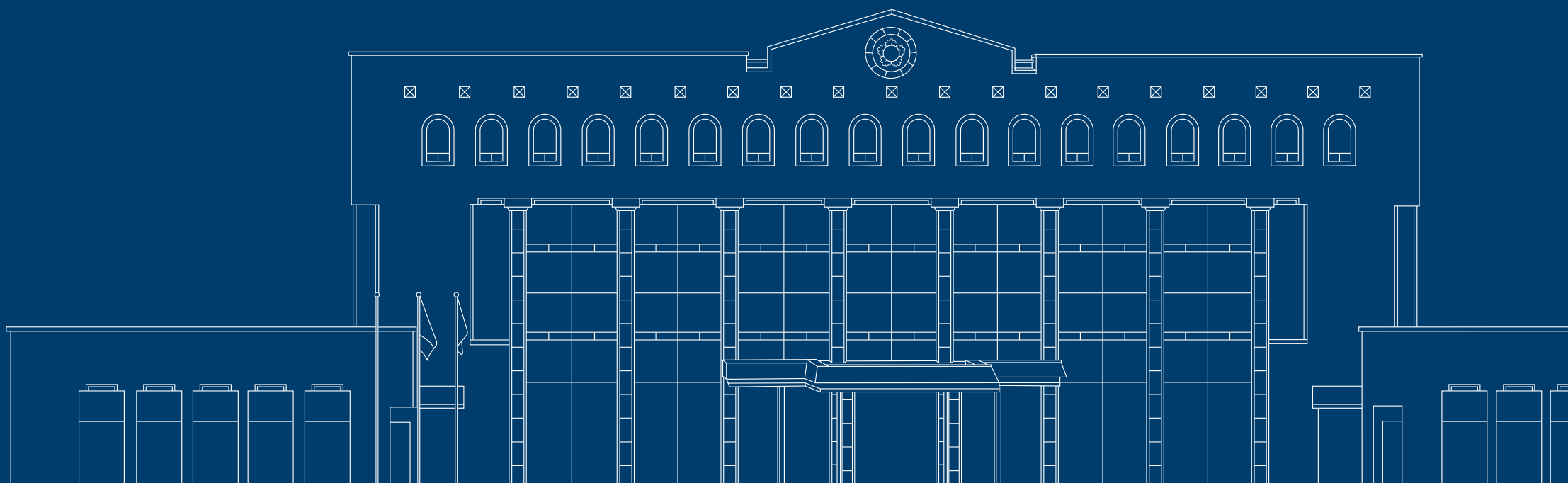
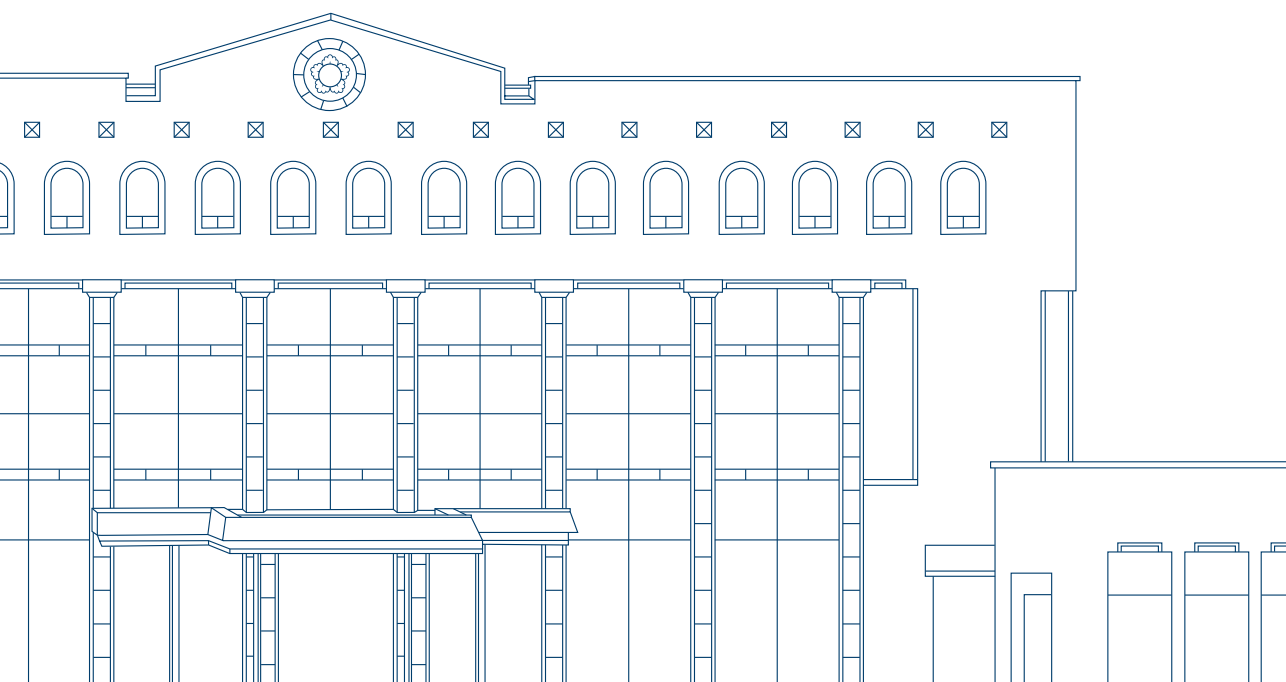


