**Anti-corruption Expertise, Introducing South Korea’s 15 years of experience**

**[Slide 1]**

Hello, Everyone. My name is Jungoh Son, a member of UNDP Global Anti-corruption Team, a secondee from Anti-corruption and Civil Right Commission in South Korea. It is my honour to be here for introducing Korea’s Anti-corruption Expertise, as a pre-emptive tool to remove corruption risks in legislation, that has been implemented by ACRC since 2006.

**[Slide 2]**

In this presentation, I will explain 1) how it positions within anti-corruption environment, 2) how ACRC operates this tool, 3) how it helps integrate anti-corruption objectives into government functions, and 4) lessons learned from ACRC’s implementation.

**[Slide 3]**

Now, let me begin with overview anti-corruption structure in the country to figure out how this Anti-corruption Expertise has positioned itself as an effective tool in the system that has two pillars: explicit or more direct anti-corruption policy and anti-corruption in all government functions.

Firstly, explicit policies include conventional anti-corruption tools such as a set of anti-corruption laws and regulations, operation of anti-corruption agency, ensuring law enforcement and conducting raising awareness programmes. Also, public-private partnership and e-government initiatives have been considered as strengthening anti-corruption performance in countries.

Along with such measures, as an enabler, ACRC has continued to infuse anti-corruption into all government functions. To this end, the agency tries to make sure a high level of integrity in every government agency itself by conducting Integrity Assessment and Anti-corruption Initiative Assessment. Moreover, it targets to make sure a high level of integrity in every government function by conducting corruption risk management and anti-corruption expertise. In this sense, anti-corruption expertise has positioned as a critical tool to interconnect ACRC’s anti-corruption objectives with government works that affect the people.

**[Slide 4]**

Next, let me touch upon the basics of anti-corruption expertise. ACRC’s experience shows that the tool has two overarching impacts on anti-corruption ecosystem. These are like the view of the global anti-corruption community. Firstly, it helps to eliminate and prevent corruption risks by rooting out corruption causing factors in legislation so therefore, it contributes to ensure rule of law principle, not by public officials’ discretion and private purposes. Also, this tool has raised anti-corruption awareness in public agencies so that hinders officials to engage in corruption.

Second, it ensures integrity in public institutions and sectors. Anti-corruption agency is not a stand-alone agency. But this tool enables each public body to necessarily participate in corruption prevention activities. And anti-corruption objectives could be integrated into sectors including economy, education, health, and environment. Through this mechanism, national development agendas, reflect SDGs, could be implemented in a transparent and accountable manner.

**[Slide 5]**

To give you an overview, responsible body is ACRC mandated by the law on anti-corruption. Currently 13 staff members in anti-corruption bureau are in charge for this work. Target institutions include all public institutions that draft laws and bylaws including central/local governments and public enterprises, and their draft/existing law, presidential decree, ordinances, and internal rules are all subject to the anti-corruption expertise with no sectoral limitation. Key approach is examination of any ambiguous factors and any omissions to ensure anti-corruption in such legislation.

**[Slide 6]**

This is a brief outline of the procedure. For draft legislation, target institutions request ACE. Initially, they conducted self-assessment by using templates provided by ACRC and submit its result. Along with the request, the institution executed a pre-announcement legislation for stakeholders to provide opinions regarding the draft. Then, ACRC examines the draft by the criteria and if discovers vulnerabilities, provides recommendations within 40 days in principle. Over 90% recommendations have been accepted so far.

For existing laws, ACRC chooses certain target legislation or sectors that are prone to corruption by detecting risks in corruption reports, public grievances, and emerging issues in the media. Then, ACE is conducted by ACRC which is like usual corruption risk assessment process, followed by their release of results and recommendations.

**[Slide 7]**

Now, I will explore how anti-corruption expertise reduces corruption risks in legislation. Legislation might have some sorts of vulnerabilities that can open an opportunity of corruption. For instance, ambiguous and unclear provisions and lack of concreteness have been observed, and lack of measures for transparency and accountability has also led to corruption allegations. So, ACRC has adopted 11 criteria to reduce and prevent such risks.

The criteria include key anti-corruption principles such as compliance measures, concrete/transparent/accountable/clear/and open implementation, access to information, conflict of interest, and ensuring robust anti-corruption mechanism. Corresponding to corruption issues in a changing and evolving society like Covid-19 pandemic, ACRC has revised the criteria consulted with stakeholders.

**[Slide 8]**

I will share some examples of anti-corruption expertise that were recommended and accepted to competent ministries and institutions. Throughout these sectors, ACRC has focused on a few components in line with the criteria: specify/elaborate/ensure objectivity in fees/conditions/fund management of a certain function, strengthen measures for supervision and transparent decision-making, and preventing conflicts of interest situation.

Of course, I admit that ACRC’s effort could not eradicate corruption in public and private sectors. However, by allowing ACRC and each institution to rigorously examine the likelihood of corruption in draft and existing legislation, it has been agreed that corruption could be effectively controlled to enhance social trust and quality government services.

**[Slide 9]**

How has anti-corruption expertise contributed to achieving sustainable development goals in Korea? For 15 years, ACRC has assessed over 22,000 legislation and provided over 6,000 recommendations. According to the statistics, general administrations including SDG 16 had the greatest number of reviewed legislation, while industry and infrastructure had been the most highly recommended sector to reduce corruption risks. From my point of view, this chart shows ACRC’s anti-corruption expertise has substantively affected legislation in sectors to be more transparent and accountable, and probably impacted on high quality of government services in the sectors.

**[Slide 10]**

Based on Korean experiences, anti-corruption expertise has several challenges to be overcome. In basic, this tool needs political commitment because it allows ACA to pre-emptively join in legislative process that are initially limited to others. As a game changer for achieving anti-corruption, without political commitment, it could be designed not to be functioned by narrowing down the scope of target institutions and legislation, and poorly implementing post-assessment process to institutions which did not accept the recommendation. Also, lack of capacity could not enforce this tool as intended. For instance, if ACA would not have ability to formulate relevant assessment criteria and identify corruption risks, this tool would be a paper tiger.

In this regard, ACA should strengthen justifications for the leadership to adopt this tool with including all essential components as well as try to develop capacity both itself and each institution cooperated with the global anti-corruption community.

**[Slide 11]**

I would like to highlight three key takeaways messages here. First, anti-corruption expertise is one of useful tools that eliminate corruption risks in an effective way. Second, Korea has integrated anti-corruption into sectors by this tool. To achieve anti-corruption in the national level, it is essential for government functions to be implemented in a transparent and accountable way. By institutionalizing anti-corruption expertise and then bring almost all public institutions together for this aim, integrity could be mainstreamed in the SDGs by national development goals. Third, rule of law could be further strengthened by the anti-corruption expertise, and legislation equipped with transparent and accountable measures has a greater legitimacy in functioning.

**[Slide 12]**

This concludes my presentation on ACRC’s Anti-corruption Expertise. Thank you very much for your attention.