available on the SOS service itself. In January 2014, MOSPA said that 90 percent of 3000 citizens and police officers surveyed in December 2012 were positive about the usefulness of the SOS service and its impact on crime prevention, although it did not break down these into more specific numbers. The government did not deliver more recent numbers that better reflect the situation during the OGP implementation period.

One NGO did not believe registration should be necessary for the SOS service, believing it to be self-defeating in the event of an emergency. This may be an area of improvement in a future commitment. However, in January 2014, the government responded that registration is a requirement for law enforcement to identify those who report to the police, but that signing in is not necessary to report an emergency.

Did it matter?

The nationwide expansion of the SOS Relief Service may be transformative in the procurement of public services. CSOs generally believed the platform, if promoted widely, will be a significant asset to public safety and public service delivery, even though one stakeholder noted that it is too early to make a judgment.

The government did not deliver data that could potentially link a change in crime rates with the introduction of the SOS service, and the researcher could not find this correlation published online.

Moving forward

If it has not done so already, the government should consider releasing concrete data on the feedback process for the SOS Relief Service, including survey results and specific examples of improvements that came about from public consultations.

As a minor suggestion, MOSPA should consider revising the commitment to drop the registration requirement, which one stakeholder worried could, under certain circumstances, hinder access to the SOS service during emergencies.

MOSPA should regularly communicate with stakeholders to assess the biggest areas in need of improvement.

¹ Ministry of Security and Public Administration (MOSPA). "SOS Public Relief Service: Crime prevention system to strengthen public safety." MOSPA, <http://bit.ly/1c5eYek>. Link no longer working.

2-1 Strengthening Information Disclosure

More government information will be available publicly by disclosing critical information in advance for the daily life of the public. The information for advanced disclosure will be about food, environment, education, and other areas. Prior to the disclosure, engaging with civil organizations and monitoring groups will enable relevant information to be opened. Provision of information from citizens' perspectives and communication between the government and civil society will also be reinforced and the information will also be available via mobile devices.

Commitment Description						
Answerability	Lead institution	Not clear				
	Supporting institutions	Not clear				
	Point of contact specified?	No				
Specificity and measurability		Low (Commitment language describes activity that can be construed as measurable with some interpretation on the part of the reader)				
Relevance	OGP grand challenges	Increasing public integrity				
	OGP Values					
	Milestone	Access to Information	Civic Participation	Accountability	Tech & Innovation for Trans. & Acc.	None
	1. Disclosing critical information	✓			✓	
	2. Communication between government and civil society		✓			
Ambition						
Milestone		New vs. pre-existing	Potential impact			
1. Disclosing critical information		New	Transformative (the commitment entails a reform that could potentially transform “business as usual” in the relevant policy area)			
2. Communication between government and civil society		New	Moderate (the commitment is a major step forward in the relevant policy area, but remains limited in scale or scope)			

Level of completion		
1. Disclosing critical information		
Start date: Not clear	Actual completion	Substantial
End date: Not clear	Projected completion	Substantial
2. Communication between government and civil society		
Start date: Not clear	Actual completion	Unable to tell from government and civil society responses
End date: Not clear	Projected completion	Complete
Next steps		
1. Disclosing critical information	Maintenance and monitoring of completed implementation	
2. Communication between government and civil society	Further work on basic implementation	

What happened?

The government has made significant progress and the commitment is scheduled for completion in the second year of action plan implementation.

After her inauguration in February 2013, President Park Geun-hye laid out a policy called “Government 3.0,” promising an overhaul to information disclosure practices. Her plan included the release of more information that is in the public interest before (as opposed to after) a formal request is made, 100 million information disclosures annually (a substantial increase from the 310,000 disclosures in 2012), the classification of a minimal amount of information, the availability of more data for entrepreneurial use, and the collection of private sector opinions on major policies and projects.¹ Many of these changes are being put into force through the open data law enacted in late October, known formally as the Act Promoting Availability and the Use of Public Data².

On the whole, it is too early to measure the success of Government 3.0, such as whether the government will meet its goal of 100 million disclosures a year. Still, most stakeholders believed enough has been done to merit classifying the commitment as either completed or with significant progress made. As of January 2014, the government has what it calls a “data opening rate” of 16 percent, or 3,397 data disclosures, too low a number for the government’s information disclosure practices to be considered sufficiently open. By 2016, it hopes to raise this rate to 60 percent, or 12,654 data disclosures.

At the first stakeholder forum in Seoul, one NGO proclaimed that the Open Data Act, even in its early stages, has already led to “considerable improvements” in information disclosure; nearly all stakeholders concurred. CSOs noted that the disclosures were widely available on mobile devices, and covered promised areas such as food, the environment, and education.

However, two CSOs interviewed were unsure of the meaning of “other areas” of disclosure named in the commitment.

Meanwhile, all stakeholders said in interviews and at forums that they were not approached for consultation. Two NGOs were aware of ongoing consultations between MOSPA, private business, and civil society. MOSPA did not deliver information on these consultations to the IRM researcher, and it is unclear why the stakeholders at IRM public forums were not included in these meetings.

This led to skepticism over whether the commitment has been implemented, as promised, in a manner that is communicative and inclusive of diverse voices.

Did it matter?

Provided it overcomes the concerns of stakeholders, this commitment will be transformative.

Stakeholders have already noted significant improvements in information disclosure, as well as heightened political will, over the past six months. In interviews, CSOs and experts were nearly unanimous in their belief that, by making disclosure the “default” state of many government agencies, Government 3.0 will lead to major changes in the way the bureaucracy conducts itself.

Moving forward

Stakeholders identified a number of areas for improvement in the next action plan:

- Emphasis on the quantity of information releases has come at the expense of quality. One member of the Korean Communications Standards Commission (KCSC), the government body that regulates the Internet, expressed frustration at the surfeit of disclosures about mundane topics, such as why an office copy machine was replaced, or where a group of civil servants ate lunch. Information that would improve accountability and public integrity ‘such as the details of action against public servants for accepting bribes,’ remains relatively difficult to find, he said.
- Not enough proactive, detailed, and relevant information on health, the environment, crime, and education is being released that would improve accountability.

Nevertheless, stakeholders expected improvements thanks to the Open Data Act

The IRM researcher recommends that MOSPA consults a wider spectrum of stakeholders, particularly those with expertise in open data and freedom of information topics. The government’s uncommunicative approach with the stakeholders who attended IRM forums—who were among the most vocal open data CSOs—has led to skepticism over the extent of consultation.

As well as continued implementation, one revision is recommended for milestone 1: laying out specific deliverables in the quality in addition to quantity of disclosures. While it is true a large number of disclosures may signify an acceptance of open government principles, the dumping of too much irrelevant information gives stakeholders the impression that the issues at hand most relevant to improving accountability are being obfuscated.

MOSPA, for one, can commit to a minimum number of disclosures per year on areas that have direct bearing on public integrity and the democratic process. This would include revealing cases of severe disciplinary action against public servants.

