



e-Governance Policies & Legal Framework Development

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Contents

- I. Overview on e-Governance of Korea**
- II. Legal Framework for e-Governance: Digital Society**
- III. Legal Framework for e-Governance: Digital Gov't**
- IV. Challenges Encountered in the Development of e-Governance Policies**
- V. Changing Policy Environment**
- VI. Findings**

I. Overview on e-Governance

◆ History of Korean Government

- ◆ **Democratic government founded with UN support**
 - ◆ 1945 Independence
 - ◆ 1948 Lee Seung-Man government founded(UN)
 - ◆ 1950-53 Korean War
- ◆ **Military government and economic development**
 - ◆ 1962 Park Jung-hee administration
 - ◆ 1980 Cheon Doo-hwan administration
 - ◆ 1988 Roh Tae-woo administration
- ◆ **Democratic government**
 - ◆ 1993 Kim Young-sam administration
 - ◆ 1998 Kim Dae-jung administration
 - ◆ 2003 Roh Moo-hyun administration
 - ◆ 2008 Lee Myung-bak administration



I. Overview on e-Governance

◆ Main e-Governance Policies of Roh Administration

- ◆ The Roh's Administration called "Participatory Government"
- ◆ e-Government Roadmap Announced(2003)
 - ◆ Key e-Governance Policies included in 31 Presidential Initiatives
- ◆ 4 Key e-Governance Policies
 - ◆ e-Election & e-Voting System
 - ◆ e-People Portal System
 - ◆ Online Information Sharing System(by Freedom of Information Law)

II. Legal Framework for e-Governance (digital Society)

◆ Legislations for Promoting Digital Society

- ◆ Basic Law on Promotion of Informatization(1995)
- ◆ Basic Law on e-Commerce, e-Signature Law(1999)
- ◆ National GIS Law(2000)
- ◆ e-Government Law(2001)
- ◆ Law on Digital Divide(2001)
- ◆ Law on National Knowledge(2001)
- ◆ e-Learning Industry Promotion Law(2004)

II. Legal Framework for e-Governance (digital Society)

◆ Legislations for Regulating Digital Society

- ◆ **Public Personal Information Protection Law(1994)**
- ◆ **Financial Information Protection Law(1995)**
- ◆ **Law on Protection of National Critical Information Infrastructure(2001)**
- ◆ **e-Commerce Consumer Protection Law(2002)**

II. Legal Framework for e-Governance (digital Society)

◆ Legislations for Promoting & Regulating Digital Society

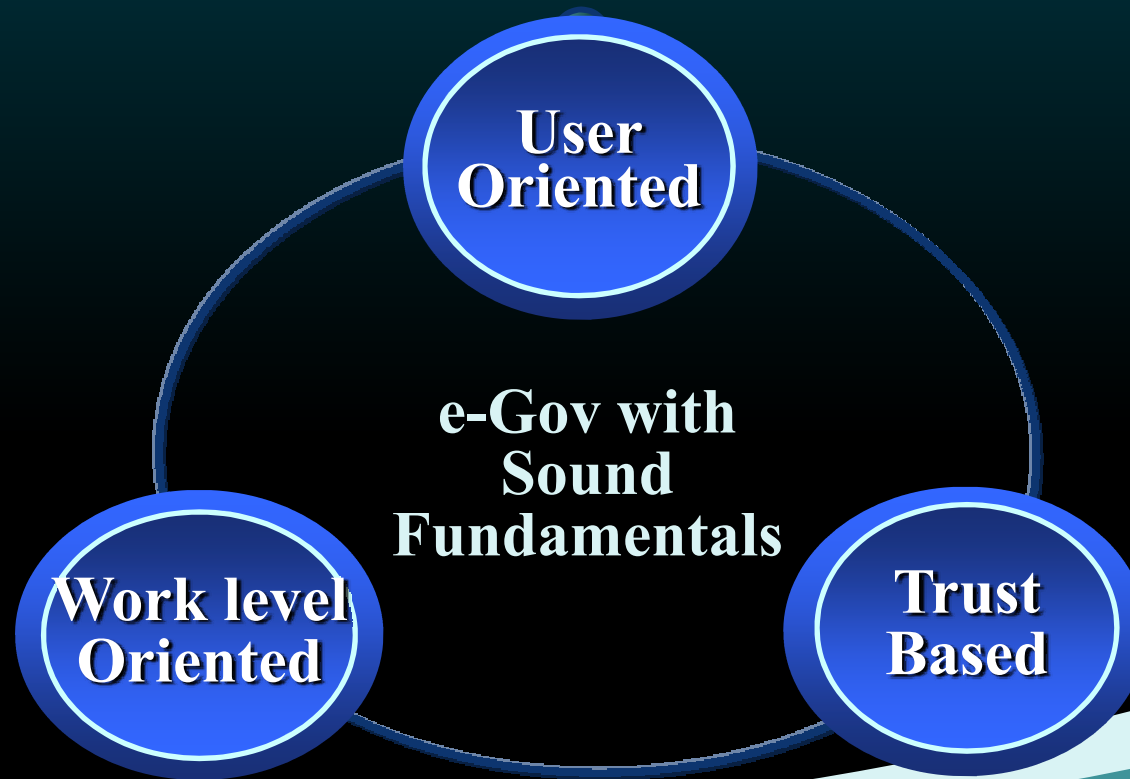
- ◆ Information Network Promotion and Protection of Personal Information Law(1986)**
- ◆ LBS Information Protection Law(2005)**
- ◆ E-Finance Trade Law(2006)**

