

# Independent Reporting Mechanism

Republic of Korea Co-Creation  
Brief 2022

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Open  
Government  
Partnership



Independent  
Reporting  
Mechanism

Introduction

This brief from the OGP's Independent Reporting Mechanism (IRM) serves to support the co-creation process and design of the Republic of Korea's sixth action plan and to strengthen the quality, ambition, and feasibility of commitments. It provides an overview of the opportunities and challenges for open government in the country's context and presents recommendations. These recommendations are suggestions, and this brief does not constitute an evaluation of a particular action plan. Its purpose is to inform the planning process for co-creation based on collective and country-specific IRM findings. This brief is intended to be used as a resource as government and civil society determine the next action plan's trajectory and content. National OGP stakeholders will determine the extent of incorporation of this brief's recommendations.

The co-creation brief draws on the results of the research in prior [IRM reports for the Republic of Korea](#) and draws recommendations from the data and conclusions of those reports. The brief also draws on other sources such as [OGP National Handbook](#), [OGP Participation and Co-creation Standards](#), and IRM guidance on [the assessment of OGP's minimum requirements](#) and [the minimum threshold for "involve"](#), to ensure that recommendations provided are up-to-date in light of developments since those IRM reports were written, and to enrich the recommendations by drawing on comparative international experience in the design and implementation of OGP action plan commitments as well as other context-relevant practice in open government. The co-creation brief has been reviewed by IRM senior staff for consistency, accuracy, and with a view to maximizing the context-relevance and actionability of the recommendations. Where appropriate, the briefs are reviewed by external reviewers or members of the IRM International Experts Panel (IEP).

The IRM drafted this co-creation brief in November 2022.

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### Section I: Action Plan Co-Creation Process

As a steering committee member and host of the 2021 OGP summit, the Republic of Korea has demonstrated leadership in the partnership. Prior action plans produced strong results on government data disclosure and adoption of a petition-based safety inspection system. The Open Government Forum Korea (OGFK), formed during the third action plan cycle, embedded civil society engagement in the process. However, the action plans' commitments continued to be suggested by mostly government bodies, rather than civil society. Action plans yielded high completion rates but most did not lead to major changes in opening government. As the Republic of Korea prepares for its first four-year action plan, it can consider what aspects of the process would be changed or improved by an extended timeline, and offer civil society new opportunities for leadership on developing commitments. To raise the ambition of the Republic of Korea's upcoming sixth action plan, commitments can introduce new initiatives on beneficial ownership transparency, as well as build on efforts to revitalize civil society and widen public participation in the budget process.

To strengthen the co-creation process, the IRM recommends the following:

1. Provide open, accessible, and timely information about activities and progress on participation in OGP.
2. Broaden government and civil society engagement in the co-creation process.
3. Design commitments with concrete and ambitious targets.
4. Establish inclusive mechanisms to oversee and guide commitment progress throughout the implementation period.

### RECOMMENDATIONS

#### Recommendation 1: Provide open, accessible, and timely information about activities and progress on participation in OGP

Over the past year, the Republic of Korea's national OGP website has been inaccessible intermittently. An up-to-date OGP website and repository are necessary to meet Standards 2 and 3 of the OGP's [Participation and Co-Creation Standards](#) and will facilitate South Korea's ability to meet the remaining standards. Moving forward, the Multi-Stakeholder Forum (MSF) can ensure that the website is maintained and publicly accessible, publishing the latest action plan, at a minimum. [Romania](#) and [Italy](#) provide examples of user-friendly national OGP websites. The IRM recommends the following for the website:

- **Publish the MSF's basic rules**, including its mandate and structure, as well as evidence that it meets at least every six months (for examples, see [Australia](#), [Morocco](#), and [New Zealand](#)'s websites).
- **Update the repository** at least every six months to ensure that information on implementation and the co-creation process is up to date (for examples, see [Australia](#), [Jordan](#), [New Zealand](#), and [the Philippines](#)' repositories).
- **Publish the co-creation timeline** and an overview of the opportunities for stakeholder participation at least two weeks before the action plan development process begins (for examples, see [Romania](#) and the [Netherlands](#)' timelines).
- **Publish documentation of all input** received from stakeholders on the action plan, as well as detailed feedback on how these contributions were considered (for examples, see [Canada](#), [Finland](#), and [Morocco](#)'s documentation).

