

# National Assembly

The National Assembly is the legislative body of the Republic of Korea composed of members who are elected by the people to whom sovereignty belongs and, on their behalf, enact laws which are the foundation of state operation, deliberate and finalize the budget, and make important policy decisions.

The National Assembly has the legislative power to propose and pass constitutional amendments and to enact and revise laws. It deliberates and decides upon budget proposals and settlement of accounts submitted by the government, controls state affairs by auditing the overall administration of the state and inspecting specific issues. Furthermore, it has the right to approve the President’s appointment of key public officials, such as Chief Justice of the Supreme Court, President of the Constitutional Court, Prime Minister, and Chairman of the Board of Audit and Inspection, and the right of consent to the conclusion and ratification of major international treaties on behalf of the people. And it also actively engages in parliamentary diplomacy which helps elevate the nation’s interests as well as its international profile.

The statutory members of the National Assembly are 300 among which 246 members are elected from single-member constituencies and the remaining 54 gain office through proportional representation system. With a term of four years, the cycle of the current 19th National Assembly runs from May 30, 2012 to May 29, 2016.

The National Assembly has one Speaker and two Deputy Speakers. They are elected at the plenary session through secret voting and each serves a two-year term. As the leader of the legislative body, the Speaker represents the National Assembly, presides over the plenary and oversees the administration of the National Assembly. To maintain impartiality in proceedings, the Speaker is not allowed to affiliate with any political party during his or her term of office. In case the Speaker is unable to carry out his or her duties within their term, a Deputy Speaker reserves the right to act in his or her place.

The National Assembly holds regular and extraordinary sessions. The regular session convenes on the first day of September every year and may not exceed one hundred days. Extraordinary sessions convene on the first day of February, April and June (even-numbered months with the exception of August, October and December) every year and may not exceed thirty days.

There are sixteen standing committees and two permanent special committees (Budget and Accounts, and Ethics) which examine bills prior to deliberation

at the plenary session. Additional special committees may also be installed to deliberate on particular items. All members of the Assembly, with the exception of the Speaker, shall become a member of a standing committee according to their respective fields of expertise and interest for a two-year term.

Negotiation groups expedite the proceedings of the National Assembly as organs to facilitate modern party politics. Any party with twenty or more Assembly Members can form a negotiation group. In addition, twenty or more members who do not belong to a negotiation group may join together to set up a separate negotiation group. The composition of committees, formation of inter-parliamentary councils and number of speakers as well as length of speech in meetings are determined by the proportion of members in each negotiation group.

The National Assembly Secretariat, National Assembly Library, National Assembly Budget Office (NABO), National Assembly Research Service (NARS) and support staff for representatives are components of the legislative support organizations

that professionally and effectively support the authority and function of the National Assembly.

The function of the Secretariat is to support overall parliamentary activities of lawmakers and take care of the administrative work of the National Assembly. From supporting the smooth running of meetings, assisting the deliberation on legislative bills, budget and settlement of accounts as well as the inspection and investigation of state administration to providing support for parliamentary diplomacy, handling civil complaints, and promoting National Assembly Broadcasting Station (NATV) services and the National Assembly as a whole, the Secretariat supports major legislative and parliamentary activities.

The National Assembly Library was established to facilitate legislative activities of lawmakers by collecting, managing and providing necessary information regarding various pending issues and legislation, and is open to the general public even at nighttime and on Sundays with an access to the materials collected.

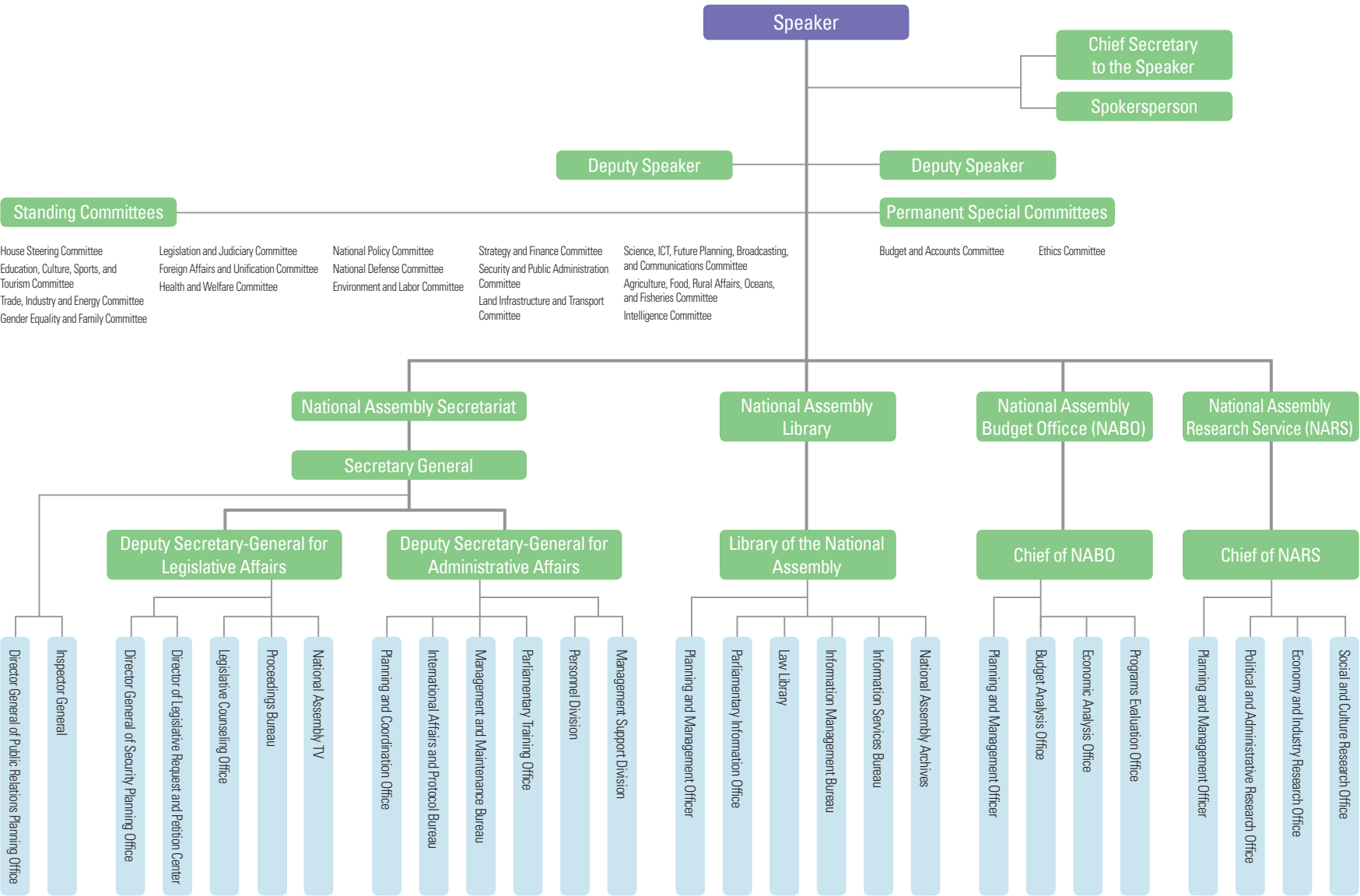
The National Assembly Budget Office (NABO)

is a legislative support body specializing in financial matters established to promote parliamentary financial activities including assistance in deliberating on the budget and settlement of accounts based on professional and impartial research and analyses.

The National Assembly Research Service (NARS) is an independent legislative and policy research institute established within the National Assembly to strengthen its capacity in legislation and policy development. It conducts studies, research and analyses on legislative and policy issues in an impartial and professional manner. NARS also collects, manages and distributes related materials, and undertakes studies and analyses on legislative trends and cases at home and abroad in the respective fields to hand them over to Assembly Members and Committees.

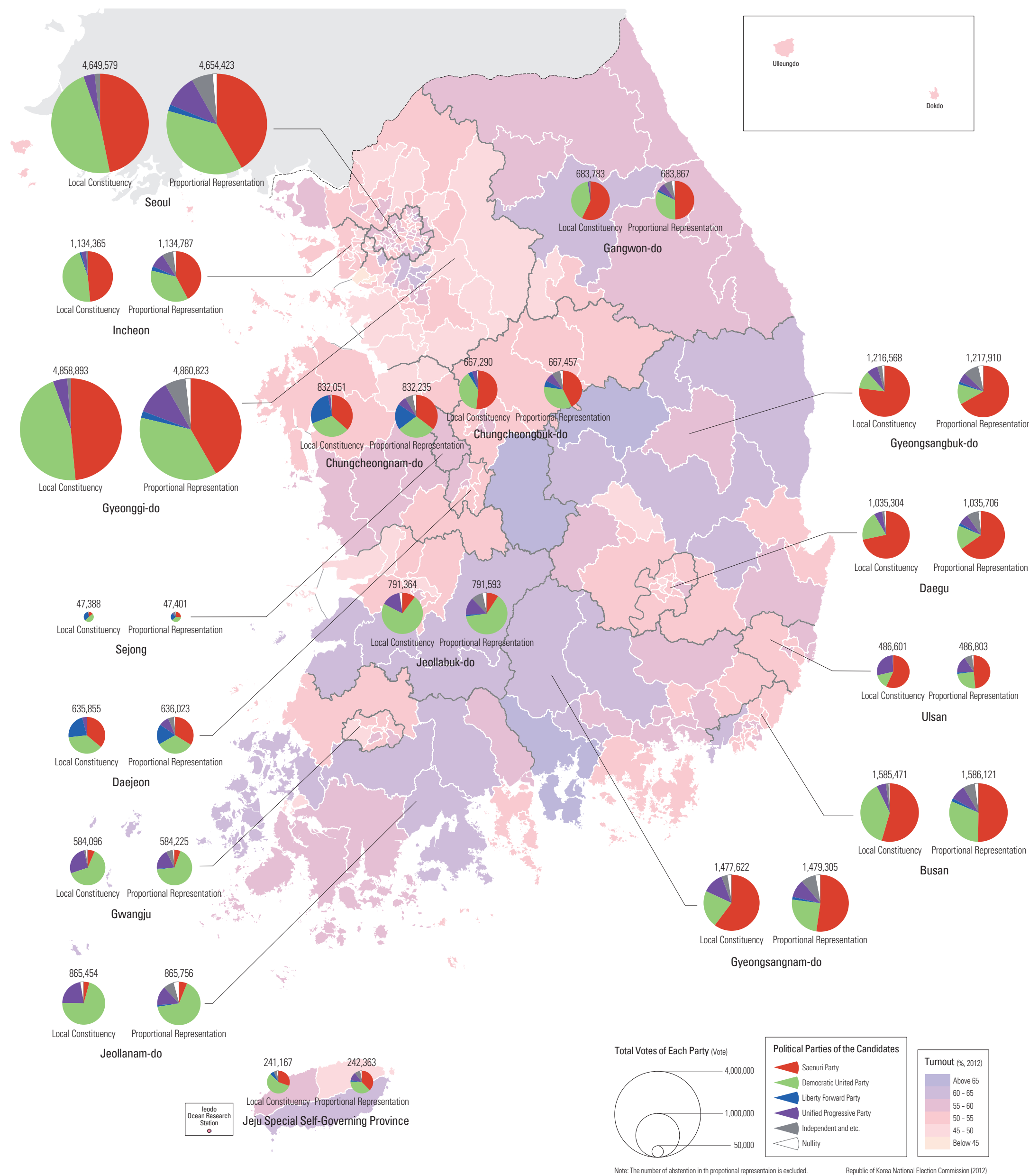
Each member of the Assembly is entitled to have seven advisors to facilitate their parliamentary activities. The scope of work ranges from support for legislative activities in terms of policy formulation to political affairs concerning communication with voters.

Organization Map of National Assembly



National Assembly Election

Turnout of the 19th Election



The proportional system elects 54 members based on the proportion of votes per political party. The term of National Assembly members is four years.

The 19th National Assembly election on April 11, 2012 is a good illustration of the above-described process. The total voter turnout for this election was 54.2%. In particular, the constituency of Yecheon-gun (in Mungyeong-si, Gyeongsangbuk-do), the constituency of Namhae-gun and Hadong-gun (in

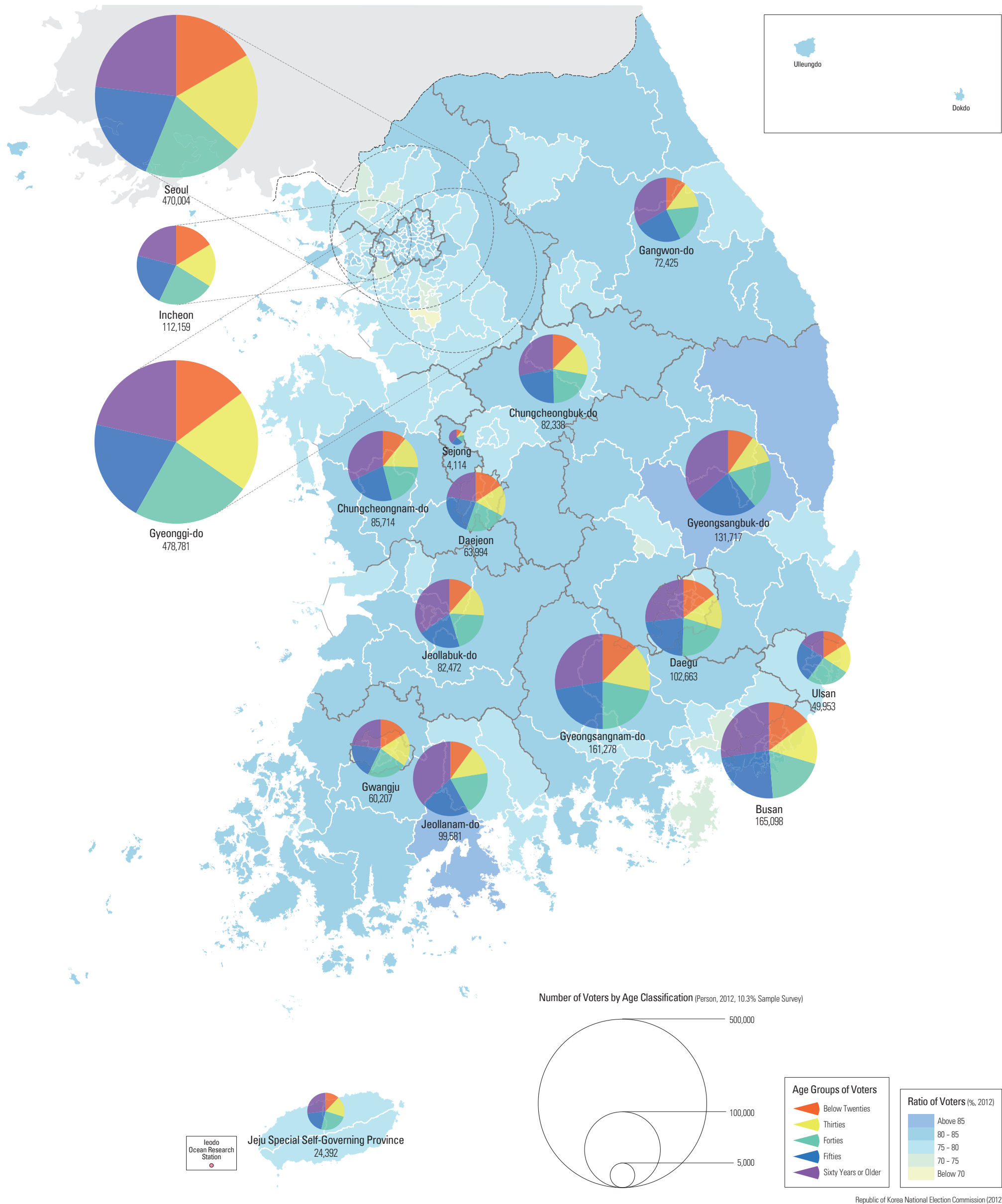
Sacheon-si, Gyeongsangnam-do), and the constituency of Boeun-gun, Okcheon-gun, and Yeongdong-gun (in Chungcheongbuk-do) recorded the highest turnouts accounting for 68.4%, 65.9% and 65.8%, respectively. The voter turnout rates were higher in rural areas than urban areas such as Seoul and other metropolitan cities. Results from the election districts showed that the Saenuri Party received about 9.3 million votes (43.3%), followed by the Democratic Unionist Party

with about 8.2 million votes (37.9%), and the Unified Progressive Party with about 1.3 million votes (6.0%). Geographically, the Saenuri Party showed dominance in Gyeongsangnam-do, Gyeongsangbuk-do, Busan, Daegu, Ulsan, and the capital area except for the City of Seoul, Chungcheongnam-do, Chungcheongbuk-do, and Gangwon-do. The Democratic Unionist Party dominated in of Seoul, Daejeon, Jeollanam-do and Jeollabuk-do.

In the case of the proportional system, voting for

political parties showed that the Saenuri Party received about 9.1 million (22.7%), followed by the Democratic Unionist Party with about 7.8 million votes (19.3%), and the Unified Progressive Party with about 2.2 million votes (5.5%). Like the results of the election districts, the Saenuri Party showed dominance in the capital area, Gyeongsangnam-do and Gyeongsanbuk-do. And the Democratic Unionist Party dominated in Gwangju, Jeollanam-do and Jeollabuk-do.

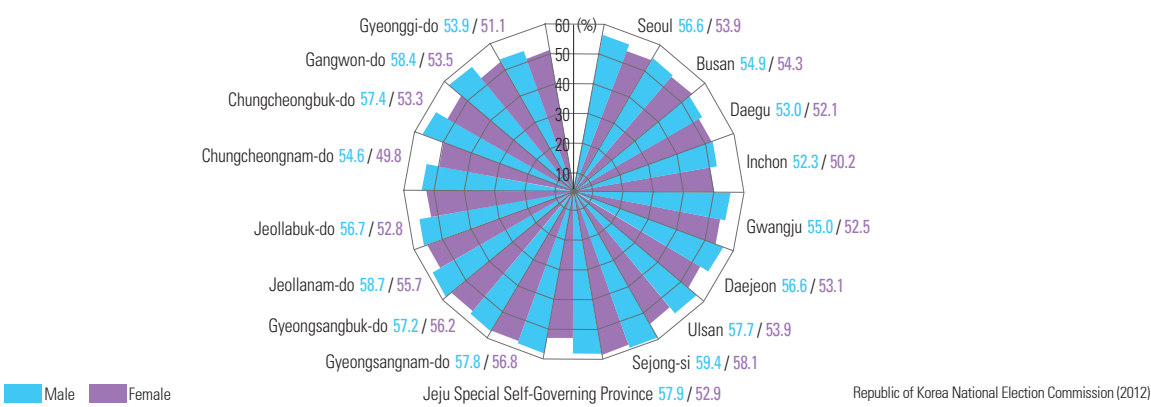
Turnout of the 19th Election by Age



The analysis used the data collected from 1,410 constituencies and 4,132,112 voters selected by a systematic random sampling among 13,470 constituencies and 40,181,623 voters. Results show that the highest voter turnout was among the 60 or older age group. The lowest voter turnout was among people in their twenties. Geographically, the region of the highest voter turnout based on age groups is Seoul with the largest percentage of the youth vote. In Ulsan the voting was dominated by people in their forties and fifties, and in the Sejong Special Autonomous City

the preponderance of voters were people sixty years or older. When voter turnout was analyzed by sex and regional classification, the turnout of men is somewhat higher than that of women. In the Jeju Special Self-Governing Province the gap between male and female voters was 5.0%, followed by Gangwon-do (4.9%). On the contrary, the turnout difference between men and women was minimal in Busan (0.6%) and Daegu (0.9%). The highest turnout of men was at the polls in the Sejong Special Autonomous City (59.4%) and Jeollanam-do(58.7%).