Elections, the Heart of Democracy



Elections, the Heart of Democracy



Impartiality and Neutrality, Another name for the National Election Commission of the Republic of Korea

Independent Constitutional Body

The National Election Commission (NEC) of the Republic of Korea was established as an independent constitutional body on the same level as the National Assembly, the National Government, Judicial Courts and the Constitutional Courts in order to manage elections and national referendums fairly and deal with administrative affairs concerning political parties and political funds.

Guaranteeing Impartiality and Neutrality

The commissioners of the NEC are guaranteed their tenure and status in accordance with the Constitution and relevant Acts in order to ensure their political neutrality and impartiality in fulfilling their duties. All commissioners and employees of the NEC are strictly prohibited from joining a political party or participating in political activities and carry out their duties in the pursuit of 'strict neutrality and impartial management' in compliance with the law and the principles.

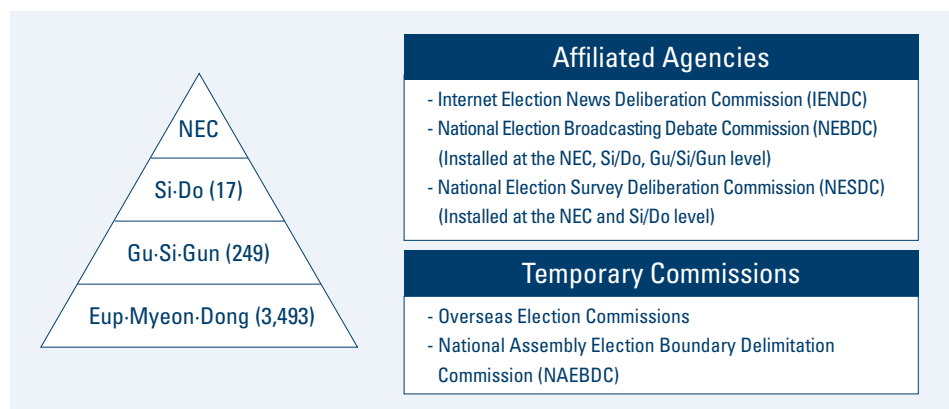


1. Establishment and Status

- **Establishment:** January 21, 1963
 - It was difficult to ensure the independence and impartiality of the NEC when it was an administrative body affiliated under the Ministry of the Interior and Safety after the establishment of the government in 1948.
 - The establishment of the NEC as a constitutional body was stipulated in the fifth revision of the Constitution in 1962.
- **Status**
 - The NEC is an independent constitutional body of which duties are to manage elections and national referendums fairly and deal with administrative affairs concerning political parties and political funds.
 - The NEC is an independent consensus-based constitutional body on the same level as the National Assembly, the National Government, Judicial Courts, and the Constitutional Court.

2. Election Commissions

- **Organization and Composition**
 - The election commissions in the Republic of Korea have a four-tier structure consisting of the National Election Commission (NEC), 17 Si/Do election commissions, 249 Gu/Si/Gun election commissions and 3,493 Eup/Myeon/Dong election commissions.



