



South Korea Report

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Sustainable Governance
Indicators 2018

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Executive Summary

The period under review saw dramatic changes in South Korea, with the parliament voting to impeach conservative President Park Geun-hye in December 2016 following a corruption scandal and months of public demonstrations in which millions of Koreans participated. In March 2017, the Korean Constitutional Court unanimously decided to uphold the impeachment, and new presidential elections consequently took place in May 2017. The elections were won by the leader of the opposition Democratic Party, Moon Jae-in, by a wide margin. The corruption scandal revealed major governance problems in South Korea, including collusion between the state and big business and a lack of institutional checks and balances able to prevent presidential abuses of power in a system that concentrates too much power in one office. Particularly striking were the revelations that under conservative Presidents Lee Myung-bak and Park Geun-hye, the political opposition had been systematically suppressed by a state that impeded the freedom of the press, manipulated public opinion and created blacklists of artists who were seen as critical of the government. It was also revealed that the government had colluded with private businesses to create slush funds. However, the massive protests against President Park that began in October 2016 showed that the Korean public remains ready to defend its democracy and stand up against corruption. On 3 December 2016, an estimated 2 million people across the country took to the streets to demonstrate against President Park. While the protests were to a large degree spontaneous, they were in part driven by the work of vibrant civil-society organizations. News reports, particularly from JTBC TV, also played an important role in uncovering the scandals.

The Moon administration has promised major changes with the aim of making South Korea more democratic and improving social justice. During his first six months in office, Moon announced a large number of policy proposals (“100 policy tasks”) that include welfare-, justice- and education-system reforms. He also promised to decentralize power and put place new limits on the constitutional powers of the president. These changes were to be proposed in a set of constitutional reforms that would be put to a referendum in 2018. As of the time of writing, many of the policy proposals had not yet been implemented. Moreover, many will certainly face difficulties, as President Moon’s Democratic Party lacks a parliamentary majority. Negotiating the remaining overlap between the Park and Moon governments presents a major

challenge, as does completion of the new government's many announced but as-yet-unimplemented policies.

Economically, Korea is doing exceptionally well in cross-OECD comparison. With an annual GDP growth rate of 2.8% in 2016, Korea was above the OECD average of 1.78%. Korea remains a major exporter, with many highly competitive multinational corporations producing a great variety of products in the automotive, IT and other industries, although this also leaves the country vulnerable to global market volatility. The overall unemployment rate remains low at 3.8%, but the labor-market participation rate is below average, and the lack of social mobility is causing an increasing degree of concern, particularly among the younger generations. With regard to international relations, President Moon Jae-in has abandoned the hard-line rhetoric of previous governments and wants to actively engage and negotiate with North Korea. However, this policy path carries its own difficulties given the continuing provocations from the North, as well as the actions of hard-line leaders in the United States and Japan that have used the threat from the North to pursue their own agendas of nationalist consolidation and militarism. Beyond the North Korea question, the character of the country's future international engagement – for example, with regard to urgent issues of climate change, poverty in the Global South, and a fairer global economic and financial system -- has yet to come into sharp focus.

In conclusion, South Korea has begun a new project to restore democracy and revitalize the transformation to a mature democracy that had stalled and even regressed somewhat under the previous two conservative administrations. However, South Korea is moving in the right direction with the momentum gained from the so-called candlelight revolution.

Key Challenges

At the domestic level, the biggest challenge for the incoming Moon administration will be to deliver on the candidate's numerous campaign promises, particularly at a point when Moon's party lacks a parliamentary majority. While Moon remains extremely popular, and at the time of writing had proven relatively successful in filling positions and implementing a few of his promises, it will be difficult for his administration to fully satisfy the public expectations built up during the last years of frustration under the Park Geun-hye government. Many of President Moon's proposals are likely to improve social and economic conditions in South Korea. For example, he has promised to reform oligopolistic and paternalistic structures in the corporate sector,

strengthen the small and medium-sized enterprise (SME) sector, increase the minimum wage, and transform irregular employment contracts into permanent ones. He has also promised to pay more attention to the environment, a badly needed policy change after previous administrations' focus on growth, support for business and car-oriented infrastructure planning.

From an institutional perspective, Moon has promised to make the country's political system more democratic, more decentralized and less corrupt. In particular, he has proposed to decentralize the power of the president; strengthen the cabinet, parliament and regional governments; and enhance opportunities for citizen participation. He has additionally proposed a constitutional change transforming the one-time five-year presidential term into a four-year term with a second term possible. In combination, such reforms would make South Korea more democratic, while at the same time increasing strategic-planning capacities by reducing the lame-duck period. In general, it is expected that civil- and human-rights conditions will improve substantially under President Moon, who is a former human-rights lawyer.

Economically South Korea is doing well, but the country remains vulnerable to global economic volatility and external political conflicts due to its dependence on exports. The tide of global trade protectionism is additionally becoming a significant challenge to the South Korean economy. Domestically, the biggest economic challenge is to enhance social mobility and improve job conditions for irregular workers and the younger generation. In addition, household debts related to a real-estate bubble and high education costs are also major challenges. The historically low-tax country also faces a major challenge in further expanding the welfare state so as to prepare for inevitably lower growth rates and an increasingly aging society. Moreover, the rise in social inequality in what was previously a relatively equitable society has undermined social cohesion. Several long-term tasks, including restructuring the country's dominant business conglomerates and strengthening SMEs and startups, are becoming increasingly critical. The economy must also move away from its current dependence on the construction sector, and instead place greater focus on innovation. The ongoing restructuring of the shipping and shipbuilding industries, in particular, will be very costly and is expected to lead to substantial unemployment. South Korea is also behind the curve in shifting to a sustainable and low-carbon economy based on renewable energy.

North Korea continues to be a major threat to stability on the Korean peninsula and within the East Asian region as a whole. More than 60 years after the end of Korean War, there is still no peace treaty that would formally end the Korean War. The unpredictable and confrontational behavior of the North Korean regime, particularly with regard to nuclear and missile tests, has led to

further deterioration in North-South relations. Maintaining peace and achieving the demilitarization of the Korean peninsula is an urgent and critical task for the South Korean government. The Moon administration has promised to abandon the failed hard-line policies toward the North and combine deterrence and strength with engagement and negotiations. However, the election of U.S. President Donald Trump and the re-election of Prime Minister Shinzō Abe in Japan have made the situation even more difficult, as each of these figures has followed a hard-line strategy. While war on the Korean peninsula remains unlikely for now, the further deterioration of relations with the North and the prospect of an escalating arms race in East Asia are grave dangers that will undermine stability in East Asia in the medium and long term. In addition, amid these mounting tensions, there always remains the possibility that error, accident or sudden unintended escalation could produce unpredictable consequences .

Policy Performance

I. Economic Policies

Economy

Economic Policy
Score: 6

South Korea has shown higher growth rates than the OECD average, with annual GDP growth of 2.6% in 2015 and 2.8% in 2016. Nonetheless, the country is struggling to adjust to a lower-growth environment. The Moon administration has taken steps to reduce the country's dependence on exports. The Moon government's cornerstone economic initiative is the "people-centered economy," which focuses on job creation, income-driven growth and welfare expansion. Key initiatives include the transition of precarious job contracts into permanent positions and a gradual increase in the minimum wage. In July 2017, the parliament passed a supplementary budget of KRW 11 trillion; however, in a break from previous governments' policies, the Moon administration has shifted the focus of fiscal-stimulus efforts to creating social-service jobs and improving the welfare system. The government has also promised to reform the country's business environment by reforming the dominant business conglomerates (chaebol), although few concrete plans have emerged. At the time of writing, the primary focus was on "self-regulation" by the chaebol. The Bank of Korea has kept its benchmark interest rate at a record low of 1.25%, although it is expected that the new government will exercise less pressure on the central bank than its predecessors to keep interest rates low. The level of household debt remains a major economic problem, and the government has implemented various comparatively modest measures aimed at cooling down the real-estate sector. With the country still overly dependent on exports for economic growth, further shadows have been cast by the North Korea crisis, the economic sanctions imposed by China following the installment of a U.S. missile-defense system (the Terminal High Altitude Area Defense (THAAD) system) in South Korea, and U.S. President Trump's attempt to renegotiate the Korea-U.S. free trade agreement.

Citation:

OECD, Economic Survey of Korea 2016, <http://www.oecd.org/korea/economic-survey-korea.htm> Economic Democratization: Needs of the Times, BusinessKorea, June 20, 2013, <http://www.businesskorea.co.kr/article/152/economic-democratization-needs-times>

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Segye Ilbo

<http://www.segye.com/content/html/2015/10/25/20151025002090.html?OutUrl=naver>

Concerns grow over GDP contraction in Q4, Korea Times, October 19, 2016.

http://www.koreatimes.co.kr/www/news/biz/2016/10/488_216410.html

S. Korea has room for more fiscal spending, monetary easing to boost economy: OECD chief, Yonhap News, October 25, 2016.

<http://english.yonhapnews.co.kr/national/2016/10/23/0302000000AEN20161023002300315.html>

Labor Markets

Labor Market
Policy
Score: 7

South Korea's labor-market policy had succeeded in keeping the overall unemployment rate at a comparatively low 3.8% as of June 2017, although the youth unemployment rate was much higher. According to the OECD, South Korea performs relatively poorly with regard to several aspects of job quality and labor-market inclusiveness. Moreover, the employment rate among women is comparatively low. Nearly 40% of employees at South Korean conglomerates are irregular workers, a fact that highlights the country's issues with low job security and low job quality.

The newly elected Moon Jae-in administration has placed a top priority on the creation of high-quality jobs and the reduction in the share of irregular jobs. Moon established a job-creation commission tasked with decreasing the number of non-regular workers, while promising to reduce working hours, increase the minimum wage to KRW 10,000 by 2020, and expand youth-employment quotas to include private companies. His administration has also promised to create new public-sector jobs, and took a first symbolic step by transferring irregular employees in the public sector into permanent employment. The Ministry of Employment and Labor budget has increased by about 30% to KRW 23.7 trillion, and KRW 19.2 trillion has been allocated for job creation. The funds dedicated to youth employment in particular have been significantly expanded. In addition, the government has created specific labor policies for SMEs and the public sector. For example, for every three young people hired by SMEs on a regularized basis, the government now offers a "supplementary employment subsidy" supporting the wage of one of the three. This so-called 2+1 employment policy is designed to spur the creation of high-quality jobs for the young by reducing the wage burden experienced by SMEs. The Moon government also has a plan to create more jobs in the public sector through the expenditure of public funds.

Citation:

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 Korea Herald, Korea's youth unemployment rate rising fast: OECD data, <http://www.koreaherald.com/view.php?ud=20170618000212>
 Ministry of Strategy and Finance. 2017 June Labor Trend in Korea. http://www.mosf.go.kr/nw/nes/detailNesDtaView.do?searchBbsId1=&searchNttId1=MOSF_000000000009840&menuNo=4010100
 Hankyoreh, President Moon declares era of zero irregular employment at public institutions. http://english.hani.co.kr/arti/english_edition/e_national/794586.html.

Taxes

Tax Policy
Score: 7

The South Korean tax system is fairly effective in generating sufficient public revenues without weakening the national economy's competitive position. South Korea has one of the lowest tax rates in the OECD, with tax revenues totaling about 25% of GDP as of 2014. The Moon administration is expected to impose higher tax rates on wealthy people and businesses that can afford to pay more, with the aim of paying for expanded job-creation and social-welfare policies. In August 2017, the Ministry of Strategy and Finance announced new tax-reform proposals designed to redistribute wealth and increase the tax-revenue base. Under these plans, the income-tax rate for those whose taxable income exceeds KRW 500 million (5,700) will be raised from the current 40% to 42%, with people in the new income bracket of KRW 300 million to KRW 500 million to be subject to a tax rate of 40%. The government will additionally add a new 25% corporate-income tax bracket for companies with taxable income exceeding KRW 200 billion and above. If the bill is passed by the National Assembly, companies earning between KRW 20 billion to KRW 200 billion will be subject to the current rate of 22%. Tax reform is hotly debated in South Korea by various interest groups. For example, the country's high tax-exemption rate of 48.5% is highly controversial.