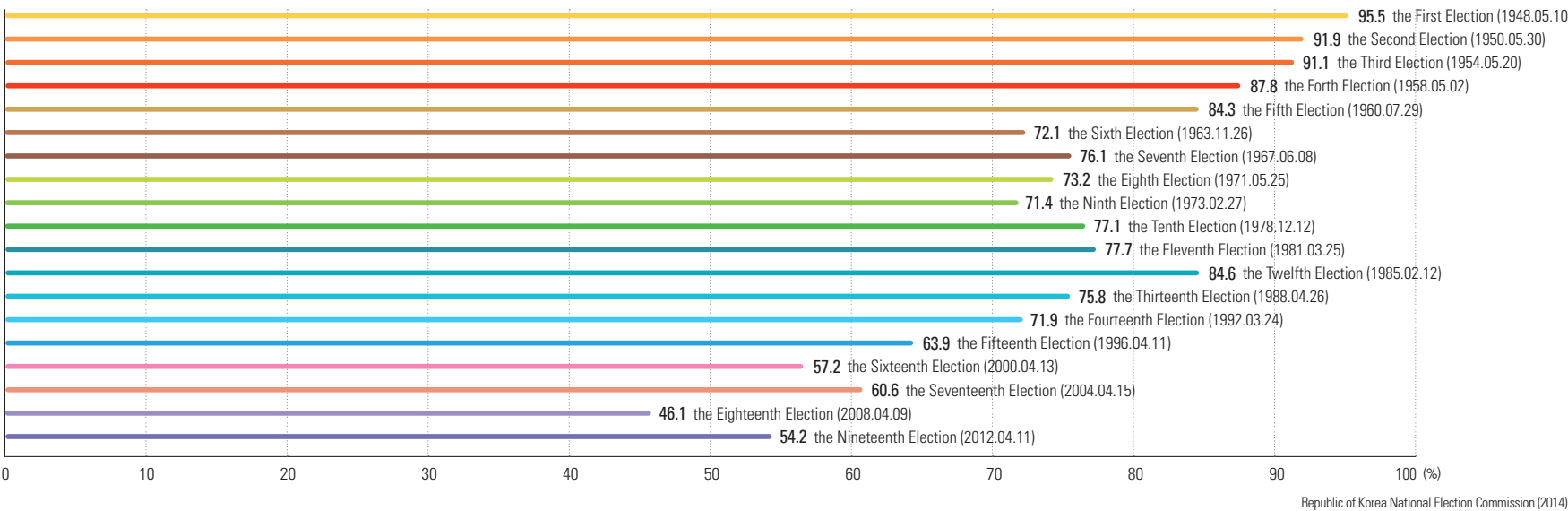
Turnout of the 19th Election Member of the National Assembly by Gender and Region





The graph of the Turnout for All Elections shows changes in the voter turnout for elections of the members of the National Assembly. The voter turnout for the first National Assembly election reached 95.5% in 1948; since then voter turnouts have followed a downward trend until the 12th election of the members of the National Assembly when voter turnout increased somewhat. The lowest voter turnout for the National Assembly has was 46.1% at the 18th election, but the 19th election for the members of the National Assembly marked the 54.2% voter turnout, an increase of 8.1% from the previous election.

Turnout of Previous Elections



National Election by Overseas Residents

The law of the franchise to overseas residents provides expatriate voting rights to Koreans who are living abroad during the elections of the president or members of the National Assembly. Citizens who want to vote should be 19 years of age or older on

the election day and should declare foreign absentee status by registering to vote.

The law on the franchise to overseas residents has been implemented for the first time in the 19th election of the members of the National Assembly. It provides the basic right to vote described in the Constitution, promotes democracy, extends rights

to overseas citizens, and satisfies global demands in this globalization era.

The law of the franchise to overseas residents for the 19th election was administered in 158 official residences and alternative facilities over the world. The total turnout of the franchise to overseas residents was 42.1% in the district system and 45.7%

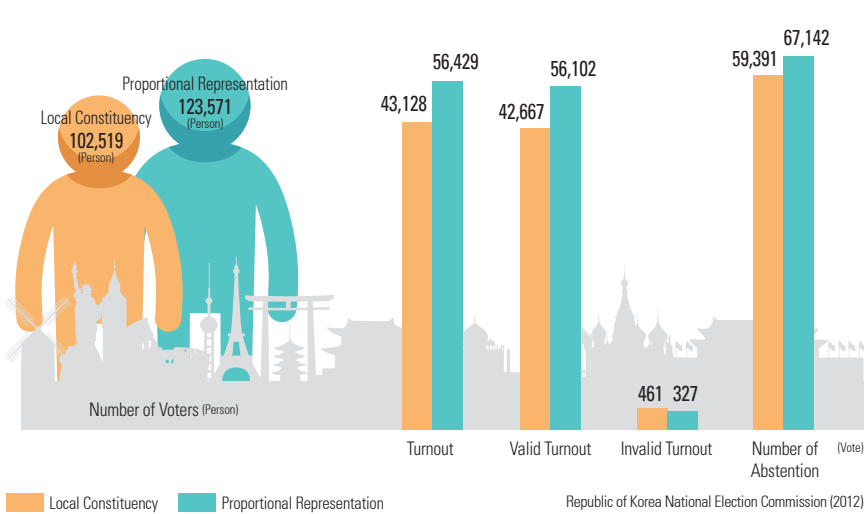
in the proportional representation system. Results showed that the Saenuri Party received 40.4%, followed by the Democratic Unionist Party with 35.2%, the Unified Progressive Party with 14.5%, the Liberty Forward Party with 1.6%, and all others with 8.3%.

Range of Law on the Franchise to Overseas Residents

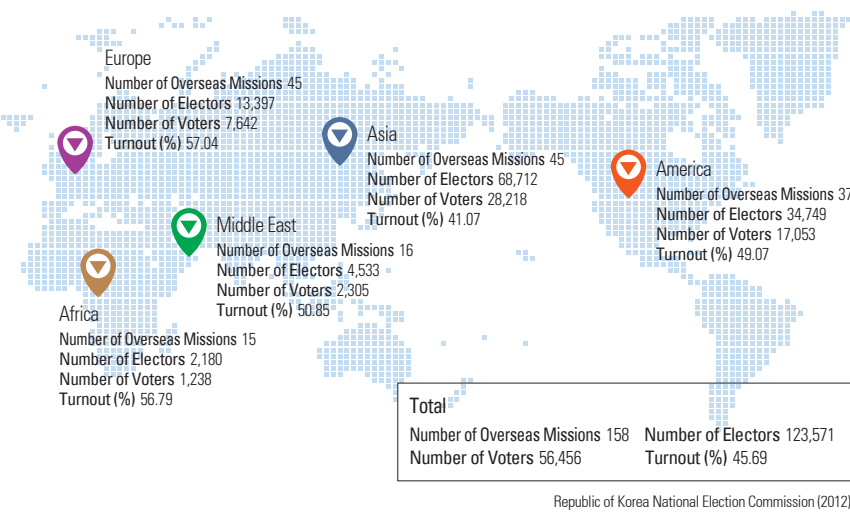
Voters		Elections to Participate
Korean national/Resident abroad		- Presidential election - Election of proportional representative members of the national assembly due to the end of their term of service
Absentees	Person declaring domestic permanent address	- Presidential election - Election of proportional representative members of the national assembly due to the end of their term of service
	Person having a resident registration	- Presidential election - Election of members of the national assembly due to the end of their term of service (Local constituencies and proportional representatives)

Republic of Korea National Election Commission (2014)

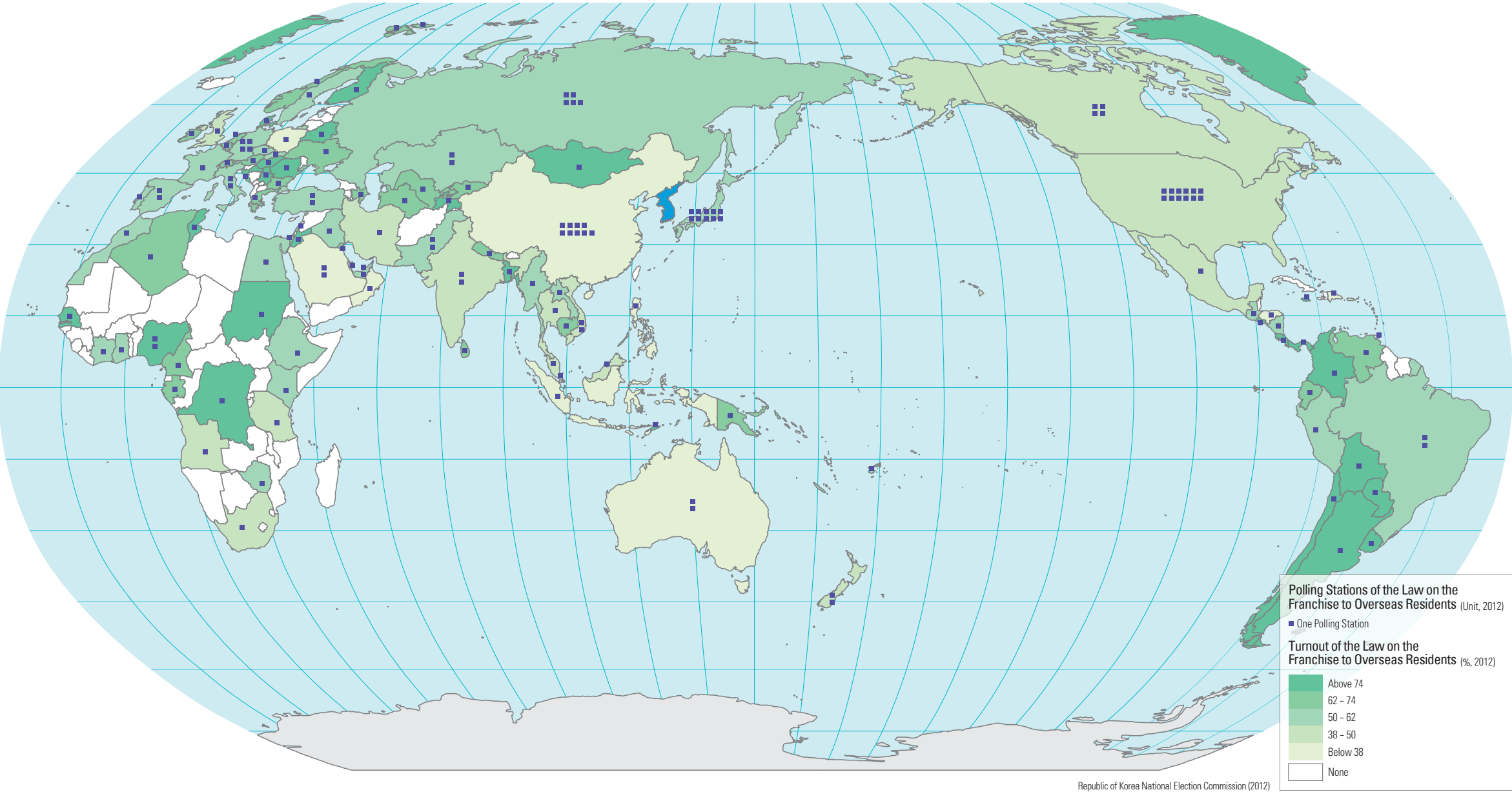
Turnout of the 19th Election by Overseas Residents



Turnout of the 19th Election According to Continent



19th Election by Overseas Residents





Executive Government

In 1948 the Government Organization Act specified that the Korean government should be divided into 11 executive ministries: Home Affairs, Foreign Affairs, Justice, National Defense, Finance, Education, Agriculture and Forestry, Commerce and Industry, Transportation, Social Affairs, and Postal Services. It also called for the formation of four non-executive ministries – Government Administration, Government Legislation, Planning, and the Bureau of Public Information – along with the formation of three committees: Inspection, Examination, and General Accounting. Since its inception in 1948, the structure of the Korean government has changed through the subsequent decades.

The election of President Park Guen-hye in 2013 ushered in what was called “A New Era of Hope and Happiness.” During the launch of the new administration in February, 2013, four key policy objectives were announced: Economic Revival (3 strategies, 42 goals), the People’s Happiness (4 strategies, 64 goals), Cultural Enrichment (3 strategies, 10 goals), and the Laying of the Foundation for Peaceful Unification (3 strategies, 13 goals). The Park government has also promoted an efficient governmental system which can support what it terms as a “creative economy,” and this has served as a guiding theme for economic revival, especially through the convergence of science and information and communications technologies. The New Era has also established that public safety is a matter of the highest priority in domestic affairs.

The current government has been organized into 17 Executive Ministries, 3 Ministries and 17 Offices according to the revised Government Organization Act amended in 2014 (Act no. 12844).

- **Ministry of Strategy and Finance:** This ministry administers “the establishment of mid- and long-term strategies for national development, formulation, overall control and coordination of economic

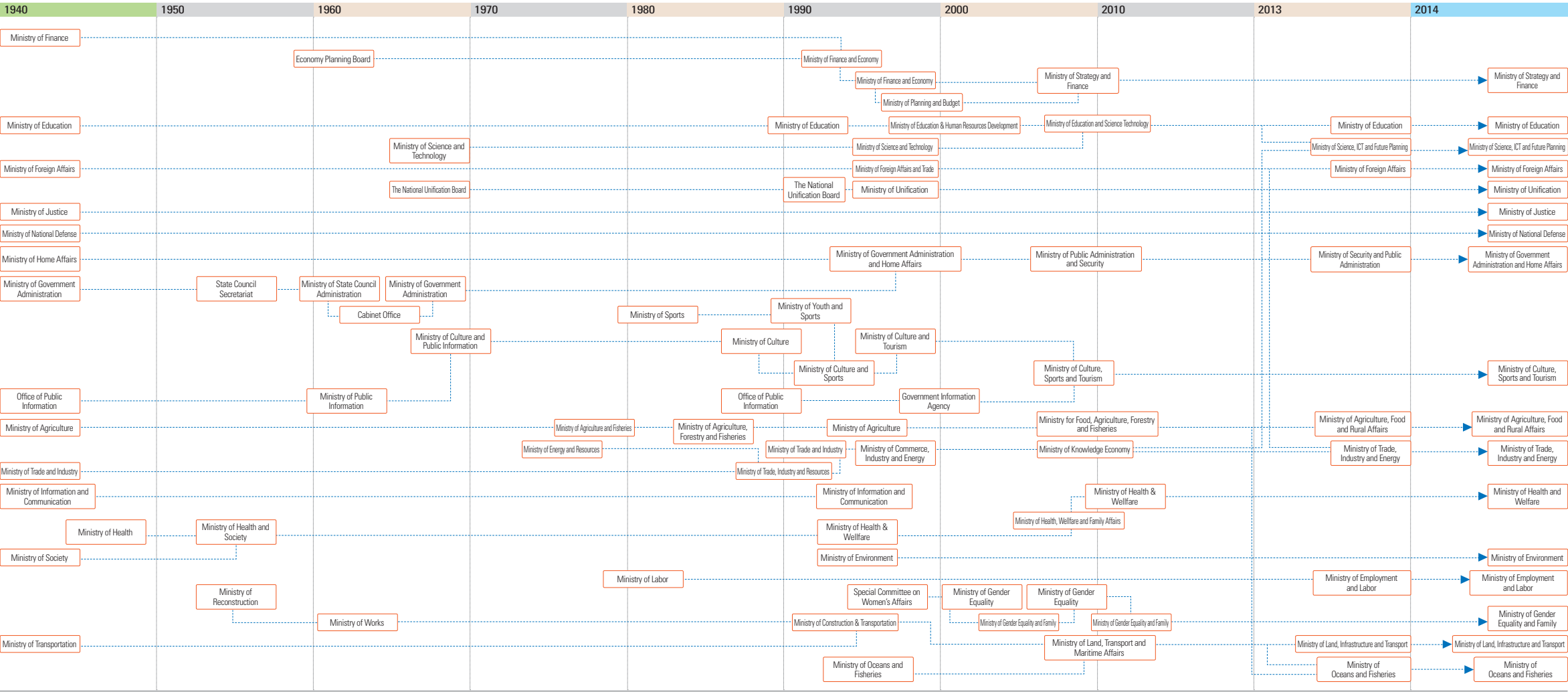
and financial policies, formulation, execution and performance management of budgets and funds, currency, foreign exchange, National Treasury, government accounting, internal tax system, customs, international finance, management of public institutions, economic cooperation, State property, private investment, and national debts.”

- **Ministry of Science, ICT and Future Planning:** This ministry takes charge of “the formulation, overall control and coordination of policies on science and technology, research, development and promotion of science and technology and cooperation therein, training of science and technology personnel, research, development, production and utilization of nuclear energy, planning of national informatization, protection of information, information culture, fusion and promotion of broadcasting and communications, management of radio waves, information and communications industry, postal service, postal money orders, and postal transfers.”
- **Ministry of Education:** This ministry is in charge of “policies on the development of human resources, school education, lifelong education, and sciences.”
- **Ministry of Foreign Affairs:** This ministry oversees “diplomacy, economic diplomacy, diplomacy for international economic cooperation, coordination of duties regarding international relations, treaties and other international agreements, protection of and support for Korean nationals abroad, formulation of policies on overseas Koreans and research and analysis of international circumstances.”
- **Ministry of Unification:** This ministry is in charge of “policies on unification, and dialogue, exchanges and cooperation between the South and North, education on unification, and other duties on unification.”
- **Ministry of Justice:** This ministry takes care of “prosecution, enforcement of sentences, protection of human rights, control of entry and departure into/from Korea, and other legal matters.”

- **Ministry of National Defense:** “The Minister of National Defense shall administer military administration, military command and other military duties,” and the Ministry is in charge of “enlistment, mobilization, and other duties of military administration.”
- **Ministry of Government Administration and Home Affairs:** This ministry assumes responsibility for “the formulation, overall management and coordination of policies on security and disaster, systems of emergency preparedness and civil defense, general affairs of the State Council, promulgation of Acts, subordinate statutes and treaties, government organization and prescribed number of public officials, personnel management, ethics, services and pension of public officials, awards and decorations, government reformation, administrative efficiency, electronic government, protection of personal information, maintenance of government buildings, local government systems, support for business, finance and taxation of local governments, support for underdeveloped regions, mediation of disputes among local governments, elections and referendums.”
- **Ministry of Culture, Sports and Tourism:** “The Minister of Culture, Sports and Tourism shall administer duties concerning culture, arts, video, advertisement, publishing, publications, sports, tourism, publicity of State affairs and Government announcements.”
- **Ministry of Agriculture, Food and Rural Affairs:** This ministry oversees “agriculture, livestock farming, foods, farmland, irrigation, promotion of food industry, development of farming villages and distribution of agricultural products.”
- **Ministry of Trade, Industry and Energy:** This ministry supervises “commerce, trade, industry, trade relations, trade negotiations, overall management and coordination of trade negotiations, foreign investment, policies on the research and development of industrial technology, energy and underground resources.”

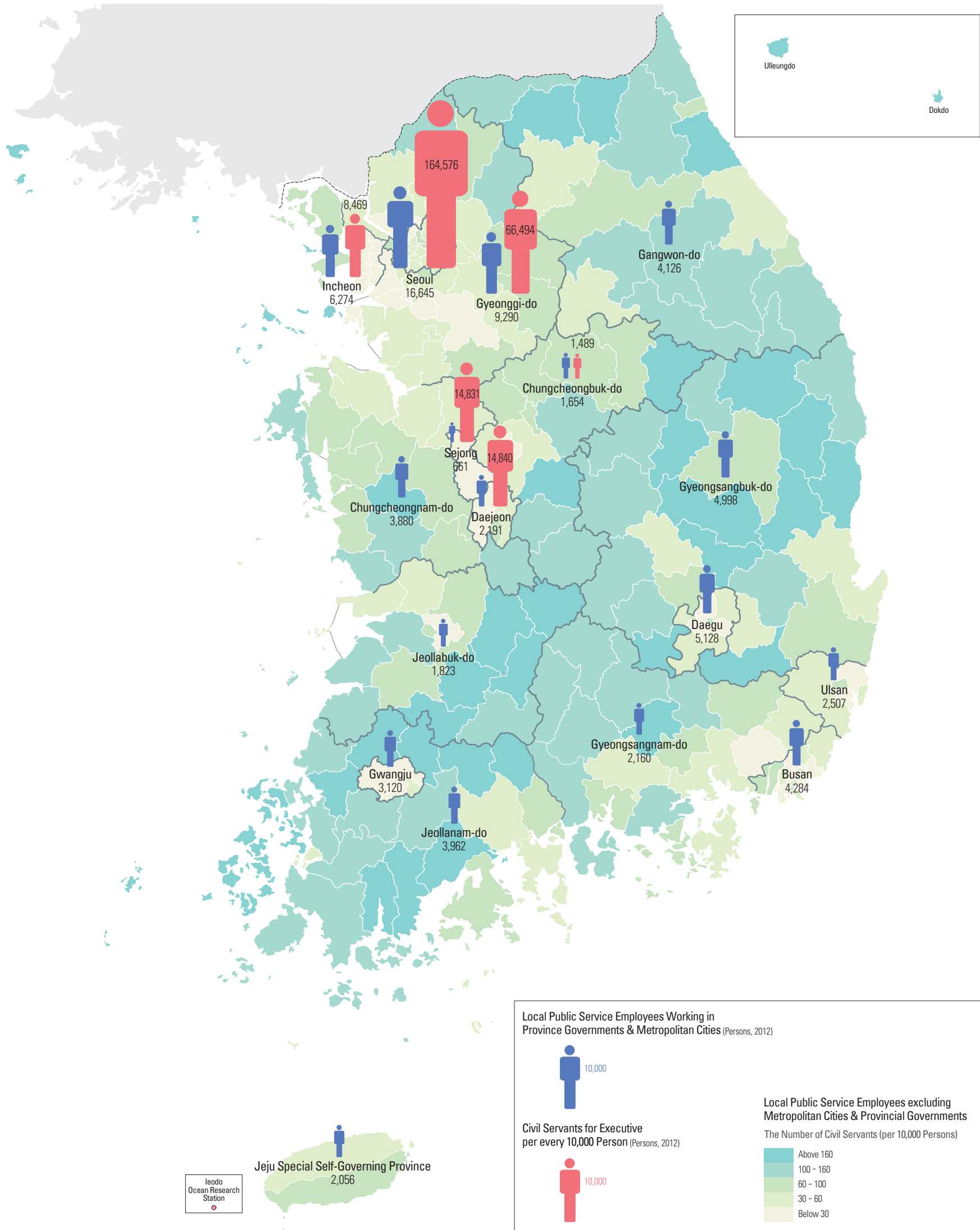
- **Ministry of Health and Welfare:** This ministry is in charge of “health, sanitation, prevention of epidemics, medical administration, pharmaceutical administration, relief of the needy, support for self-sufficiency, social security, children (including infant care), elderly persons, and disabled persons.”
- **Ministry of Environment:** This ministry is devoted to “the conservation of natural and living environment and the prevention of environmental pollution.”
- **Ministry of Employment and Labor:** This ministry oversees “overall employment policies, employment insurance, development and training of occupational capability, standards for working conditions, workers’ welfare, coordination of labor-management relations, industrial safety and health, industrial accident compensation insurance, and other duties concerning employment and labor.”
- **Ministry of Gender Equality and Family:** This ministry focuses on “the planning and consolidation of policies on women, improvement of women’s status, such as promotion of women’s rights and interests, juveniles and families (including duties concerning multi-cultural families and children for healthy family projects).”
- **Ministry of Land, Infrastructure and Transport:** This ministry controls “the formulation and coordination of comprehensive plans for national land, conservation, utilization, and development of national land and water resources, construction of cities, roads and houses, coasts, rivers reclamation, overland transportation, railroads, and aviation.”
- **Ministry of Oceans and Fisheries:** This ministry oversees all matters “maritime policies, fisheries, development of fishing villages, distribution of marine products, maritime transportation, harbors, marine environment, ocean surveys, development of marine resources, research and development of marine science and technology, and adjudication on cases of maritime safety.”

