
Corruption Impact Assessment

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Corruption Impact Assessment

- A. Meanings & Functions**
 - B. Background**
 - C. How to Work**
 - D. Laws to be Assessed**
 - E. Corruption-Causing Factors**
 - F. Achievements**
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A. Meanings & Functions

A-1. CIA: Legal Analysis

- **find out and remove Corruption-Causing Factors(CCFs)**
 - **from the beginning of the legislation**
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A. Meanings & Functions

o the laws

all forms of legislation enacted/enforced by

- **Executive Organizations(EOs),**
 - **Local Governments(LGs),**
 - **Public Service-Related Organization(PSOs)**
-

A. Meanings & Functions

o the laws

such as:

- (EO) acts, presidential decrees, ordinances, directives/notifications
 - (LG) bylaws/regulations
 - (PSO) rules/regulations
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A. Meanings & Functions

A-2. CIA: Legislative Procedure

- **EO submits the drafts to the ACRC**
 - **ACRC recommends the EO to get rid of CCFs, if any**
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A. Meanings & Functions

A-3. CIA: Evaluation System

- **improve the effectiveness of anti-corruption polices**
 - **by preventing the laws from being corrupted**
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B. Background

B-1. Detection & Punishment: In General

- **not always be the best policy**
 - **could be justified only when the legal basis is just & correct**
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B. Background

B-2. CIA: The New Approach

- **laws could be corrupt or tainted**
 - **set up by the ACRC in April 2006**
 - **keep the laws corruption-free**
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C. How to Work

1

Request(Executive Organizations)

2

Assess(ACRC)

3

Amend(Executive Organizations)

4

Monitor & Feedback(ACRC)

D. Laws to be Assessed

◆ Governmental Organizations

⊙ National Organizations

- **the Executive Power: Ministries, Commissions...**
- the Legislative Power: the National Assembly
- the Judiciary Power: the Supreme Court...

⊙ Local Governments

- Metropolitan Cities, Provinces...

◆ Public Organizations

- **PSOs (Public Service – Related Organizations)**
 - Non-PSOs
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E. Corruption-Causing Factors

Aspects	Criteria
<p style="text-align: center;">Ease of Compliance (Demand)</p>	<ul style="list-style-type: none"> ① Adequacy of the Burden of Compliance ② Adequacy of the Level of Sanctions ③ Possibility of Preferential Treatment
<p style="text-align: center;">Adequacy of Operational Standards (Supply)</p>	<ul style="list-style-type: none"> ④ Concreteness and Objectiveness of Discretionary Regulation ⑤ Adequacy of the Standards of Delegation and Entrustment ⑥ Clarity of Financial Support Standards
<p style="text-align: center;">Transparency of Administrative Procedure (Procedure)</p>	<ul style="list-style-type: none"> ⑦ Accessibility and Openness ⑧ Predictability ⑨ Possibility of a Conflict of Interest

E. Corruption–Causing Factors

E–1. Adequacy of the Burden of Compliance

- **the level of costs/efforts to comply with legal obligations should be appropriate**
 - **or else, people would bribe officials**
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E. Corruption–Causing Factors

E–2. Adequacy of the Level of Sanctions

- **level of sanctions should be appropriate**
 - **too lenient, don't stop violating**
 - **too severe, buy off officials**
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E. Corruption–Causing Factors

E–3. Possibility of Preferential Treatment

- **must not benefit unfairly/disproportionately**
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E. Corruption–Causing Factors

E–4. Concreteness and Objectivity of Discretionary Regulation

- **the scope of discretion must be defined clearly**
 - **avoid abuse of authority**
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E. Corruption–Causing Factors

E–5. Adequacy of the Standards of Delegation and Entrustment

- **standards should be defined clearly**
 - **assure the responsibilities of the trustee**
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E. Corruption–Causing Factors

E–6. Clarity of Financial Support Standards

- **transparency in selecting the recipients**
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E. Corruption–Causing Factors

E–7. Accessibility and Openness

- **guarantee the participation of the people**
 - **set up information disclosure system**
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E. Corruption–Causing Factors

E–8. Predictability

- **make it easy:**
 - **to understand the procedures**
 - **to predict the possible results**
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E. Corruption–Causing Factors

E–9. Possibility of a Conflict of Interest

- **exclusion, recusal and avoidance**
 - **enactment of “conflict of interest act for public office holders” is under way**
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F. Achievements

Year	Assessed Laws			
	Total	need amending	recommendations	passed as drafted
Total	12,620 (100.0%)	1,846 (14.6%)	[4,174]	10,774 (85.4%)
2006	609 (100.0%)	119 (19.5%)	[359]	490 (80.5%)
2007	1,168 (100.0%)	259 (22.2%)	[737]	909 (77.8%)
2008	1,368 (100.0%)	269 (19.7%)	[496]	1,099 (80.3%)
2009	1,394 (100.0%)	229 (16.4%)	[508]	1,165 (83.6%)
2010	1,269 (100.0%)	182 (14.3%)	[403]	1,087 (85.7%)
2011	1,666 (100.0%)	264 (15.8%)	[505]	1,402 (84.2%)
2012	1,593 (100.0%)	192 (12.1%)	[508]	1,401 (87.9%)
2013	1,325 (100.0%)	169 (12.8%)	[357]	1,156 (87.2%)
2014	1,889 (100.0%)	137 (7.3%)	[230]	1,752 (92.7%)
2015(Jan.~Mar.)	339 (100.0%)	26 (7.7%)	[71]	313 (92.3%)

F. Achievements

- **acceptance ratio: over 93%**
“yes, we will amend”
 - **main reason for non-acceptance**
“later, not now”
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F. Achievements

- **easy to start and cheap to operate**
 - **most officials can do it, if trained**
 - **get help from experts/professionals**
“20 standing advisors in 4 fields”
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CIA Worth the Effort

Thank You

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