Citation:

Kim, Boram, August 2, 2017: S.Korea implements tax hike policy to back income-led growth. Yonhap News.
 OECD (2016), Tax revenue (indicator). doi: 10.1787/d98b8cf5-en (Accessed on 30 October 2016)
 "Government in dilemma over tax reform," The Korea Times, July 22, 2016. http://www.koreatimes.co.kr/www/news/biz/2016/07/488_210083.html

Budgets

Budgetary Policy
Score: 7

Despite a substantial increase in public debt under the Park government, South Korea's public finances remain sound, and debt levels remain low compared to most other OECD countries. National debt as a share of gross domestic product (GDP) was 38% as of the time of writing, up from 32% in 2012, with an additional rise to 39% expected by the end of 2017. However, while debt at

the national level is under control, many local governments are struggling due to insufficient revenues.

In terms of the consolidated financial balance, which includes the nonprofit state-run sector and pension funds, the nation's assets reached KRW 1,962.1 trillion in 2016, with liabilities totaling KRW 1,433.1 trillion. In terms of the fiscal balance excluding social-security funds, a measure more typically used to estimate the soundness of fiscal management, Korea's performance improved during the review period. The fiscal deficit in this category was reduced to KRW 22.7 trillion from a KRW 38 trillion deficit in 2015. The 2016 deficit was the smallest since 2011's KRW 13.5 trillion shortfall, according to the Ministry of Strategy and Finance.

However, the new government's planned expansion of welfare services could increase the fiscal burden. This has stimulated a national discussion about fiscal sustainability.

Citation:

Trading Economics, South Korea Government Budget, <https://ko.tradingeconomics.com/south-korea/government-budget>

Korea Herald. Korea's debt-to-GDP ratio continues to rise in 2016. April 4, 2017. <http://www.koreaherald.com/view.php?ud=20170404000704>

Research and Innovation

R&I Policy
Score: 9

The South Korean government invests heavily in research and development (R&D), particularly in fields which can be directly commercialized. The current government plans to unify previously fragmented policies in the area of R&D. A presidential committee on the so-called Fourth Industrial Revolution will be established, and President Moon has said his administration will seek to actively harness new technologies and spur innovation in order to create new jobs. The government's science and technology strategy is encompassed in a document entitled "A Nation of the People," implying a focus on improving quality of life through the use of technology. According to the 2018 budget allocation and adjustment plan, significant investments will be made in core technologies, including artificial intelligence. The budget for research and development (R&D) will be about KRW 920 billion, a 20% increase from 2017. KRW 399.2 billion will be invested in supporting science and technology-based entrepreneurship in fields such as biotechnology and ICT, which are viewed as candidates for revitalizing the private sector. In addition, KRW 321.1 billion will be used to support the development of software professionals and cultivate the science and engineering graduates needed by companies.

The plan is to double R&D funding for SMEs and expand venture funds significantly to reach a total of KRW 5 trillion in 2022, from KRW 3.2 trillion

as of 2016. When a business which has already employed two young adults as regular workers hires one additional young regular employee, the government will subsidize the wages for the third employee for three years. While applied research is very well developed in the country, cutting-edge basic research of the kind that might lead to Nobel Prize-worthy discoveries, for example, is still lacking. Moreover, the patent commercialization rate, despite the large number of patents registered by Korean firms, is still low. Overall, South Korea needs to enhance the efficiency of its R & D sector.

Citation:

Policy Roadmap of the Moon Jae-in Administration, July 19 2017

Global Financial System

Stabilizing
Global Financial
Markets
Score: 5

While the vulnerability of the Korean financial system has declined considerably since the 2008 crisis, risks still remain, particularly with regard to the country's weakly regulated non-bank financial institutions (NBFIs). Household debt, largely resulting from real-estate price inflation over the last two decades, is a huge problem. With regard to international engagement, South Korea is implementing international financial-regulation rules such as the Basel III framework. Although it is a member of the G-20, it does not typically take the initiative or actively promote new regulations internationally. Under the Park Geun-hye administration, South Korea became less globally oriented, focusing instead on bilateral relations with the United States and its direct neighbors in East Asia. Thus far there are few indications that the Moon administration will change this focus. Nor, at least as of the time of writing, had a clear strategy emerged indicating how Korea would seek to contribute to the advancement of international institutions such as the G-20. The Moon government was fully occupied with domestic issues in its early months. However, in the course of addressing the Park Geun-hye and Choi Soon-sil scandals, the Korean government will be actively engaged in combating money laundering and monitoring cross-border financial flows.

Citation:

IMF. Republic of Korea : Financial System Stability Assessment. May 20, 2014.

Country Report No. 14/126 <https://www.imf.org/en/Publications/CR/Issues/2016/12/31/Republic-of-Korea-Financial-System-Stability-Assessment-41569>.

II. Social Policies

Education

Education Policy
Score: 8

Education policy is a key priority for the South Korean government. On the positive side, Program for International Student Assessment (PISA) test results are good, and tertiary enrollment rates are high. South Korea's rankings in the 2015 PISA international student-assessment tests slipped slightly as compared to three years previously, though it still remains among the top eight OECD-member countries. In 2014, 6.3% of GDP was spent on education institutions, compared to an OECD average of 5.2%. Of this total expenditure, 1.7% of GDP represents private expenditure, which is more than twice the OECD average. This is largely because many Koreans spend a large share of their income on private tutoring academies (hagwons), a practice that puts low-income households at a disadvantage. To address this disparity, the Moon government promised to turn expensive "elite schools" into regular schools that offer free education. The Moon administration also announced that it will pass a law banning discrimination based on academic background.

University entrance exams are a particularly controversial issue. While they have played an important role in allowing relatively equitable access to top universities, they are seen as a major cause of a lack of creativity as well as weak analytical and discussion skills. Many attempts at education reform have been made, but cramming and rote learning are still favored over analytic skills, discussion and creativity.

Citation:

OECD, Education at a Glance 2017

Korea Times. Moon's education pledges under scrutiny. May 10, 2017. http://www.koreatimes.co.kr/www/nation/2017/05/181_229082.html

University World News. Is South Korea in a Higher Education Access Trap? July 14, 2017. <http://www.universityworldnews.com/article.php?story=2017071111525929>

Social Inclusion

Social Inclusion
Policy
Score: 6

While still smaller than the OECD average, the gap between rich and poor has widened significantly in South Korea in the past 15 years, and continued to do so during the assessment period. Poverty rates are still above OECD average and old-age poverty in particular is one of the country's urgent inequality issues. Almost half (47.7%) of its citizens aged over 65 currently live in

relative poverty. In 2016, the poverty rate among Korea's elderly population was the highest in the OECD, at more than four times the OECD average of 12.1%. Criticism of the government's lack of action on this issue is growing in strength. The South Korean tax and welfare systems are not designed to reduce inequality, and their capacity to prevent poverty is very limited given the low level of social-transfer payments. These small payments force unemployed individuals to accept any job offer, even if wages are much lower than in their previous employment. The welfare system also depends on family-based security, with parents typically willing to support their children even after completion of a university degree. Young people in particular still suffer from social exclusion. The degree of gender equality is also still far below the OECD average. The Moon administration is seeking to redress some of these imbalances, however. For example, it has announced that it will raise the basic-allowance amount to KRW 300,000 for 70% of the elderly population in the low-income group. It will seek to double the number of available jobs for seniors by creating 30,000 government-provided jobs for senior citizens. More broadly, the administration is also seeking to redesign the tax and welfare systems to enhance their redistribution effect.

The influx of North Korean defectors has raised potentially troublesome issues of integration into South Korea's workforce. Available data on the work integration of North Korean defectors reveals this group's marginalization within the primary labor market, with other indicators also showing poor labor-force integration. There has been some improvement in terms of embracing multicultural families and providing support for migrant workers, but South Korea still has a long way to go before becoming a genuinely inclusive society.

Citation:

The Guardian. South Korea's inequality paradox: long life, good health and poverty. August 2, 2017. <https://www.theguardian.com/inequality/2017/aug/02/south-koreas-inequality-paradox-long-life-good-health-and-poverty>

Yonhap News. Moon's pledges: senior citizens. May 10 2017. <http://english.yonhapnews.co.kr/news/2017/05/08/0200000000AEN20170508001400320.html>

Health

Health Policy
Score: 8

South Korea's health care system is characterized by universal coverage and one of the highest life expectancies in the world, all while having one of the OECD's lowest levels of overall health expenditure. President Moon has announced a new "Mooncare" health care plan, and the government will provide KRW 30.6 trillion (.8 billion) over the next five years to cover all medical treatments. In the future, medical insurance will cover all forms of treatment, excluding plastic surgery and cosmetic procedures. Additionally,

new measures that can act as safety nets for families facing astronomical health care costs have been announced. The government's intention is to create a medical safety net that leaves no patient untreated in times of emergency. The Moon administration has thus proposed expanding the state insurance policy to include not only the four major diseases – cancer, cardiac disorders, cerebrovascular diseases and rare incurable illnesses – but all other major diseases, including Alzheimer's disease. Under the newly proposed health care policy, patients in the lower 50% of the income bracket would be able to receive medical coverage costing up to KRW 20 million.

Citation:

OECD, OECD Health Policy Overview: Health Policy in Korea. April 2016. <https://www.oecd.org/korea/Health-Policy-in-Korea-April-2016.pdf>
 Korea.net. President announces new 'Mooncare' health care plan. Aug 11, 2017. <http://www.korea.net/NewsFocus/policies/view?articleId=148430>

Families

Family Policy
Score: 5

South Korea has the second-lowest fertility rate in the OECD. The government has not been very effective in enabling women to combine parenting with participation in the labor market, which helps explain the low labor-market participation rate. The traditional Confucian family values that view women as mothers and housewives remain influential. High housing prices, high child-care and education costs, and precarious job and wage conditions are the most important factors in young couples' decisions not to have children. Cultural and socioeconomic factors such as a gender pay gap of 36.6%, the highest among OECD countries, as well as pervasive social immobility, discourage women from entering or reentering the workforce. As a result, while college graduates are split fairly evenly between men and women, the employment rate for female graduates is lower than for male graduates. Furthermore, South Korea is the only country in the OECD where the employment rate of female college graduates is lower than that of women with no more than compulsory education.

Citation:

New York Times, 5 January 2010
 Kim Sangmook, 2008, Women and family-friendly policies in the Korean government, *International Review of Administrative Sciences*, Vol. 74, No. 3, 463-476
 The Global Gender Gap Report 2013, The World Economic Forum, http://www3.weforum.org/docs/WEF_GenderGap_Report_2013.pdf
 South Korea's Failure to Support Working Women, *The Diplomat*, Aug 20, 2014, <http://thediplomat.com/2014/08/south-koreas-failure-to-support-working-women/>
 OECD, Gender wage gap data. <https://www.oecd.org/gender/data/genderwagegap.htm>

Pensions

Pension Policy
Score: 6

Old-age poverty is a major problem in South Korea, as pensions are small, and most elderly people today lack coverage under a national pension system that did not cover a large share of the workforce until its expansion in 1999. The government has also failed to enforce mandatory participation in the system, and many employers fail to register their employees for participation. The level of the national pension benefit is still very low. By contrast, subscribers to the four occupational pension funds enjoy relatively high benefits, a state of inequality that also provokes considerable controversy. President Moon has pledged to raise the basic pension to KRW 300,000 a month from the current maximum of KRW 206,050, with benefit eligibility coming at the age of 65. This pension will be provided to the 70% of elderly classified as low-income.

Given the low fertility rate, the old-age dependency ratio is expected to increase rapidly in the future. Thus, improving sustainability within the public pension systems is an important although not immediately urgent task. Previously, the country's pension funds have been vulnerable to government interference. For this reason, pension reform has been one of the Moon administration's top priorities.

Citation:

Moon, Hyungpyo. The Korean Pension System: Current State and Tasks Ahead. KDI.