Changes in Government Organization



Civil Servants

Civil Servants of the Central and Local Governments



Note: The number of local public service employees working in province governments and metropolitan cities includes only the number of officers working for head office, provincial council, and direct or affiliated agencies.

Civil servants in Korea serve in one of five main groups: the Legislature, the Judiciary, the Administration, the Constitutional Court of Korea, and the National Election Commission. In 2013, the total number of civil servants was close to a million people (998,940). While the majority (97.6%: 974,518) of these serve the Administration, others are working in the Legislature (0.4%: 3,993), and the Judiciary (1.7%: 17,431). The National Election Commission and the Constitutional Court of Korea are staffed by only 0.3% (2,721) and 0.03% (277) respectively.

All civil servants also fall into one of two categories: national public officials and local public service employees. The former (63.2%: 615,726) are appointed by the President and the heads of each

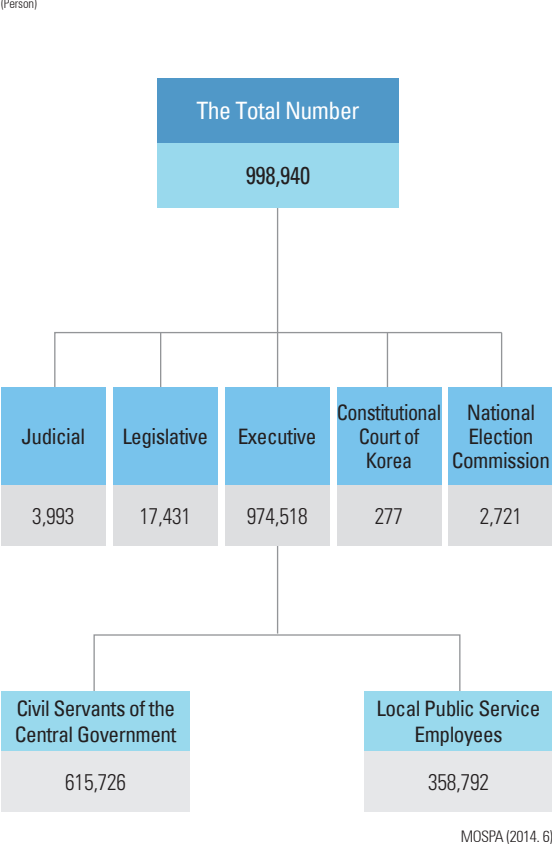
ministry: the latter (26.8%: 358,792) are called to office by the head of the local government according to the Local Officials Act (Ministry of Security and Public Administration, 2014).

Almost 44.1% (440,845) of national public officials work for one of the 17 Executive Ministries. The Ministry of Education has the highest percentage (35.3%) with 352,538 officials. Ministry of Science, ICT and Future Planning and the Ministry of Justice take up 3.3% (33,285) and 2.1% (21,071) each. The percentage of those who do not belong to governmental agencies other than the 17 Ministries is 17.5% (174,881).

The Civil Service map presents the ratio of national public officials and local public service employees per

every 10 thousand people by region. In terms of the regional distribution of the former, they are concentrated in Seoul (32.3), Gyeonggi-do (13.1), the Sejong Special Autonomous City (2.9) and Daejeon (2.9), respectively. The Sejong Special Autonomous City in particular has the highest rate (58.4) of the latter as a percentage of the population, which is three times higher in ratio than the average (20.8). It is followed by the Jeju Special Self-Governing Province (35.2), Gangwon-do (26.8), Incheon (22.1), Gwangju (21.1), Jeollanam-do, and Daegu. Gyeongsangnam-do has the lowest in ratio (6.5). Ulleung-gun (385.1) and Yeongyang-gun (308.7) in Gyeongsangbuk-do contain the highest ratios in the sub-areas while the Bupyeong-gu (17.2) and the Seo-gu (17.7) in Incheon contain the lowest.

Number of Civil Servants



Civil Servants for Executive Government

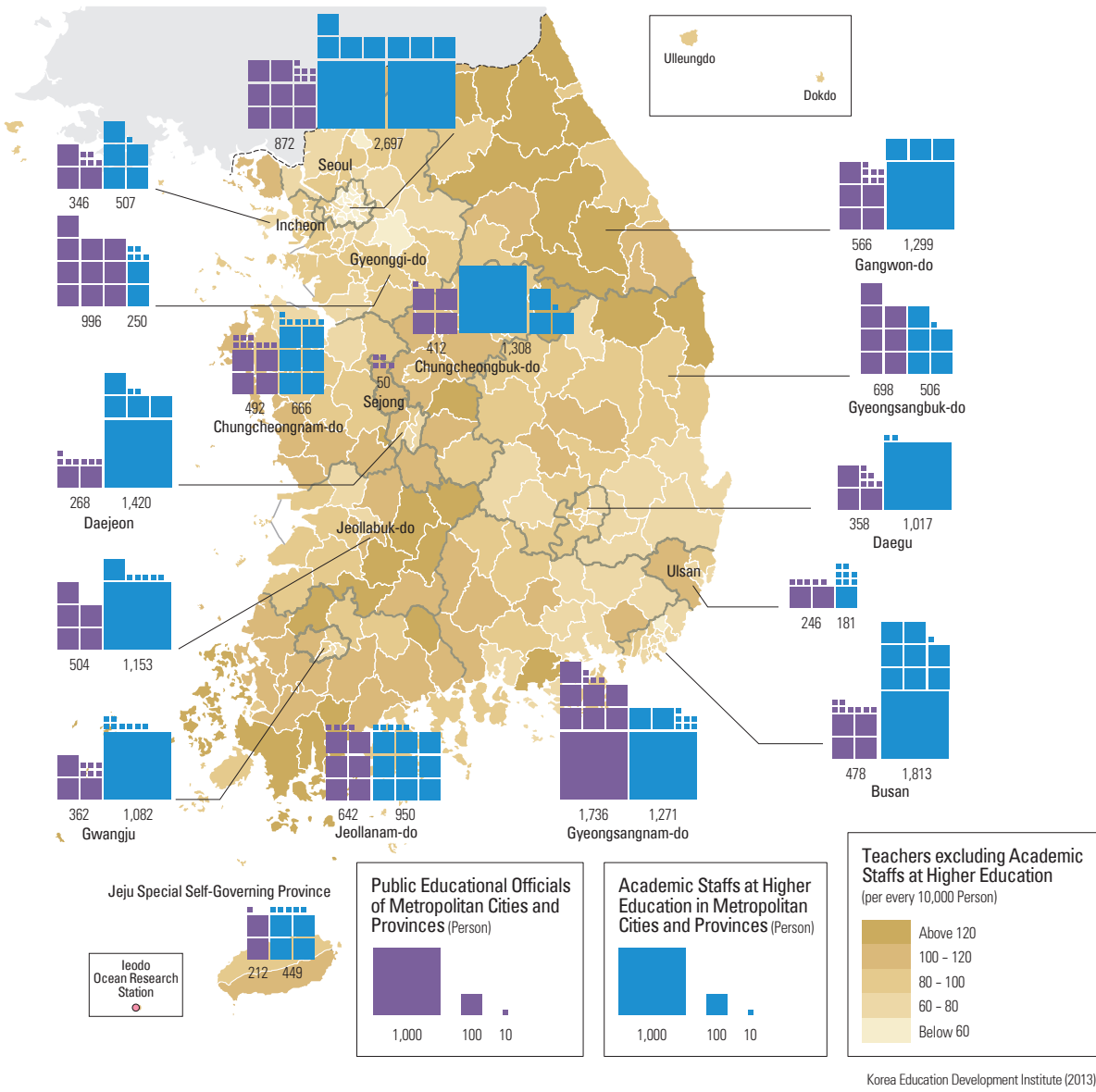
	Ministry of Strategy and Finance	963
	Ministry of Education	352,538
	Ministry of Science, ICT and Future Planning	33,285
	Ministry of Foreign Affairs	2,483
	Ministry of Unification	515
	Ministry of Justice	21,071
	Ministry of National Defense	935
	Ministry of Government Administration and Home Affairs (former Ministry of Security and Public Administration)	3,314
	Ministry of Culture, Sports and Tourism	2,705
	Ministry of Agriculture, Food and Rural Affairs	3,213
	Minister of Trade, Industry and Energy	1,257
	Ministry of Health and Welfare	3,023
	Ministry of Environment	1,856
	Ministry of Employment and Labor	5,747
	Ministry of Gender Equality and Family	234
	Ministry of Land, Infrastructure and Transport	3,899
	Ministry of Oceans and Fisheries	3,807
	Other National Public Officials	174,881

Note: The number of officers working in Ministry of Government Administration and Home Affairs is based on the number of officers working in Ministry of Security and Public Administration in 2013.

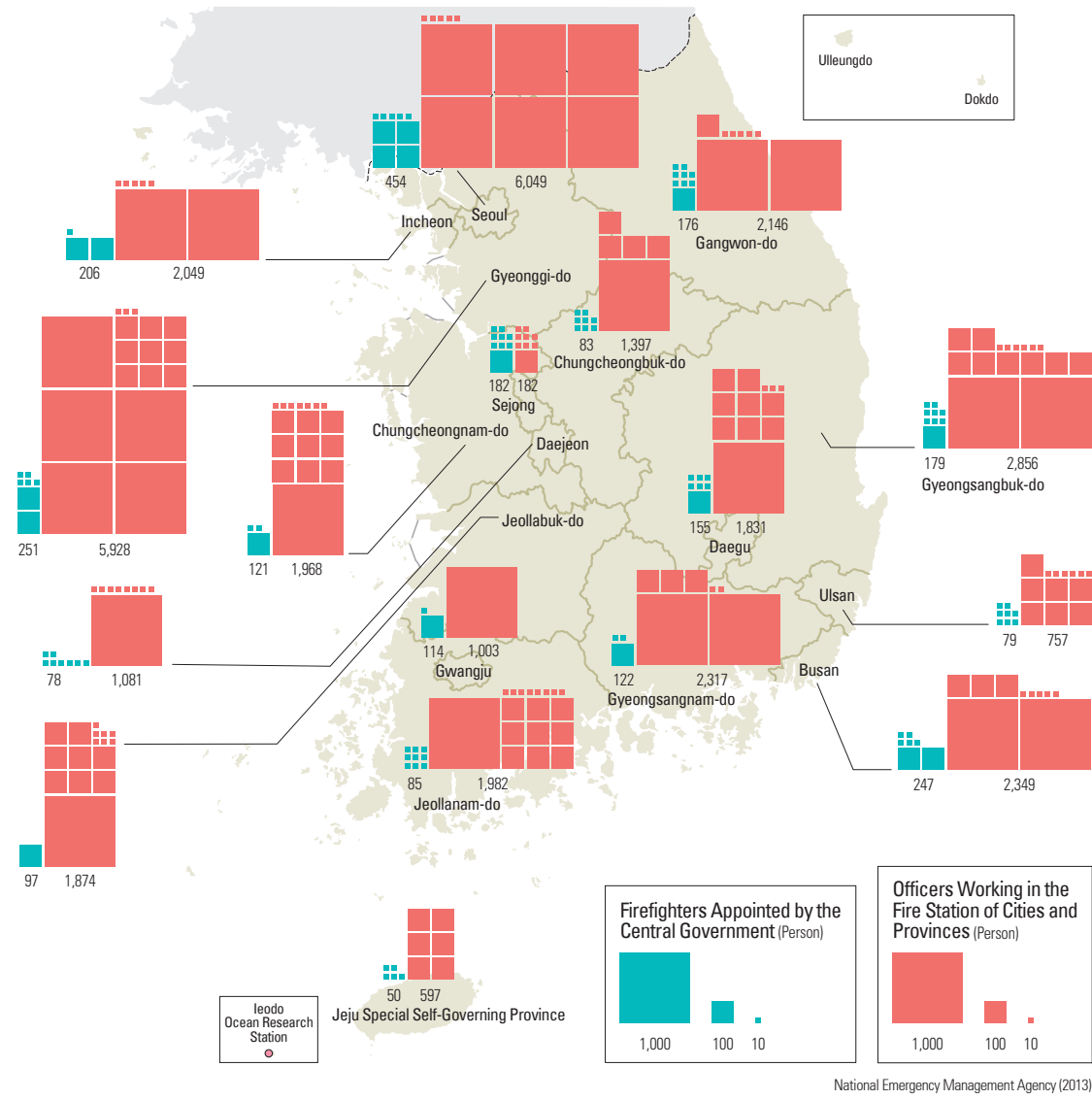
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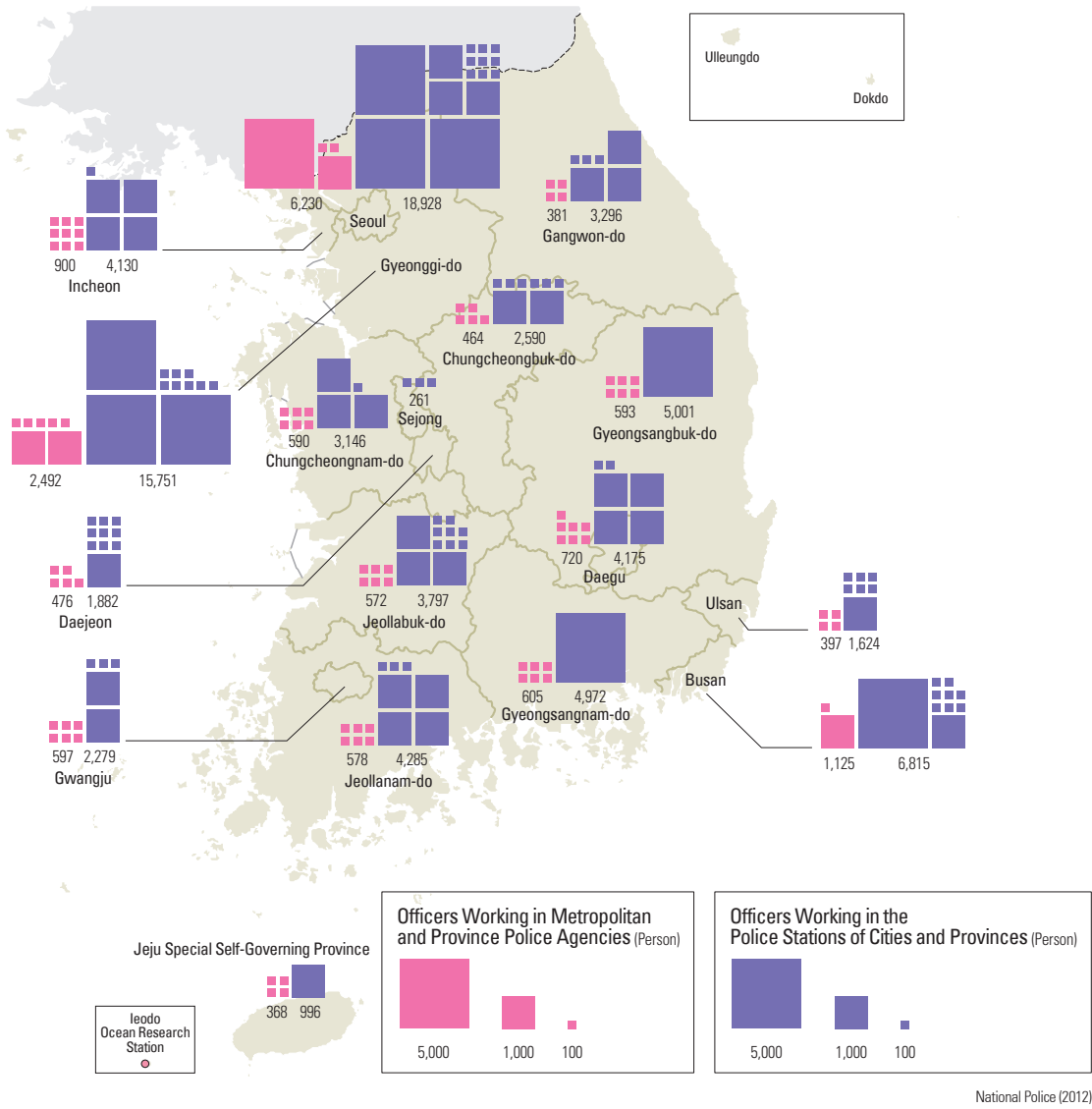
Public Educational Officials



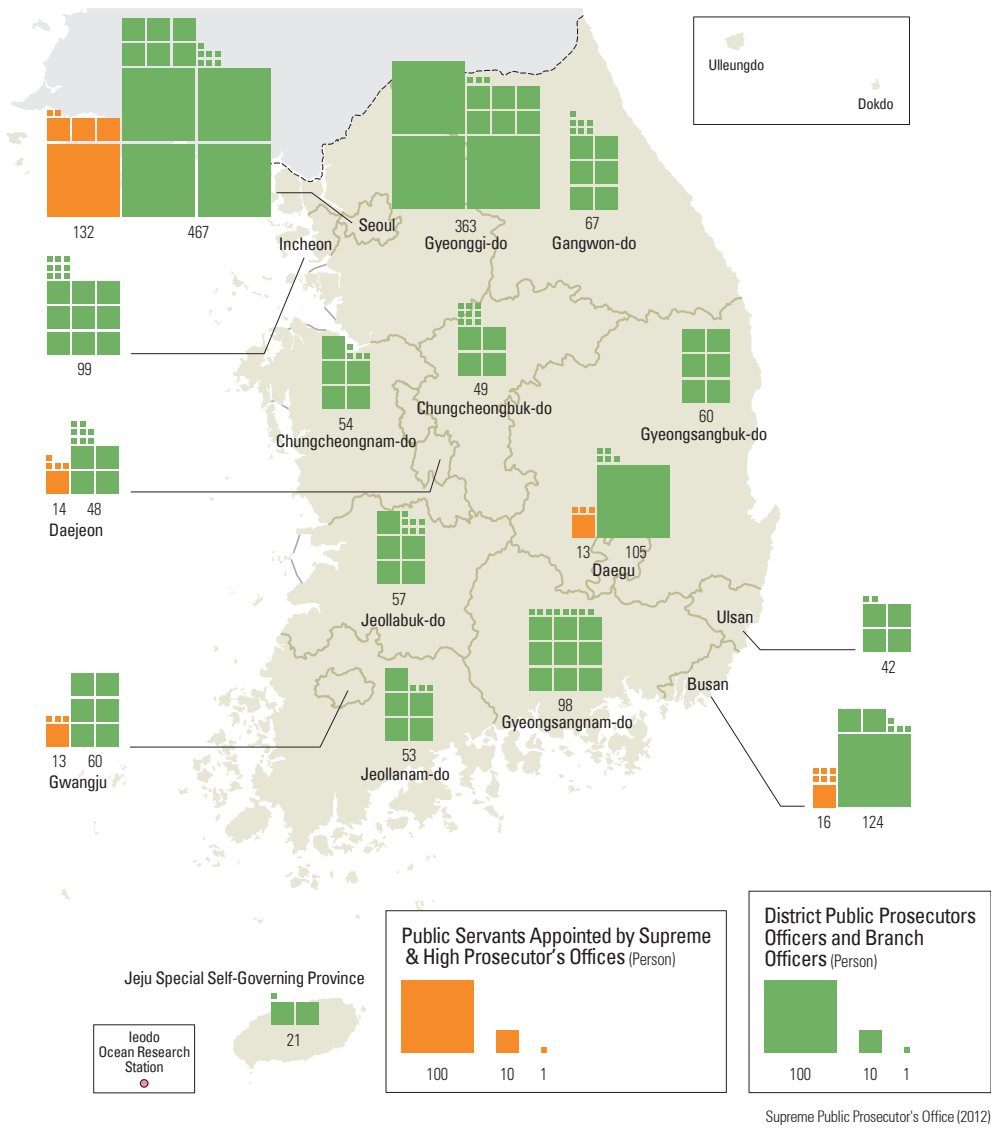
Firefighters



Police Officers



Prosecutors



The current number of public educational officials is 346,488 (Ministry of Security and Public Administration, 2013). The national average of those who teach at kindergarten, elementary, and middle/high school levels is 78.88, but the rate of academic staff in higher education is 4.49 per every 10,000 people. Non-teaching officials make up only 1.1.