- ① **Overseas Election Commissions:** Temporarily established at diplomatic missions for presidential elections and National Assembly elections that are conducted at the end of the term of office.
- ② **National Assembly Election Boundary Delimitation Commission (NAEBDC):** Operated from eighteen months prior to National Assembly elections held at the end of the term of office until the day the delimitation of boundaries is confirmed at the National Assembly.

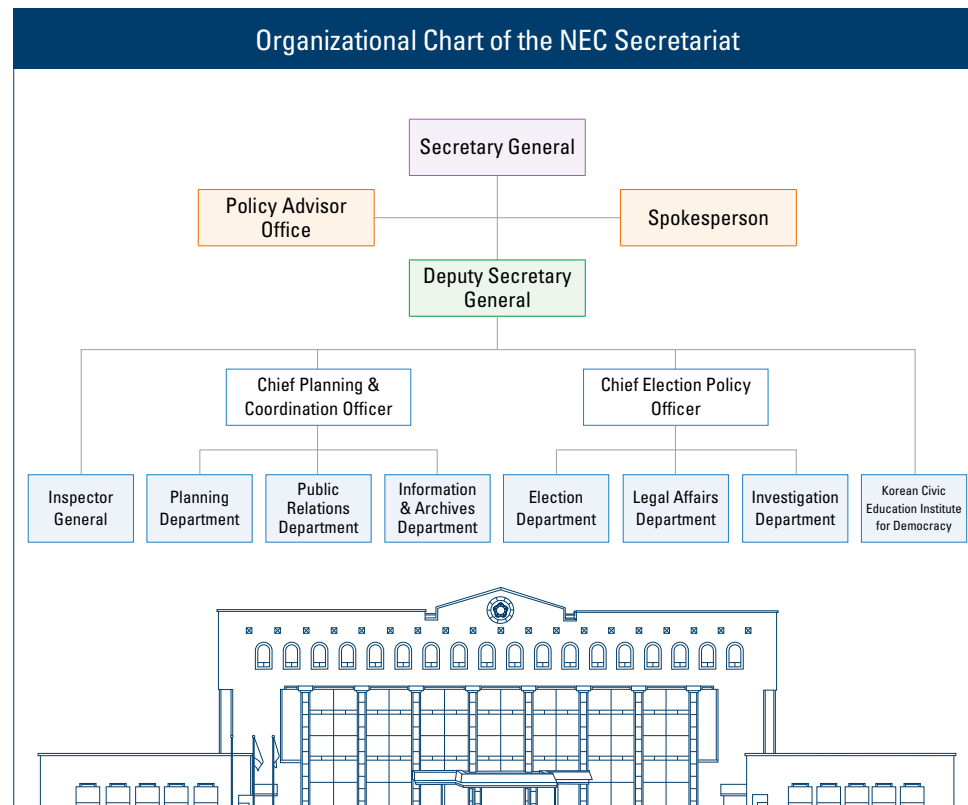


Commissioners' meeting held on January 2021

- **Composition of the National Election Commission**
 - The NEC is composed of nine commissioners. Three are appointed by the President, three are elected by the National Assembly, and three are nominated by the Chief Justice of the Supreme Court.
 - The commissioners are appointed, elected or nominated after a confirmation hearing at the National Assembly. The Chairperson is elected by a consensus vote and from among the commissioners.
- **Term and Qualification for Commissioners**
 - Term: Six years (Standing Commissioner: Three years)
 - Commissioners shall not join a political party or participate in political activities and are strictly guaranteed their term and status by the Constitution and the relevant Acts in order to ensure their impartiality in carrying out their duties fairly without any external interference.
 - Grounds for Dismissal from Office: No members of the Commission shall be expelled from office except by impeachment due to a sentence of imprisonment or a heavier punishment, involvement in politics, or being affiliated with political party.