Banjo, Shelly. Korea's Stubborn Leviathan. Sep 11, 2017. <https://www.bloomberg.com/news/articles/2017-09-11/korea-s-reform-block-the-495-billion-national-pension-service>

Integration

Integration Policy
Score: 5

Since the 1990s, South Korea has evolved from a net-emigration to a net-immigration society. In 2016, foreign nationals residing in Korea accounted for approximately 4% of the total population of 51 million. Within this foreign-national population, about 1 million come from China, with the share of Vietnam and U.S. nationals trailing well behind (at about 150,000 each). South Koreans are used to seeing their country as culturally and ethnically homogeneous, but the number of migrant workers and multicultural marriages is slowly changing this perception. According to the Korean Statistical Information Service, almost 1 million residents live within multicultural families, making Korea an increasingly multicultural society.

Despite the increasing population of migrants and citizens with a family background of migration, as well as improvements in the legal conditions and support provided to multicultural families, the country's cultural, education

and social policies still fail to systematically address the role of migrants in Korea. While ethnic Koreans with foreign passports, foreign investors and highly educated foreigners are welcomed and treated favorably, Amnesty International reports that migrant blue-collar workers are often treated as “disposable labor.” From a legal perspective, migrant workers have very similar rights to native Korean employees, but these rights are routinely neglected by employers. While courts have offered some protection to migrant workers, the government has not pursued active enforcement measures against employers that exploit the precarious status of migrant workers.

Citation:

HanKyung. No. of Foreign Nationals Residing in Korea Exceeds 2 million in 2016. June 22, 2017.
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 Korea.net. Transformation into a Multicultural Society.
 Sang-young Rhyu. “The Challenge of Social Integration in South Korea,” Global Asia, Vol.12, No.2 (Summer 2017), 30-35.
 Yonhap News. Reasons for expecting new government multicultural policy. August 29, 2017.
 Segye Daily.

Safe Living

Safe Living
 Conditions
 Score: 9

While police statistics show a small increase both in violent crime and street crimes over the last few years, the absolute levels of both remain low in comparison to other OECD countries. There have been no terror attacks or terrorist activities in Korea in recent years. Nevertheless, extensive media reports about violent crimes have led to an increasing feeling of insecurity. The spread of financial scams (“phishing”) and cyber-crime, whose perpetrators take advantage of South Korea’s excellent broadband infrastructure and lax online-security measures, is a major concern that has not yet been effectively addressed. The lax enforcement of traffic laws remains a major problem; South Korea has the OECD’s fourth-highest ratio of road fatalities, with 91.3 deaths per 1 million residents. Respect for and trust in the police is generally low. While an earthquake in Gyeongju in September 2016 resulted in no casualties, it reinforced worries that the government has failed to improve its disaster- and accident-response policies since the Sewol Ferry catastrophe in 2014.

Citation:

WHO, Global Health Observatory Data Repository, <http://apps.who.int/gho/data/view.main.51310>
 Korean Statistical Information Service. National Crime Statistics. 2017.
 The Overseas Security Advisory Council(OSAC) of the United States. South Korea 2017 Crime and Safety Report.
 OECD. Road Accidents Statistics, <https://data.oecd.org/transport/road-accidents.htm>

Global Inequalities

Global Social
Policy
Score: 6

South Korea is a relatively new donor in the field of development cooperation. In 2016, the country provided \$1.96 billion in net official development assistance (ODA), representing 0.14% of gross national income (GNI). Increase in ODA spending stalled under the Park administration, and Korea failed to achieve its goal of increasing spending to 0.25% of GNI in 2015. It has set a new ODA target of 0.30% of GNI by 2030. Korea's aid also fails to meet the recommendations of the OECD Development Assistance Committee (DAC), for example when with respect to the share of grants and both untied and multilateral aid. It remains to be seen whether the Moon administration will revitalize Korean development cooperation.

With regard to activity supporting a fair global trading system, South Korea has shown weak initiative. It has largely focused on negotiating a number of preferential trade agreements with the European Union and the United States, as well as with many developing countries. Market access for products from developing countries also remains limited in Korea.

Citation:

OECD, Development Co-operation Report. 2017.

OECD, KOREA Development Assistance Committee (DAC), PEER REVIEW 2012, [http://www.oecd.org/dac/peer-review/s/Korea%20CRC%20-%20FINAL%2021%20JA N.pdf](http://www.oecd.org/dac/peer-review/s/Korea%20CRC%20-%20FINAL%2021%20JA%20N.pdf)

III. Environmental Policies

Environment

Environmental
Policy
Score: 5

South Korea remains an environmentally unsustainable growth-first and car-first society. Environmental policies are currently insufficient to protect the environment or preserve the sustainability of resources. Environmental problems are very serious, particularly with regard to air quality. In the 2016 Yale Environmental Performance Index, Korea was ranked 80th out of 180 countries overall, falling to just 173rd place in terms of air quality. The level of atmospheric PM2.5 – tiny air-pollutant particles small enough to penetrate deep into the respiratory system and can cause a variety of illnesses such as cancer – is 29.1 micrograms per cubic meter, the OECD's highest level, compared to an OECD average of 14.05 micrograms per cubic meter. By March 2017, there had been 85 fine dust warnings in Korea, more than twice the number of the previous year. While some of this pollution originates in China, most is homegrown, with sources including vehicle emissions,

industrial sites and power plants. The share of energy production accounted for by renewables is the second-lowest in the OECD.

South Korea is the fifth-largest producer of nuclear energy in the world, with its 24 reactors generating about 30% of the country's electricity. During the presidential campaign, Moon Jae-in pledged to phase out coal and nuclear energy due to public concerns over air pollution and nuclear safety, and proposed to increase the share of renewables to 20% of total power generation by 2030. In October 2017, however, President Moon reversed his course and announced that he would resume the construction of two nuclear reactors that had been temporarily halted since mid-July, although he promised that no new plants after these would be constructed.

On a positive note, the quality of public transportation, especially in Seoul, is steadily improving, and the country also has a high recycling rate. Nevertheless, most urban development projects continue to prioritize cars, buildings are poorly insulated and energy use continues to be subsidized.

Citation:

The Diplomat. "South Korea's Nuclear Energy Debate." October 26, 2017. <https://thediplomat.com/2017/10/south-koreas-nuclear-energy-debate/>

World Nuclear News. "South Korean President Accepts Public Decision." October 23, 2017. <http://www.world-nuclear-news.org/NP-South-Korean-president-accepts-public-decision-2310175.html>

Financial Times. "South Korea Joins Ranks of World's Most Polluted Countries." March 29, 2017.

Global Environmental Protection

Global
Environmental
Policy
Score: 5

South Korea ratified the Paris Agreement of 2015 on 3 November 2016 and hosts the Global Green Growth Institute (GGGI) and the Green Climate Fund (GCF). However, the country has fallen behind with regard to its climate-protection obligations. Korea is the seventh-largest emitter of carbon-dioxide emissions, and twelfth with regard to total greenhouse-gas emissions. It has officially announced that it will cut its emissions by 2030 to a level 37% below the business-as-usual (BAU) level of 851 metric tons of carbon-dioxide equivalent (MtCO₂eq), across all economic sectors. To achieve these goals, the government has launched several emissions-reduction programs such as an emissions-trading system for key sectors, a green building plan, an incentive program supporting electric and hybrid vehicles, and support for environmentally friendly public transportation. Unfortunately, according to the Climate Action Tracker (CAT), South Korea is unlikely under current policies to meet its Nationally Determined Contribution (NDC) target, which the CAT already rates as "highly insufficient." For example, the government decided to increase the total amount of carbon credits allocated to corporations during the first phase of the greenhouse-gas emissions-trading scheme, which is ending in

2017, by 17.01 million tons. However, to reach the NDC target, emissions need to peak and start declining.

Citation:

Korea Times, Korea to reduce greenhouse gas emissions 37% by 2030, Jun 30, 2015

Climate Action Tracker. South Korea. September 17, 2017.
<http://climateactiontracker.org/countries/southkorea.html>

Hankyoreh. "A step backward for the South Korean government's goals for greenhouse gas reduction."
January 30, 2017. http://english.hani.co.kr/arti/english_edition/e_business/780567.html

NRDC: Paris Climate Conference: South Korea. November 2015.

Quality of Democracy

Electoral Processes

Candidacy
Procedures
Score: 8

The National Election Commissions, an independent constitutional organ, manages the system of election bodies. Registration of candidates and parties at the national, regional and local levels is done in a free and transparent manner. However, deposit requirements for persons applying as candidates are relatively high, as are ages of eligibility for office.

In mid-December 2014, the Constitutional Court ruled in a controversial decision that the Unified Progressive Party (UPP) had undermined democracy and worked toward the achievement of North Korean-style socialism. The party, founded in late 2011, had five serving lawmakers, all of whom were deprived of their parliamentary seats. This was the first time a political party had been dissolved by a court or government order since 1958.

Although the National Security Law allows state authorities to block the registration of so-called left-wing or pro-North Korean parties and candidates, there is no evidence that this had a real impact in the 2017 presidential elections.

Citation:

Public Officials Election Act, Act No. 9974, Jan. 25, 2010 Freedom House, Freedom in the World 2009, New York: Freedom House

The Guardian 2014. South Korea court orders breakup of 'pro-North' left-wing party. Dissolution of Unified Progressive party raises questions of South's commitment to democracy, 19 December 2014, <http://www.theguardian.com/world/2014/dec/19/south-korea-lefwing-unified-progressive-party-pro-north>

Media Access
Score: 7

The 2017 presidential election was unusual, since the political opposition received unprecedented publicity due to the public protests and impeachment process. As a result, there were considerable improvements with regard to candidates' media access. Previously under the Park Geun-hye government, the Blue House had exerted strong pressure on the country's major broadcast networks to appoint political supporters of the president as CEOs, and had employed high-ranking network hosts or journalists as Blue House spokespeople. While TV stations and the three major newspapers still had a conservative orientation, it was impossible for them to ignore the massive

political protests. The spread of alternative online media has also diminished the power of the traditional media. During the 2017 presidential election campaign, there was new competition in the use of new media by presidential candidates, particularly in the form of personal broadcasting activities using the Afreeca TV, SNS media platform, Facebook Live and YouTube Live services. Cyberpolitics and e-democracy have gradually changed the culture and rules of the game for South Korea's elections.

In the past, the Korea Communications Standards Commission and the National Election Commission have sought to block accounts or fine online users for online comments critical of the government or the ruling party. It has even come to light that the Korean National Intelligence Service (NIS) used social-media posts to support the election of President Park in 2012. Recently, the use of social-media bots to influence online discussions has also become a matter of concern. The immensely controversial National Security Law also applies to online media, creating significant limitations regarding the freedom of expression. The opaque character of South Korean election law concerning allowable support for candidates during the election period, which can last for up to 180 days before an election, represents an electoral gray area. According to some interpretations of Article 93 of the election law, all public expressions of support for candidates or parties are illegal during that period unless one is registered as an official campaigner. This might be seen as a disadvantage for smaller candidates who do not have the same access to traditional media.

Citation:

"Do you know the dismissed journalists?" Journalists Association of Korea, January 20, 2016. (in Korean)
<http://www.journalist.or.kr/news/article.html?no=38319>
 Kyunghyang.Competition of new media strategies among presidential candidates. March 16, 2017.
http://sports.khan.co.kr/bizlife/sk_index.html?art_id=201703161022003&sec_id=561101&pt=nv

Voting and
 Registrations
 Rights
 Score: 9

All citizens of South Korea aged 19 and over have the right to cast ballots, provided that they are registered as voters at their place of residence in South Korea or in another country. National elections are national holidays, making it easier for all citizens to vote. Legally incompetent individuals and convicted criminals still serving prison terms are deprived of active voting rights. The same applies to individuals whose voting rights have been suspended by a court verdict, those who have violated election laws, committed specified crimes while holding one of a set of public offices, and those who have violated the law on political foundations or specific other laws. Since the candlelight demonstrations, public support for expanding voting rights to all citizens aged 18 and over has grown.

Since 2009, overseas citizens aged 19 or older have been able to vote in presidential elections and in National Assembly general elections. Overseas citizens are defined as Korean citizens resident in foreign countries in which

they are permanent residents or short-term visitors. Moreover, Korea was the first country in Asia to grant voting rights to foreign residents who have lived in the country for three or more years. Citizens can appeal to the National Election Commission and the courts if they feel they have been discriminated against.