### Recommendation 2: Broaden government and civil society engagement in the co-creation process

The upcoming four-year action plan offers the opportunity to widen government ministries' engagement in the open government process by presenting it as a platform to achieve the administration's policy priorities over the course of its term. Outreach can particularly target agencies with open government champions, such as the Supreme Audit Institution. [Nigeria's](#) engagement strategy, in which the POC met with each ministry head to explain opportunities for engagement in the co-creation process, may be worth considering as a way to engage ministries at the beginning of the co-creation process. Ahead of outreach meetings, the POC could prepare a memo summarizing the background of OGP in the Republic of Korea to set the context. This memo could draw on the [Skeptic's Guide to Open Government](#) to make a compelling value proposition for open government. Beyond an open call for proposals, the early stages of the co-creation process can offer a platform for government and civil society stakeholders to jointly brainstorm commitments.

Through the sixth action plan, the Republic of Korea also can include new civil society stakeholders in the OGP process, particularly participants from the 2021 OGP summit. Their engagement could be encouraged by increasing the number of civil society suggestions incorporated in action plan commitments. The co-creation for Finland's 2019–2023 action plan (see [appendix](#)) and Latvia's 2019–2021 action plan (see their [design report](#)) may provide ideas on activities to consider, including surveys, workshops, and thematic working groups, where stakeholders jointly prioritize problems to address and formulate commitments. It also is valuable to extend participation opportunities to marginalized communities. The [Toolkit for Gender Responsive Action Plans](#) provides guidance for inclusive co-creation practices. South Korea also can draw on tools the [Philippines](#) and [Argentina](#) have developed to integrate gender equity into their action plans.

### Recommendation 3: Design commitments with concrete and ambitious targets

The previous action plan addressed a diverse thematic focus. However, not all commitments set ambitious or concrete targets. As the Republic of Korea undertakes a four-year action plan, it may be difficult to provide a detailed description of every planned activity at the start. In this case, OGFK could develop an implementation plan that lays out concrete steps for the first two years. Commitment design can clearly specify an open government lens and sustainable improvements of existing government practices. For example, a commitment that builds on a prior government project can offer pathways to substantially expand the scope of that project or institutionalize the project in the long term. The draft action plan can be shared for input from OGP Country Support, and as it is finalized, commitments can be incorporated into implementing agencies' formal mandates. At the halfway point of the implementation period, stakeholders can reconvene to assess the progress and obstacles thus far and update the implementation plan for the remainder of the period. [Finland](#) can offer a model for the process of conducting a midterm self-assessment and updating the action plan based on the first two years of implementation.

### Recommendation 4: Establish inclusive mechanisms to oversee and guide commitment progress throughout the implementation period

For the sixth action plan, the government can strengthen [participatory mechanisms](#) to oversee commitment progress throughout the implementation period. To meet Standard 5 of the OGP's [Participation and Co-Creation Standards](#), the MSF or government should hold at

least two meetings every year with civil society to present progress on the implementation of the action plan and collect comments. Building on OGFK, possible mechanisms to oversee implementation include:

- Multi-stakeholder working groups organized by thematic area or commitment that meet regularly, as in Ghana.
- Each responsible government agency could sign a memorandum of understanding with a civil society organization, establishing their partnership to oversee implementation.

For more information see the [OGP Consultation During Implementation Guidance Note](#), although the minimum requirements listed have since been updated.

## Section II: Action Plan Design

### AREAS OF OPPORTUNITY FOR COMMITMENTS

Some areas of opportunity for ambitious commitments in the sixth action plan include revitalization of civil society participation, public participation in the budget process, and beneficial ownership transparency.