¹ Myo-jae Ser and Won-bae Kim, "Park unveils 'Government 3.0,'" *Korea JoongAng Daily*, June 20, 2013, <http://bit.ly/134lkab>

² Won-bae Kim, "정부 정보 매년 1억 건 공개 추진," *JoongAng Ilbo*, June 20, 2013, http://pdf.joins.com/article/pdf_article_prv.asp?id=DY01201306200032 (Korean)

2-2 A Corruption-free Society

To reduce corruption, asset disclosure for public servants will be strengthened to ensure more transparency in the civil service. Restrictions on post-public employment will also be strictly monitored to further promote the culture of civil service integrity.

Commitment Description						
Answerability	Lead institution	Not clear				
	Supporting institutions	Not clear				
	Point of contact specified?	No				
Specificity and measurability		Low (Commitment language describes activity that can be construed as measurable with some interpretation on the part of the reader)				
Relevance	OGP grand challenges	Increasing public integrity				
	OGP Values					
	Milestone	Access to Information	Civic Participation	Accountability	Tech & Innovation for Trans. & Acc.	None
	1. Strengthen asset disclosure for public servants			✓		
	2. Monitor restrictions on post-public employment					✓
Ambition						
Milestone	New vs. pre-existing	Potential impact				
1. Strengthen asset disclosure for public servants	Pre-existing	Minor (the commitment is an incremental but positive step in the relevant policy area)				
2. Monitor restrictions on post-public employment	Pre-existing	None (the commitment maintains the status quo);				

Level of completion		
1. Strengthen asset disclosure for public servants		
Start date: Not clear	Actual completion	None
End date: Not clear	Projected completion	Limited
2. Monitor restrictions on post-public employment		
Start date: Not clear	Actual completion	No dates or milestones attached or inferable
End date: Not clear	Projected completion	Limited
Next steps		
1. Strengthen asset disclosure for public servants	Revision of the commitment to be more achievable or measurable	
2. Monitor restrictions on post-public employment	Revision of the commitment to be more achievable or measurable	

What happened?

Little progress has been made on this commitment, and it remains uncertain if it will be completed. The second milestone of the commitment is unmeasurable and difficult to infer based on the lack of a government response. In January 2014, MOSPA delivered a list of past improvements in anti-corruption mechanisms, disclosure, and post-public employment monitoring, but all of these efforts occurred during and before 2011, making them not applicable to the implementation of the National Action Plan.

It is true that, in the past decade, South Korea has made legislative moves against corruption. In 2001 and 2005, it passed and then amended the Anti-Corruption Act, strengthening protections for whistleblowers who reveal government corruption. In 2007, South Korea amended the Public Service Ethics Act, the law that requires public officials to register and disclose property assets. The Act also places restrictions on the employment of retired public officials in private enterprises. The Criminal Act lays down prison terms for public servants who solicit or accept bribes.¹

The government's Anti-Corruption and Civil Rights Commission was established in 2008 to handle corruption complaints from citizens and assist government bodies in writing or updating regulations that would bolster integrity. Its predecessor, the Korean Independent Commission Against Corruption (KICAC), reported that petty bureaucratic corruption, such as bribes and after-work "entertainment" provided by contractors to civil servants, had significantly declined throughout the early- and mid-2000s, and that overall civil service integrity had been on the rise.²

These data coincided with perceptions of stakeholders, who believed that the civil service has generally become cleaner and that opportunities for public participation have been improving over the same period. However, stakeholders had reservations about whether a reduction in petty corruption signified a decline in larger-scale political

corruption, which many considered a far more pressing concern that has gone largely unaddressed.

This perception coincides with other, non-government surveys. South Korea's score on Transparency International's Corruption Perceptions Index (CPI), for example, was 5.0 out of 10 in 1996 but only rose to 55 out of 100 in 2013 (which is the equivalent to 5.5 out of 10 following a change in methodology).³ This number suggests a slight and gradual improvement in public perceptions of corruption, but one that is improving far too slowly while falling short of any score that Transparency International considers "clean."

At the first forum in Seoul and in interviews, nearly all stakeholders believed that public integrity and public trust in higher levels of government have been significantly damaged, particularly under former president Lee Myung-bak, who held office from February 2008 to February 2013. Dr. Geo-sung Kim, chairperson of Transparency International Korea, told the researcher that South Korea's CPI score stagnated in 2008 and then began declining, coinciding with the weakening of the government anti-corruption authority and termination an erstwhile effort called the Korean Pact on Anti-Corruption and Transparency.

Stakeholders also pointed to secretive public-private "revolving doors" and "parachute employment" schemes (nakhasan) for top public officials. Under nakhasan arrangements, senior officials and political allies receive lucrative senior positions in public companies, a system of gratitude for years of public service. Some of these executives have little or no professional experience in their respective industries.⁴

Several stakeholders noted that tight-knit arrangements like these have fueled corruption, and were unhappy about an unusual number of high-level scandals in the past year.

Some CSOs believed the government continues to be unnecessarily secretive when it comes to public-private relationships and corruption.

Stakeholders were also unsure whether asset disclosures have been strengthened, as stated in the commitment. These groups felt little or no progress has been made in the past five years, when measured on the vague text. In January 2014, the government responded that retired government officials are permanently prohibited from "dealing with duties related to their previous jobs at the public organization from which they retired" and may not ask for special favors or provide "unsolicited support" from the organizations from which they retired, among other rules.

Nevertheless, the IRM researcher did not uncover any significant laws or new regulations passed since 2011. The government did not provide this information to the researcher.

Did it matter?

Stakeholders were overwhelmingly concerned that strengthening existing laws would do little to create a "corruption-free society," and that asset disclosures, a decades-old practice, carry too many loopholes. Citing a line-up of recent scandals, they believed that promises to better monitor restrictions on post-public employment had done little good.

Given lackluster implementation, government silence towards the IRM researcher and stakeholders, and recent revelations of malfeasance at senior levels of government, nearly all CSOs questioned the purpose and political will behind this commitment.

Several stakeholders believed the commitment simply did not matter. Two CSOs, for instance, felt the administration of President Park Geun-hye has taken what appears to be a passive stance, failing to step forward and offer many specific, step-by-step

solutions to existing scandals, as well as to rein in errant officials and prevent future imbroglios.

For example, in June 2013, President Park Geun-hye broke months of silence on the National Intelligence Service scandal, and the next month called on the intelligence agency to set out on its own reforms rather than drawing up and implementing her own set of changes as needed. On October 31, 2013, four months after the prosecutors' indictment of the NIS chief, President Park made her first public statement officially endorsing the investigation.

On September 13, 2013, the chief prosecutor looking into the allegations, Chae Dong-wook, suddenly stepped down following an announcement from the Ministry of Justice that it planned to investigate unproven reports that he fathered an illegitimate child, which many onlookers believed was a politically motivated attack. In October 2013, a second prosecutor was relieved of his duties, and a close confidante of the president's chief of staff filled the position.

In December 2013, the Defense Ministry admitted that members of the Cyber-Warfare Command broke political neutrality rules when they carried out a similar online campaign during the December 2012 election period.