Citation:

National Election Commission, Right to Vote and Eligibility for Election, [http://www.nec.go.kr/nec_2009/english/ National Election Commission, NEWS No.7](http://www.nec.go.kr/nec_2009/english/National%20Election%20Commission,%20NEWS%20No.7)

“Rival parties agree to new map,” Korea Joong Ang Daily, 24 February 2016.

<http://koreajoongangdaily.joins.com/news/article/article.aspx?aid=3015438>

Korea Herald. “Voter Turnout Reaches 77%.” May 9, 2017.

<http://www.koreaherald.com/view.php?ud=20170509000522>

Korea Joongang Daily. “Koreans divided over lowering voting age.” February 11, 2017.

<http://mengnews.joins.com/view.aspx?aId=3029735>

Party Financing
Score: 5

Since being enacted in 1965, the Political Fund Act in Korea has undergone 24 revisions for the purpose of guaranteeing that political funding is fairly and transparently provided. According to financial reports submitted by political parties in 2015, the total amount of membership fees collected from party members was \$52 million, representing only 25.8% of the parties’ total income of \$201.3 million. Parties also receive public subsidies according to their share of the vote in the most recent previous election. However, a larger share of campaign financing comes from private donations. Today, many election candidates raise funds in the form of special investments. A system encouraging people to report illegal electoral practices, introduced in 2004, has played a positive role in reducing illegal campaign financing. Although election laws strictly regulate political contributions, efforts to make the political funding process more transparent have had only limited success. Many violations of the political funding law emerge after almost every election, and many elected officials or parliamentarians have lost their offices or seats due to violations. However, breaking the election law carries little stigma. For example, after the 2016 general election, Ahn Cheol-soo resigned as co-leader of the People’s Party following a party financing scandal, but was still nominated to be his party’s presidential candidate in the May 2017 presidential elections.

Citation:

OECD. Korea – Financing Democracy. February 4, 2016.

http://www.keepeek.com/Digital-Asset-Management/oeed/governance/financing-democracy/korea_9789264249455-12-en#page1

“People’s Party lawmaker appears for questioning over rebate allegation,” The Korea Herald, 23 June 2016.

<http://www.koreaherald.com/view.php?ud=20160623000719>

“People’s Party falls into crisis as Ahn resigns,” The Korea Times, 29 June 2016.

http://www.koreatimes.co.kr/www/news/nation/2016/08/116_208219.html

Popular Decision-
Making
Score: 5

Citizen referendums can be conducted at the local and provincial levels, requiring the support of at least 5% to 20% of voters to be called, and a turnout of at least 33% to be valid. Results are not legally binding. At the national level, only the president can call a referendum, but this has never taken place. However, President Moon has indicated that a referendum addressing amendments to the constitution will take place in June 2018. According to the president, the amendment's content will be aimed at providing more autonomy to local governments and expanding people's basic rights. Since 2006, there have been several binding recall votes at the local level. However, the rate of success for such events is very low; often, initiatives have been rejected due to voter turnout lower than the required ratio of 33.3%.

Citation:

Korea Times. Moon seeks referendum on constitutional revision next year. November 10, 2017. http://www.koreatimes.co.kr/www/nation/2017/10/356_234939.html
NEC, <http://www.nec.go.kr/engvote/overview/residents.jsp>
"Fail on recall Governor Hong caused by the institution," Oh My News October 28, 2016 (in Korean) http://www.ohmynews.com/NWS_Web/View/at_pg.aspx?CNTN_CD=A0002255460

Access to Information

Media Freedom
Score: 6

In the Reporters Without Borders' 2017 Press Freedom Index, South Korea was ranked 63rd, climbing seven places from 2016. South Korea also remains on the list of "countries under surveillance" in the category of internet censorship. Defamation suits are frequently filed as a means of preventing critical reporting.

Under the Park Geun-hye government, government interference with the press was common. Since the president appoints the head of the public Korean Broadcasting Service (KBS) and indirectly the leadership of the also-public Munhwa Broadcasting Corporation (MBC), the Blue House was able to exert its influence both with regard to internal management and media coverage. In August 2017, KBS and MBC union members initiated a simultaneous strike, demanding the resignation of leaders appointed under the old government. The protest escalated after it was found that the media companies had created blacklists of journalists based on the contents of their news reporting and had subjected those on the list to disadvantages.

However, the coverage of the impeachment scandal and the public protests demonstrated that the media is able to freely report if public support and interest in an issue is overwhelming. Some media companies such as JTBC even played a crucial role in investigating the corruption scandals related to the Park administration. The freedom of the press is expected to improve further under the Moon government.

Citation:

Korea Times. "KBS MBC to begin strike on Monday." August 30, 2017. http://www.koreatimes.co.kr/www/nation/2017/08/371_235664.html

Reporters without Borders, Report South Korea, <https://rsf.org/en/south-korea>

Freedom House, Freedom of the Press Report 2013, <http://www.freedomhouse.org/report/freedom-press/2013/south-korea>

Freedom of the Press 2017, <https://freedomhouse.org/report/freedom-press/2017/south-korea>

"Voldemort for KBS? The way to cover the allegations on the Mir Foundation without mentioning Choi Soon-sil," Media Today, September 26, 2016. (in Korean)

http://www.mediatoday.co.kr/?mod=news&act=articleView&idxno=132309&sc_code=&page=2&total=58

"The end of medias causing King's wrath," Media Today, October 2, 2016. (in Korean) <http://www.mediatoday.co.kr/?mod=news&act=articleView&idxno=132442>

Media Pluralism
Score: 5

South Korea has a vibrant and diverse media sector that includes various cable, terrestrial and satellite television stations, and more than 100 daily newspapers in Korean and English. As the country has the world's highest internet penetration rates, a great number of readers today gain news exclusively from online sources. Yet despite the great variety of offerings, the diversity of content remains limited. The print media is dominated by three major newspapers: Chosun Ilbo, Dong-a Ilbo and Joong Ang Ilbo. Although the combined market share of these three outlets is declining, it remained at about 65% in 2014, according to the Korea Press Foundation. Smaller alternative newspapers also exist. The major newspapers are politically conservative and business-friendly, partly because they depend to a very large degree on advertising revenues. There is more pluralism in the broadcasting sector due to the mix of public and private media. However, the diversity of political opinions in this arena is threatened by government influence over broadcasters' personnel policies.

At the same time, newspapers and TV are losing importance as a source of information, particularly among the younger generations. Among these consumers, internet sources such as NewsTapa, GoBal News and AfreecaTV have become increasingly important sources of information. NewsTapa, launched by a former journalist forcibly dismissed for political reasons during the Lee Myung-bak administration, is the only Korean member of the International Consortium of Investigative Journalists. It has gradually been gaining popularity by reporting on issues ignored by the mainstream media.

Citation:

Youn S., Lee H. (2015) The Ongoing Media Pluralism Debate in South Korea. In: Valcke P., Sükösd M., Picard R.G. (eds) Media Pluralism and Diversity. Palgrave

Media Us. "Eight years after Media Law," July 21, 2017. <http://www.mediaus.co.kr/news/articleView.html?idxno=96976> (In Korean)

Freedom of the Press 2016, <https://freedomhouse.org/report/freedom-press/2016/south-korea>

Access to
Government
Information
Score: 6

The Act on Disclosure of Information by Public Agencies regulates access to government information. It makes available all documents described by the act. Information can also be accessed online at the Online Data Release System. If an individual requests the disclosure of information, the agency in possession of that information must make a decision on the petition within 15 days. While this is a reasonable level of exception in theory, “national security” is often interpreted very broadly.

South Korea’s ranking in the Open Data Barometer has declined from eighth place out of 92 countries in 2015 to 17th out of 86 in 2017, with an overall score of 57.65 points in the latter year. Korea obtained a fairly high 79-point score in the “readiness” category, but only a respective 54 points and 48 points in the implementation and impact sections. For example, there have been significant limits on access to detailed data on government spending and registered company lists, as reflected in the low score of five out of 100 in this area. The Park government in particular was very reluctant to disclose official information, particularly about Park herself or the sinking of the Sewol Ferry. By contrast, the Moon government has proved more proactive in administering national affairs as transparently as possible, in part by disclosing information very quickly.

Citation:

Article 19. Country Report: The Right to Information in South Korea. January 21, 2016. <https://www.article19.org/resources.php/resource/38242/en/country-report:-the-right-to-information-in-south-korea>

Open Data Barometer, World Wide Web Foundation. Global Rankings 2017.

<http://opendatabarometer.org/2ndEdition/analysis/rankings.html>

Open Data Barometer, World Wide Web Foundation. Country Detail: Korea. http://opendatabarometer.org/4thedition/detail-country/?_year=2016&indicator=ODB&detail=KOR

Civil Rights and Political Liberties

Civil Rights
Score: 6

Despite the establishment of the Human Rights Commission in 2001 and the relatively effective performance of courts in protecting civil rights, many problems remain.

Under the Lee Myung-bak and Park Geun-hye administrations (2008 – 2016), South Korea experienced many symptoms of a reversal of democracy, across a wide range of areas. The country is now in the process of restoring that democracy. Civil-rights conditions are expected to improve under President Moon, a former human-rights lawyer.

Serious issues include limits on the freedom of association; limits on free speech related particularly to the National Security Law; inadequate rights

accorded to migrant workers; insufficient protection accorded to refugees; inadequate protection for LGBT rights, particularly within the military; and the imprisonment of conscientious objectors. South Korea also maintains the death penalty, though there has been a moratorium on executions since 1997. The threat from North Korea has been used in the past to suppress civil and political rights. Recently, several people indicted in 2013 on suspicion of being North Korean spies were determined to be innocent, and the charges are today regarded as fabrications by the National Intelligence Service and the Prosecutor's Office.

Citation:

AI – Amnesty International: Amnesty International Report 2014/15 – The State of the World's Human Rights – South Korea, 25 February 2015 (available at ecoi.net)

http://www.ecoi.net/local_link/297359/419715_en.html (accessed 15 May 2016)

Amnesty International, Report on South Korea 2013, <http://www.amnestyusa.org/research/reports/annual-report-south-korea-2013>

“2013 was a poor year for South Korean democracy,” Globalpost, Jan 17, 2014

Seoul News, Toward the Military that can be trusted, <http://www.seoul.co.kr/news/newsView.php?id=20151026010003>

Amnesty International Report 2014/2015, <https://www.amnesty.org/en/documents/pol10/0001/2015/en/>

Amnesty International Report 2015/2016

<https://www.amnesty.org/en/documents/pol10/2552/2016/en/>

“After South Korean farmer's death, family continues fight for justice,” Amnesty International Korea, 27 September 2016.

<https://www.amnesty.org/en/latest/campaigns/2016/09/after-south-korean-farmers-death-family-continues-fight-for-justice/>

Freedom on the Net 2016, <https://freedomhouse.org/report/freedom-net/freedom-net-2016>

Political Liberties
Score: 5

Political liberties are protected by the constitution, but infringements do take place. The freedoms of opinion and of the press are constitutionally guaranteed, and the freedoms of association and assembly are respected in principle; however, the past 10 years of conservative government produced many problems including infringements of the freedoms of speech, assembly and collective action. After President Park's impeachment, substantial new information emerged indicating the full extent of the infringements of political liberties that had taken place under her administration, including a blacklist of more than 9,000 artists who had been punished for voicing opposition to the government. However, improvements were evident even as early as the onset of the public protests calling for Park's impeachment, as peaceful protests were allowed without much restriction, and unlike previous such incidents, the police refrained from using force. The situation is expected to improve further under President Moon. Yet even if there are few new cases of infringements, many unresolved issues remain. For example, in May 2017, the Supreme Court ruled that labor-union leader Han Sang-gyun should remain in prison for organizing largely peaceful protests against the government in 2014 and 2015. Former UPP lawmaker Lee Seok-ki also remains in prison. The Korean Teachers and Education Workers Union's (KTU) is still waiting for legalization after its legal status was revoked following accusations that it had

violated the clause of the teachers' union law, which bars dismissed and retired teachers from holding union membership. In general, labor unions still face considerable difficulty in organizing. For example, businesses can sue labor unions for compensation for "lost profits" during strikes, and civil servants are also limited in their political freedom. Most importantly, the National Security Law that limits the freedom of expression remains the biggest obstacle to improving political rights in Korea.