3. Secretariat

- Each election commission is composed of a commission which makes decisions and a secretariat which handles administrative affairs.
- **Organization of the NEC Secretariat**
A Secretary General (ministerial level position), a Deputy Secretary General (deputy ministerial level), two chief officers, six departments, one independent office, one training institute and 26 divisions.
※ Each election commission has a secretariat corresponding to its size.
- As of January 2021, there are **2,922** civil servants working at the election commissions, including **372** officials at the NEC, **636** officials at Si/Do election commissions, **1,914** officials at Gu/Si/Gun election commissions.
- Decisions on human resources including employment, promotion, appointment, and transfer are made autonomously to maintain independence in human resources management.



4. Affiliated Agencies



Internet Election News Deliberation Commission (IENDC)

- Establishment: The IENDC was founded on March 15, 2004 to ensure the impartiality of election news on the internet.
- Mandate: The IENDC is mandated to assess whether election news posted on the internet is fair or not. The Commission provides real-time monitoring of election-related news by around three thousand internet media outlets and also deliberates on the request for, and makes a decision on formal objections and correction reports filed by political parties or candidates.



National Election Broadcasting Debate Commission (NEBDC)

- Establishment: The NEBDC was founded on March 15, 2004 to fairly manage and operate broadcast speeches and debates and establish a sound debate culture.
- Mandate: The NEBDC is mandated to manage the affairs regarding the broadcast speeches and debates for presidential elections and elections for proportional representation members of the National Assembly, and policy debates for public official elections following the termination of office, policy debates organized according to the Political Parties Act.



National Election Survey Deliberation Commission (NESDC)

- Establishment: The NESDC was founded on March 5, 2014 to ensure the objectivity and credibility of election polls.
- Mandate: The NESDC is mandated to determine standards for election polls, manage the registration of the companies undertaking election polls, and to deliberate and make a decision on whether an election poll is in violation of the relevant law or legal standards.

5. Characters and Symbol of the NEC

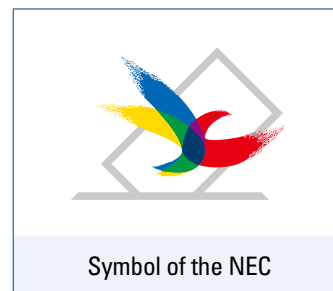
• Characters

- ‘Chamcham’ means ‘True Participation’, ‘Baru’ means ‘Just Elections and Just Management’, ‘Ali’ means ‘Promote democracy.’ The characters are named to be similarly pronounced in Korean to contain the desired meanings.



• Symbol

- Represents a flying bird meaning the hope and choice of the citizens and ballot paper symbolizing an election.
- Red, blue, and yellow are the three colors that are Korea’s traditional pattern of the three taegeuk.
- Like the three mixed-colors make a harmony, the symbol stands for harmonizing different public opinions and leaping forward together.



II

Roles and Responsibilities

Elections, the Heart of Democracy

Part2. Roles and Responsibilities



Management of
Various Elections



Management of Affairs
Related to Political
Parties and Funds



Prevention and
Regulation of Violations of
Election Laws



Civic Education
for Democracy



Research on
Electoral and
Political Systems



International
Exchange and
Cooperation



1. Management of Various Elections

• Management of Elections for Public Officials

The NEC manages presidential elections as well as elections for the National Assembly, heads of local governments and local councils as stipulated by the Public Official Election Act.

• Management of National Referendums

The NEC manages national referendums that ask the public opinion on important policies related to diplomacy, national defence and unification and the revision of the Constitution.

• Management of Residents' Referendums

The NEC manages residents' referendums on important decisions made by local governments seriously affecting and placing undue burden on the residents of a district based on municipal ordinances.

• Management of Recall Votes

The NEC manages elections requested by the residents of a district to remove heads of local governments or local council members from their positions prior to the end of their term of office in the case the officials are found to conduct illegal and unfair activities.

• Management of Entrusted Elections

The NEC manages entrusted elections according to the Act on Entrusted Elections including Public Organizations and other relevant regulations. Entrusted elections include those for heads of agricultural, fishery, livestock and forestry cooperatives.

• Management of Primary Elections of Parties

The NEC manages primary elections if a political party entrusts the election to the NEC in order to nominate candidates for public official elections.

• Management of Election Expenses

The NEC determines election expense limits and audits the income and expenditure of election expenses.