There is no evidence that President Park personally knew about or played any part in the alleged election interference, and it remains unclear whether the online campaign bore any impact on the election results. However, this ongoing string of events gave the impression to stakeholders that the Park administration has avoided stepping in and cleaning up high-level institutions that breach their public duties. A number of stakeholders expressed little faith in the Park administration to clean up corruption and shed light on opaque public-private relationships. Several CSOs still believed she will do a better job than her predecessor, but spoke with the caveat that it is too early to make a judgement.

Moving forward

Most stakeholders believed that a revised commitment, going beyond asset disclosures, would lead to greater accountability. They suggested that MOSPA make far more information available on government monitoring of post-public employment, and more clearly and actively notify the public when violations have been uncovered and acted upon.

A revised commitment should go beyond the monitoring of compliance with post-public employment restrictions. It should include a specific and measurable benchmark for releasing more data on this post-public employment monitoring and auditing, a pledge that would fit well into the president's "Open Government 3.0" plan and boost public trust.

The existing commitment would benefit from clearer language as to how asset disclosure will be strengthened, preferably with a timeline. It should also be more specific as to how the government will monitor post-public restrictions on employment. As it stands, the current commitment has little measurability.

¹ Anti-corruption and Civil Rights Commission (ACRC), Republic of Korea, "The Anti-Corruption Policy of Korea and Efforts to Enhance Integrity," 2012, <http://bit.ly/19X3HYH>

² Jong-Sung You, "Is South Korea Succeeding in Controlling Corruption?" (paper presented at the annual meeting of the American Political Science Association, September 3-6, 2009).

³ Transparency International, "Corruption Perceptions Index 2013," <http://www.transparency.org/cpi2013/results>.

⁴ Tudor, Daniel, *Korea: The Impossible Country* (North Clarendon, Vermont: Tuttle Publishing).

3-1 Active Use of the Data Sharing Portal

We will improve the management of public information and resources, and provide upgraded everyday services especially related to the citizens' daily life. It will be realized through the expansion of available information provided, reflecting the needs from the public and consideration of the citizens' convenience.

- Public information with high demands from the private sector, will be verified and registered on the data sharing portal through research and analysis. For the efficient use of information, online counselors and consulting will be available to reduce the time taken for information search.
- The Korean Government will endeavor to improve the efficiency of public administration and management by using public resources more wisely and engaging with citizens in the administrative and budget processes.

Commitment Description						
Answerability	Lead institution	Not clear				
	Supporting institutions	Not clear				
	Point of contact specified?	No				
Specificity and measurability		Low (Commitment language describes activity that can be construed as measurable with some interpretation on the part of the reader)				
Relevance	OGP grand challenges	More effectively managing public resources				
	OGP Values					
	Milestone	Access to Information	Civic Participation	Accountability	Tech & Innovation for Trans. & Acc.	None
	1. Public information will be released on data sharing portal	✓			✓	
	2. Better public resource management and citizen engagement on administrative and budget processes		✓			

Ambition		
Milestone	New vs. pre-existing	Potential impact
1. Data sharing portal	Pre-existing	Minor (the commitment is an incremental but positive step in the relevant policy area)
2. Public resource management	Pre-existing	Minor (the commitment is an incremental but positive step in the relevant policy area)
Level of completion		
1. Public information will be released on data sharing portal		
Start date: Not clear	Actual completion	Substantial
End date: Not clear	Projected completion	Substantial
2. Better management of public resources and citizen engagement on administrative and budget processes		
Start date: Not clear	Actual completion	No dates or milestones attached or inferable
End date: Not clear	Projected completion	No dates or milestones attached or inferable
Next steps		
1. Data sharing portal	Revision of the commitment to be more achievable or measurable	
2. Public resource management	Revision of the commitment to be more achievable or measurable	

What happened?

The wording of the commitment in both of its milestones is too vague to firmly measure implementation. Stakeholders acknowledged that progress has been made but with key areas for improvement. First, it is difficult to assess which information has “high demand” from the private sector (along with the specific meaning of the “private sector”). Second, a few stakeholders were unsure of the exact “data sharing portal” that was referred to in the commitment. The researcher and most stakeholders understood this to be the Data.go.kr website.

Nearly all stakeholders were certain that the government has released significant amounts of information based on “high demands from the private sector,” even if the precise meaning of this requirement could not be construed. The Data.go.kr website lists an exhaustive welter of categories and has published thousands of documents in areas such as environmental statistics, labor, tourism, science policy, and even library locations, plant species, and region-specific datasets for faraway locations like Jeju Island.

However, other parts of this commitment appeared not to be implemented. All stakeholders at the first forum in Seoul, as well as the IRM national researcher, could not

locate the “online counselors” or “consulting” resources for the “more efficient use of information” on the data.go.kr website. The front page prominently lists a phone number that can be called for assistance, although this does not qualify as an “online counselor.”

One NGO went beyond the commitment text, asserting that not enough data are published in machine-readable format, instead being offered as scanned PDFs. The researcher found many files to be in “open” and machine readable formats such as .xls and .hwp (a word processing format for the Korean script), while confirming that some other documents were not machine-readable.

Nearly all stakeholders believed it is unrealistic to attempt to track the implementation of the second milestone, which vaguely calls for the more efficient use of public resources and more broadly engaging citizens in administrative and budget processes. First, this milestone does not list any measurable targets, and stakeholders believed that MOSPA could refer to too wide a range of initiatives to declare completion. Second, it blends too hazily with the commitments listed in section one, which focuses on improvements in public participation. Finally, with no concrete information or self-assessment from MOSPA, there is little with which to judge citizen engagement (web searches revealed a broad swathe of MOSPA consultations, making it unclear which ones directly related to this commitment).

Did it matter?

In the first forum and in interviews, a number of CSOs agreed that the government releases noteworthy sums of information through its open data website. However, they questioned the commitment itself, wondering why the text is unmeasurable and leaves out a list of clear deliverables. Portions of this commitment appear more pertinent for section one, titled “open government for enhancing public services,” than to section three, which prioritizes “more effective management of public resources.”

Still, stakeholders believed that implementation has contributed to the overall OGP principles. Nearly all of them are unsure the extent of implementation given the lack of clear milestones, making it difficult to assess the precise impact of this commitment.

Moving forward

This commitment needs revisions to be measurable and for its impact to be clearer. It could benefit from greater focus on a single area rather than attempt to cover an unspecified, broad category of using information to improve public resource management.

Two stakeholders, meanwhile, agreed that more needs to be done to offer easy accessibility to the online data portal. This includes releasing more data in machine-readable format, even though many files are already machine readable. MOSPA should eventually aim to make all data machine readable, which is recommended for a revised commitment.

If it has not been completed already, the government should make online counselors available on its website during reasonable daytime hours. The national researcher and stakeholder could not find counselors, and given the lack of a government self-assessment or response, it is unclear whether this pledge has been completed.

3-2 Strengthening Citizens' Monitoring of Government

We will also enhance the one-stop budget waste portal, by not only integrating services on budget waste of central government ministries but also those of metropolitan and local governments.