Citation:

Amnesty International Report, <https://www.amnesty.org/en/countries/asia-and-the-pacific/south-korea/>
Freedom House. "Freedom in the World 2016: South Korea." <https://freedomhouse.org/report/freedom-world/2016/south-korea>
[teachers-union/](https://freedomhouse.org/report/freedom-world/2016/south-korea)

Non-
discrimination
Score: 6

Discrimination remains a major problem in South Korea, particularly for women, migrants, LGTB people and North Korean defectors. In the Global Gender Gap Report 2017, South Korea was ranked 118th out of 144 countries measured. The country has shown progress on the Political Empowerment subindex and with regard to parity in tertiary enrollment; however, it also showed a small decrease in share of estimated income earned by women and in perceptions of wage equality within the Korean business community. The Moon government has promised to improve gender equality. As a start, he appointed six female ministers, which at one-third of the cabinet is a considerably higher share than in any previous Korean cabinet.

Discrimination against irregular workers and migrant workers is also common, with many migrant workers still having to submit to an HIV test in order to obtain a work visa. There were approximately 30,000 North Korean defectors in Korea at the end of 2016. They are eligible for South Korean citizenship, but often face months of detention and interrogations on arrival. According to a study by the National Human Rights Commission of Korea, half of the North Korean defectors in South Korea have suffered from discrimination, primarily directed at them by people in the street (20.6%), their supervisors (17.9%) or by co-workers (16.5%).

In 2015, the Ministry of Justice rejected an attempt by the Beyond the Rainbow Foundation to become the country's first registered LGBT advocacy group. However, in August 2017, the Supreme Court ordered the government to allow Beyond the Rainbow to register as a charity with the Ministry of Justice. Article 92 of the Military Penal Code, which currently faces a legal challenge, singles out sexual relations between members of the armed forces of the same sex as "sexual harassment" punishable by a maximum of one year in prison.

Citation:

Freedom House. "Freedom in the World 2016: South Korea." <https://freedomhouse.org/report/freedom-world/2016/south-korea>

Chosun Daily. "N.Korean Defectors Complain of Discrimination in S.Korea." March 15, 2017. http://english.chosun.com/site/data/html_dir/2017/03/15/2017031501539.html

World Economic Forum. Global Gender Gap Report 2017. November 2, 2017. http://www3.weforum.org/docs/WEF_GGGR_2017.pdf

Rule of Law

Legal Certainty
Score: 7

The Park Geun-hye scandal, and particularly the Choi Soon-sil scandal, revealed a level of collusion and a degree of rule through private networks that most Koreans believed they already left behind. In October 2016, it was revealed that Choi – a longtime friend of President Park – apparently wielded substantial influence over government affairs despite having no formal office. Although the degree of her influence was still not fully clear by the close of the review period, the scandal further undermined the administration's credibility. The personalization of state affairs by an individual without any official credentials brought South Koreans to the streets to protest in large numbers, ultimately leading to President Park's impeachment. President Moon is expected to return to a more predictable governance style based on the rule of law.

When it comes to the legal system more generally, courts in South Korea are highly professional and judges are well trained. On the other hand, the unpredictability of prosecutors' activities remains a problem. Unlike judges, prosecutors are not independent, and there have been cases when they have used their power to harass political opponents, even though independent courts later found the accusations to be groundless.

Citation:

"South Korean Leader Says She Will Submit to Scandal Inquiry," New York Times, Nov. 3, 2016

Sang-young Rhyu, "Catastrophe 2016 in South Korea: A Tale of Dynamic History and Resilient Democracy," EAF Policy Debates, No.63, November 22, 2016.

Judicial Review
Score: 8

The South Korean judiciary is highly professionalized and fairly independent, though not totally free from governmental pressure. Under South Korea's version of centralized constitutional review, the Constitutional Court is the only body with the power to declare a legal norm unconstitutional. The Supreme Court, on the other hand, is responsible for reviewing ministerial and government decrees. However, in the past, there have been cases with little connection to ministerial or government decree in which the Supreme Court has also demanded the ability to rule on acts' constitutionality, hence interfering with the Constitutional Court's authority. This has contributed to

Appointment of
Justices
Score: 6

legal battles between the Constitutional and Supreme courts on several occasions. On the whole, the Constitutional Court has become a very effective guardian of the constitution since its establishment in 1989. In March 2017, the Constitutional Court unanimously upheld the impeachment of President Park amid massive public protests, demonstrating its independence from government influence.

The appointment process for justices of the Constitutional Court generally guarantees the court's independence. Justices are exclusively appointed by different bodies without special majority requirements, although there is cooperation between the branches in the nomination process. The process is formally transparent and adequately covered by public media, although judicial appointments do not receive significant public attention. Three of the nine justices are selected by the president, three by the National Assembly and three by the judiciary, while all nine are appointed by the president. By custom, the opposition nominates one of the three justices appointed by the National Assembly. The head of the court is chosen by the president with the consent of the National Assembly. Justices serve renewable terms of six years, with the exception of the chief justice. The National Assembly holds nomination hearings on all nominees for the Supreme Court and the Constitutional Court.

In September 2017, President Moon Jae-in's initial nominee to head the Constitutional Court was rejected by parliament, the first time such a rejection had taken place.

Citation:

Article 111 of the Korean Constitution

Croissant, Aurel (2010) Provisions, Practices and Performances of Constitutional Review in Democratizing East Asia, in: *The Pacific Review* 23(5).

Jongcheol Kim, *The Rule of Law and Democracy in South Korea: Ideal and Reality*, EAF Policy Debates, No.26, may 12, 2015

Korea Herald. "Moon names new nominee for Constitutional Court Chief." October 27, 2017. <http://www.koreaherald.com/view.php?ud=20171027000588>

Corruption
Prevention
Score: 6

The massive recent corruption and abuse-of-power scandal that led to the impeachment of President Park revealed systematic corruption and collusion between the government and big business groups. The scandal also revealed weaknesses in the country's integrity mechanisms and anti-corruption institutions, which failed to uncover these illegal activities taking place at the highest level. At the same time, the scandal showed that the Korean public, civil-society organizations and the media are vigilant and ready to effectively protest top-level abuses of power at the top.

Courts have also been tough on those involved in corruption scandals, handing down prison sentences to many involved. President Park's confidante Choi

Soon-sil received three years in prison, and Samsung Vice-Chairman Lee Jae-yong, who is also the heir of the Samsung business group, received five years in prison for his involvement in the scandal. In the aftermath of the scandal, President Moon promised to strengthen anti-corruption initiatives and announced not to pardon members of the elite involved in corruption scandals, as has been common practice in Korea in the past. In September 2017, President Moon presided over the First Anti-Corruption Policy Consultation Council. This council is tasked with establishing more systematic anti-corruption policies at the national level. The recent corruption scandals are mainly related to lobbying activities involving high-ranking officials, politicians and businesspeople. With an eye to reducing future potential corruption, a new lobbying act is being debated.

Another positive development is that the Kim Young-ran Act that came into effect in September 2016, also known as the anti-graft law (improper solicitation and graft act), has received largely positive feedback and might lead to a deeper cultural change to the gift-giving culture in Korea. The law bans public servants, teachers and journalists from receiving free meals valued over KRW 30,000 (₩30,000), gifts more than KRW 50,000 won, or congratulatory or condolence payments of more than KRW 100,000. In surveys, nearly nine out of 10 citizens have indicated that they believe the law to be effective, with 53% saying that the frequency of requests for job-related favors has declined, and 55.4% responding that their own exchanges of gifts have been reduced.

Citation:

Anti-Corruption and Civil Rights Commission. "President Moon says anti-corruption should be first priority of new government." September 26, 2017. <http://www.acrc.go.kr/en/board.do?command=searchDetail&method=searchDetailViewInc&menuId=020501&boardNum=67059>

Yonhap News. "South Korea moves away from corruption-prone culture." September 24, 2017. <http://english.yonhapnews.co.kr/news/2017/09/22/0200000000AEN20170922012400315.html>

Governance

I. Executive Capacity

Strategic Capacity

Strategic
Planning
Score: 7

Strategic planning remains an important factor in South Korean governance. The office of the president includes a senior secretary and two secretaries for the president for state affairs. President Moon launched the State Affairs Planning Advisory Committee in May 2017. This commission is comprised of key departments specializing in policy and administration, the economy, diplomacy and security, and policy planning. A total of 30 members play an advisory role in assisting the new government in reviewing the structure, function and budget of each government organization. Commission members also help to identify key policies that the government will pursue, and help develop medium and long-term plans to carry out the policies. The plan submitted by the State Affairs Planning Advisory Committee contains policy recommendations to be pursued over the next five years of the Moon administration. The plan includes a national vision, strategies and 100 concrete policy tasks. While the former Park Geun-hye administration set priorities toward achieving very general goals including “happiness for the people,” “economic democratization” and a “creative economy,” President Moon has formulated much more concrete tasks under the general guiding principle of “A Nation of the People, a Just Republic of Korea.”

Citation:

Korea.net. Policy Roadmap of the Moon Jae-in Administration. July 19, 2017.

Korea.net. President Moon Unveils Five-year Policy Agenda. July 19, 2017. <http://www.korea.net/NewsFocus/policies/view?articleId=148013>

Korea.net. President Launches Advisory Committee on State Affairs. May 22, 2017. <http://www.korea.net/NewsFocus/policies/view?articleId=146390>

Scholarly Advice
Score: 6

Non-governmental academic experts have considerable influence on government decision-making. Within the State Affairs Planning Advisory Committee, 14 out of 30 members are scholars (professors). Indeed, three out of four members of both this group’s policy and administration subcommittee

and the diplomacy and security subcommittee have an academic background. In addition to a presidential advisory committee, scholars are often nominated for top government positions. President Moon has appointed Chang Ha-sung, a professor of economics at Korea University, to be presidential senior advisor for policy affairs, and Cho Kuk, a professor at Seoul National University's law school, as a senior presidential secretary for civil affairs. The Fair Trade Commission's newly appointed chairperson, Kim Sang-jo, was a professor of economics at Hansung University.

Academic experts participate in diverse statutory advisory bodies established under the offices of the president and prime minister. Advisory commissions are usually dedicated to specific issues deriving from the president's policy preferences. For example, the appointments of Chang Ha-sung and Cho Kuk can be interpreted as reflecting the current administration's determination to reform the country's chaebol (conglomerates) and prosecution system by appointing academic experts in these areas. However, the selection of academic experts is often seen as too narrow and exclusive. The process of appointing experts remains highly politicized, and in the past experts have often been chosen because of their political inclination rather than their academic expertise.

Citation:

Korea.net. President Moon appoints senior secretaries. May 11, 2017
<http://www.korea.net/NewsFocus/policies/view?articleId=145963>

Interministerial Coordination

GO Expertise
Score: 8

South Korea's presidential system has a dual executive structure, with the president serving both as head of state and head of government. The prime minister is clearly subordinate to the president and is not accountable to parliament. The presidential office, known as the Blue House, has the power and expertise to evaluate draft bills. As the real center of power in the South Korean government, the Blue House has divisions corresponding with the various line-ministry responsibilities. The Prime Minister's Office has sufficient administrative capacity and nonpolitical technocrats to design and implement policies and strategies politically chosen by the Blue House. President Moon has promised to decentralize powers, and plans to hold a referendum to amend the constitution in this manner. As of the time of writing, a variety of potential reforms were being discussed, including increases to local autonomy and even a switch from a presidential to a parliamentary system.