Since the introduction of the Local Municipal Police System in 2006, police officers are appointed by both national and local governments. In 2012, the majority, 110,284 officers, belong to the central government, and the rest work for the

local authorities. There are 4,936.9 officers on average working in the police stations of cities and provinces. On average, some agencies in major cities and local provinces – Seoul, Busan, Gyeonggi-do, Gyeongsangbuk-do, and Gyeongsangnam-do – have more officers than other regions. Also, the average number of officers working in Metropolitan and Province Agency is 1,005.2. The average number of police officers is above the national average in Seoul, Busan, and Gyeonggi-do.

While the majority of firefighters are hired by the central government, most firefighters belong to local

governments. Only 39,197 work for the National Emergency Management Agency and the National 119 Rescue Headquarters (National Emergency Management Agency, 2014). On average, 157.6 staff members work in each local emergency management agency. Some agencies in Seoul, Gyeonggi-do, Busan, Incheon, the Sejong Special Autonomous City, Gyeongsangbuk-do, and Gangwon-do exceed the average. Regionally, there are 2139.2 firefighters on average working in the field. They are also more concentrated in the following cities and provinces such as Seoul, Busan, Gyeonggi-do,

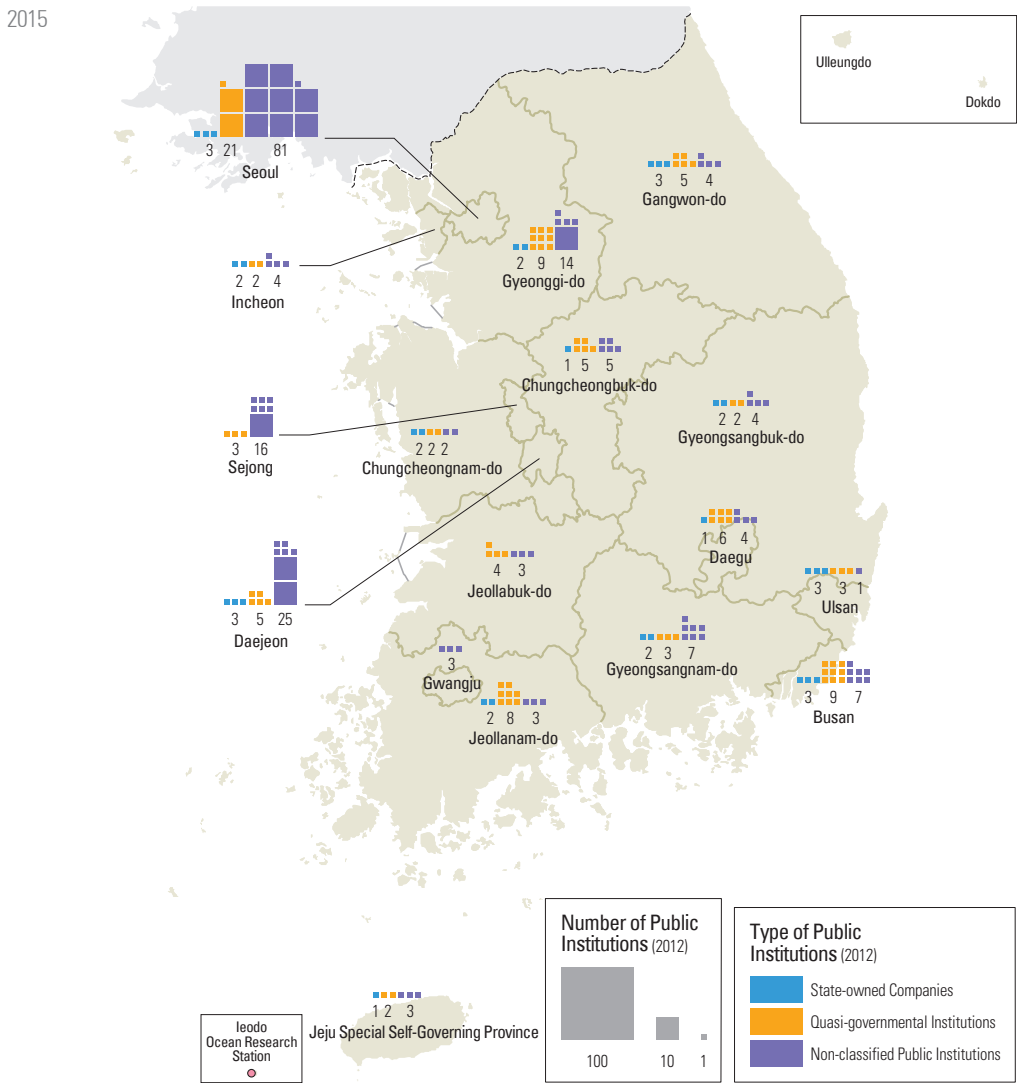
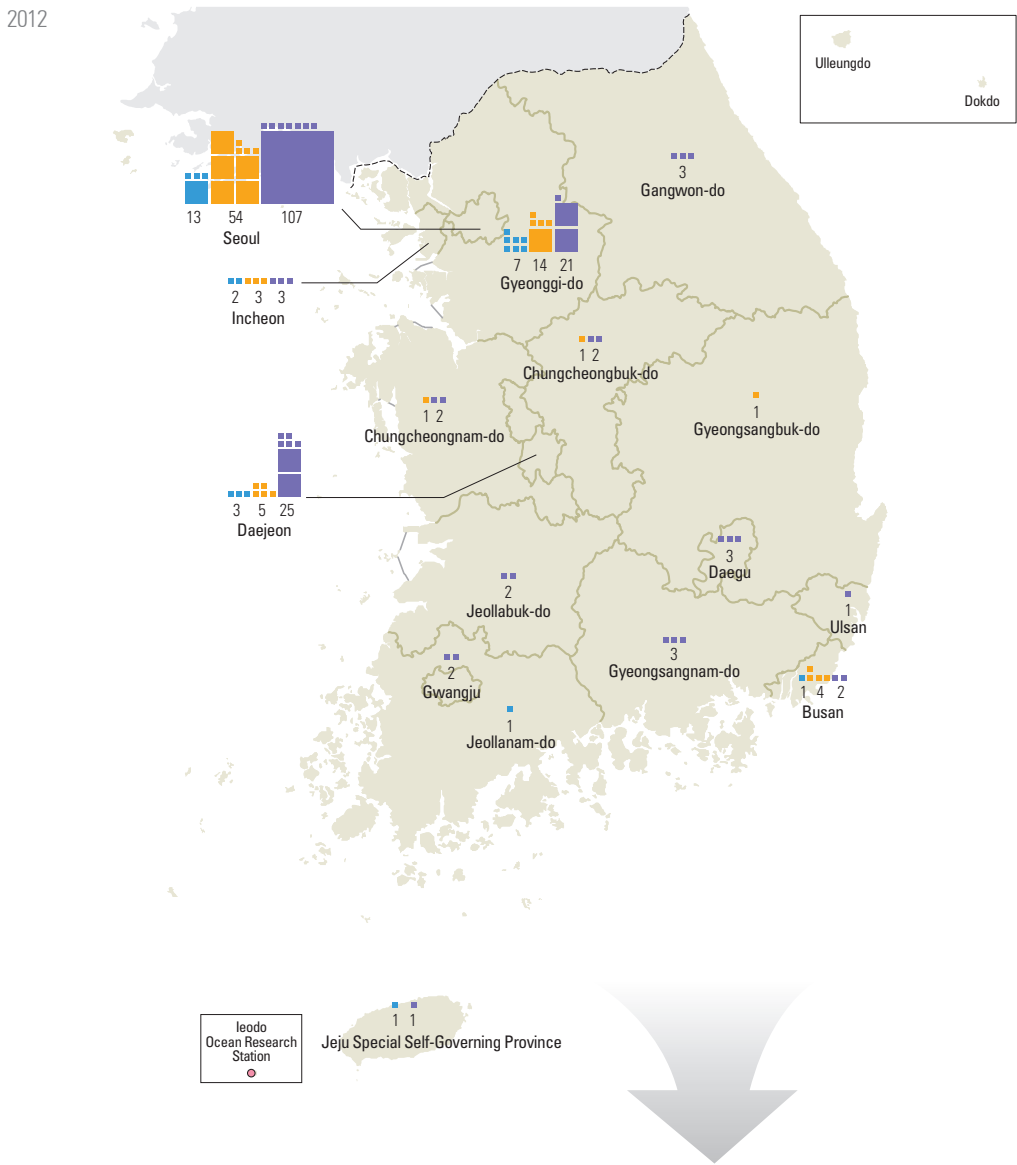
Gyeongsangnam-do, and Gangwon-do.

As of 2012 the number of prosecutors was 2,012 in Korea (Prosecutor's Office), and these were also divided by where they work: Ministry of Justice or the Prosecutor's Office. On average, 11.1 prosecutors work at Supreme Prosecutor's Office in Seoul and the High Prosecutors' Offices in Seoul, Daejeon, Gwangju, and Daegu. There are 103.9 prosecutors on average in district public prosecutors' offices and branch offices. On average, more prosecutors are in Seoul, Gyeonggi-do, Busan, and Daegu than other regions.



Public Institutions in Korea

Distribution of Public Institutions

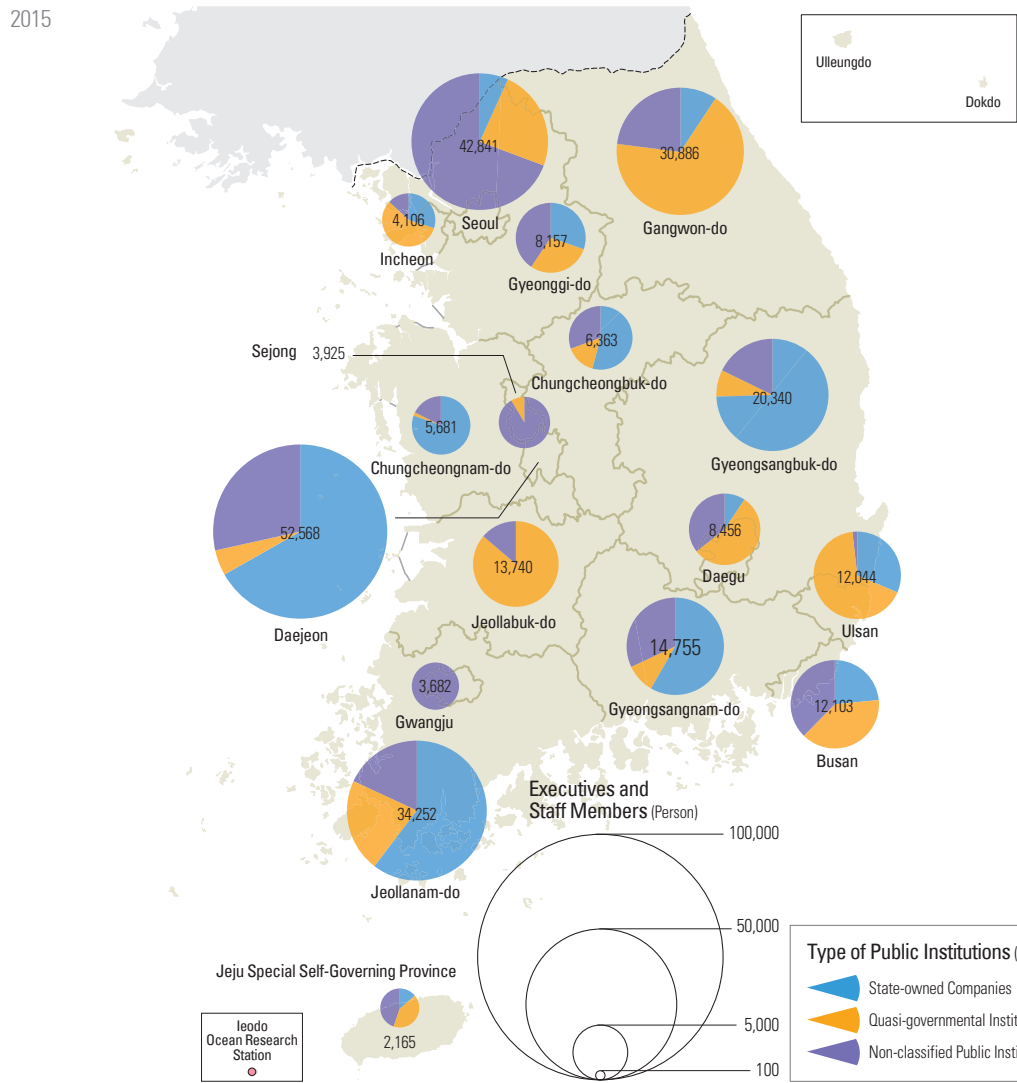
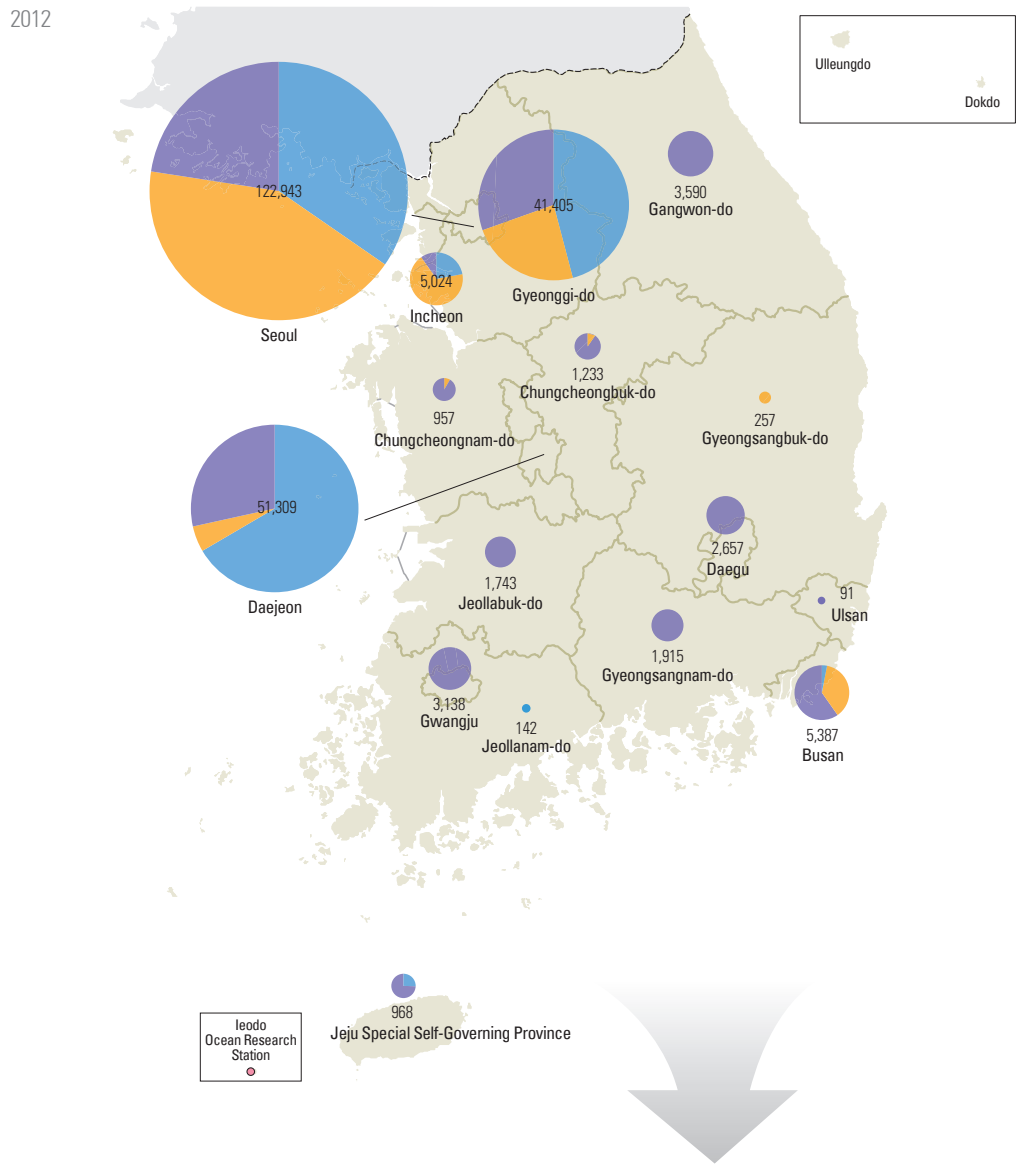


Public Institutions are categorized by type: state-owned companies (market-based public corporations and quasi-market-based public corporations): quasi-governmental institutions (fund-management-based quasi-governmental institutions and commissioned-service-based quasi-governmental institutions), and finally non-classified public institutions. Among 288 institutions in total, 28 state-owned companies and 83 quasi-governmental institutions account for 9.7% and 28.8% of the public institutions, respectively. The number of non-classified institutions is 177 (61.5%).

In terms of regional distribution, the Seoul metropolitan area was once home to three quarters (224: 77.8%) of Korean public institutions: 174 (60.4%), 8 (2.8%) and 42 (14.6%) in Seoul, Incheon and Gyeonggi-do, respectively. While there are 35 (11.5%) institutions in Daejeon, the other regions account for no more than 3%. Such distribution between the two regions is evidence of a highly polarized pattern that had emerged by the early 2010s.

For the last five decades, South Korea has followed

Executives and Staff Members of Public Institutions



an economic development strategy that concentrated primarily on the capital area. However, this approach has been replaced more recently by a governmental strategy based on the relocation of public institutions in a manner that will ideally result in more balanced national development.

A total of 154 public institutions have been subject to relocation to either the Sejong Special Autonomous City, ten other innovative cities, or other regions up to November 2014. Each destination was designated by the regional characteristics.

As of November 2014, 73 public institutions have already been relocated, and the transfer will be mostly completed in 2015. The two maps above show the change from the unipolar structure to a more balanced regional distribution. Once completed, the concentration ratio of the agencies in the central capital area will decrease from 77.8% (224 of 288) to 45.6% (138 of 302). Therefore, it seems clear that the relocation of public institutions is a key factor in helping to resolve the longstanding regional economic imbalance.

Judiciary

The judiciary is a governmental body that judges cases according to the law of the nation and includes the Supreme Court and all lower level courts under its jurisdiction. The judiciary structure includes the High Courts below the Supreme Court. High Courts all have District Courts, Family Courts, and Branch Courts of the District Courts under their judicial circuits. The High Courts and associated courts are distributed locally across the country so that people have convenient access to the courts for the progress of civil, criminal, and family cases. The Patent Court has been established as a special court under the Supreme Court.

The Supreme Court is the highest court in the nation, and its judges hear appeals that will be met with final decisions. As a single-trial court, it mostly handles final

appeals cases. As the final jurisdiction, the Supreme Court has exclusive jurisdiction on the cases regarding the decisions of the Marine Accidents Inquiry Agency as well as cases about the validity of presidential and parliamentary elections. The Supreme Court also has jurisdiction regarding whether orders, rulings, or judgments of each Court are unconstitutional. Supreme Court decisions are made either by the Council of all justices or by the division court of four justices. In the case of the Supreme Court Justices Council, its quorum is 2/3 of all justices including the Chief Justice, and a decision is then made by the majority of attendees. In the case of the four justice division court, a unanimous decision is required.