Panorama shot of a counting center

1) Elections for Public Officials in the Republic of Korea

• Presidential Elections

- Term of Office: Five years
- Election System: First-past-the-post
- Suffrage: Korean citizens aged 18 years or older
- Electoral Eligibility: Korean citizens aged 40 years or older who have resided in Korea for five years or longer

• National Assembly Elections

- Term of Office: Four years
- Type of Parliament: Unicameral
- Number of National Assembly Members: 300
 - 253 Constituency Members, 47 proportional Representation Members
- Election Constituencies
- Elections for Constituency Members: Single member constituencies
- Elections for Proportional Representation Members: Single nationwide multi-member proportional constituency
- Election System: Semi-Compensatory supplementary member system
 - Constituency Members (First-past-the-post), Proportional Representation Members (Party-list proportional representation)
- Suffrage: Korean citizens aged 18 years or older
- Electoral Eligibility: Korean citizens aged 25 years or older

- **Nationwide Simultaneous Local Elections**

- Term of Office: Four years
 - Elected Persons: Si/Do mayors and governors, constituency and proportional representation members of Si/Do council, heads of local Gu/Si/Gun governments, constituency and proportional representation members of Gu/Si/Gun councils, superintendents of education
 - Election System
 - Elections for Si/Do mayors and governors, heads of Gu/Si/Gun governments, constituency members of Si/Do and Gu/Si/Gun local councils and superintendents of education: First-past-the-post
 - Elections for proportional representation members of Si/Do and Gu/Si/Gun local Councils: Party-list proportional representation
 - Suffrage: Korean citizens aged 18 years or older (not overseas Koreans) and non-Korean citizens* who have been qualified
- * The Republic of Korea was the first Asian country to allow non-Korean citizens to vote. Non-Korean citizens who have held permanent residency for at least three years are able to vote in nationwide simultaneous local elections.
- Electoral Eligibility: Korean citizens aged 25 years or older and those who have been registered as a resident in the relevant district for 60 days or longer

2) Various Voting Methods in the Republic of Korea

- **Voting on Election Day**

- Election Day: A Wednesday set by the Public Official Election Act
- Voting Hours: 6am - 6pm
- Eligible Voters: Voters registered within the competent constituency except those who voted during home voting, shipboard voting, overseas voting and early voting
- Polling Station Available for Voters: A voter must cast their ballot at their designated polling station according to their resident registered address.

- **Early Voting**

- Applicable Elections: Any public official elections held upon the expiration of the term of office and re and by-elections
- Voting Period: For two days from five days prior to election day
- Voting Hours: 6am - 6pm
- Eligible Voters: Any voters except those who are registered for home voting, shipboard voting, and overseas voting
- How to Vote: Any voter is able to cast their ballots at any early voting polling station nationwide regardless of their registered constituency

- **Home Voting**

- Applicable Elections: Any public official elections held upon the expiration of the term of office and re and by-elections
- Eligible Voters: Voters who may not be able to go to a polling station for voting due to a serious physical disability to cast their ballots according to the Public Official Election Act
- How to Vote: The competent election commission sends ballot papers with a return envelope to home voting registered voters by ten days before election day → Home voting voters mark the ballot papers → Home voting voters put their ballots into their return envelope and send it to the competent election commission by registered mail by 6pm on election day

• Shipboard Voting

- Applicable Elections: Presidential elections, National Assembly elections upon the end of the term of office
- Eligible Voters: Those who are aboard or going to be aboard ships such as deep-sea fishing vessels, outbound passenger or cargo ships chartered under a captain with Korean citizenship
- Voting Period: During a designated period between eight days and five days before election day
- How to Vote: The competent election commissions transmit the ballot papers by facsimile to the captain of the ship who is registered on the shipboard voting application by nine days before election day. → Shipboard voters cast their ballots aboard and transmit their ballots by facsimile (Shipboard voters should submit the original ballots to their captain after putting them into a provided envelope) → Si/Do election commissions receive the transmitted ballots by shield fax and send them to the relevant Gu/Si/Gun election commission for counting on election day (The captain should submit the original ballots to the Si/Do election commissions when arriving in Korea)

• Overseas Voting

- Applicable Elections: Presidential elections, National Assembly elections upon the end of the term of office
- Voting Period: For a set number of days within the six-day period between 14 days and nine days before election day that the Overseas Election Commissions designate.
- Voting Hours: 8am - 5pm
- Polling Stations: Diplomatic missions, additional polling stations at barracks if necessary (up to two polling stations may be installed when there are 40,000 or more overseas Koreans)
- How to Vote: Voting only available at a polling station
- Counting: Ballots which arrived back to Korea by 6pm on election day are only counted on election day at the competent Gu/Si/Gun election commissions.