Citation:

Government Performance Evaluation Committee, <http://www.psec.go.kr>

The Korea Institute of Public Administration (KIPA), <http://www.kipa.re.kr>

GO Gatekeeping
Score: 9

There is extensive coordination between ministries, the prime minister's office and the Blue House in the course of planning cabinet meetings. The president presides over regular cabinet meetings and can legally and de facto return any items envisaged for meetings as he or she wishes. In practice, this competence is limited only by the expertise of the Blue House and the relatively small size of the Blue House bureaucracy. Thus, the de facto ability to return issues depends on their political importance to the president.

Line Ministries
Score: 9

Executive power is concentrated in the president. Thus, line ministries have to involve the Blue House in all major policy proposals. The president has the authority to, and often does rearrange, merge and abolish ministries according to his or her agenda. For example, President Moon created a Ministry of SMEs and Startups; renamed the Ministry of Science, ICT and Future Planning as the Ministry of Science and ICT, and merged the National Security Agency and the Ministry of Public Administration and Security into a single Ministry of the Interior and Safety. He also (re-)established the National Fire Agency and the Korea Coast Guard abolished by his predecessor. However, while Moon has promised to decentralize power, there have as yet been few signs of any weakening in the role of the Blue House. The Blue House sometimes lacks sufficient knowledge and human-resources capacity to act effectively in certain policy areas. The Blue House gets involved with and coordinates certain policies through the exertion of political dominance rather than through administrative capability.

Cabinet
Committees
Score: 7

Formally, the cabinet is the executive branch's highest body for policy deliberation and resolution. In reality, the role of the cabinet is limited because all important issues are discussed bilaterally between the Blue House and the relevant ministry. However, bureaucratic skirmishing takes place on many issues. The Blue House's capacity to contain rivalries between the various ministries tends to be relatively high early in a given president's official term. However, coordination power becomes weaker in a lame-duck administration. Committees are either permanent, such as the National Security Council, or created in response to a particular issue. As many government agencies have recently been moved out of Seoul into Sejong city, the need to hold cabinet meetings without having to convene in one place at the same time has been growing, and the law has therefore been amended to allow cabinet meetings in a visual teleconference format.

Ministerial
Bureaucracy
Score: 7

Civil servants from different ministries regularly coordinate on policies of common concern. This coordination and cooperation among related civil servants across ministries can be either formal or informal, hierarchical or horizontal. Unfortunately, attitudes in the ministries are shaped by a

departmentalism that obstructs coordination. Different ministries use their policies to compete for support and approval from the office of the president. There is also a clear hierarchy delineating the ministries. Civil servants in important ministries, such as the Ministry of Strategy and Finance, consider civil servants from other ministries, such as the Labor Ministry or the Environment Ministry, as being “second tier.” Key issues given a high priority by the president can be effectively coordinated among concerned ministries.

Some attempts to improve coordination among ministries are being made. Various interministerial coordination mechanisms have been implemented on the basis of sector and theme, such as the interministerial coordination system for ODA. Moreover, it is expected that the efficiency of and communication between government agencies will be improved by the introduction of a new records-retrieval system. The National Archives and Records Administration (NIS) has announced that it will establish a search and retrieval service in consultation with the Ministry of Patriots and Veterans Affairs.

Citation:

“Korea’s Government 3.0: the Beginning of Open Government Data,” Korea IT Times, February 24, 2016
<http://www.koreaitimes.com/story/58369/koreas-government-30-beginning-open-government-data>

Informal
 Coordination
 Score: 8

Most interministerial coordination is both formal and informal in Korea. Informal coordination is typically, if not always, more effective. There is also a clear hierarchy structuring the ministries. Staffers at the newly created Ministry of Strategy and Finance see themselves as the elite among civil servants. However, the leading role of the Ministry of Strategy and Finance is defined by the president’s mandate.

In addition, informal coordination processes tend to be plagued by nepotism and regional or peer-group loyalties, particularly among high-school and university alumni. There has been both cooperation and competition between the ministries. Informal networks between the president and powerful politicians work very effectively in forwarding specific policies. However, these practices can also lead to corruption and an inefficient allocation of resources. For example, the recent Choi Soon-sil scandal took advantage of the prevalence of informal coordination and meetings.

Evidence-based Instruments

RIA Application
 Score: 8

There were no changes in regulatory impact assessment (RIA) policy in the period under review. RIA has been mandatory for all new regulations since 2005 and is applied to older regulations if they are strengthened in any way. RIAs assess proposals’ socioeconomic impacts and provide cost-benefit analyses. However, there is still a broad gray zone enabling regulatory organizations to decide in a discretionary fashion. The real RIA

implementation process is neither transparent nor predictable, and indeed varies depending on the case. RIA has typically been no more than formally applied in policy areas that are a political focus of the serving president. The Lee government's Four Canal Project and energy diplomacy, as well as ODA allocation under the Park administration's New Village Movement, are typical cases showing how RIA can be sidelined by the president's political interests.

South Korea has undergone a third OECD regulatory reform review, with previous evaluations taken in 2000 and 2007. The 2015 report indicated that Korea was performing slightly above the OECD average with regard to regulatory impact assessment. However, the report also said there was still room for improvement, including in the area of the "quality of these practices and by extending these practices to the entire regulatory system." The review also stressed the need for Korea to establish a clear strategy for regulatory policy in order to make better use of its deployed resources.

Citation:

OECD Regulatory Policy Outlook 2015, Country profile Korea, www.oecd.org/publications/oecd-regulatory-policy-outlook-2015-9789264238770-en.htm

Korea Herald. Analytic tools crucial in improving regulatory practices: US adviser. October 13, 2017. http://khnews.kheraldm.com/view.php?ud=20171013000737&md=20171016003056_BL

Permanent Delegation of the Republic of Korea to the OECD. Korea's Regulatory Policy Evaluated in New OECD Book. May 31, 2017.

http://oecd.mofa.go.kr/english/eu/oecd/korea/new/index.jsp?sp=/webmodule/htsboard/template/read/new_le_gengreadboard.jsp%3FtypeID=16%26boarded=12385%26seqno=753074%26tableName=TYPE_ENGLEGATIO

Quality of RIA
Process
Score: 6

RIA committees are often criticized for not being fully autonomous and for being influenced by political and economic interests. Other criticisms mentioned by the OECD are a lack of time to carry out assessments, insufficient staff, and a lack of expertise and financial resources. Many civil servants in South Korea perceive RIA to be merely a formality. Stakeholders are consulted during the RIA process, which includes regular meetings with foreign chambers of commerce.

The general public and specific stakeholders can be integrated into the process via online channels such as the Regulatory Information Portal, Regulatory Reform Sinmungo, and the e-Legislation Center (www.lawmaking.go.kr). For example, the e-Legislation Center gives the general public the opportunity to propose a bill, submit opinions on regulatory bills or request a clarification of how laws have been interpreted.

The Board of Audit and Inspection, as well as related NGOs, have assessed and inspected the process of RIA at times when it has become controversial with regard to specific policy issues. The RIA performed on the deployment of the THAAD anti-missile defense system is a clear case of a failure to allow

participation, transparency or high-quality evaluation, largely due to the security imperative and American pressure.

Citation:

OECD, 2007, OECD Reviews of Regulatory Reform OECD Reviews of Regulatory Reform: Korea 2007 Progress in Implementing Regulatory Reform

OECD, 2017. OECD Reviews of Regulatory Reform Regulatory Policy in Korea: Toward Better Regulation. May 23, 2017. http://www.keepeek.com/Digital-Asset-Management/oced/governance/regulatory-policy-in-korea_9789264274600-en#page1

Sustainability
Check
Score: 6

The assessment of policy-implementation sustainability in South Korea is regulated by the 2007 Sustainable Development Act and overseen by the Presidential Commission on Sustainable Development. This body's task is to implement, promote, share, educate, network, monitor and make policy proposals on sustainable development. The three main tasks under the act include the establishment of fundamental national-level sustainability strategies every 20 years, the establishment of specific action plans every five years, and the assessment of implementation every two years. The act addresses environmental quality, vulnerability to environmental degradation, environmental degradation level, the social and institutional capacities to respond, and responsibility sharing with the international community. Critics argued that under the Lee Myung-bak and Park Geun-hye administrations, a focus on economic growth and deregulation diminished the attention paid to issues of sustainability. For example, past governments repeatedly issued waivers on regulations governing economic development within green-belt areas in order to boost the real-estate market, undermining principles of environmental sustainability. President Moon has by contrast promised to highlight environmental sustainability, but the actual effects on RIA remain to be seen. His campaign commitment to withdraw from nuclear-powered electricity generation represents one attempt to promote environmental sustainability in South Korea. The Moon government's welfare policies have also prompted heated debates over social sustainability and fiscal sustainability.

Citation:

Ministry of Government Legislation, <http://www.moleg.go.kr/english/korLawEng?pstSeq=57720>
Presidential Commission on Sustainable Development (PCSD), <http://ncsd.go.kr:2020/index.asp>

Societal Consultation

Negotiating
Public Support
Score: 6

There have been major improvements with regard to consultation with societal actors since President Moon took office. The new administration announced its national vision under the motto "A Nation of the People," and has reaffirmed the fact that the people are the rightful owners of the nation, while promising

to run state affairs in accordance with the constitutional spirit of popular sovereignty. And indeed, compared to the Park administration, the current government has already shown more willingness to consult and communicate with various social actors. During the review period, President Moon met with representatives of Korea's top labor organizations, including the leaders of the country's top two umbrella labor unions – the Federation of Korean Trade Unions (FKTU) and the Korean Confederation of Trade Unions (KCTU) – to discuss the new administration's economic and labor policies. This meeting signaled the government's willingness to communicate closely with labor organizations.

In the case of nuclear-power policies, some argue that President Moon has gone too far in outsourcing decisions to a commission composed of members of the general public. In his election campaign, he promised to discontinue the construction of two new nuclear-power plants and phase out nuclear power in general. However, after the election, he promised to follow public opinion on this matter, and formed a state commission of 471 civilians that after deliberation made the decision to finish the construction of the two power plants, while abandoning any additional planning for new nuclear-power plants.

President Moon's interactions with the public are also significantly different than those of his predecessor. He has emphasized the importance of being more open and communicative with the public. He has promised to continue having frequent discussions with the country's top business leaders, and to hold more active Q&A sessions during press briefings.

Citation:

E-People, <http://www.epeople.go.kr>

OECD Regulatory Policy Outlook 2015, Country profile Korea, www.oecd.org/publications/oecd-regulatory-policy-outlook-2015-9789264238770-en.htm

Korea Herald. Second-largest labor union to stage strike, rally. June 29, 2017. <http://www.koreaherald.com/view.php?ud=20170629000963>

Yonhap News. Moon promises frequent and frank communication with biz leaders. July 27, 2017. <http://english.yonhapnews.co.kr/national/2017/07/27/0301000000AEN20170727001852315.html>

Korea Times, Construction of Shin-Kori 5 and 6 reactors resumes, http://www.koreatimes.co.kr/www/biz/2017/10/367_238189.html

Policy Communication

President Moon Jae-in has emphasized the importance of cooperation among the relevant ministries for promoting sustainability. Significant agenda items requiring interministerial collaboration include the proposed energy policy, water-management policies and the smart-city creation project. In addition to communication with ministries, President Moon has placed a high priority on

Coherent
Communication
Score: 6

communication with citizens. He engages in more frequent press briefings than his predecessor, and holds public hearings where he is likely to have more opportunities to have direct conversations with citizens. Moreover, as a symbol of efforts to reach out to citizens and promote communications with the general public, the government has begun allowing citizens and foreign tourists to drive or walk near the Cheong Wa Dae presidential office at all hours. The road to Cheong Wa Dae had previously been closed from 8 p.m. to 5:30 a.m. for decades. In a public survey conducted in November 2017, Moon's approval rating was tallied at 70%, due in part to his efforts to enhance communication with citizens.