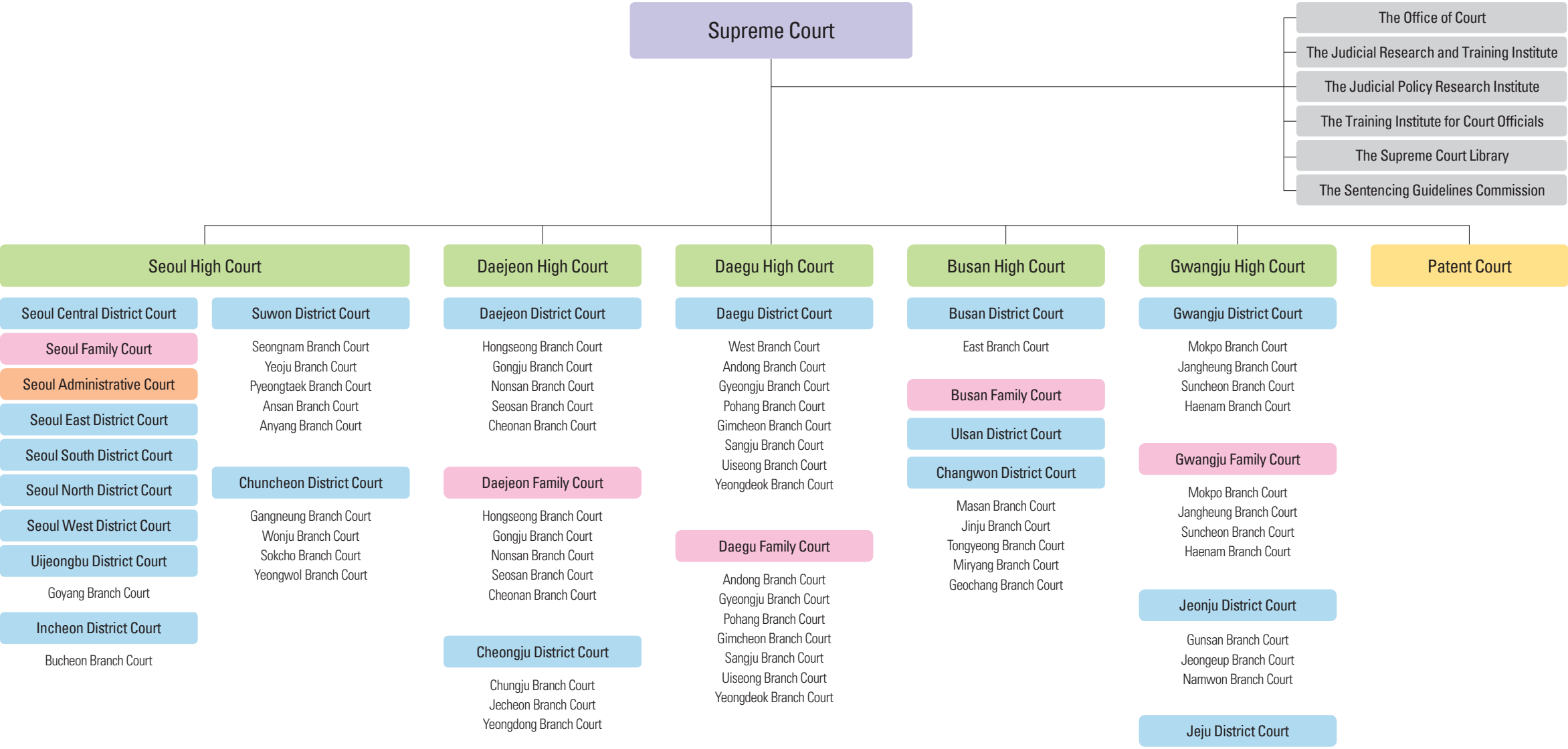
The Supreme Court Justices Council consists of a Chief Justice and 13 justices. The Chief Justice is

appointed by the President and is confirmed by the National Assembly. The term of the Chief Justice is six years, and it cannot be renewed. With the recommendation from a Chief Justice, Supreme Court justices are appointed by the President and are confirmed by the National Assembly. They work for a 6-year term and are allowed to have additional terms. The affiliated organizations under the Supreme Court are the Office of Court Administration, the Judicial Research and Training Institute, the Judicial Policy Institute, the Training Institute for Court Officials, the Supreme Court Library, and the Sentencing Guidelines Commission.

The judicial administration supports operating the Judiciary organizations including personnel, budgets, accounts, and facility maintenance. The

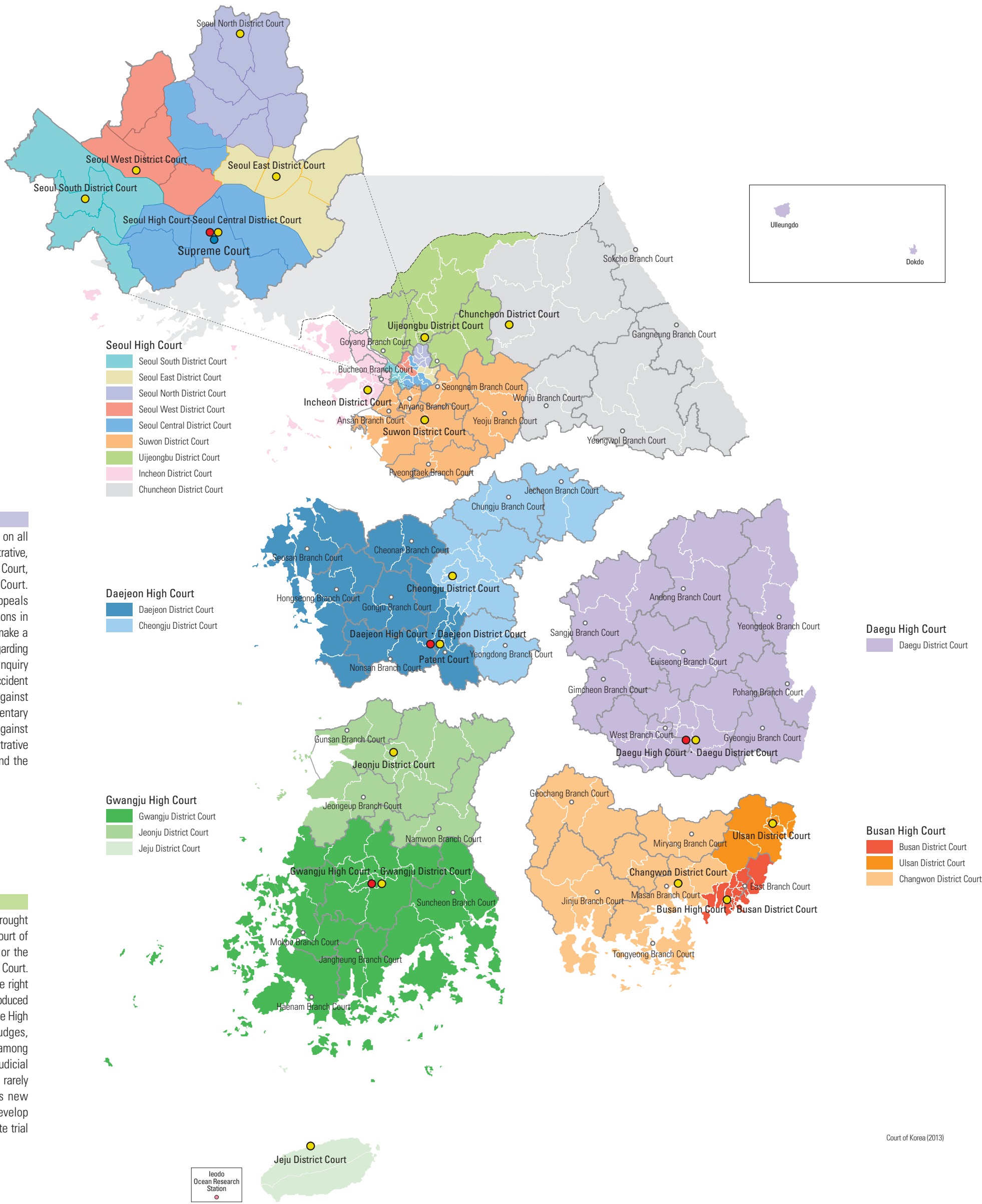
Chief Justice of the Supreme Court directs the judicial administration and supervises public officials. The Chief Justice of the Supreme Court in particular can delegate part of directing and supervising authorities of judicial administrative works to the Minister of the National Court Administration, the Directors of lower courts, the Director of the Judicial Research and Training Institute, the Director of Training Institute for Court Officials or the Director of Supreme Court Library. The Minister of the National Court Administration, who is also one of the Supreme Court justices, manages the Office of Court Administration and supervises the works of the judicial administration. The Chief Justice of the Supreme Court, however, handles important judicial administration work in coordination with the Supreme Court Justices’ Council.

Organization Map of the Judiciary



Constitution of the Judiciary

Distribution of the Courts



**Supreme Court**

The Supreme Court has the final verdict on all appeals regarding civil, criminal, administrative, patent, and family cases from the High Court, Patent Court, District Court, or Family Court. It renders judgments on emergency appeals stemming from the District Court decisions in particular cases. It also has the right to make a final judgment on the following: cases regarding the decisions of the Marine Accidents Inquiry Agency following the Law on Marine Accident Investigations and Judgments, cases against the validity of Presidential and Parliamentary elections and their results, and cases against the orders, rules, sentences and administrative actions according to the constitution and the law.

**High Court**

The High Courts judge cases that are brought forward on appeal from the collegiate court of the District Court and the Family Court or the first trial judgment of the Administrative Court. A collegiate court of three judges has the right to make decisions. Due to the newly introduced two-track-career system that separates the High Court judges from the District Court judges, High Court judges are appointed from among the applications from individuals with judicial experience, and once appointed they are rarely transferred to the District Court. This new system allows High Court judges to develop their expertise at conducting the appellate trial process.

**District Court**

The District Court and its Branch Court primarily deal with civil and criminal cases. A single judge generally makes decisions, but a collegiate court may rule on important cases as defined by law. There are a total of 18 District Courts, composed of 40 Branch Courts within District Courts' judicial circuits.

**Family Court**

A Family Court operates at the same level in the judicial hierarchy as a District Court. It was founded in 1963 to handle family-related and juvenile protection cases. If the judicial circuit does not have a Family Court or its Branch Court, the District Court or the District Court's Branch Court will handle these types of cases. Since the Special Act on the Punishment of Domestic Violence was introduced in 1998, Family Courts have retained the right to judge domestic violence cases. A family-related case is typically assigned to a collegiate court consisting of three judges or a single judge, and a juvenile protection case or a family protection case is assigned to a single judge.

**Administrative Court**

The first Administrative Court was established in 1998 in Seoul. The main District Court has the right to handle an administrative case if the Administrative Court is not installed yet in its judicial circuit. The Seoul Administrative Court judges cases regarding taxes, land expropriation, labor, and other administrative activities. Previously, administrative cases could be brought to an ordinary court only after going through bureaucratic procedures, but now they can be directly taken to an Administrative Court without such procedural detours.

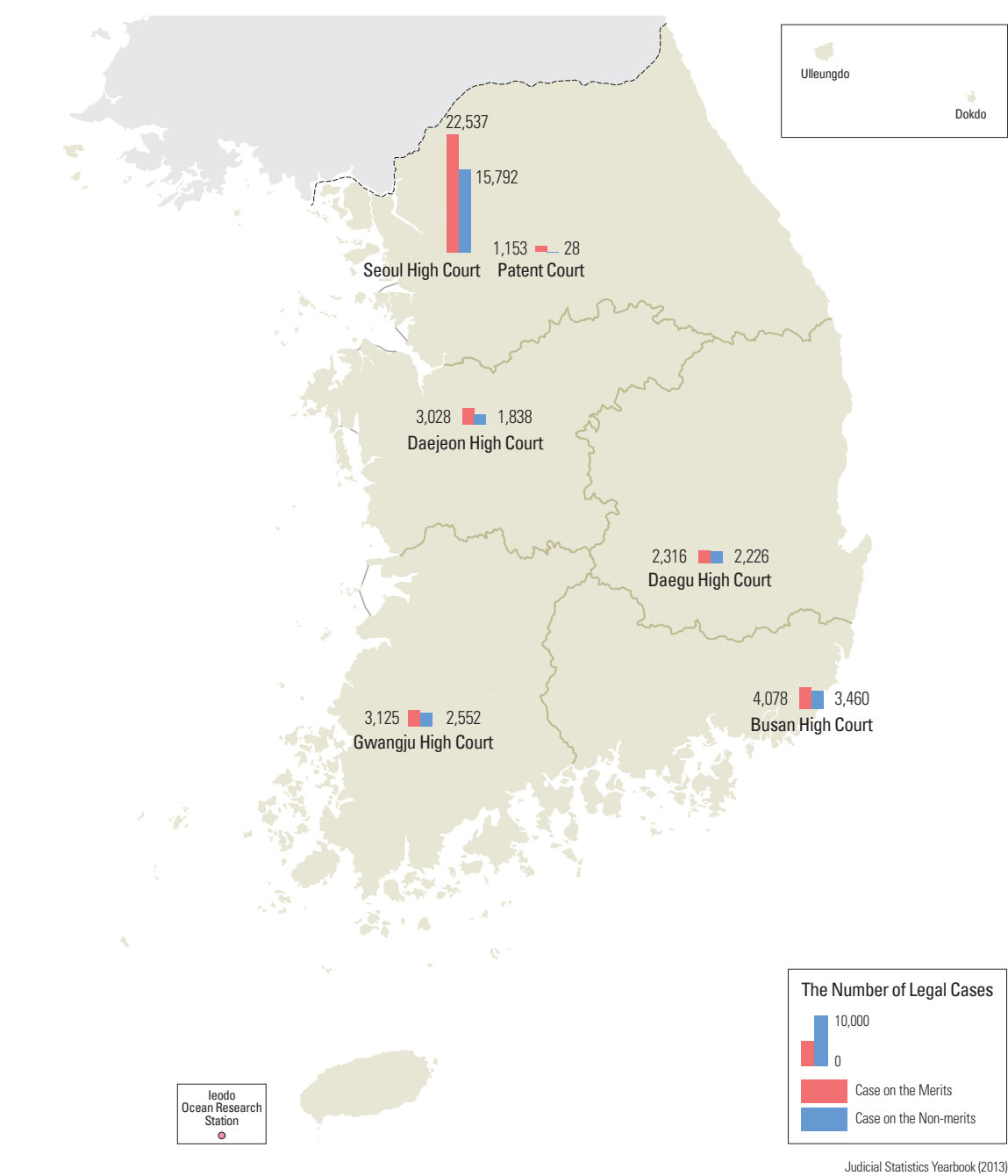
**Patent Court**

The Patent Court is a High Court that is responsible for a protest against the decision of a patent tribunal. One can make the final appeal to the Supreme Court when protesting the decision of a Patent Court. Technical examiners who majored in natural science or engineering are assigned to their field of expertise to assist the judicial panel to understand the technical aspects of patent and utility model cases and help with the panel's decision-making processes.

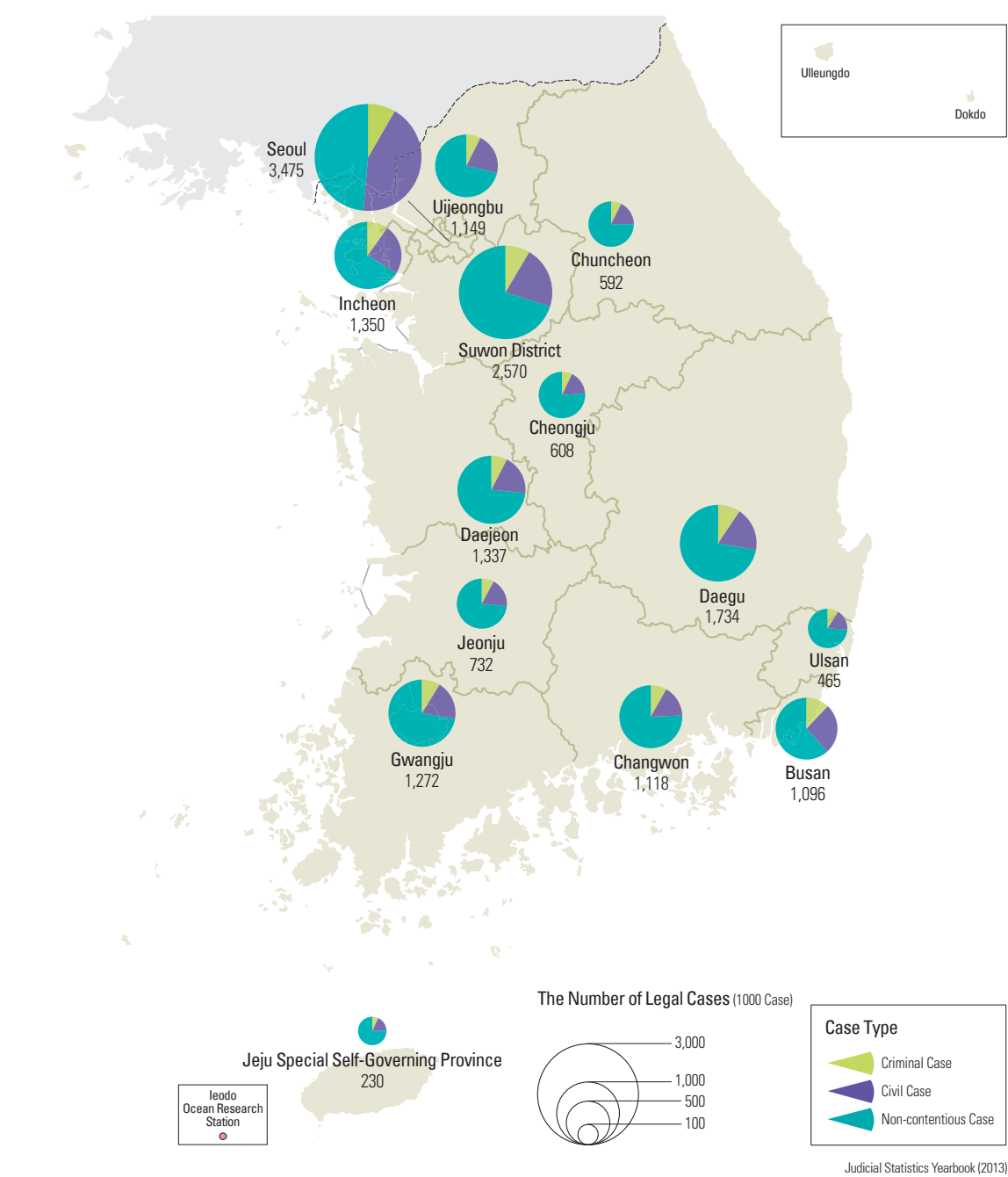


Judicial Practice

Number of Legal Cases by High Court

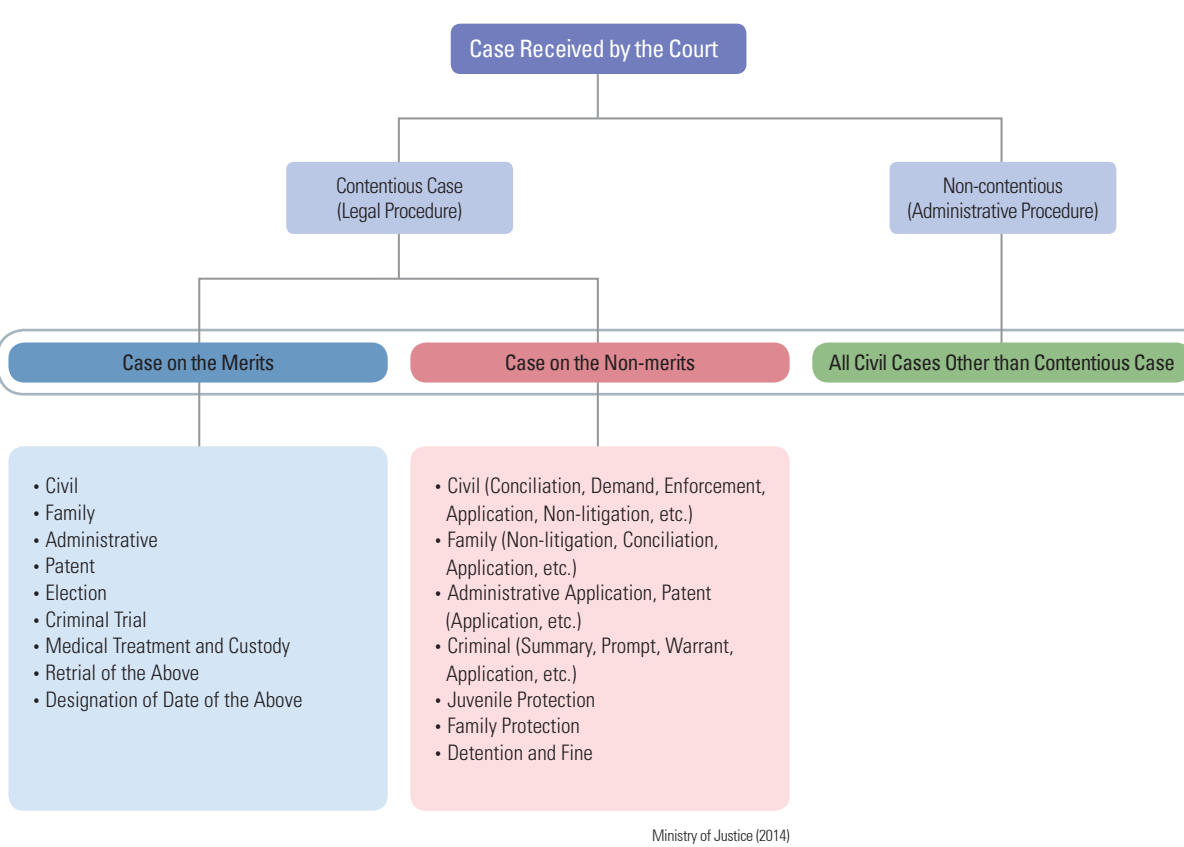


Number of Legal Cases by District Court

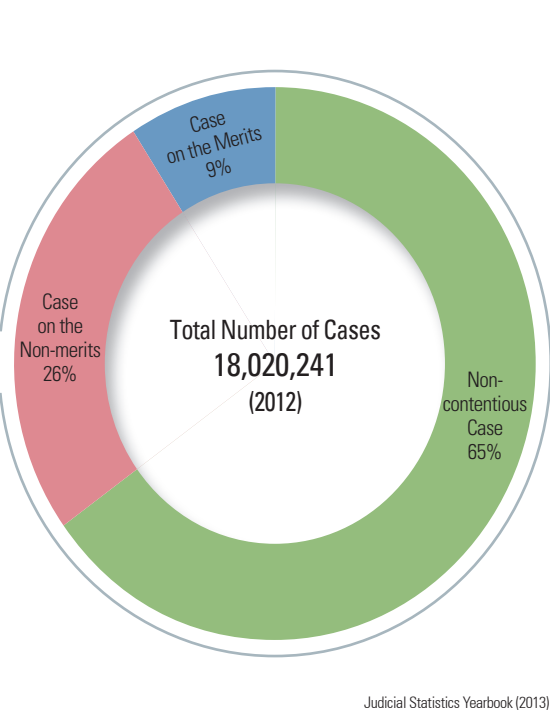


Civil trials handle disputes regarding property rights and juristic relations of everyday life. Efforts have been made to guarantee the people's right to access the judicial process in a timely manner. The New Case Management System (2001), the New Civil Procedure Code (2002), and the Revision of the Civil Procedure Code for Civil Proceedings (2008) represent attempts to improve the timely administration of the judicial process in civil cases. The law describes in detail the trial procedure for not only the first, second, and third trials, but also the trial procedure of small claims cases, the procedure of civil conciliation, civil execution proceedings, property description and property inquiry, and the procedure of provisional attachment and injunction. Criminal trials determine guilt or innocence of the accused under indictment and impose a punishment in the case of a guilty verdict. With respect to criminal trials, the law describes in detail the procedures of investigation, prosecution, trial, appeal, and a summary trial.

