Technical Assistance of Korea

- To Facilitate UNCAC Implementation

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Korean Ministry of Justice

Taihyung Kim, Prosecutor
UNCAC Ratified, Supported and Executed in Korea

1. Overview

2. UNCAC Provision on Technical Assistance

3. Ministry of Justice of Korea

4. Technical Assistance

5. Anti-corruption Efforts of Developing Countries

Ratified
- Signed on 12/09/03
- Effectuated on 04/26/08

Supported
- Int'l Cooperation
- Comprehensive & Multidisciplinary Approach

Executed
- Provides Technical Assistance to Member States

Special Focus Given to Developing Countries

ROK UPHOLDS UNCAC
UNCAC Provision on Technical Assistance

UNNCAC Article 60.2

States Parties shall, according to their capacity, consider affording one another the widest measure of technical assistance, especially for the benefit of developing countries, in their respective plans and programmes to combat corruption, including material support and training in the area referred to in paragraph 1 of this article, and training and assistance and the mutual exchange of relevant experience and specialized knowledge, which will facilitate international cooperation between States Parties in the areas of extradition and mutual legal assistance.
The Ministry of Justice of the Republic of Korea

The Ministry Overseas:

- Prosecution Services
- Execution of Sentences
- International Affairs
  - Investigation, extradition, mutual assistance, etc
- Human Rights Protection
- Immigrations Control
- Legal Advice for Government
1. Overview

2. UNCAC Provision on Technical Assistance

3. Ministry of Justice of Korea

4. Technical Assistance

5. Anti-corruption Efforts of Developing Countries

The Ministry of Justice of the Republic of Korea

Organization Chart
- Ministry's Two Arms for Technical Assistance

- Legal Research and Training Institute
  - Provides training programs
  - Conducts researches

- Supreme Prosecutors' Office
  - Directs and supervises District & High Prosecutors’ Offices
The Ministry of Justice of the Republic of Korea

Authority of Prosecutor in Investigation

- **Decides** on important matters at each stage
- **Orders** Police for supplementary investigation

Overall supervision over investigation
Details of Technical Assistance Provided by ROK

1. Overview

2. UNCAC Provision on Technical Assistance

3. Ministry of Justice of Korea

4. Technical Assistance

5. Anti-corruption Efforts of Developing Countries

Supervises Supreme Prosecutors' Office

Final and definite decision maker in any investigation

Responsible admin. body for anti-corruption Investigation

Extensive experience and expertise in fight against corruption

MoJ’s affiliate agencies and institutions actively supporting investigation agencies of developing countries by sharing experiences and expertise in the field
Details of Technical Assistance Provided by ROK

Legal Research and Training Institute

- Provided **62 sessions of training** under Official Development Assistance to government officials from **84 countries**
- Training **contents determined upon request** of the trainee country
  - Topics covered include anti-corruption, cybercrime and white-collar crimes
- **20 legal professionals** from Guatemala, Bolivia, Columbia, Paraguay and Peru received training in **March 2014**
- **Post-training follow-up** available through exclusive **website**
  - Encourages free exchange of information
  - Shares Korean law updates
Details of Technical Assistance Provided by ROK

Supreme Prosecutors' Office

- Ran **4 rounds of training programs** with KOICA for 52 Indonesian government officials since 2013
- Signed **MOU with Vietnam and Mongolia** for provision of technical assistance in the field of **anti-corruption investigation**
- Provided Bangladesh and the Philippines **investigation tools, equipment, vehicles and sharing investigation techniques**
1. Overview

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3. Ministry of Justice of Korea

4. Technical Assistance

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**Background – Legal Research and Training Institute**

**Training Program**

- Run in cooperation with the Ministry of Foreign Affairs (MoFA) and the Korea International Cooperation Agency (KOICA)

**Participant Selection**

- Participating countries and trainees subject to decision of MoFA:
  - Demand and necessity taken into account
1. Overview

2. UNCAC Provision on Technical Assistance

3. Ministry of Justice of Korea

4. Technical Assistance

5. Anti-corruption Efforts of Developing Countries

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### Background – Supreme Prosecutor's Office

- **Training Program**
  - Training given to Indonesia, Kyrgyzstan and Thailand

- **Participant Selection**
  - Technical assistance provided usually at the request of the receiving country
1. Overview

2. UNCAC Provision on Technical Assistance

3. Ministry of Justice of Korea

4. Technical Assistance

5. Anti-corruption Efforts of Developing Countries

### Legal Research and Training Institute

Long-term technical assistance programs are operated in support of MoFA, KOICA and MoJ, provided to recipients as a part of KOICA’s international support program packages.

### Supreme Prosecutors' Office

Financial resources required for education and investigation tools support received directly from MoJ.
1. Overview

2. UNCAC Provision on Technical Assistance

3. Ministry of Justice of Korea

4. Technical Assistance

5. Anti-corruption Efforts of Developing Countries

Prerequisite: Basic Framework
- Developing basic framework
- Legal system required to fight corruption

Fair and Efficient Personnel Management System
- Required for effective operation of anti-corruption laws and regulations

Prevention and Elimination of Corruption POSSIBLE

Continued Commitment of International Community
- UNCAC included
- Constant support and attention needed

No Bottomless Vessel
- Change does not come in one day
- Korea earned it hard