2. Management of Affairs Related to Political Parties and Funds

• Management of Affairs Related to Political Parties (Political Parties Act)

The NEC manages the registration, activities and dissolution of political parties based on the Constitution and the Political Parties Act in order to ensure the freedom of parties in establishing a party and undertaking their activities and to support them for the development of policy-based political parties.

• Management of Affairs Related to Political Funds (Political Fund Act)

In accordance with the Political Fund Act, the NEC provides national subsidies for political parties, oversees the establishment and activities of Political Fund Associations (PFAs), collects, audits and investigates into financial reports and supports administrative affairs related to political funds in order to ensure the proper procurement and transparency of political funds.

• National Subsidy System

- The State provides subsidies to political parties to support and promote their activities.
- The national subsidy system was introduced in 1980 for the first time. This system aims to reduce political corruption by preventing parties from being unfairly influenced by donors or pressure groups using political funds, bridge the gap between political parties in the ability to raise funds, and promote fair competition. The system also was created to promote the political progress of women and socially disadvantaged people and increase the possibility of competent candidates being elected.
- Types of Subsidies
 - Current Subsidies: Distributed every quarter to subsidize ordinary expenses necessary for political party operation
 - Election Subsidies: Additionally provided during the year of public official elections to compensate parties' additional expenditure
 - Subsidies for Female Candidate: Paid to political parties who nominate female candidates in the elections for constituency members of the National Assembly and local councils at the end of term of office.
 - Subsidies for Disabled Candidates: Paid to political parties who nominate female candidates in the elections for constituency members of the National Assembly and local councils at the end of term of office.

3. Prevention and Regulation of Violations of Election Laws

The NEC strictly oversees and controls activities that damage the fairness of elections and takes preventive actions against the violation of election laws to ensure an equal opportunity for political parties and candidates so that elections are managed in a fair manner following the procedures.

• Penalty System

- Those who violate the law in receiving monetary gifts or foods from politicians shall be fined by the election commissions 10 to 50 times the amount equivalent to what they received up to 30 million Korean won (\$25,000 USD).

• Reward System

- Those who report violations of the Public Official Election Act and the Political Fund Act may receive an award up to 500 million Korean won (\$420,000 USD) if reports are made before the election commissions or the investigative bodies recognize those violations.



4. Civic Education for Democracy

• KOCEI - A Specialized Institution for Civic Education for Democracy

- Korean Civic Education for Democracy (KOCEI) was established in 1996 as an affiliated training institute of the NEC.
- Conducts various activities to enhance democratic civic consciousness and to create a sound election culture.
- Provides education and training for staff of the election commissions, the general public, election officials, stakeholders of political parties and PFAs, as well as develops and distributes education material.



Voters' promotional activities to encourage voting participation

5. Research on Electoral and Political Systems

• Research on the Political System of Korea and Other Countries around the World

- As the election management body in charge of administrative affairs of political parties and political funds as well, the NEC analyzes problems identified during the process of elections and political affairs and prepares measures to improve the problems.
- The NEC studies an electoral and political system which can fit into the political situation in Korea through various researches and studies including comparative studies on foreign systems.

• Submission of Opinions on Political Law Reforms

- The NEC submits to the National Assembly proposals for enacting or revising political laws including the Public Official Election Act, when necessary. Also, the NEC may enact and revise regulations required to manage elections and referendums and deal with administrative affairs regarding political parties and political funds.

• Projects for Improving the Voting and Counting Systems

- The NEC has developed the voting and counting system to increase the people's confidence in the process of voting and counting by enhancing voting convenience for casting a ballot more freely and by increasing accuracy and speed in the management of voting and counting.

• Ballot Sorting Machine

- Since 2002, the NEC has adopted the ballot sorting machine which sorts and counts ballots by candidate to increase accuracy and speed of counting.