◆ Legislations for Controlling Government

- ◆ Freedom of Information Law(1996)**
- ◆ Public ITA/EA Law(2005)**

III. Legal Framework for e-Governance (digital Government)

◆ Direction of Legal Reform



III. Legal Framework for e-Governance (digital Government)

◆ Direction of Legal Reform

Inadequate application
of e-Government
principles at work level

Realize proactive e-Government at
the work level by revising each law

Invasion of privacy
issues and limited civil
participation

Realize trustworthy e-Government
by building transparent privacy
protection system and establishing
diverse ways for civil participation

Inefficiency caused by
agency oriented IT
resource management

Realize efficient e-Government
by innovating IT resource
management

III. Legal Framework for e-Governance (digital Government)

◆ Strategy for Implementing Legal Reform

- ◆ Start with urgent and high impact regulations
 - ◆ Reform online civil service processing legislations
 - ◆ Amend and revise current regulations and laws
- ◆ Build efficient cooperative network between related agencies
- ◆ Build validity by following due process
 - ◆ Diversify citizen participation venues and encourage NGO participation
- ◆ Implement legal reform in stages based on plans
 - ◆ Link plans for legal reform with annual government legislation plans

III. Legal Framework for e-Governance (digital Government)

◆ Legal Reform Plans by Sectors

1. Legislations for promoting online work processes
2. Legislations for securing safety and integrity
3. Legislations for increasing citizen participation
4. Legislations for IRM(Information Resource Management)

III. Legal Framework for e-Governance (digital Government)

◆ Legislations for promoting online work processes

Main Obstacles

No online civil service processing system

Work specifics such as required documents and counseling

Lack of clear legal grounds or guidelines

Lack of incentives to foster working online

Solutions

- Promote system building and reform legislation

- Reduce document demand through BPR
- Expand information sharing

- Build clear legal grounds
- Distribute guidelines

- Compensate by reducing fees and etc
- Prevent double workload by establishing online work principles

III. Legal Framework for e-Governance (digital Government)

◆ Promoting Online Work Processes

① Implement comprehensive reform of online civil service related legislations

- Formalize online civil service procedures by revising each legislation
- Remove obstacles to information sharing between agencies
- Amend each legislation to allow online payment of commissions and fees

② Prevent double workload by establishing online document processing procedures

- Prohibit writing out and managing
- Implement
- Revise all legislations requiring documents for civil service

III. Legal Framework for e-Governance (digital Government)

◆ Legislations for securing safety and integrity

① Strengthen privacy protection laws

- Expand scope of protection and toughen personal information control

② Enact the “Basic Act on Protecting Personal Information”

- Establish principles for privacy protection and introduce privacy impact analysis
- Establish a dedicated institution for privacy protection

III. Legal Framework for e-Governance (digital Government)

◆ Legislations for increasing citizen participation

① Amend Freedom of Information Law and Public Information Management Act

- Expand sharing of public information by digitizing and online sharing
- Build an online information sharing system and post online the content of information

② Introduce e-voting for residential elections and provide legal basis for e-elections

- Cooperate closely with the National Election Commission, political circles and NGO for implementation

III. Legal Framework for e-Governance (digital Government)

◆ Legislations for IRM(Information Resource Management)

① Enact the “Public IT Management Innovation Law”

- Prepare a government-wide blueprint for IT management
- Build and operate ITA for each agency

② Secure legal basis and revise e-Government project evaluation system

- Build a feed-back system between result and budget

③ Enact regulations on Government IDC and reform IT organization and man-power related laws



IV. Challenges in e-Governance Policy Development

◆ Nationwide Information Infrastructure

- Aggressive investment by government through promotional laws and fostered the IT industry

◆ e-literacy

- Investment in the education sector and utilization of computers at education sites
- Enacted the e-Learning Law, building a lifetime education system

◆ Digital divide

- Law on Digital Divide for the socially weak
- Solve regional divide with universal service based on the Telecommunication Law



V. Changing Policy Environment

◆ IT Convergence Policies

- Focusing on IT convergence using advanced IT infrastructure
- Informatization of existing industries, e-Gov efficiency improvement, preparation of IT convergence in Society and culture

◆ Re-structuring of IT Organizational Structure

- Establishment of KCC (MIC + KBC) to prepare IT convergence
 - The role of IT policy assigned to MOPAS, MKE, MCST
- 

V. Changing Policy Environment

◆ Legal Reform after Shake-up

- **Informatization Promotion Act → National Informatization Act**
 - **consolidating organization by changing to Presidential Committee**
 - **Improving efficiency by collaboration among authorities**
- **Maximization of IT related Laws and Regulations by Integration**
 - **Integrating redundant and similar IT laws such as ITA Law and Information Sharing Law**
 - **Enactment of Broadcasting & Communication Law for convergence**
- **Regal reform is under way**
 - **Focusing on consolidation of Internet portals and users**
 - **reinforcing Personal Data Protection Act, Information Network Act**

VI. Findings

◆ From e-Governance Policy Development

- ◆ Governance that forms the fundamental for true democracy and e-governance for true democracy in digital society
- ◆ Maturing of democracy, industrialization, and informatization in Korea
- ◆ True democracy and citizen participation in the knowledge society calling for stronger e-governance policies
- ◆ Korea's e-Governance Policies heading for “e-Government for the people and with the people” in all the phases

VI. Findings

◆ From Legal Reform

- 1. Legislation policy as enabler for information society**
 - ◆ Government driven information society and e-Governance policies
- 2. Early involvement of legislative experts**
 - ◆ Law experts involved from the first step(BPR/ISP)
 - ◆ Co-working among legislative experts, IT experts, and admin. officers
- 3. Flexible legislation system**
 - ◆ National Assembly responsible for main laws while detailed regulations delegated to the executive government agencies
- 4. Active legislation participation and governance**
 - ◆ Active participation in the process of legislation for Internet related laws by the netizens, NGO, industry and academia
 - ◆ Implementation of self-regulatory system