Commitment Description						
Answerability	Lead institution	Not clear				
	Supporting institutions	Not clear				
	Point of contact specified?	No				
Specificity and measurability		None (Commitment language contains no verifiable deliverables or milestones)				
Relevance	OGP grand challenges	More effectively managing public resources				
	OGP Values	Access to Information	Civic Participation	Accountability	Tech & Innovation for Trans. & Acc.	None
						✓
Ambition						
New vs. pre-existing		Potential impact				
Pre-existing		Minor (the commitment is an incremental but positive step in the relevant policy area)				
Level of completion						
Start date: Not clear		Actual completion		Unable to tell from government and civil society responses		
End date: Not clear		Projected completion		No dates or milestones attached or inferable		
Next steps		Revision of the commitment to be more achievable or measurable				

What happened?

In interviews and at the first stakeholder forum, all stakeholders were unsure of the existence of any budget waste management portal run by the central government. One NGO thought perhaps this could be the website "digitalbrain.go.kr," or D-Brain, which serves as a digital budget and accounting system that coordinates fiscal information exchanges between the central government, local governments and public agencies. However, the website is an internal portal for officials and civil servants, making it easier for them to review treasury operations and collect payments more quickly; there is no evidence that it relates to the action plan or the OGP grand challenges.

In 2011, the World Bank reported that there was no documented instance of civil society groups using D-Brain for holding the government accountable or increasing

budget efficiency. The evidence suggests this remains unchanged as of the IRM research period in October 2013.¹

On the other hand, South Korea scored the highest of 100 countries in the International Budget's Partnership's 2012 Open Budget Survey, citing the regular use of public hearings, administrative field visits to hear views from around the country, and the existence of an Advisory Council on Fiscal Policy that includes CSOs and government representatives.² While noteworthy, it is unclear how these endeavors relate to the government's commitment to "enhance the one-stop budget waste portal."

Stakeholders were not aware of these efforts, and cited shortcomings that would limit the use of a portal for budget waste reporting. These include the lack of reliable and detailed cost estimates in some areas. For instance, budget documents do not explicitly distinguish between the costs of continuing programs from the costs of proposed initiatives. Projects costing more than \$45 million can only be included in the budget with a preliminary feasibility study, but the test is often exempted in an opaque manner and without scientific grounds. "National security costs," including those associated with the military, are withheld from reports, despite criticism that the definition is too broad and has led to bloated military spending.³

Stakeholders expressed confusion and skepticism over this commitment, since the government appears to not have an online budget waste reporting portal at the moment. Even taking into account the possibility that MOSPA currently runs such a portal, stakeholders believed the government has not promoted it, since none were aware of one. However, the IRM researcher found World Bank and government references to participatory features on D-Brain, such as online message boards and a waste reporting tool from 2011 and earlier, suggesting that these features existed at one point. Based on a combing of the website, it appears these tools are no longer available or accessible, and have not been mentioned in third-party reports since then.

At the first public forum, most stakeholders commended the Seoul Metropolitan City government for its Budget Misuse Report Center, opened in May 2013 in the Seoul City Hall. Although this does not apply to the national government's commitments, such an open and user friendly system could be a model for future government efforts.

Nevertheless, both the Seoul Metropolitan City government and national South Korean government were unable to tell the researcher whether any national budget waste portal services have been integrated with local and provincial governments.

Web searches on central government ministry websites and Google revealed no evidence that this part of the commitment has been implemented. Furthermore, the researcher and two stakeholders could not log into "D-Brain" to confirm the national-local integration had been implemented, since the website appears to be an internal budgeting system.

Did it matter?

This commitment is too vague to assess whether its implementation was meaningful. While the commitment itself has the potential to improve public services, particularly in the e-government field, stakeholders could not identify the waste portal and doubted that notable progress was made relevant to OGP values.

On a broader scope, two stakeholders felt the commitment did not address wider problems in budget waste reporting. They felt that the central government does not provide an adequate forum for reporting and addressing budget waste, or were unaware of it and, therefore, doubt it has been promoted widely to the public.

Moving forward

A far more specific set of goals and timelines is recommended. The government should specify how to access its budget waste management portal and clarify for stakeholders whether it is accessible for the general public, and is not just an internal system.

Furthermore, more specific information is needed on how MOSPA plans to “integrate” the portal with local and regional governments. This language is insufficient for coming to any conclusion about the quality and implementation of the commitment.

¹ World Bank Publications, *Technologies for Transparency and Accountability: Implications for ICT Policy and Implementation*, by Renee Kuriyan, Savita Bailur, Bjorn-Soren Gigler, and Park Kyung-Ryul (Open Development Technology Alliance report, 2011).

² International Budget Partnership, “South Korea,” Open Budget Index, 2010, <http://internationalbudget.org/wp-content/uploads/2011/04/OBI2010-SouthKorea.pdf>

³ Jong-sung You and Wonhee Lee, “A Mutually Reinforcing Loop: Budget Transparency and Participation in South Korea,” in *Open Budgets: The Political Economy of Transparency, Participation, and Accountability*, ed. by Sanjeev Khagram, Archon Fung, and Paolo de Renzio (Washington, D.C.: Brookings Institution Press, 2013).

V. SELF-ASSESSMENT

The Republic of Korea did not publish a self-assessment report at the time of writing this report.

The government did not circulate or publish a self-assessment report by the September 30, 2013 deadline or throughout the IRM research period through October 31, 2013.

The government has expressed a commitment to publishing a self-assessment report, although it remains unclear whether MOSPA plans to circulate it for comment before publication. The government has not stated when it will publish the self-assessment.

Table 2: Self-Assessment Checklist

Was annual progress report published?	No
Was it done according to schedule?	N/A
Is the report available in the local language?	N/A
According to stakeholders, was this adequate?	N/A
Is the report available in English?	N/A
Did the government provide a two-week public comment period on draft self-assessment reports?	N/A
Were any public comments received?	N/A
Is the report deposited in the OGP portal?	N/A
Did the self-assessment report include review of the consultation efforts?	N/A
Did the report cover all of the commitments?	N/A
Did it assess completion according to schedule?	N/A
Did the report reaffirm responsibility for openness?	N/A
Does the report describe the relationship of the action plan with grand challenge areas?	N/A

VI: MOVING FORWARD

This section puts the OGP action plan into a broader context and highlights potential next steps, as reflected in the preceding sections, as well as stakeholder-identified priorities.

Country Context

South Korea is a developed democracy with a high level of public participation and technological prowess. Capitalizing on its fast data speeds, it has achieved worldwide praise for achievements in the field of e-government. In three consecutive rankings released from 2010 to 2012, the country was awarded first place in the E-Government Survey of the United Nations Public Administration Network (UNPAN), citing the quality of its mobile applications and e-government portals.¹

In the big picture, this success owes in part to the efforts of a passionate civil society over the past three decades. In 1987, the government, coming to terms with a growing wave of demonstrations, ended dictatorship, instituted a raft of political reforms, and held its first elections in a remarkably stable transition. In a 1989 landmark ruling, the Constitutional Court interpreted access to information to be a constitutional right, imprinting the principle of transparency even if it took some time for this to go into practice.² In 1996, the country was an early actor to pass a generally good freedom of information law.