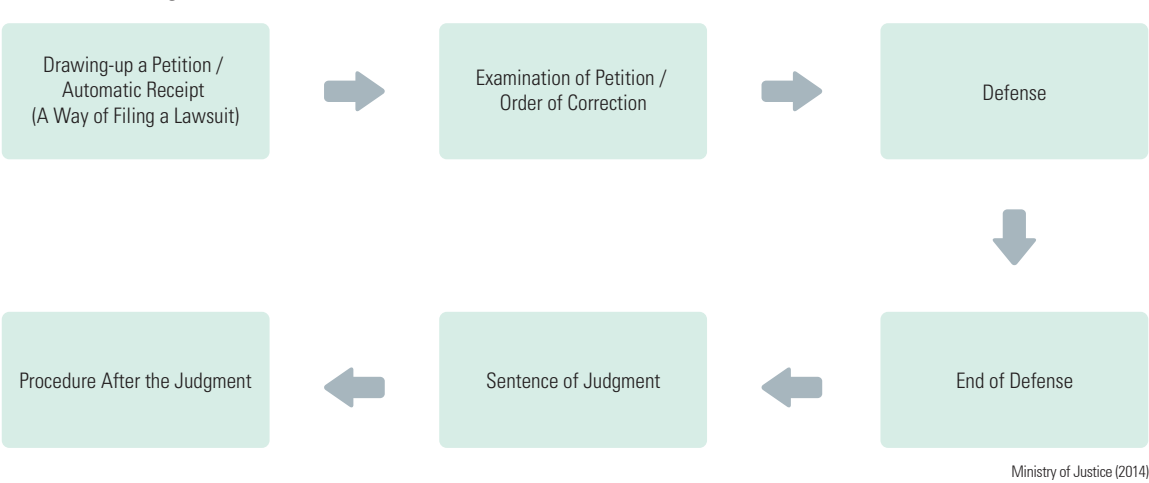
Case Received by the Court



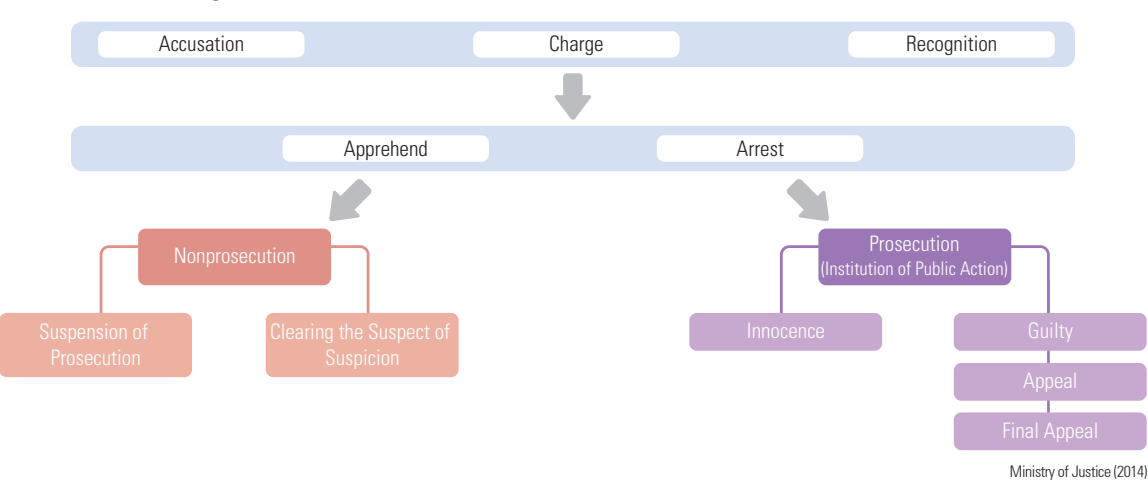
Frequency by Case Type



Civil Proceedings

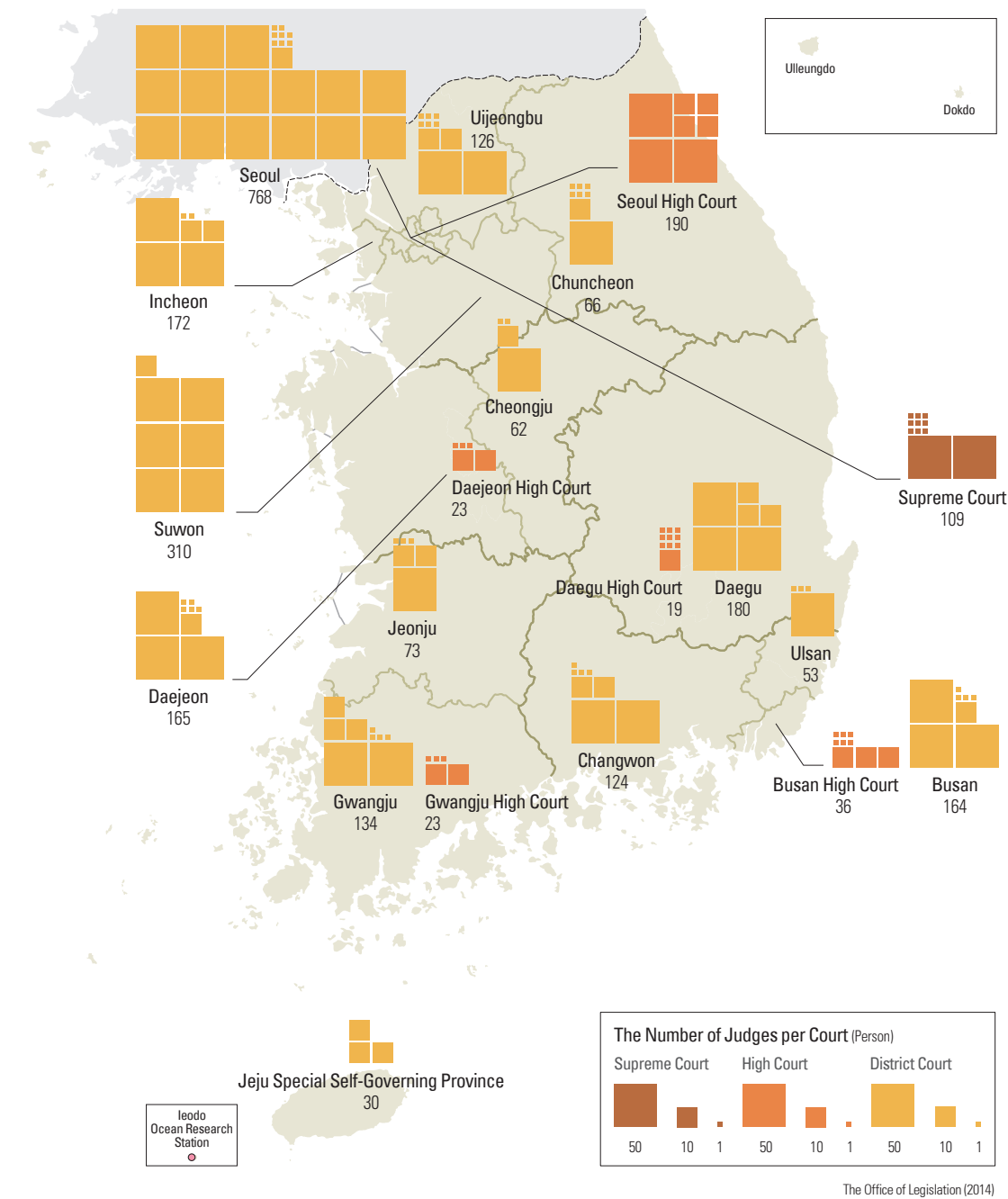


Criminal Proceedings

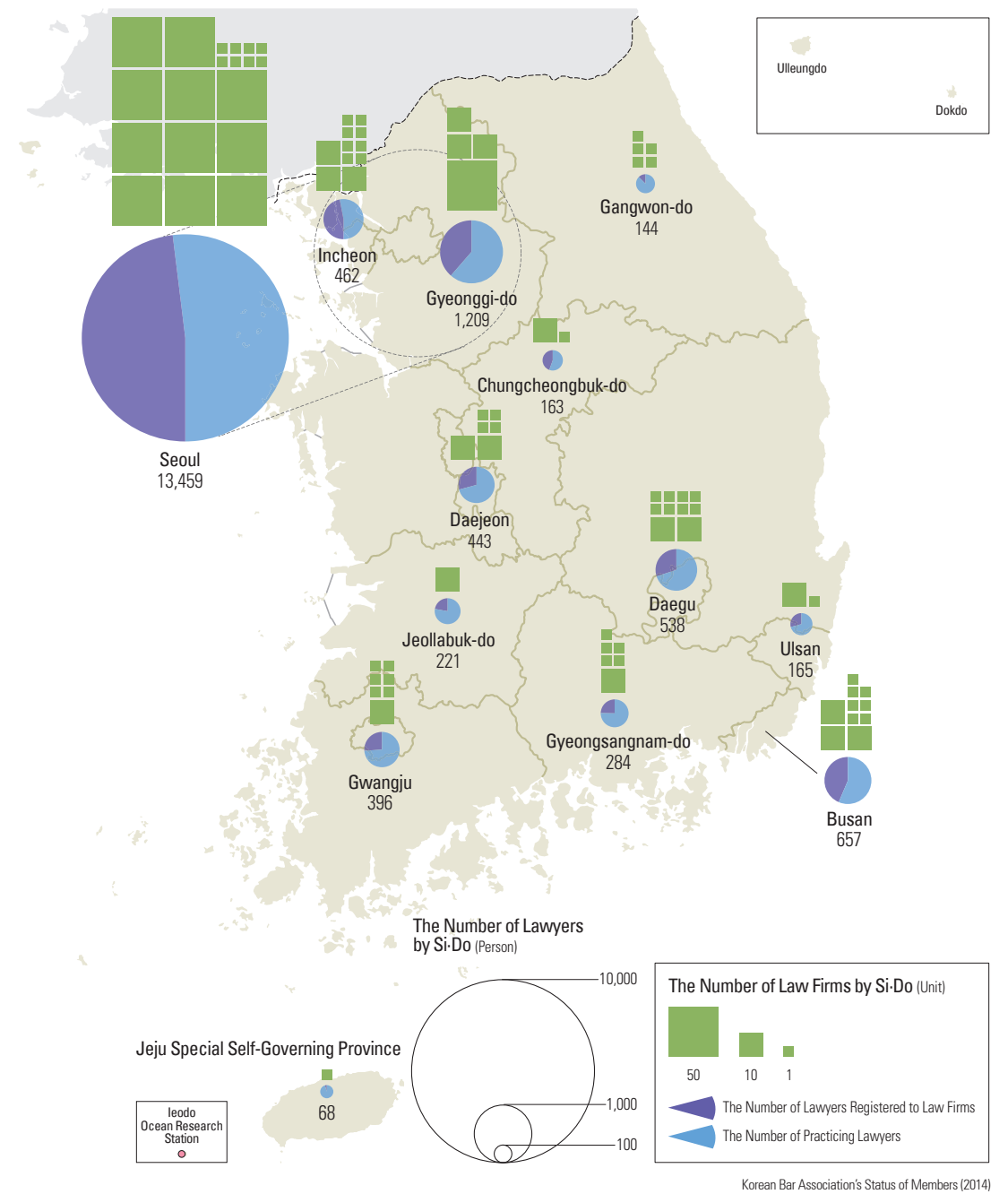


## Legal Service

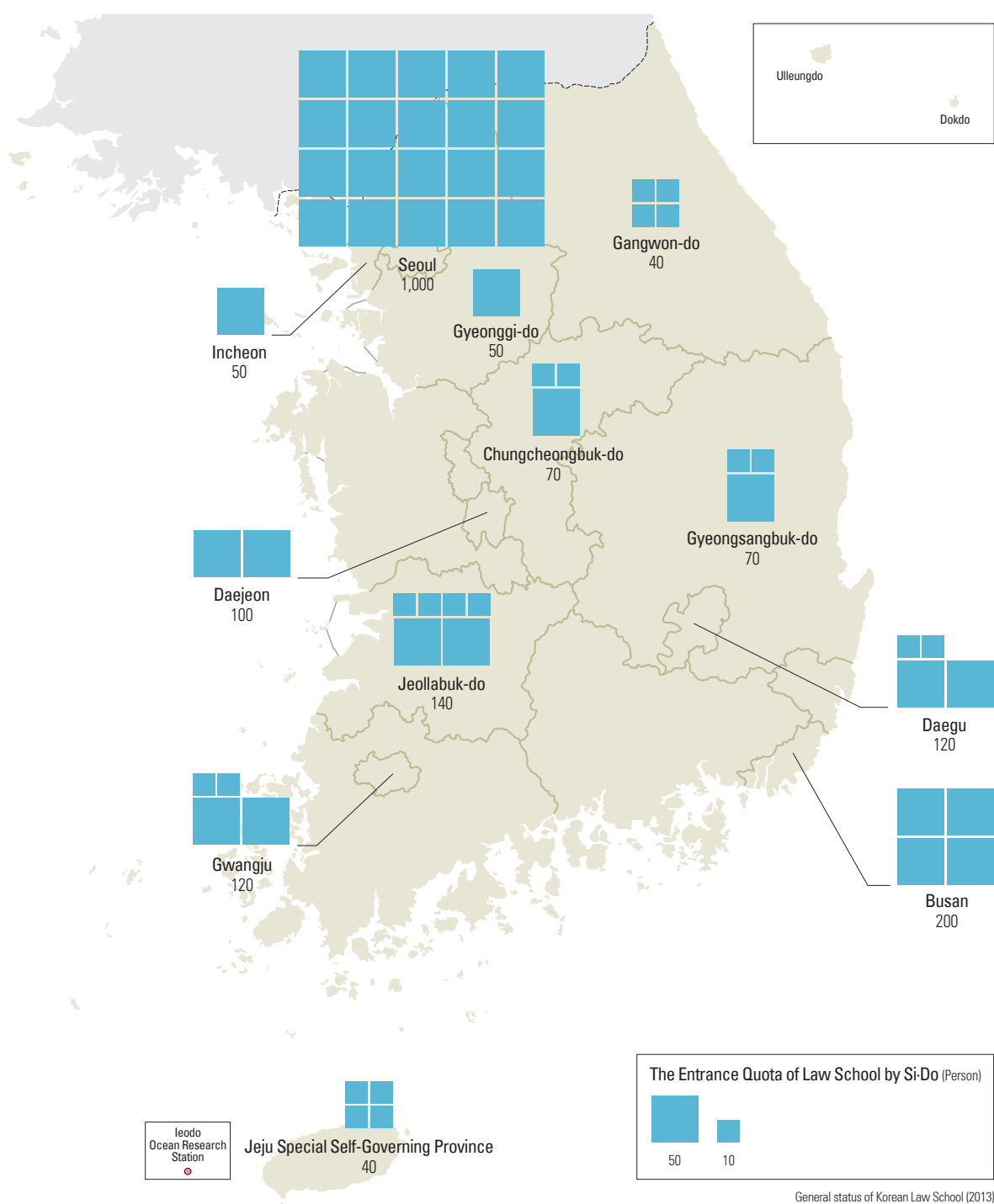
Number of Judges of High Court and District Court



Number of Law Firms and Lawyers by Si · Do



The Entrance Quota of Law School by Si · Do



The courts judge, in principle, all legal disputes on the basis of the Constitution. The courts also have the jurisdiction over controlling and monitoring the registration of real estate, movable assets and receivables, family relations, deposits, as well as bailiff and judicial transcription.

The trial, which is the most fundamental duty of the courts, is handled by a single judge or a panel consisting of three judges. Court hearings and trials are open to the public and the Korean language is used. Judges are responsible for the hearing and decision of a trial except in the military court. Since 2013, judges have been appointed among those who have a judicial career of 3 years or more. Previously, judges were appointed among the candidates who passed the bar exam and completed training at the Judicial Research and Training Institute.

Since the introduction of the Civic Participation in Criminal Trials system in 2008, ordinary citizens have participated in select criminal trials. The Civic Participation in Criminal Trials is a unique system that appropriately modified and improved both the jury system and layman judge systems. In the Civic Participation in Criminal Trials system, a jury judges a case independently of the judge. In the case of disagreement on guilt or innocence with a judge, the jury is asked to judge again after hearing the judge's opinion and relevant evidence. A jury does not need to reach a unanimous decision. They judge a case accepting the majority opinion. In addition to determining guilt or innocence, a jury can also suggest terms of punishment. A judge is not subject to the jury member's opinion on the verdict or the punishment. Currently, the

Civic Participation in Criminal Trials system is an option offered only when the accused asks for this procedure at the collegiate court during the process of a criminal case.

The courts are a national organization that handles the registration of real estate, movable assets and receivables, and ships. District Courts and Branches of District Courts provide the registration service because registration is, unlike simple works of administrative civil affairs, a quasi-judicial process wherein the complex interests of different groups are interwoven. District Courts have a registration office as an affiliated organization to handle part of the administration of registration within their jurisdiction. A registration office handles commercial, real-estate, and ship registrations, and issues registration certificates, authentication certificates of seal and date-fixed stamps on private documents.

The courts are responsible for the administration of family-relation registration that replaces the patriarchal family system. Family-relation registration is the system that registers citizen's status individually to the family-relation registration record and officially certifies the record. This is completely different from the patriarchal family system that classified a citizen's status relation by the head of the family. Family-relation registration (previously patriarchal family registration work) is administrated nationally, and the Supreme Court is appointed to act as the responsible unit to handle the family-relation registration. The Supreme Court delegates the authority of registration to the head of administrative units (si · gu · eup · myeon), for the citizen's convenience.

# Local Autonomy and Decentralization

Local autonomy refers to various activities through which a self-governing body representing the residents within a certain regional boundary carries out its political and administrative decision making while maintaining relative independence from the central government. In this global era, the growing demands for improving regional competitiveness, inter-regional equal development, and resident-oriented administrative services have necessitated local autonomy more than ever. Local autonomy mainly consists of autonomous power over local affairs and an independent budgetary capacity in a geographical region with an explicit boundary where residents and a self-governing body are located. Local governmental autonomy has been a recent global trend.

The local self-governing body that plays a key role in local autonomy in Korea is the administrative organization that maintains close relations with its residents. The local self-governing body is constituted of local residents, and it forms a legal entity. There are two types of self-governing bodies in Korea; macro-level bodies such as the Special City, Metropolitan City, Special Autonomous City, Do or Special Autonomous Province, and primary-level bodies such as Si, Gun or Gu.