• Ballot Paper Printer

- The ballot paper printer was developed to issue ballot papers at polling stations and has been used during early voting and overseas voting of public official elections and entrusted elections.

• Integrated Voters List

- The integrated voters list is prepared by combining nationwide voters list by the NEC. This enabled voters to cast their ballot at any early voting polling stations nationwide before election day after completing the voter's identification process.

6. International Exchange and Cooperation

- **Exchange and Cooperation with Global Election Management Bodies and Election Related International Organizations**
 - The NEC has expanded international exchange and cooperation, including signing MoUs with other election management bodies worldwide, participating in election observation in other countries and hosting and attending international conferences.
 - In addition, the NEC has been a member of the Association of Asian Election Authorities (AAEA) since 2008 and played a leading role in exchange and cooperation in the field of elections in Asia including serving as an executive member and the Chair of AAEA.
 - In 2013, the NEC took the lead in establishing the Association of World Election Bodies (A-WEB) to contribute to the development of democracy worldwide.



AAEA General Assembly in 2017



4th A-WEB General Assembly in 2019

• Host Seoul International Forum on Elections

- The Seoul International Forum on Elections (SIFE) is an annual international conference organized by the NEC. The NEC has hosted the SIFE since 2015 of which goals are to contribute to the development of election systems and democracy around the world through presentations and active discussions with invited experts in the field of elections and democracy.

• Operate International Election Observation Program

- The NEC has conducted the International Election Observation Program (IEOP) for public official elections in the Republic of Korea, starting from the operation of the IEOP for the 6th Nationwide Simultaneous Local Elections in 2014. During the IEOP, the NEC invites election officials and international organizations around the world, provides information on the Korean election system and shares the Korean election management system to contribute to the development of democracy in the world.



2019 SIFE



2018 IEOP

Regulation of Illegal Election Campaigning

- The NEC implemented strong monitoring and regulation activities against illegal acts in violation of the Election Acts in order to ensure fair competition and achieve just and clean elections.
- Strengthened its regulation activities while expanding its right to investigate election related crimes.



Counting of overseas voting ballots

Ensuring the Right to Vote and Voters' Convenience

- The NEC implemented new voting systems in order to realize popular sovereignty and ensure voters' convenience including introduction of the overseas voting and shipboard voting system in 2012 and the early voting system in 2013.

1987 -

2012 -

Jan. 21, 1963

Strict Management of Election Affairs and Procedures

- The NEC was defined as a constitutional body in accordance with the revised fifth edition of the Constitution in 1962.
- Established on January 21, 1963.

1994 -

Building a Unified Election Management System

- The NEC integrated various election laws into the Public Official Election and Prevention of Election Fraud Act.
- Created a new system for election management, political parties, and political funds.

2004 -

Creating an Atmosphere of Clean and Fair Elections

- The NEC improved institutions for blocking illegal elections including provision of rewards to election crime reporters and imposing a fine on those who received goods or money.
- Expanded a fair and clean election culture at all levels by managing daily lives engaged entrusted elections including managing resident referendum since 2004, elections for president of national cooperatives and national universities since 2005.

2015 -

The NEC, Together with the Citizens

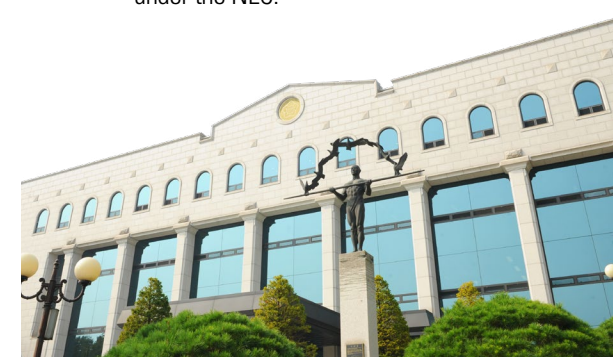
- The NEC promoted transparency and impartiality of the election process by introducing the counting observer system so the general public can participate in the counting process.
- Secured fair election boundary delimitation by establishing an independent body, the National Assembly Election Boundary Delimitation Commission (NAEBDC) under the NEC.

Candidates' speeches



Submission of campaigning posters

NEC Secretariat office





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