A second wave of reform came after the Asian Financial Crisis of 1997. Decades of undemocratic state-business collusion, an opaque and poor system of corporate governance, loose lending, and a regional economic shock all contributed to this debt crisis that riveted the South Korean economy. From 1998 to 2003, the progressive administration of President Kim Dae-jung pledged to clean up old ways, prioritizing initiatives in transparency and public participation, and unveiling many of the e-government services listed in the National Action Plan.

From 2008 to 2013, President Lee Myung-bak implemented a policy called “Smart Government,” a strategy of better integrating e-government services with mobile devices, smart televisions and PCs. Because South Korea published its National Action Plan during this period, most commitments focused on the improvement of e-government services. Despite these pledges, Korea-based stakeholders and international watchdogs such as Freedom House and Amnesty International have criticized Lee’s administration for rolling back some of the democratic gains of previous decades.

Nevertheless, South Korea continues to score well in international assessments. It is one of few developed democracies to encode the right to public participation in its administrative procedures. It further subjects administrative review to regular courts, serving as a firm check on the power of the civil service. Requirements such as these are laid out in a number of relevant laws, such as the Administrative Appeals Act and the Civil Petition Treatment Act, to name a few.

The Municipal Government of Seoul, in particular, has distinguished itself as a model for e-government and transparency initiatives. In December 2012, Mayor Park Won Soon introduced a policy of deep disclosure, releasing 1,090 restricted documents that included the contracts, details, and meeting minutes for large-scale projects from 1999 to 2012. Since 2010, the city has also led the World e-Governments Organization of Cities and Local Governments (WeGO), signaling a proactive commitment to international engagement in the field of e-government.

In February 2013, President Park Geun-hye assumed office. In June 2013, her administration unveiled a new strategy called “Government 3.0,” promising to overhaul information disclosure practices and foster greater transparency and accountability (for more details, see the findings on commitment 2-1). The Government 3.0 policy has transformative potential, and is a welcome addition to South Korea’s existing efforts. Corresponding with recent developments, most stakeholders acknowledged improvements in data disclosure, but were skeptical that all promises would be kept. One stakeholder said that the concept of information openness embodied in “Government 3.0” is somewhat new in South Korea, and that some civil servants would be “hesitant” to embrace it and may “have a hard time understanding it.”

Some of this stakeholder skepticism owes to a tendency in the National Action Plan to conflate the concept of e-government with open government. Continual improvements in web- and mobile-based government services are commendable, but have not led to a marked increase in the quality of the democratic process on the whole. On the contrary, the right to freedom of expression and assembly has been significantly curtailed since 2008. Elected and appointed officials and government bodies have stepped up censorship of the Internet, attempted to influence state-owned broadcasters through special political appointments, and filed an unprecedented and growing number of defamation lawsuits and criminal charges against critics, writers, academics and activists (see the section called “Stakeholder Priorities” for more details).³

The government’s level of disengagement with the IRM process fueled the perception among stakeholders that it is aloof and operating on a definition of open government removed from the OGP values. Throughout the research period, MOSPA did not deliver basic information on the formulation and implementation of the National Action Plan. In late September, MOSPA informed the researcher that it had no plans to circulate and publish a self-assessment report. Throughout October 2013, the researcher was unable to secure a meeting with the main MOSPA representative who coordinated South Korea’s OGP efforts, as well as obtain the contact information or meet with the civil servants in charge of each commitment.

On October 21, MOSPA e-mailed the national researcher a list of two-sentence summaries of implementation, but the responses were inadequate to determine any level of progress. In late October, the Ministry apparently changed its stance on the self-assessment, pledging to deliver by October 31 what it called a “confidential report,” which IRM interpreted to mean an uncirculated self-assessment report. The Ministry did not meet this self-set deadline.

In an e-mail, MOSPA also declared that it intends to revise its National Action Plan to fit the current administration’s policies. It remains unclear if MOSPA intends to measure progress based on those revised commitments. However, it should be noted that the IRM does not evaluate unilateral and retroactive revisions to action plans; this report only examines the formulation and implementation of the first National Action Plan. As of January 1, 2014, the government has not delivered a self-assessment report to the researcher.

Sungsoo Hwang, a public administration professor at Yeungnam University who consults the provincial government of North Gyeongsang, anticipated delays due to the fortuitous timing of the IRM research period, which comes alongside the implementation of the new open data law. He assumed that the government would respond slowly as it sorts out changes with the recent presidential transition. The Ministry, too, asked for understanding as it puts these measures into practice.

Stakeholder Priorities

At public forums and in private interviews, stakeholders identified priorities for improving the quality of public participation and integrity, and for encouraging greater trust between the government and citizens. Two priorities directly fall under the National Action Plan, while stakeholders would like to see the other two in future commitments.

Stakeholder priorities for the current plan are:

- *The revision and completion of commitment 2-2, “A Corruption-Free Society.” Stakeholders cited recent incidents in which high-level civil servants, political appointees, and their family members acted in disregard for their public duties.*
- *The revision of unusually vague commitments, which stakeholders felt did little to build on existing successes in e-government. Many called for a more communicative and open approach from the government, including a greater emphasis on the quality rather than quantity of information disclosures.*

First, nearly all stakeholders agreed that the revision and completion of commitment 2-2, “A Corruption-Free Society,” is necessary to show greater will behind the National Action Plan. Four stakeholders believed that existing laws have done little to clean up opaque relationships among political and business leaders—a factor they felt has worn down accountability, public trust and participation, and public service delivery.

Stakeholders pointed to multiple incidents during the implementation period (see the summary of findings on commitment 2-2 and the list of incidents in the online library of South Korean OGP documents). Alleged malfeasance in the nuclear and construction industries and in national security bodies, along with the perception that top leaders have protected the interests of political allies, continue to hurt trust in government. According the 2013 Global Corruption Barometer by Transparency International, 70 percent of South Koreans feel the National Assembly is corrupt or extremely corrupt, while 64 percent feel the same about the legislature.⁴

Stakeholders were concerned about South Korea’s vague and largely pre-existing commitments. For example, CSOs have said that while award-winning government e-services have been available since the early 2000s, the wording of commitments in the action plan have been hazy and immeasurable. For a next action plan, stakeholders identified a possible focus on the quality (rather than quantity) of data disclosure, asking for more releases that would improve accountability and the democratic process.

The ambiguity of the action plan led stakeholders to question the previous administration’s intentions in joining OGP. Most were put off by feelings that it did little to promote its OGP membership, and that it apparently did not identify a new or existing forum for consultation. To encourage an environment of collaboration, more active, two-way communication and awareness-raising activities are needed for the next action plan.