Local residents may participate in local autonomy mainly through elections. The local residents elect both the members of local councils and the heads of local governments. Both macro-level and primary-level local councils are accordingly constituted. The heads of local governments include the mayor of the Seoul Special City, the mayor of the Metropolitan City, the governors of Dos, and heads of Guns and Autonomous Gus. The heads of local governments

may request that residents vote on important matters which impose an excessive burden to the government or have a significant effect on the residents. The residents also have the right to recall the head of the local government or local council members.

After 30 years of preparation, the establishment of local councils in 1991 has ushered forth the era of local autonomy, and since then the scope of local affairs and local authority has been expanding. Significant local autonomy includes jurisdiction, organization and administrative management of local government, the promotion of residents' welfare, the promotion of industries including agriculture, forestry, trade, factories, local development and the establishment and management of public and private facilities for residents, the promotion of education, athletics, culture, art, public safety, and firefighting.

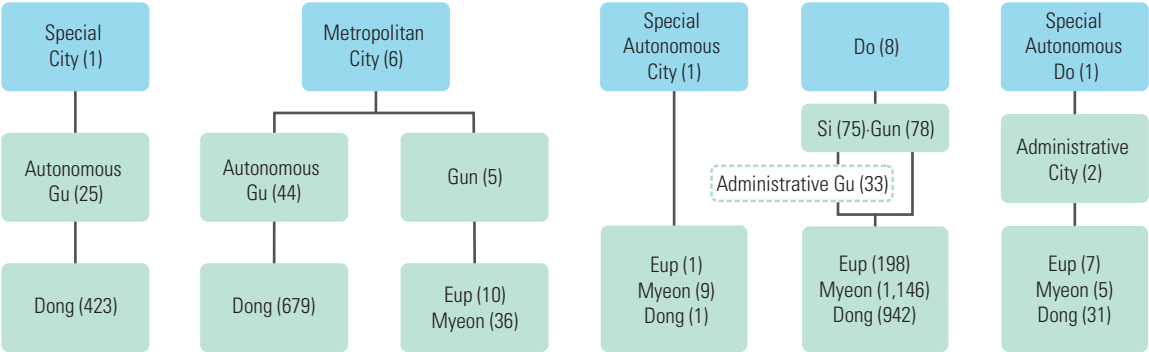
In 2014, the macro-level local self-governing bodies in Korea are the Seoul Special City: six metropolitan cities including Busan, Daegu, Incheon, Gwangju, Daejeon, and Ulsan: the Sejong Special Autonomous City: eight Dos including Gyeonggi-do, Gangwon-do, Chungcheongbuk-do, Chungcheongnam-do, Jeollabuk-do, Jeollanam-do, Gyeongsangbuk-do and Gyeongsangnam-do, and the Jeju Special Autonomous Province. In addition, there are 262 primary-level local self-governing bodies including 77 Sis (including 2 non-autonomous Sis), 83 Guns and 102 Gus (including 33 non-autonomous Gus). There are also 216 Eup, 1,196 Myeon, and 2,076 Dong at the lower level. All the self-governing bodies mentioned above constitute the localized administrative system in Korea.

Administrative District System in Korea

Classification Si · Do		Si · Gun · Gu				Adm. City · Non-auto. Gu		Eup · Myeon · Dong			
		Total	Si	Gun	Gu	Si	Gu	Total	Eup	Myeon	Dong
Total (17)		227	75	83	69	2	33	3,488	216	1,196	2,076
Special City	Seoul	25			25			423			423
Metropolitan City	Busan	16		1	15			210	2	3	205
	Daegu	8		1	7			139	3	6	130
	Incheon	10		2	8			147	1	19	127
	Gwangju	5			5			95			95
	Daejeon	5			5			78			78
	Ulsan	5		1	4			56	4	8	44
Special Autonomous City	Sejong							11	1	9	1
Do	Gyeonggi	31	28	3			20	550	32	108	410
	Gangwon	18	7	11				193	24	95	74
	Chungbuk	12	3	9			2	153	15	87	51
	Chungnam	15	8	7			2	207	24	137	46
	Jeonbuk	14	6	8			2	241	14	145	82
	Jeonnam	22	5	17				296	33	196	67
	Gyeongbuk	23	10	13			2	331	36	202	93
	Gyeongnam	18	8	10			5	315	20	176	119
Special Autonomous Do	Jeju					2		43	7	5	31

MOSPA (2014)

Administrative District System

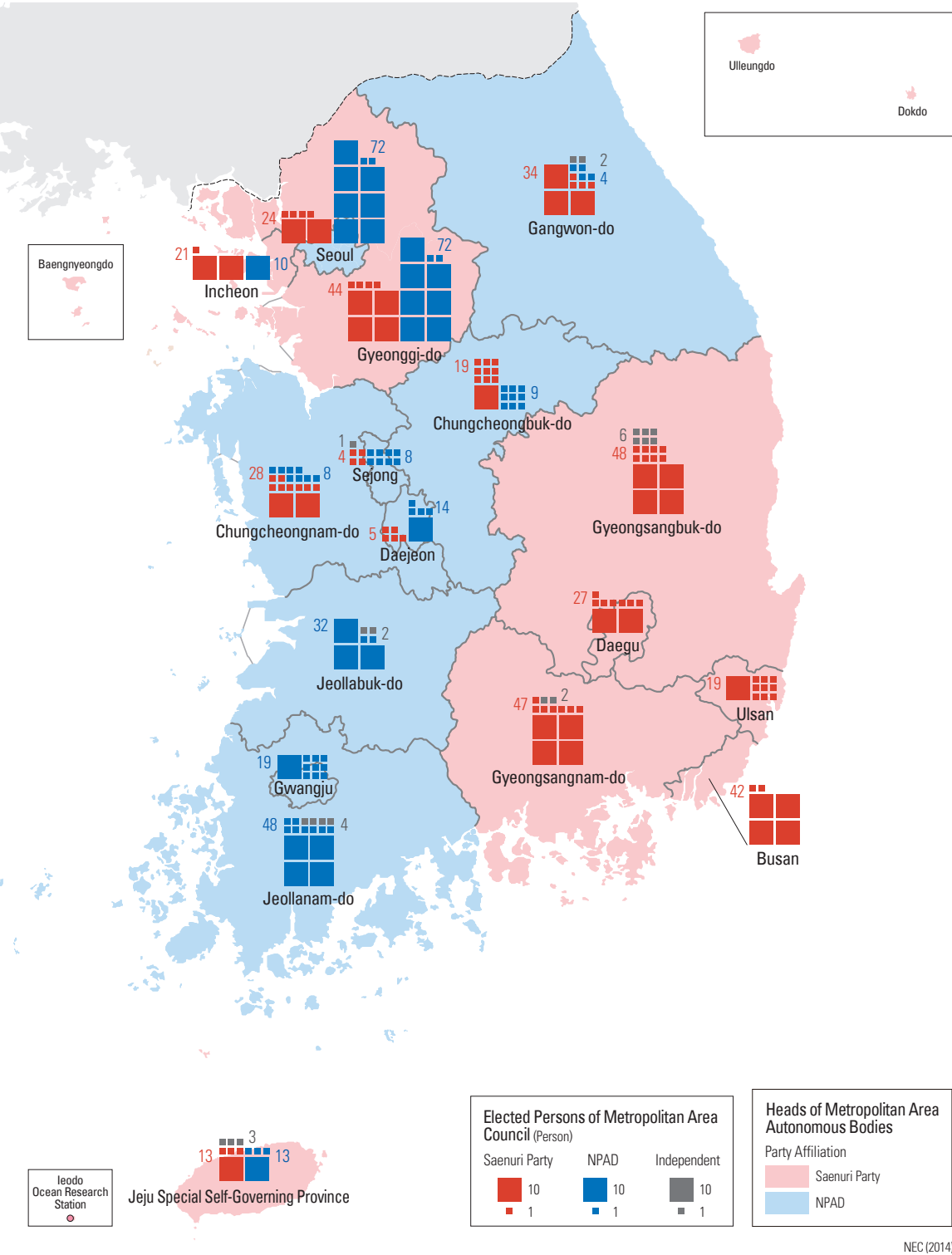


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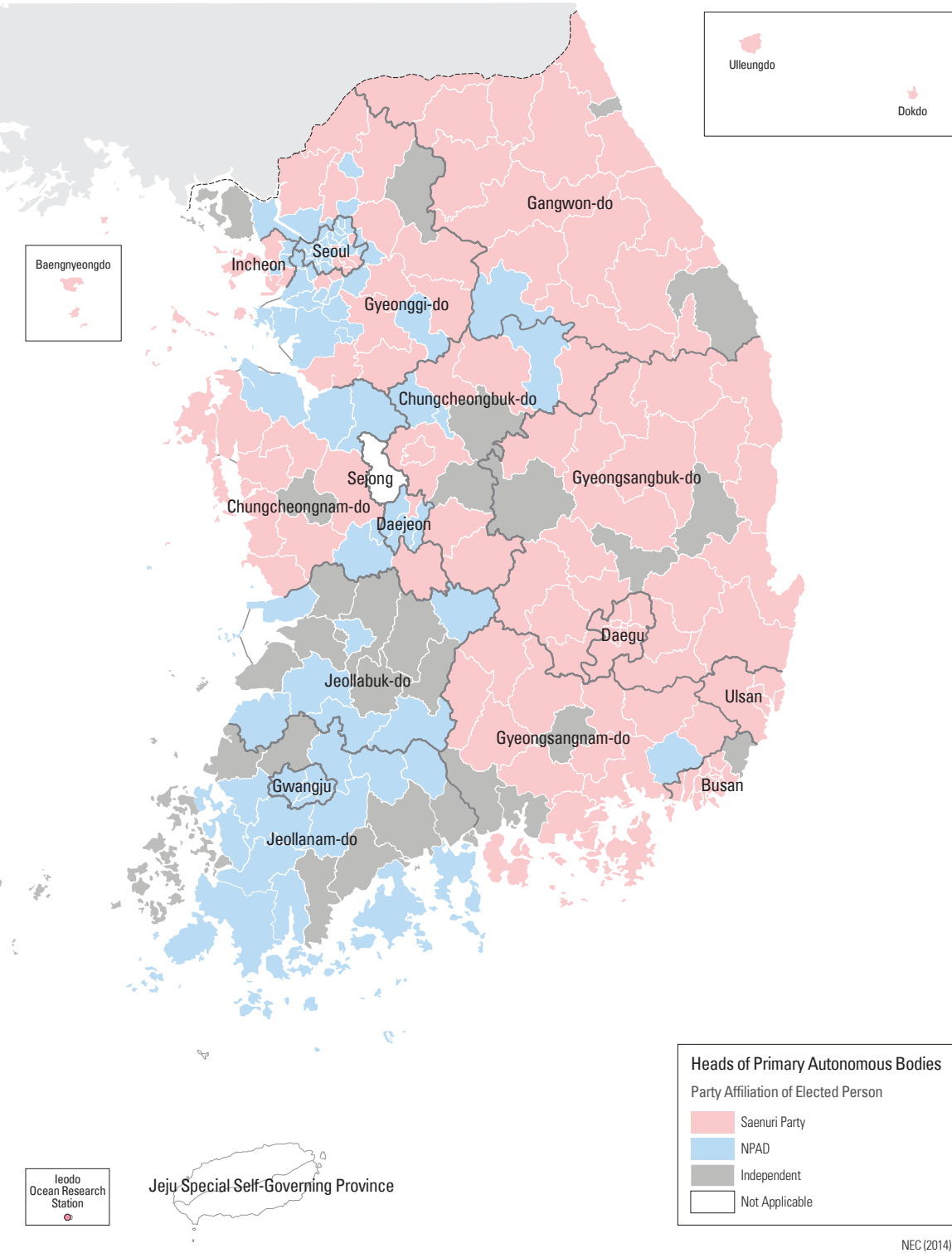


Local Autonomy and Election

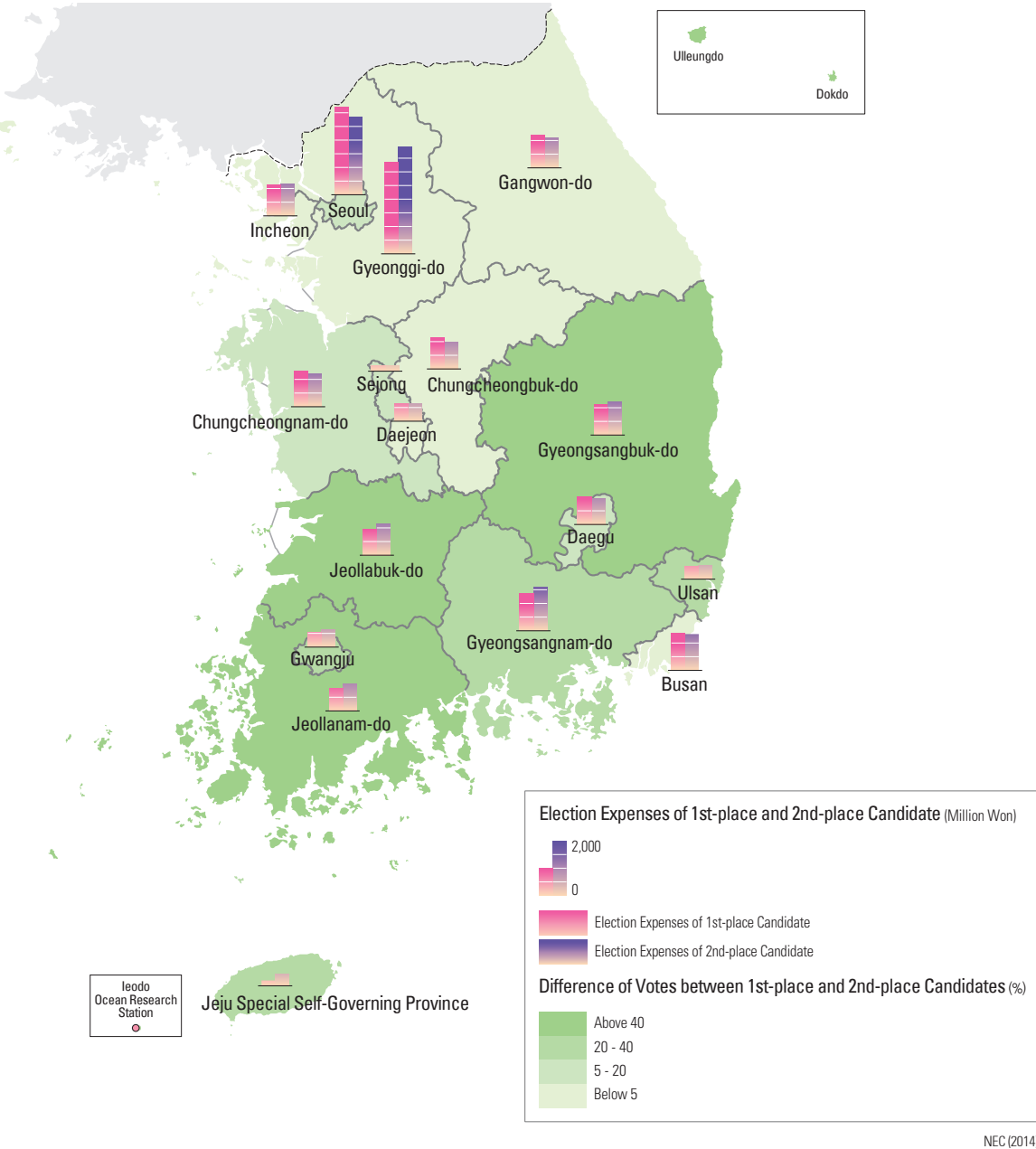
Election Results of Metropolitan Area Autonomous Bodies



Election Results of Primary Autonomous Bodies



Election Expenses of Candidates by Metropolitan Area Autonomous Bodies



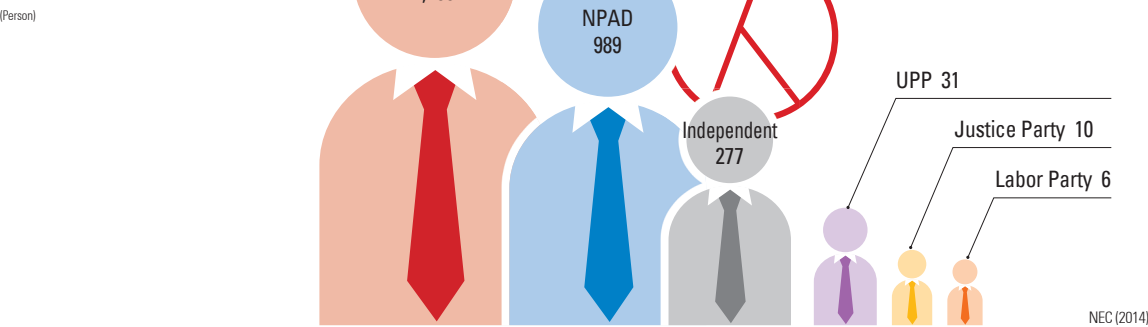
Local elections are an important way for Korean residents to participate in electing the heads of local governments and the members of local councils that represent them. Local elections took place for the first time in 1991, and the sixth local autonomy term started with the election on June 4, 2014. The goal of local self-governing culture, based on local leadership and autonomy, has been reached gradually over two decades despite the fact that there are still problems such as insufficient revenue and the decentralization of power.

The local election is an important activity in helping to cultivate local autonomy in that the elective representatives serve each locality. However, in every local election in Korea, key agenda items tend to focus on the central-level political issues such as mid-term evaluation of the central government and the power structure of party politics rather than on pending local issues. The turnout of the local election in 2014 was the highest since the first local election in 1991, which seems to result from both the expansion of early voting

and the increasing interest in the security of daily life. The party nomination system is implemented in local elections in Korea, and the distribution of the heads of local governments and the members of local councils clearly reflects the bi-partisan structure of both the Saenuri Party and the New Politics Alliance for Democracy (NPAD).

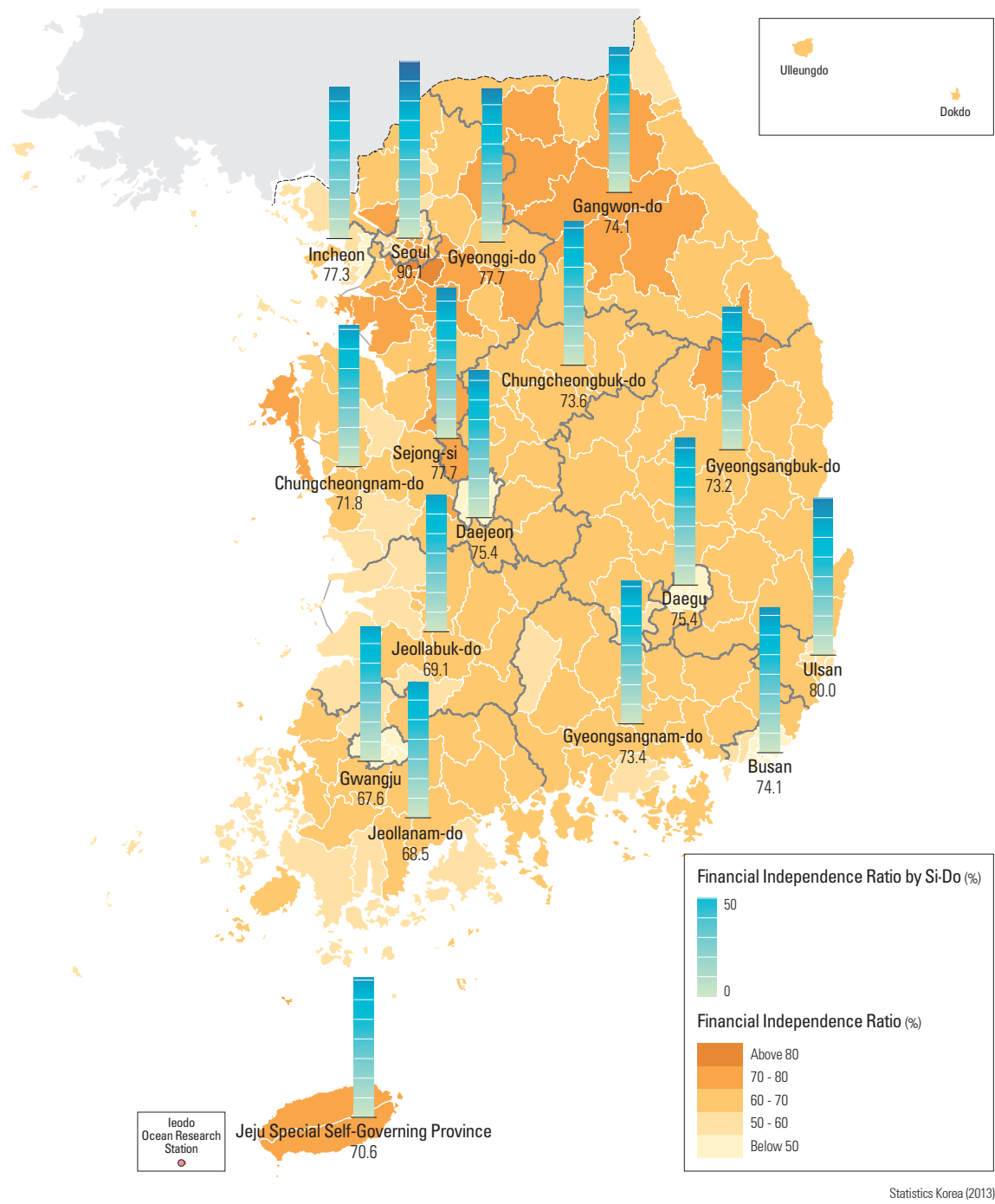
For the heads of macro-level self-governing bodies, the Saenuri Party has eight officials-elect (47.1%) out of 17 seats. The NPAD has 9 officials-elect (52.9%). For the heads of primary-level bodies, the SP has 117 heads-elect out of all 226 seats, whereas the NPAD has 80 officials-elect (35.4%) and 29 officials-elect (12.8%) are nonpartisan. In the meantime, for the macro-level members of local councils, the SP has 375 seats (53.2%) of all 705 and the NPAD has 309 (43.8%), while 21 officials-elect (2.9%) are nonpartisan. For the primary-level members, the SP has 1,206 seats (47.9%) among 2,519 and the NPAD has 989 (39.3%), while 324 officials-elect (12.9%) are nonpartisan.

