

**MEMORANDUM OF UNDERSTANDING  
ON COOPERATION BETWEEN  
THE OFFICE OF THE OMBUDSMAN OF THE REPUBLIC OF  
THE PHILIPPINES AND  
THE ANTI-CORRUPTION AND CIVIL RIGHTS COMMISSION OF  
THE REPUBLIC OF KOREA**

The Office of the Ombudsman of the Republic of the Philippines, pursuant to its mandate under the Constitution and Republic Act No. 6770 as the Protector of the People, and in the exercise of its functions and duties, is the leading agency in the fight against graft and corruption with the ultimate goal of improving accountability, transparency, and efficiency in the government.

The Anti-Corruption and Civil Rights Commission of the Republic of Korea is the national ombudsman, which acts on civil complaints, improves institutions, fights against corruption, and adjudicates administrative appeals.

The above,

the Office of the Ombudsman of the Republic of the Philippines and the Anti-Corruption and Civil Rights Commission of the Republic of Korea (here in after referred to as the "Sides");

Intending to actively resolve difficulties and inconveniences encountered by their nationals (including businesses) in the other country;

Desiring to establish and strengthen collaborative efforts in developing systems in preventing and combating corruption;

Seeking to collaborate in areas of common interest to promote the rights of their nationals; and

Bearing in mind the principles of equality, friendship and mutual benefit, and the prevailing laws, regulations, and customs of their respective countries;

Have reached the following understanding:

**Paragraph 1 Objective**

The objective of this Memorandum of Understanding (MOU) is to establish and strengthen cooperation between the Sides in order to improve their systems for ombudsman and anti-corruption, exchange experiences so that the Sides learn the strong points of each other's system, seek to collaborate in areas of common interest, and resolve the difficulties and inconveniences encountered by the other country's overseas nationals in their lives, employment, education and with respect to visa issues in their countries.

**Paragraph 2 Principles**

1. The Sides will communicate and cooperate to share experiences and learn the strong points of each other's system. In this respect, the Sides may request data on a specific practice or procedure or hold joint workshops for capacity building.
2. Each Side will handle, with careful consideration, complaints filed by the other country's overseas nationals residing in its country. If any such complaints are referred by a Side to another governmental agency, the Side will so notify the overseas nationals and inform them of the status and/or results of the complaint procedure. In addition, each Side may receive complaints from its overseas nationals relating to the other country and may transfer such complaints to the other Side by mail or e-mail.
3. Each Side, to protect the other country's nationals, may, if necessary and within the competence and resources of each Side, visit businesses, workers and multi-cultural families of the other country, and provide counselling and other services in order to resolve their difficulties. The Sides will consider opening a "window for complaints" for the nationals of the other country at their respective ombudsman organizations, which is intended to receive complaints and give feedback in the other country's national language(s). To this end, the Korean Side will, if necessary, provide the Philippine Side with the necessary information technologies.

### **Paragraph 3 Areas of Cooperation**

1. The areas of cooperation under this MOU may include, subject to the availability of financial and human resources of the Sides, the following:
  - a. sharing their best practices, expertise, systems and procedures;
  - b. opening a complaint window for the overseas nationals of the other country;
  - c. exchanging ombudsman and anti-corruption policies and experiences, as well as human resources;
  - d. conducting joint investigations and research related to ombudsman and anti-corruption;
  - e. organizing joint capacity-building workshops or seminars; and
  - f. other areas of cooperation as may be jointly decided upon by the Sides.
2. The Sides will actively promote the current status and achievements of collaborative activities under this MOU when they pursue cooperation with international ombudsman organizations, academic institutions and private organizations.

### **Paragraph 4 Implementation Mechanism**

The Sides will hold high-level policy meetings to share their practices and procedures, to evaluate their performances in resolving the difficulties and inconveniences of the other country's overseas nationals, and to discuss other cooperation issues. Each Side will assign their respective liaison officer to serve as the contact point to facilitate the communication between the two Sides.

### **Paragraph 5 Expenses**

Each Side will bear its own costs of cooperation under this MOU, unless otherwise jointly decided in advance by the Sides.


### **Paragraph 6 General Provisions**


1. Cooperative activities under this MOU will be conducted by the Sides in accordance with the respective laws and regulations of the two countries and subject to the availability of financial and human resources of the Sides.
2. This MOU does not create any legally binding rights and obligations.
3. The Sides will not transmit information obtained from the other Side under this MOU to a third party without the prior written consent of the other Side.

### **Paragraph 7 Entry into Effect, Duration, Termination and Amendment**

1. The MOU will take effect on the date of signature.
2. The MOU will be effective for three (3) years subject to renewal for another three (3) years upon the mutual written consent of the Sides.
3. Either Side may terminate this MOU at any time by informing the other Side, in writing, of its intention to terminate the MOU. The MOU will be terminated three (3) months after the receipt of such notification.
4. This MOU may be amended by mutual written consent of the Sides.

Signed in duplicate at Seoul, on the 7th day of September, 2012, in the English language.

  
FOR THE OFFICE OF THE  
OMBUDSMAN OF THE REPUBLIC  
OF THE PHILIPPINES

  
FOR THE ANTI-CORRUPTION  
AND CIVIL RIGHTS COMMISSION  
OF THE REPUBLIC OF KOREA