Stakeholders identified two areas they would like to see addressed in a future action plan:

- *Revisions to criminal and civil defamation laws, communications laws, and national security laws that carry broad implications for public participation and accountability.*
- *The excessive and, at times, secretive application of these laws and regulations to chill legitimate forms of public participation. Laws have been used to muzzle the scrutiny of senior public officials, censor the Internet in an opaque and blanket manner, and to prevent information disclosures in a manner not conducive to an open and democratic society.*

Stakeholders identified the existence and broad application of defamation, communications, and national security laws as an area for improvement in a future action plan. South Korea's civil and criminal laws lay down up to seven years in prison for defaming a public figure, or a fine of \$50,000 for hurting an individual's honor or reputation. Truth is not an absolute defense to defamation in court, and the accused must prove they acted "solely in the public interest" by publishing allegations. People convicted of defamation cannot hold public office for 10 years.

In recent years, public officials and private citizens have brought forward an increasing number of defamation lawsuits, a trend that started in 2008 when the government sought to contain demonstrations against the relaxation of import rules for US-sourced beef. This set the precedent for an ongoing chill against public participation and the legitimate scrutiny of leaders. In 2012, 3,223 people were convicted of defamation out of 13,248 complaints. In 2008, the number was 2,500 convictions resulting from 8,814 complaints; 24 people were handed prison sentences while the majority were fined.⁵

One stakeholder believed that the government's fear of violating its own defamation laws hinders access to information that would be expected in a democratic society. For instance, the People's Solidarity for Participatory Democracy (PSPD) estimates that five percent of Supreme Court rulings and 10 percent of Constitutional Court rulings are made public. This creates a block for legal practitioners and scholars who seek the details of earlier court rulings to establish precedents for current cases.

The representative from the PSPD said that, in response to demands from civil society, the court library set up two computer terminals for researchers. However, the requirements for using them go against open government principles. Researchers must prove they are in possession of an array of credentials, such as holding a position as a university professor or prosecutor, or representing a research or law organization. Documents cannot be downloaded directly, but are approved and e-mailed to the researchers later.

Stakeholders added that the government, under the previous administration of President Lee Myung-bak, took a stronger rein over public broadcasters KBS and MBC, sidelining or firing their leadership in favor of supporters after a number of journalists and editors reported critically on government efforts. Two out of three of the largest broadcasters are majority or partially owned by the government, raising concerns over how it exercises media influence.

Despite the presence of a new administration, stakeholders felt that broadcasters have suppressed information that would reflect poorly on the government. In June 2013, a group of MBC reporters released a statement accusing their producer of cancelling a television segment on the criminal indictment of the former NIS chief, Won Sei-hoon, owing to political sensitivities. Freedom House, meanwhile, ranks the South Korean press as "partially free," downgrading it from "free" in 2011.

Stakeholders expressed concern over the increasing and opaque application of the 1948 National Security Law, which permits the government to limit the expression of ideas that praise or incite the activities of anti-state individuals or groups. The law bans "praising, encouraging, or propagandizing" for North Korea but does not clearly define what constitutes these acts, opening up room for their arbitrary application against critics.

Recent years have been characterized by a marked increase in government censorship and policing of the Internet. In 2012, the government blocked 39,296 websites citing the National Security Law, as well as anti-obscenity and other regulations. This is a more than eightfold increase from the 4,731 censored websites in 2008. ⁶ An increasing number of people been called in for questioning or have faced criminal charges under

this law. In November 2012, 24-year-old Park Jung-geun was sentenced to a suspended 10-month prison term for re-tweeting a North Korean propaganda post from his Twitter account, even though the judgment acknowledged that some of his posts were parody.⁷

Park Kyung-sin, a member of the Korean Communications Standards Commission (KCSC), the national body that polices the Internet, told the IRM researcher he is concerned that the regulator has unilaterally blocked websites without informing their administrators, allowing them to make decisions without clear legal grounds.

Stakeholders felt the law has been applied too broadly and arbitrarily, smothering legitimate and open inquiry into issues related to national security and North Korea, such as questions over the future of a possible unification with the North. In 2011, these developments led to Freedom House downgrading South Korea's Internet freedom ranking from "free" to "partially free."⁸ In May 2013, the UN special rapporteur for human rights defenders, Margaret Sekaggya, warned that "certain laws and practices" in South Korea did not meet international standards in freedom of expression and peaceful assembly.

Despite the growing number of lawsuits, some stakeholders feel the judiciary is pushing back against frivolous claims and has taken measures to curb Internet policing. For example, in August 2012, the Constitutional Court ruled that a portion of the Information Communications and Network Act, which required real-name registration before posting comments on large Korean websites, was unconstitutional.⁹ One member of the opposition Democratic Party (DP), meanwhile, is writing a bill that would decriminalize defamation.

Still, CSOs believe that stronger commitments from a wider coalition of leaders, including the ruling party, would put an end to censorship and politically motivated defamation lawsuits, allowing for a flourishing of even greater public participation. For now, the evidence suggests that certain lawmakers do not stand behind the principles of freedom of assembly and expression that are expected in a democracy. In November 2013, for instance, National Assemblyman Kim Jin-tae, a member of the ruling party, threatened to have South Korean demonstrators in Paris photographed by the Ministry of Justice because they gathered to protest at the president's arrival in France.

There are other troubling signs of an ongoing decline in government openness. On January 6, 2014, 10 months into her presidency, President Park held her first press conference. This development suggests the current administration—despite wide-ranging promises of better information disclosure—has not absorbed all of the principles of an open and communicative government expected in a democracy.

Recommendations

1. Continued emphasis on improving e-government services and information disclosure

While stakeholders were impressed with South Korea's e-government services, most had suggestions for improvement. For example, e-government websites often require users to go through complicated registration processes using their real names, sometimes making users uncomfortable about posting their opinions or submitting petitions.

Stakeholders further identified a number of e-government websites that required—and sometimes downloaded without their permission—software that could pose a security risk.

In light of the "Government 3.0" pledges, stakeholders urged public officials to use the opportunity to disclose more useful online data, specifically data that would better empower citizens in the decision-making process.

These e-government efforts should be clearly connected to the OGP values. The next National Action Plan should draw a clearer distinction between e-government and open government, and specify how improvements in e-government will lead to more opportunities for transparency, public participation, and accountability.

2. Stronger anti-corruption commitments to improve public integrity

Stakeholders believed that the next action plan needs more measurable and upfront benchmarks for curtailing corruption, such as greater information disclosure on the monitoring of post-public employment.

3. Revisions to defamation, communications and national security laws

While recognizing that libel and slander laws may co-exist with the principles of democracy, the next action plan would benefit from a milestone for dropping criminal punishments. It can stipulate truth as a stronger defense in defamation lawsuits, and place the burden on the accuser, rather than the accused, to prove that statements were false or not “solely” in the public interest.

4. Proactive engagement regarding commitments

MOSPA should identify an OGP forum for consulting stakeholders in an open and democratic manner. Many felt MOSPA should be more proactive in soliciting stakeholder opinions rather than formulating and implementing its commitments in a manner perceived as uncommunicative and unilateral.

At forums and in one-on-one interviews, stakeholders said they had never been approached by the government regarding the OGP commitments, had never heard of any awareness raising campaign or public forum, and were not consulted during the process of implementation.