Party Affiliation of Elected Persons in Primary Autonomous Council

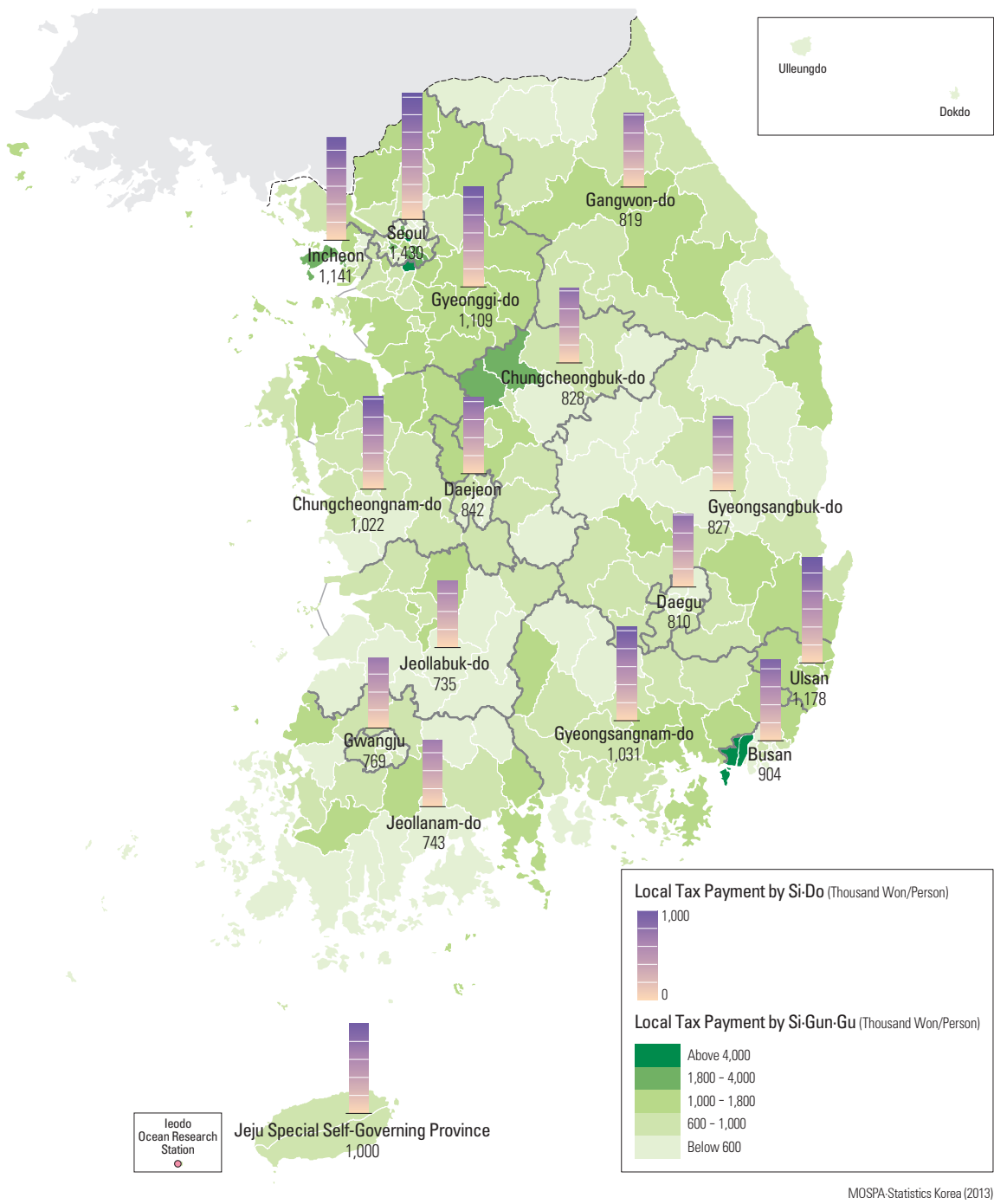


Local Finance

Financial Independence



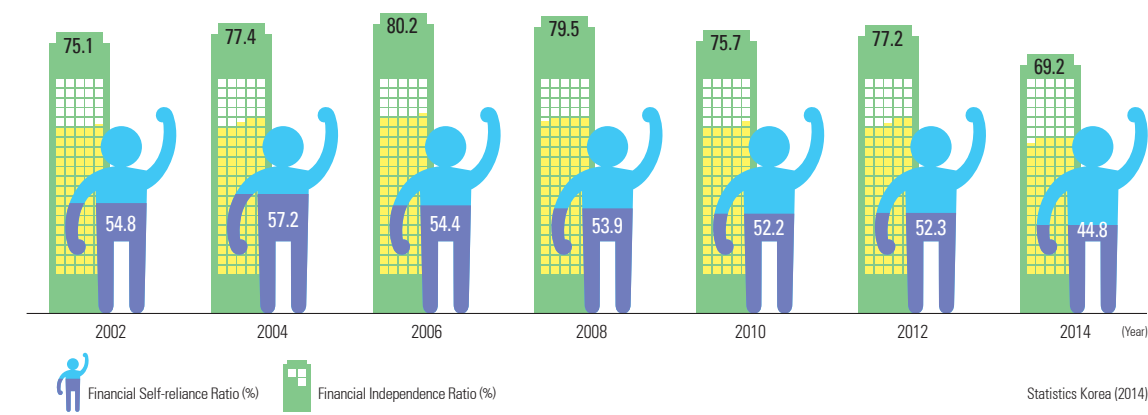
Local Tax Payment



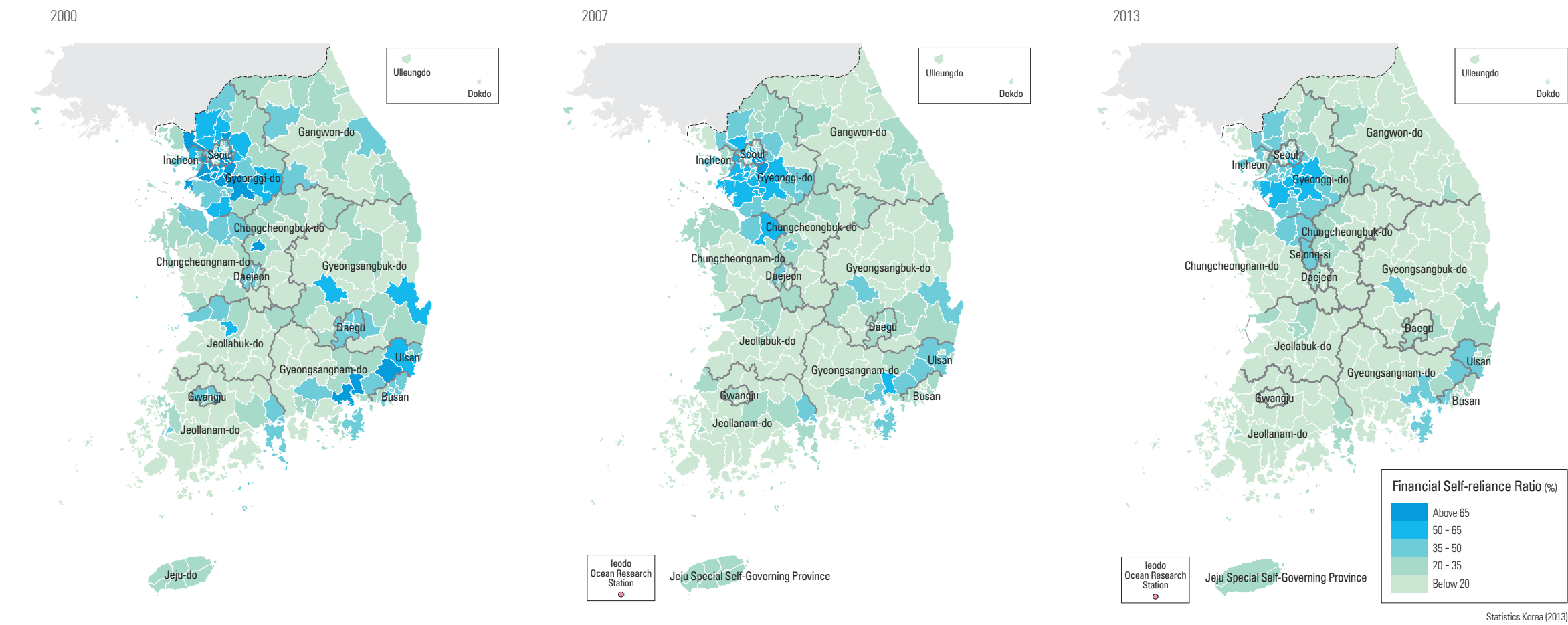
Since the advent of local autonomy in 1991 both the demands for and efforts toward achieving more local autonomy and decentralization of power have increased. The push toward decentralization of power is based upon the perception that it is more desirable for a local self-governing body to provide locally determined public services to its own residents. In order to ensure satisfactory services on a local level, it is essential to secure financial independence. Unfortunately, fiscal self-reliance decreased by 17% between 1991 (69%) when the

local autonomy was re-introduced and 2012 (52.3%). Most local self-governing bodies are now highly dependent on financial assistance from the central government, which makes them less autonomous and less engaged in financial management. The demand for greater fiscal independence is expected to rise due to the increasing demands for local autonomy in the future. It is also expected that finding local revenue sources and providing reliable public services will remain high priority agenda items for the foreseeable future.

Changes of Financial Self-reliance and Financial Independence in Local Governments



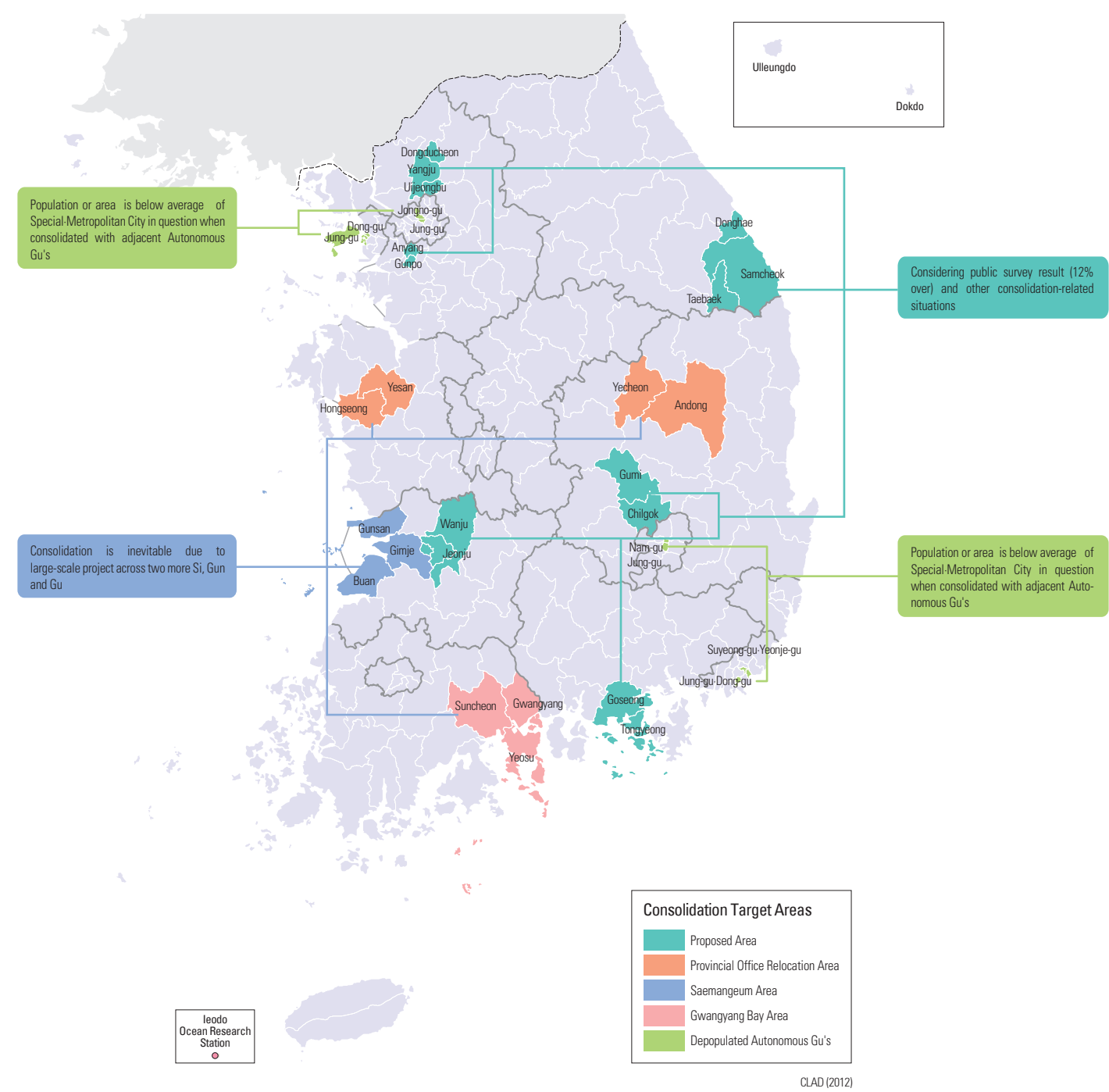
Changes of Financial Self-reliance





Decentralization of Power

Si · Gun · Gu Consolidation Target Areas and Their Characteristics

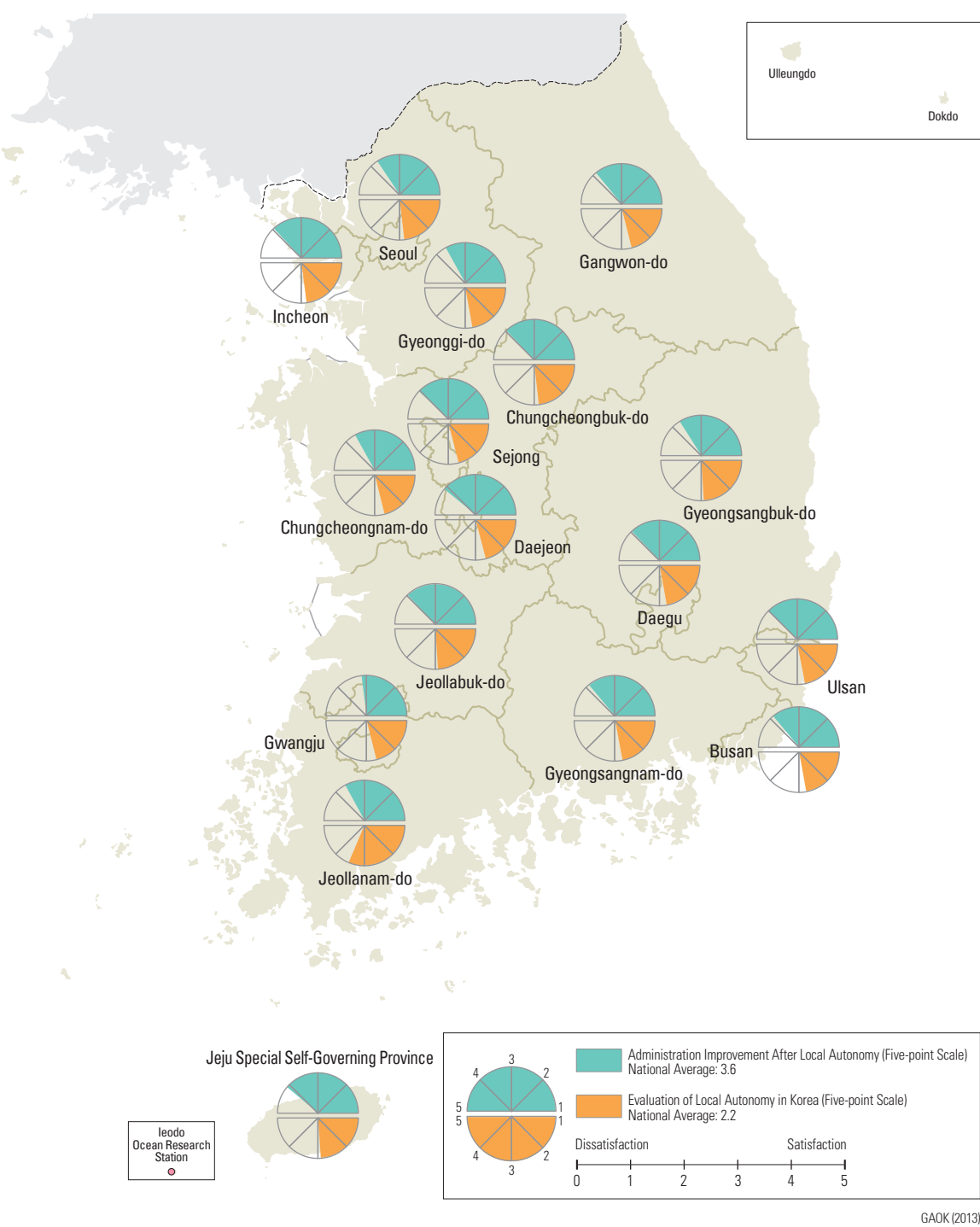


si were also established along with the creation of the Jeju Special Self-Governing Province in 2006. The cities of Changwon-si, Masan-si, and Jinhae-si were consolidated in 2009. Due to the enactment and implementation of the Special Act on the Transformation of Local Administrative System, the Si · Gun · Gu consolidation has been pushed forward as one of key tasks. Based on the Act, the consolidation targets 36 Si · Gun · Gus within 16 regions which meet various conditions including the local governments' own proposal along with the determination that they represented a depopulated locality. One outcome of this effort is that Cheongju-si and Cheongwon-gun were consolidated on July 1, 2014 to form the consolidated city of Cheongju-si.

As the notion of local autonomy expanded with the composition of local councils in 1991, concrete discussion on redistribution of both authority and administrative affairs between central and local governments began. With the launch of the President Kim Daejung government in 1998, the decentralization of the central administrative authority became one of 100 governmental reform tasks. The formation of the Presidential Commission for Promotion of Local Empowerment (hereafter, PCPLE) was then implemented. The decentralization of power was pursued according to three main principles: decentralization first followed by supplementation later, subsidiarity, and comprehensiveness. Subsequently, the President Roh Moohyun government stated that the decentralization was one of two main government reform tasks, and the Presidential Committee on Government Innovation and Decentralization (hereafter, PCGID) was launched. The key function of the Committee was to discuss the vision and strategies for government innovation and decentralization and to deliberate the implementation and evaluation of related government tasks.

The President Lee Myung-bak government enacted the Special Act on the Promotion of Decentralization and established the Presidential Committee on the Promotion of Decentralization (hereafter the PCPD) in 2008 by combining local empowerment functions from the PCPLE with decentralization functions from the PCGID. Most recently, the President Park Geun-hye government enacted the Special Act on Decentralization and the Transformation of Local Administrative System, and established the Presidential Committee on Local Autonomy Development by integrating both the PDPD and the Committee on the Transformation of Local Administrative System in order to pursue its own decentralization and local autonomy reform. The Committee actively implements various policies such as promoting the competitiveness of local self-governing bodies by way of the drastic decentralization of central authority, the rational redistribution of government affairs between central and local governments, the promotion of transferring of already designated local government-oriented affairs, and the systematically management of the tasks of decentralization.

Decentralization of Power Public Survey



Rapid urbanization and industrialization since the 1960s have lead to numerous problems not the least of which includes the decreasing efficiency of local governmental administration and the weakening economy of local self-governing bodies – a process that makes the fostering of greater local autonomy even more difficult. One proposed solution included a restructuring of administrative jurisdictions. After a series of discussions in 1994, Si · Gun · Gu was consolidated by the central government to create 40 consolidated cities in 1995. Yeosu-si, Yecheon-si, and Yecheon-gun were then consolidated in 1998. The consolidated cities of Jeju-si and Seogwipo-

Local Handover of Central Government Authorities