Citation:

KBS News. "Activate the ministerial meetings for better collaboration." July 28, 2017. (In Korean) <http://news.kbs.co.kr/news/view.do?ncd=3523871>

Implementation

Government
Efficiency
Score: 5

The Park Geun-hye government was widely criticized for ineffective policy implementation despite having a majority in parliament until the 2016 parliamentary election. President Moon has promised to implement his agenda successfully by developing 100 policy goals. Yet despite his strong personal mandate deriving from his decisive election victory and strong popularity, Moon's Democratic Party lacks a majority in parliament. Nevertheless, the president has far-reaching powers, and Moon has already implemented several important measures such as the increase in the minimum wage and the creation of more stable jobs in the public sector. As of the time of writing, the new president had been rather successful in implementing policies, enjoying a prolonged honeymoon period thanks in part to the massive discrediting of the conservative opposition due to the Park scandal. However, Moon has also abandoned some of his original agenda items, such as the termination of construction on two nuclear-power plants. After initially being suspended, construction was restarted after criticism from business groups and a vote by a panel commissioned to represent the public opinion. Overall, it is far too early to evaluate the new administration's performance when it comes to the implementation of policies.

Citation:

"S. Korea 'bureaucracy risk' derails economic innovation," Maeil Business Newspaper, March 26, 2014
"Park's approval rating hits record low of 5% ", Korea Times, November 4, 2016, https://www.koreatimes.co.kr/www/news/nation/2016/11/116_217549.html

Ministerial
Compliance
Score: 10

Ministers in South Korea do not have their own political base, and thus depend almost solely on the support of the president. The president has the authority to appoint and dismiss ministers, and frequently reshuffles the cabinet. The

average tenure of a minister has continuously declined over the past two decades. Under the Lee Myung-bak administration, the average period of service was about one year. This high degree of turnover limits ministers' independence, as they are unable to develop their own voice to pursue their own or institutional policy ideas.

The role of National Assembly confirmation hearings for ministerial candidates should not be underestimated. As of the time of writing, seven of Moon Jae-in's ministerial candidates had failed to move past these hearings, in part due to strong media scrutiny.

Monitoring
Ministries
Score: 9

The offices of the president and the prime minister effectively monitor line-ministry activities. The South Korean government utilizes e-government software (the Policy Task Management System) to monitor the implementation of policies in real time. However, political monitoring or pressure is more influential than e-government, and is the usual tool used to supervise ministries. Ministries have little leeway in policy areas that are important to the president. In general, bureaucracy is organized in a very hierarchical way, but independence is stronger in areas that are comparatively less important to the president. The Prime Minister's Office also annually monitors and evaluates the performance and implementation of 42 governmental agencies.

Monitoring
Agencies,
Bureaucracies
Score: 6

The ministries effectively monitor the activities of all executive agencies, with the minister holding responsibility for the agencies' compliance. Once again, the top-down structure of the government allows for effective monitoring. Agencies generally have autonomy with respect to day-to-day operations, but even these can occasionally be the subject of top-down interventions. Each ministry sets its own performance and implementation indicators and reports its annual progress. The indicators can be used as a monitoring tool for the activities of bureaucracies and executive agencies with regard to implementation. However, ministries fail in some cases to monitor executive agencies' implementation activities effectively.

Task Funding
Score: 5

While South Korea remains a unitary political system, a rather elaborate structure of provincial, district and neighborhood governments has been in place since 1995. Local governments play an important role in providing services to citizens and respectively account for about 35% of government spending (according to the latest available data in 2015). However, local and state governments have relatively little ability to raise their own revenue. As their own sources account for only 17% and 22% of national revenues respectively, most subnational governments need substantial support from central government, particularly outside the Seoul region. In addition, local administrations are often understaffed, and central-government employees are often delegated to subnational authorities. President Moon has highlighted the importance of decentralizing state power in order to help local municipalities and provinces to be run more autonomously. Under the 2018 budget proposal,

KRW 3.5 trillion (.1 billion) will be delivered to local governments in the form of local subsidies to provincial governments.

Citation:

OECD, Government at a Glance 2009

OECD, Government at a Glance 2011

OECD, Government at a Glance 2017 Database

“High welfare-related costs stymie local governments,” Korea JoongAng Daily, Oct 14, 2014

Korea Herald. Moon vows efforts for greater local autonomy. June 14, 2017.

<http://www.koreaherald.com/view.php?ud=20170614000743>

Constitutional
Discretion
Score: 5

While autonomous local governments are protected by the constitution, the constitution does not clearly define specific competencies and rights. A major obstacle to subnational self-government is the lack of fiscal autonomy for local governments. Due to the very high dependence on transfer grants from the central government, most regional and local governments are vulnerable to central-government interference. The fiscal self-reliance ratio in over 90% of local governments (220 out of a total 243 local governments) was under 50% in 2016. The reality of inadequate budgetary and functional authority in many local areas, as well as the disproportionate influence of city and provincial authorities, often leaves local administrators and governments short on revenue and effective governing capacity.

However, local-government autonomy is expected to be expanded under the new administration. President Moon has promised to reduce centralization within the country’s overall system of governance. For example, he has suggested holding periodic meetings with local government leaders, thus creating a kind of “secondary cabinet.” Moon also has shown great interest in holding a referendum on a constitutional amendment designed to redistribute power to the local level.

Citation:

Joong-Ho Kook (2014), Does Local Autonomy Enhance the Autonomy in Local Public Finance? Evidence from the Case of Korea, [http://www.akes.or.kr/eng/papers\(2014\)/127.full.pdf](http://www.akes.or.kr/eng/papers(2014)/127.full.pdf)

Korea Times. Moon and Local Authority. September 26, 2017.

http://www.koreatimes.co.kr/www/opinion/2017/10/625_237037.html

National
Standards
Score: 7

The Ministry of Public Administration and Security, created through a merger of earlier agencies, is in charge of ensuring that local governments maintain national minimum standards. However, many local governments, particularly in rural areas, have much lower professional standards than does the city government of Seoul or the central government. While the provision of basic services is similar in all regions, there is a huge difference in the provision of additional services such as recreation facilities between affluent (i.e., self-sufficient) regions like Seoul and the southeast and less prosperous (i.e., dependent on transfer payments) regions in the southwest. For instance, a

number of local governments have recently begun paying child benefits greater than those dictated by national standards. As local-government autonomy develops, a greater number of customized policies are being introduced for residents. For example, the Special Act for the Promotion of Health and Welfare of Rural Communities was implemented in 2017.

Adaptability

Domestic
Adaptability
Score: 8

International and supranational developments that affect South Korea directly can trigger rapid and far-reaching change. For example, South Korea has reacted to the global financial and economic crisis with decisive action and massive government intervention. Global standards play a crucial role in the South Korean government. Reports and criticism issued by international organizations such as the OECD or the IMF, or by partners such as the United States or the European Union, are taken very seriously. The government has also declared its intention to increase its provision of official development assistance (ODA) in order to meet global standards in the near future. More generally, South Korea has been strongly influenced by international and supranational developments and pressures. For example, it was the first Asian donor to join the International Aid Transparency Initiative (IATI), an initiative for enhancing aid transparency.

However, the country's degree of adaptability largely depends upon compatibility with domestic political goals. Indeed, action in many areas can be regarded as so-called mock compliance. For example, the government is relatively less responsive to global standards in areas such as environment, labor rights or the reduction of non-tariff barriers. Yet while some have worried that the Moon administration will be more inward-looking than predecessors, it is more likely that South Korea's strong economic dependence on global markets will ensure it remains open to adapting to most global pressures.

Citation:

KOICA. "The Republic of Korea Joins IATI." December 29, 2015. http://www.koica.go.kr/english/board/focus_on/1321226_3563.html

International
Coordination
Score: 7

As a member of the UN, the WTO and the G-20, South Korea helps to shape global rules and foster global public goods. However, it rarely plays a leading role in this regard. As of the time of writing, South Korea had contributed 652 members to UN peacekeeping missions. Development cooperation is one area where Korea could be in a good position to develop a leadership position. South Korea joined the OECD Development Assistance Committee (DAC) in 2009. As a successful case of transformation from an ODA-recipient country to an ODA-donor country, Korea has played a proactive role although absolute

levels of ODA remain relatively low at 0.14% of GNI. Moreover, interministerial coordination in the area of development cooperation is slowly improving. Korea's commitment to sustainable development constitutes an important baseline for the implementation of the Sustainable Development Goals (SDGs) agenda. The Ministry of Foreign Affairs and the Ministry of Environment have played an important role in preparing for the implementation of the SDGs at both the domestic and international levels. The adoption of the Third Basic Plan for Sustainable Development 2016 – 2035 in January 2016 was a crucial component of Korea's efforts to translate the SDGs into national frameworks. The Third Plan is updated every five years and progress toward the policy targets of the Third Plan is biennially evaluated by the Commission on Sustainable Development (CSD). Fourteen strategic targets have been set, including improved environmental policies, the promotion of social unity and gender equality, the promotion of inclusive growth, the creation of decent jobs, and the improvement of partnerships in implementing the SDGs.

The Moon administration has also indicated that it will engage in energy-policy reforms more ambitious than those of the previous government. Moon has pledged to increase the share of renewable electricity generation to 20% by 2030. Consequently, the administration is also expected to set more ambitious goals for the reduction of climate-gas emissions beyond the current goal of a 37% reduction relative to the business-as-usual (BAU) projection.

Citation:

Kalinowski, Thomas and Hyekeyung Cho. 2012. Korea's search for a global role between hard economic interests and soft power. *European Journal of Development Research* 24 (2):242-260. <http://dx.doi.org/10.1057/ejdr.2012.7>.

The government of Korea. 2016 National Voluntary Review Year One of Implementing the SDGs in the Republic of Korea: From a Model of Development Success to a Vision for Sustainable Development. [https://sustainabledevelopment.un.org/content/documents/10632National%20Voluntary%20Review%20Report%20\(rev_final\).pdf](https://sustainabledevelopment.un.org/content/documents/10632National%20Voluntary%20Review%20Report%20(rev_final).pdf)

Climate Action Tracker. South Korea Profile. November 6, 2017. <http://climateactiontracker.org/countries/southkorea.html>

Organizational Reform

Self-monitoring
Score: 7

The president's office monitors institutional governance arrangements. The president frequently reorganizes ministries and government agencies when inefficiencies are detected. Unfortunately, it seems that meaningful improvements are achieved only after major problems become obvious, as for example following the lack of coordination between government agencies during the Sewol ferry-disaster rescue operation. The recent corruption and abuse-of-power scandals, which in part involved influence-peddling through informal Blue House networks, undermined trust in formal institutions and

Institutional
Reform
Score: 6

policymaking procedures and revealed a surprising lack of checks and balances. In particular, persons without formal government positions seem to have wielded undue access and influence over policymaking without any check-and-balance mechanisms in place. The Moon administration has announced that it will improve self-monitoring and transparency. However, weak voluntary compliance and organizational self-seeking among government-agency actors remain deeply rooted throughout the governance system.

The Moon administration is expected to carry out some institutional reforms during his term. Most importantly, the new president has pledged to decentralize the political system by transferring previously centralized powers to national ministries and agencies as well as to regional and local governments. Moon has expressed a willingness to reform national institutions including the National Intelligence Service (NIS), the judiciary and public agencies, and has said he would request the support of the National Assembly in developing the reforms. One key proposal from Moon's campaign was to reform the prosecutorial system by removing all or part of its investigative powers, and instead establishing an independent body that can investigate and indict high-ranking government officials. The president has also reaffirmed his commitment to reforming the military, with the aim of boosting Korea's offensive capabilities.

With regard to constitutional revision, Moon has proposed transforming the current five-year, single-term presidency into a four-year, double-term (contingent upon re-election) system, with a national vote on the change to be held in 2018. He has suggested that the legislature should pass a revision bill early that year in order to facilitate a national referendum on the revised constitution held in parallel with the June 2018 local elections. Such a constitutional change would most likely improve the president's strategic capacity and reduce the lame-duck period, while the proposed decentralization of power would keep the president from interfering with the day-to-day activities of subordinate institutions.