5. More specific commitments

Stakeholders felt that the National Action Plan was written in unusually vague language. Furthermore, nearly all commitments are pre-existing and most do not offer significant improvements to existing services.

Commitments should be framed in a more specific manner, offering stakeholders a measurable sense of what MOSPA is planning and what it has accomplished. This would allay stakeholder skepticism over the National Action Plan.

6. Adherence to the OGP process

The government chose not to publish a self-assessment report and remained disengaged throughout most of the research period. This sowed confusion and suspicion among stakeholders.

At forums, stakeholders were unsure how to measure implementation with the lack of a self-assessment report. Because of this, the researcher could not offer concrete answers when asked by stakeholders about the level of implementation of South Korea’s commitments, or about when a self-assessment report would be published.

¹ United Nations Public Administration Network (UNPAN), *E-Government Survey 2012: E-Government for the people* (New York, NY: United Nations, 2012).

<http://unpan1.un.org/intradoc/groups/public/documents/un/unpan048065.pdf>

² Kyu Ho Youm, “Access to Information and Freedom of Expression: The Case of South Korea since 1996.” Working paper series, Social Science Research Network (SSRN), University of Oregon, (2010). http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2067875

³ Stephan Haggard and Jong-sung You, "Freedom of Expression in South Korea" (unpublished paper presented before the National Assembly of South Korea in September 2013). The writers are professors of political science at the University of California at San Diego.

⁴ Transparency International, "Global Corruption Barometer: Korea (South)," 2010, [http://www.transparency.org/gcb2013/country/?country=korea_\(south\)](http://www.transparency.org/gcb2013/country/?country=korea_(south))

⁵ John Powers, "Is defamation law too strict?" *Korea Herald*, March 11, 2013, <http://m.koreaherald.com/view.php?ud=20130311000744&ntn=0>

⁶ Freedom on the Net, "South Korea," Freedom House, 2013, <http://www.freedomhouse.org/report/freedom-net/2013/south-korea>

⁷ Amnesty International, *The National Security Law: Curtailing Freedom of Expression and Association in the Name of National Security in the Republic of Korea* (London, UK: Amnesty International Publications, 2012). <https://www.amnesty.org/en/library/asset/ASA25/006/2012/en/d3eb6ce2-ab8c-4479-a012-62744223457e/asa250062012en.pdf>

⁸ Freedom on the Net, "South Korea," Freedom House, 2011, <http://www.freedomhouse.org/report/freedom-net/2011/south-korea>

⁹ Freedom on the Net, "South Korea," Freedom House, 2013, <http://www.freedomhouse.org/report/freedom-net/2013/south-korea>

ANNEX: METHODOLOGY

As a complement to the government self-assessment, an independent assessment report is written by well-respected governance researchers, preferably from each OGP participating country.

These experts use a common OGP independent report questionnaire and guidelines,¹ based on a combination of interviews with local OGP stakeholders as well as desk-based analysis. This report is shared with a small International Expert Panel (appointed by the OGP Steering Committee) for peer review to ensure that the highest standards of research and due diligence have been applied.

Analysis of progress on OGP action plans is a combination of interviews, desk research, and feedback from nongovernmental stakeholder meetings. The IRM report builds on the findings of the government's own self-assessment report and any other assessments of progress put out by civil society, the private sector, or international organizations.

Each local researcher carries out stakeholder meetings to ensure an accurate portrayal of events. Given budgetary and calendar constraints, the IRM cannot consult all interested or affected parties. Consequently, the IRM strives for methodological transparency, and therefore where possible, makes public the process of stakeholder engagement in research (detailed later in this section.) In those national contexts where anonymity of informants—governmental or nongovernmental—is required, the IRM reserves the ability to protect the anonymity of informants. Additionally, because of the necessary limitations of the method, the IRM strongly encourages commentary on public drafts of each national document.

Stakeholder Selection

In selecting civil society organizations, the researcher made an attempt to balance organizations that work specifically on open government-related issues alongside groups involved in specific topics, such as the environment, health-care or community-level mobilization. The researcher also tried to strike a balance between stakeholders who were and were not familiar with OGP. However, the researcher found that nearly all organizations, including those involved in open government issues, had never heard of OGP, or had heard it mentioned briefly in newspaper reports or websites.

The IRM researcher also made the decision to host both stakeholder forums in Seoul, since the capital is the center of most non-profit activity. No other urban center had a comparable concentration of interested parties. At the first forum, the IRM researcher offered an Internet link-up for stakeholders outside of the capital, but none showed interest or attended the virtual meeting.

At the first forum in Seoul, the decision was made to invite organizations focused on topics directly covered in the National Action Plan, such as open data, e-government, freedom of information, and anti-corruption. Invitations were also sent to private businesses that may have had an interest in open government topics.

At the second forum in Seoul, the researcher sought out subject-specific stakeholders who may have found interest in open government issues related to their core specialties in the environment, health-care, education, urban development, and other areas. The researcher also solicited the attendance of civil servants unions to discuss whistleblower protections and civil servants' needs with relation to the National Action Plan.

Most of these 35 stakeholders and individuals contacted by e-mail or phone did not show interest in the meetings on the grounds they had never heard of OGP. In the end,

the second forum turned out similar to the first in attendance, hearing views from Seoul-based CSOs who worked on open government issues.

With more time and resources, the stakeholder meetings could include more participants, offering a greater range of voices. These forums would also benefit should the government take on a more ambitious and steady effort of promoting its OGP membership to stakeholders.

The researcher offset the low turnout by conducting one-on-one interviews and awareness-raising meetings with stakeholders. The groups who were reluctant to attend forums were often willing to meet in private.

Stakeholder Meeting One

October 7, 2013

Attendees:

Seoul Municipal Government, e-Government Division.

Two discussants, Ms. Daye Diane Jung and Mr. Young Jae Lim, both represented two stakeholders:

- Creative Commons (CC) Korea, a non-profit organization headquartered in Seoul, is devoted to expanding the range of creative works available for others to build upon legally and share. The US-based affiliate, Creative Commons, is headquartered in Mountain View, California.
- CodeNamu, a partner of Creative Commons Korea, is an open community formed by citizens interested in Government 2.0 and willing to dedicate themselves to making open government happen.

One discussant, Mr. Kyung-sin Park, was affiliated with three stakeholders:

- People's Solidarity for Participatory Democracy (PSPD), an NGO founded in 1994 by activists, scholars, and lawyers who had engaged in various democratic movements during the military dictatorship. Hoping to open a new era of participatory democracy and human rights, PSPD has been working on promoting people's participation in the government's decision making process and socio-economic reforms. In 2004, PSPD also obtained a special consultative status with the UN Economic and Social Council (ECOSOC) and started to advocate before various UN bodies including the UN Human Rights Council and the Security Council.
- Open Net Korea, a Seoul-based NGO, provides a forum for discussion and collaboration on issues of freedom of expression, freedom from surveillance, reforming unreasonable regulations, and net neutrality. It aims to offer accurate and timely analyses of pending policy issues affecting the Internet and IT, campaign for law reform, carry out public interest lawsuits, and offer scholarships and research grants.
- Korean Communications Standards Commission (KCSC), the Internet regulatory body of South Korea. According to its website, "The Korea Communications Standards Commission was established to safeguard the public nature and fairness of broadcasting content, to promote a sound Internet culture, and to create a safe online environment."