#### AREA 1. Revitalize Civil Society Participation

Previous South Korean action plans have facilitated efforts to institutionalize grassroots involvement in its policymaking. The [Gwanghwamun 1<sup>st</sup> Street](#) platform opened citizens' ability to propose government initiatives, and efforts parallel to fifth action plan established local civil society ordinances and the [2022-2024 Basic Plan for Revitalization of Civil Society and Promotion of Public Interests](#). Given civil society concerns in the wake of [repeal of the Regulations on Activation of Civil Society and Promotion of Public Interest](#), the OGP platform can offer a space to sustainably reestablish government-civil society cooperation. An open operational environment for civil society is key to addressing the socio-economic challenges facing South Korea. Centering on robust civil society consultation, the sixth action plan can address this presidential decree, as well as the mandate of the [Civil Society Committee](#) within the Prime Minister's Secretariat and subnational civil society committees. Commitments also can enact next steps of the 2022-2024 Basic Plan for Revitalization of Civil Society and Promotion of Public Interests. To support this process, the [OGP Democratic Freedoms Learning Network](#) offers the opportunity to exchange experience with like-minded reformers within and outside South Korea.

Useful resources:

- OGP: [Democratic Freedoms Learning Network](#)
- OGP: [Actions to Protect and Enhance Civic Space](#)
- OGP: [Civic Space Fact Sheet](#)
- Related commitments: Nigeria ([2019–2022](#)), Mongolia ([2021–2023](#)), and Luxembourg ([2019–2021](#))
- Partners that can provide technical support: [International Center for Not-for-Profit Law](#), [CIVICUS](#), and [OECD](#)

#### AREA 2. Public Participation in the Budget Process

The fifth action plan is implementing two promising commitments on participatory budgeting at the national and local levels. Inclusive public participation is crucial for improving fiscal governance. The sixth action plan can make commitments to [further strengthen public participation in the budget process](#). During the budget monitoring phase, the Ministry of Economy and Finance can actively engage with vulnerable and underrepresented communities, either directly or through CSO representatives. The National Assembly can allow members of the public and CSOs to testify during its hearings on the budget proposal and on the audit report. Additionally, the Board of Audit and Inspection can establish formal mechanisms to include the public in relevant audit investigations.

Useful resources:

- OGP: [Fiscal Openness Fact Sheet](#)
- Open Budget Survey 2021: [South Korea](#)
- Related commitments: Scotland, United Kingdom ([2018-2021](#)), South Africa ([2016-2018](#)), Brazil ([2016-2018](#)), Georgia ([2016-2018](#))

- Partners that can provide technical support: [International Budget Partnership](#), [Transparency International](#), and [OECD](#)

### AREA 3. Beneficial Ownership Transparency

In terms of beneficial ownership transparency, the Republic of Korea lags behind other countries in the G20. In 2020, the [OECD](#) found South Korea only partially compliant with international standards on the availability of ownership standards and identity information. The [disclosure practices](#) and complicated ownership structures of the nation's largest publicly listed companies illustrate a need for reform. The country does not have a beneficial ownership register. Beneficial ownership information is collected by financial institutions rather than government authorities, but companies are not obliged to engage financial institutions. The Republic of Korea could use its next OGP action plan to achieve compliance with the OECD's international standards on beneficial ownership transparency. It could establish a freely and publicly accessible beneficial ownership registry. Korea's general corporate registry and information collection system does not focus on obtaining beneficial ownership information, so a commitment could establish a registration office for beneficial owners. A commitment also could ensure disclosure of legal and beneficial ownership information for the large number of inactive companies that retain legal personality on the commercial register.

Useful resources:

- [OGP Beneficial Ownership Leadership Group](#)
- OGP: [Beneficial Ownership](#)
- OGP: [Beneficial Ownership Fact Sheet](#)
- OECD: [Peer Review Report on the Exchange of Information on Request Korea 2020](#)
- Open Ownership: [Beneficial Ownership Data Standard](#)
- IMF: [Unmasking Control: A Guide to Beneficial Ownership Transparency](#)
- Related commitments: Armenia ([2018-2020](#)), Kenya ([2016-2018](#)), and Nigeria ([2019-2022](#))
- Partners that can provide technical support: [Transparency International](#), [Extractive Industries Transparency Initiative](#), [Financial Action Task Force](#), [G20 Anti-Corruption Working Group](#), and [Open Ownership](#)