Citation:

Korea Herald. What Moon Jae-in pledged to do as president. May 10, 2017. <http://www.koreaherald.com/view.php?ud=20170509000521>

Yonhap News. Moon reaffirms commitment to military reform, reinforcement. August 20, 2017. <http://english.yonhapnews.co.kr/national/2017/08/20/0301000000AEN20170820001651315.html>

II. Executive Accountability

Citizens' Participatory Competence

Policy
Knowledge
Score: 7

The 2017 presidential elections saw a slight increase in voter turnout to 77.2%. More importantly, the degree of public engagement and public protest directed against President Park revealed a great interest in political events. Millions of Koreans participated in the protests that led to Park's impeachment. While most were spontaneous protesters, there was a great deal of organization involved in these protests. In particular, it is remarkable that many young people and students participated in the protests. Nevertheless, many citizens remain poorly informed about the details of most government policies. The level of public knowledge can vary across different sectors and policies. For example, the Seoul Metropolitan Government conducted a public survey in May 2017 with a sample of 2,500 adults residing in Seoul seeking to gauge public opinion on Seoul's "Sharing City" policy. Given that the awareness rate was 49.3%, only one out of every two Seoul citizens had heard of the policy.

Despite the access to information provided by online platforms such as Sinmungo and the government's Policy Briefing webpage (www.korea.kr), the quality of information available remains limited. In the media, political questions are often personalized and interpreted as power struggles between ambitious individuals, rather than as struggles about policies as such. In addition, the spectrum of published political opinions remains very narrow, limiting the scope of political discussion and making it hard for citizens to develop their own opinion. The low level of trust in government announcements and in the mainstream media provides fertile ground for the dissemination of rumors. Fake news sources further distort the truth. However, numerous NGOs and enlightened netizens, acting on behalf of citizens, are playing a pivotal role in monitoring the public and private sectors by getting and sharing information from the government.

Citation:

Korea Center for Freedom of Information and Transparent Society at <http://www.opengirok.or.kr/>
Share Hub. One out of every two Seoul citizens has heard of "Sharing City" policy – results of a survey of the public awareness of Sharing City Seoul policy. July 19, 2016
<http://english.sharehub.kr/one-out-of-every-two-seoul-citizens-has-heard-of-sharing-city-policy-results-of-a-survey-of-the-public-awareness-of-sharing-city-seoul-policy/>

Legislative Actors' Resources

Parliamentary
Resources
Score: 6

Members of parliament (MPs) have a staff of nine, including four policy experts, three administrative staffers and two interns. Given the large quantity of topics covered, this staff is scarcely sufficient, but is enough to cover legislators' main areas of focus. The National Assembly monitors the administration through a system of investigation relating to issues of national affairs. Monitoring efforts can be regular or sparked by specific events. The constitution provides the National Assembly with the authority to conduct inspections of government offices. While this investigation process is a powerful tool, some observers have criticized it as ineffective and time-consuming, in part because it is too widely used. The ruling and opposition parties often use inspections as political weapons against one another. For instance, while the Democratic Party attempted used investigations to criticize the Park Geun-hye and Lee Myung-bak administrations, the Liberty Korea Party has criticized the Moon administration for being incompetent in security matters. Some lawmakers also use this process to promote their own political fortunes in the mass media. The effectiveness of parliamentarians' monitoring role largely depends on each lawmaker's individual capabilities. For example, Kim Jong-dae has been viewed as an effective watchdog overseeing the Ministry of Defense, even though he is a lawmaker from a minority party, the Justice Party.

Tight schedules and the record-high number of agencies monitored by the National Assembly have generated skepticism regarding the effectiveness of legislative audits, one of the body's key functions. Observers familiar with parliamentary affairs have voiced concern that these inspections are inevitably superficial, as lawmakers have little time to study dossiers thoroughly or prepare their questions.

Obtaining
Documents
Score: 8

Parliamentary committees are legally able to obtain the documents they request from the government. The government, including governmental agencies and public institutions, is required to deliver these documents within 10 days of a request from a member of the National Assembly. Documents pertaining to commercial information or certain aspects of national security can be withheld from the parliament. Moreover, problematic issues do arise in the process of requesting documents. For example, because of the frequency of requests from parliamentarians, there have been numerous cases reported in which agency officials have had to work overtime to meet the document requests.

Parliamentarians can also summon the officials concerned as witnesses. However, bureaucrats are sometimes reluctant to offer the documents and

information requested in an effort to protect their organizational interests. The inability to override witnesses' refusal to answer questions remains an issue that must be addressed. Under current law, the National Assembly can ask prosecutors to charge those who refuse to take the witness stand with contempt of parliament. However, this carries only light penalties, such as fines. The National Assembly should work to reform the hearing system to make it a more effective tool in probing cases of national importance.

Summoning
Ministers
Score: 9

The parliament has the constitutional right to summon ministers to appear before parliamentary hearings, and indeed frequently exercises this right. Regular investigation of government affairs by parliament is an effective means of monitoring ministers. Almost every minister has been summoned to answer parliamentarians' questions in the context of a National Assembly inspection. However, the role of the minister in the South Korean system is relatively weak, with the professional bureaucracy trained to be loyal to the president. In addition, the ruling party and ministers can agree not to invite ministers or to cancel hearings on politically controversial issues.

Summoning
Experts
Score: 8

Parliamentary committees are legally able to, and frequently do, invite experts to parliamentary hearings. Following the Choi Sun-sil scandal, some big-business (chaebol) representatives were summoned multiple times. There have been several cases where civilian experts have refused to attend these hearings. However, the public parliamentary hearings on the Park Geun-hye and Choi Soon-sil scandals served to change the old informal rules, and many figures who refused to attend the hearings or repeatedly gave false testimony have been punished by law.

Task Area
Congruence
Score: 9

The task areas of parliamentary committees and ministries mostly correspond. There are 16 standing committees that examine bills and petitions falling under their respective jurisdictions and perform other duties as prescribed by relevant laws. With the exception of the House Steering Committee and the Legislation and Judiciary Committee, the task areas of these parliamentary committees correspond with the ministries. As a consequence of the strong majoritarian tendency of the political system, committees dominated by the governing parties tend to be softer on the monitoring of ministries, whereas committees led by opposition parliamentarians are more confrontational. However, in general, the legislature is a "committee parliament" and the committees are quite effective and efficient.

Citation:

The National Assembly of the Republic of Korea, http://korea.na.go.kr/int/org_06.jsp

Croissant, Aurel 2014. Das Politische System Südkoreas, in: Derichs, Claudia/Heberer, Thomas (Hrsg.), Die politischen Systeme in Ostasien, 3., überarbeitete Auflage, Wiesbaden (i.E.).

Audit Office
Score: 5

The Board of Audit and Inspection is a national-level organization tasked with auditing and inspecting the accounts of state and administrative bodies. It is a

Ombuds Office
Score: 3

constitutional agency that is accountable to the president. It regularly reports to the parliament. The National Assembly regularly investigates the affairs of the audit office, as it does with other ministries. Demands to place the audit office under the leadership of National Assembly, thus strengthening the institution's autonomy, have gained parliamentary support. However, tired of repeated political gridlocks and political confrontations, civil-society organizations have instead proposed making the audit office independent.

The South Korean parliament does not have an ombudsman office. Under the Lee Myung-bak administration, the government's ombudsman office was merged with the civil rights and anti-corruption agency into the Anti-Corruption and Civil Rights Commission of Korea (ACRC). This commission is accountable to the president and may to some degree be seen as a functional equivalent to a parliamentary ombuds office. However, it seems that merging the two institutions (both under the authority of the president) has made the ombuds office less transparent. President Moon has promised a reform of the ACRC, part of which will include increasing its independence. People can also petition the government directly without approaching the parliament or the ombudsman. A Foreign Investment Ombudsman (FIO) system hears complaints by foreign companies operating in Korea. The FIO is commissioned by the president on the recommendation of the Minister of Trade, Industry and Energy, via the deliberation of the Foreign Investment Committee. The FIO has the authority to request cooperation from the relevant administrative agencies and recommend the implementation of new policies to improve the foreign-investment promotion system. It can also carry out other tasks needed to assist foreign companies in resolving their grievances.

Citation:

Office of the Foreign Investment Ombudsman, <http://www.i-ombudsman.or.kr/eng/au/index.jsp?num=3>

Media

Media Reporting
Score: 6

South Korea's main media-related problem is the low quality of many outlets, rendering them unable to serve as facilitators of public debate or civic culture. Part of the problem here is the country's strong commercialism and associated weakness in political journalism. While the most prominent TV stations produce a mix of infotainment and quality information about government policies, the last four years have seen TV and radio organizations further shift their programming in the direction of entertainment and infotainment. Political programs have either been replaced or their teams shuffled. Information on international events in particular receives little coverage in the Korean news media. Moreover, some mass media outlets produce strongly politically biased reports, distorting the facts and obscuring the truth.

Nevertheless, the media played an important role in uncovering and reporting on the recent political scandals involving Choi Soon-sil and President Park Geun-hye. Several new-media organizations, including JTBC and the Chosun Broadcasting Company, investigated the case and helped uncover the evidence of corruption. The public movement that led to Park's impeachment could not have been achieved without media reporting on the government's abuses of power.

Citation:

Sang-young Rhyu, "McCarthyism in South Korea: The Naked Truth and History of Color Politics," East Asia Foundation Policy Debates, No.68 (March 28, 2017).

Parties and Interest Associations

Intra-party
Democracy
Score: 5

There is almost universal agreement among political scientists, political observers, politicians and the general public that political parties are one of the weakest links in South Korean democracy. In 2015, both the governing and opposition parties decided to introduce an open-primary system to pick congressional candidates. This was expected to provide new challengers with a fairer and more transparent environment. However, in reality, "strategic" party nominations still played a strong role in both parties' candidate selections during the 2016 parliamentary elections. For example, the governing party conspicuously favored candidates who supported former President Park. Parties have also introduced other nomination mechanisms such as the use of opinion polls. During the selection process for presidential candidates in 2017, different parties adopted different nomination processes, ranging from open primaries (Democratic Party), a mixture of opinion polls and party delegates (Liberty Party), a mixture of open primaries and opinion polls (People's Party), and a direct vote by party members (Justice Party). In this sense, voters had the choice not just between different candidates, but also between different selection systems. While the selection of presidential candidates is becoming more democratic, issue-oriented participation by normal citizens remains somewhat anemic and party organizations remain weak.

Association
Competence
(Business)
Score: 7

Business associations such as the Korean Employers Federation and the Federation of Korean Industries (FKI), as well as labor-union umbrella groups such as the Federation of Korean Trade Unions and the Korean Confederation of Trade Unions, have some expertise in developing policy proposals. They are supported by think tanks that provide scholarly advice. However, these groups are relatively weak in comparison to businesses themselves and company-level trade unions. Some individual businesses such as Samsung, LG and Hyundai have their own think tanks that produce high-quality research and are able to analyze and provide alternatives to government policies. Under the Park government, major business organizations supported by large

conglomerates had significant influence over the formulation of policies. The FKI has faced a period of serious crisis following the influence-peddling scandal involving former President Park. Park had tried to build a hub of conservative pro-government groups using funds from the FKI. Recently exposed information has shown that the FKI pledged to provide KRW 950 million in 2015 and KRW 800 million in 2016 earmarked for this purpose.

Citation:

Hankook Ilbo. Park attempted to build a hub of conservative groups by funding of FKI. November 9, 2017. <http://www.hankookilbo.com/v/22464dde0fa5497b9049eade8df88508>

Association
Competence
(Others)
Score: 5

The rise of civil-society organizations has been one of the last decade's most important political trends in South Korea. The massive peaceful protests against President Park were largely organized by civil-society groups that have proven their ability to mobilize the public and their competence in organizing peaceful protests on a massive scale. Some of the largest NGOs, such as the Korean Federation for Environmental Movement, the Citizen Coalition for Economic Justice and the People's Solidarity for Participatory Democracy, have built up considerable expertise in specialized fields such as environmental policies, electoral reform, corporate reform, welfare policies or human rights. They provide reasonable policy proposals and are supported by a large group of academics and professionals. They also provide a pool of experts for the government. President Moon has appointed several former members of civil-society groups to government positions.

The majority of small NGOs remain focused on service provision and do not develop policy proposals. Previously, civil society and NGOs – especially those to the left of center – found it difficult to have any appreciable influence on decision-making under either the Lee and Park administrations. NGOs are expected to regain some of their previous influence under the Moon government.

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