Summary:

This meeting took the format of a focus group discussion.

Participants were given an informational packet that included South Korea's National Action Plan, OGP Public Consultation Guidelines, OGP Guiding Principles for

Government Self-Assessment Reports, IRM Frequently Asked Questions, and a Korean-language survey for scoring and commenting on the progress of each commitment. The researcher opened with a 15-minute presentation on OGP and IRM.

Most of the stakeholders who attended were not significantly informed about the OGP process, although the researcher had informed some of them in private awareness-raising meetings before the forum.

CSOs started off by saying that they had never been approached for consultations or for an awareness-raising activity from the central government that specifically relates to OGP, despite the existence of a small but passionate open government community in Seoul.

As the delegates went through each commitment, it immediately became clear that the writing was too vague to firmly measure progress. Stakeholders questioned the exact definitions of certain phrases and the use of jargon in some commitments. Two CSOs believed that MOSPA was operating on a different understanding of “open government” and “open data” than that of the Open Government Partnership. Stakeholders also wondered why, to their knowledge, no National Action Plan was publicized in Korean.

A representative from the Seoul Municipal Government, which has a degree of autonomy from the central government, laid out city-wide open data programs that bore relation to the commitments. While stakeholders commended these progressive accomplishments, there was ongoing uncertainty over what the central government had been doing.

Nevertheless, stakeholders generally believed that the central government's e-government services were of high quality, even though they pointed out flaws in required software downloads, and believed too much irrelevant information was being released.

One stakeholder noted that these challenges show that while South Korea's open data platforms and speedy technological infrastructure are of good quality, CSOs and the government need to do more to foster a “culture” of transparency, scrutiny, and democratic inquiry. Users, for instance, can be more assertive when declining unauthorized software downloads and hold the government accountable for these practices.

Stakeholders identified commitment 2-2, “A Corruption-free Society,” as a priority. They believed that little or no progress had been made in holding corrupt officials to account and felt the milestones, like monitoring of post-public employment restrictions, were long-standing practices that did not stretch existing government practice.

Stakeholder Meeting Two

October 28, 2013

Attendees:

- Ms. Hyojin Song, Senior Researcher at Seoul Institute of Transparency, University of Seoul, an academic institute established in 2000 to study corruption issues that obstruct economic and social justice in South Korea and to recommend anti-corruption policy alternatives. Its activities include research on corruption issues, collection of corruption-related data, networking with experts on transparency issues, international publicity for

Seoul Metropolitan Government's OPEN System, and cooperation with nongovernmental organizations.

- Mr. Jeong-wook Jang a representative of People's Solidarity for Participatory Democracy (PSPD), an NGO founded in 1994 by activists, scholars, and lawyers who had engaged in various democratic movements during the military dictatorship of the 1980s. Hoping to open a new era of participatory democracy and human rights, PSPD has been working on promoting people's participation in government's decision making process and socio-economic reforms. In 2004, PSPD also obtained a special consultative status with the UN ECOSOC and started to advocate before various UN bodies including the UN Human Rights Council and the Security Council.
- Mr. Jin-han Jeon, co-founder of Center for Freedom of Information and Transparency (OpenGirok), a Seoul-based NGO advocating for greater freedom of information and transparency and government. The organization was founded by the former head of the Korean Broadcasting System (KBS) investigative journalism unit. Alongside several other reporters, he was removed from his post in retaliation for investigations into allies of the former president, according to the website.

Summary:

This meeting took the place of a focus group discussion. Participants were given a packet that included South Korea's National Action Plan, OGP Public Consultation Guidelines, OGP Guiding Principles for Government Self-Assessment Reports, IRM Frequently Asked Questions, and a Korean-language survey for scoring and commenting on the progress of each commitment. The researcher opened with a 15-minute presentation on OGP and IRM.

The stakeholders were not significantly informed about the OGP process. After the IRM presentation, stakeholders had a number of questions, such as clarifications on the exact timeline behind the OGP, and why the government had not published a self-assessment report. The researcher did not have enough information to answer the second question with certainty, but explained that the workload from recent policy transitions may have been a factor in slowing down the government's response. The researcher could not tell stakeholders for certain when a self-assessment report would be published.

Stakeholders generally felt that the government had accomplished commitments 1-1, 1-2, and 1-3, which comprised the bulk of its e-government pledges. One stakeholder believed the e-government platforms were "perfect" even though discussants identified areas for improvement on the same lines as the first stakeholder forum.

During the review of commitments, one NGO suggested a revision to the focus group format. Rather than allowing stakeholders to discuss the commitments as a roundtable, and the IRM researcher to ask questions of the stakeholders, he suggested that the researcher explain more of his preliminary findings up front. With no self-assessment report and vague commitments on the part of the government, this would give discussants more material to work with.

The researcher will take these suggestions into consideration for future meetings.

Near the end of the meeting, stakeholders asked for more specific information about IRM findings. While noting that the progress report has not been finalized, the researcher explained that preliminary findings (based on interviews, desk research and stakeholder meetings) suggested the government has made significant accomplishments in the field of e-government, but that some political and legal

challenges, such as the political application of defamation laws, stand in the way of greater public participation and accountability.

Questionnaire

At both forums, all stakeholders were given a Korean-language questionnaire that listed each commitment, asked for a numbered response on its progress, and for additional comments.

Stakeholders were told that the questionnaire is optional, but that they would assist the researcher. Stakeholders could fill out the questionnaire in print or e-mail.

The IRM researcher contacted 35 individuals and organizations to ask about conducting an in-person interview and attending the stakeholder forums, two activities that included the questionnaire as a method of assisting the IRM researcher in rating each commitment. The questionnaire was given to stakeholders who attended the forum, or who were interested in offering views to the IRM, but could not attend forums or meet for one-on-one interviews.

The questionnaire was also sent to stakeholders who were temporarily and permanently based overseas and unable to meet in South Korea for full interviews. These stakeholders were selected if they were still active in open government-related topics in South Korea despite their overseas presence.

Of the 20 stakeholders who agreed to private interviews, attended stakeholder forums, and/or were based overseas, five offered their responses in print or by e-mail.

About the Independent Reporting Mechanism

The IRM is a key means by which government, civil society, and the private sector can track government development and implementation of OGP action plans on a bi-annual basis. The design of research and quality control of such reports is carried out by the International Experts' Panel, comprised of experts in transparency, participation, accountability, and social science research methods.

The current membership of the International Experts' Panel is:

- Yamini Aiyar
- Debbie Budlender
- Jonathan Fox
- Rosemary McGee
- Gerardo Munck

A small staff based in Washington, DC shepherds reports through the IRM process in close coordination with the researcher. Questions and comments about this report can be directed to the staff at irm@opengovpartnership.org

¹ Full research guidance can be found at <http://bit.ly/1jkisPj>