

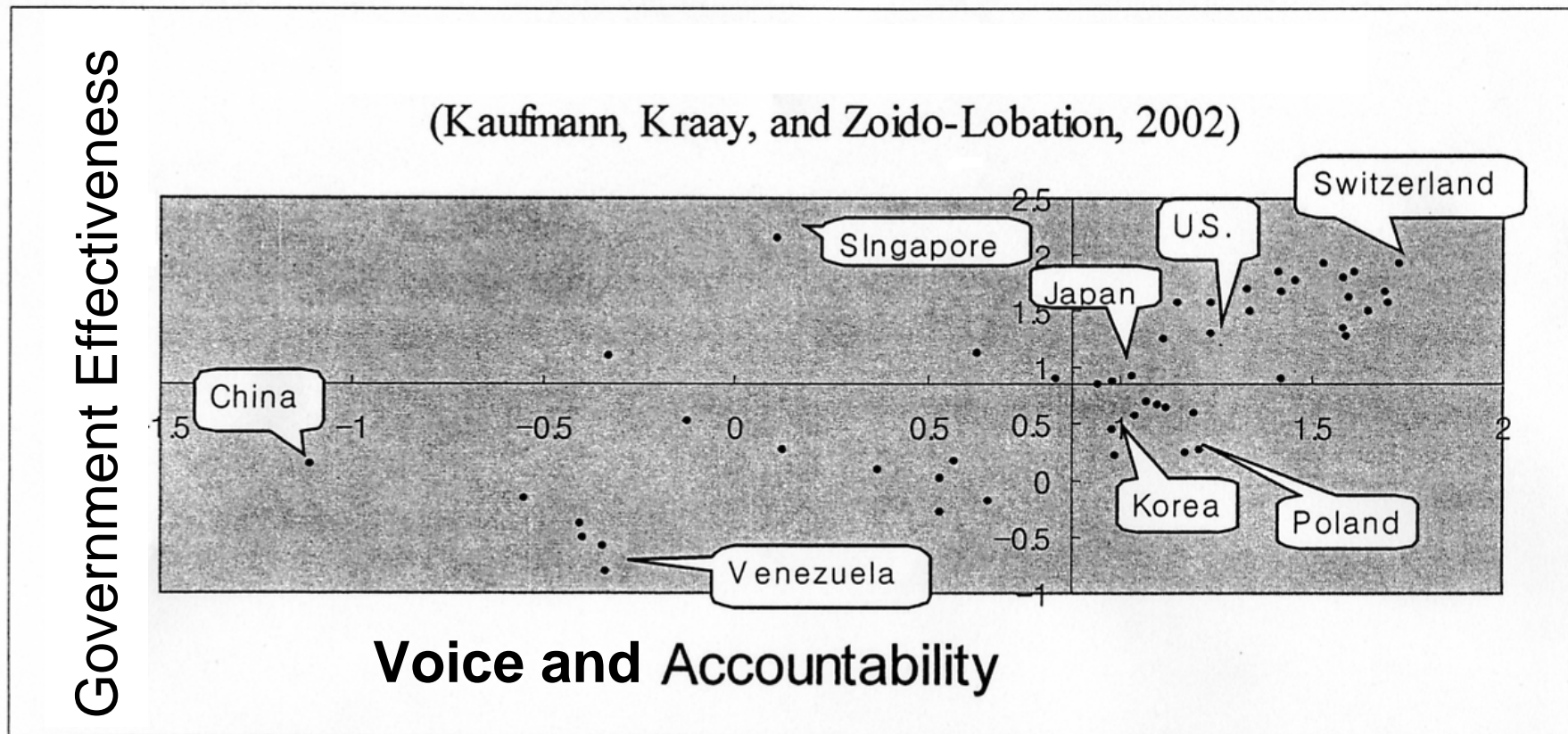
***Long-term Vision For  
Dispute Resolution in Korea  
- New Agendas***

**Dong-Young Kim**

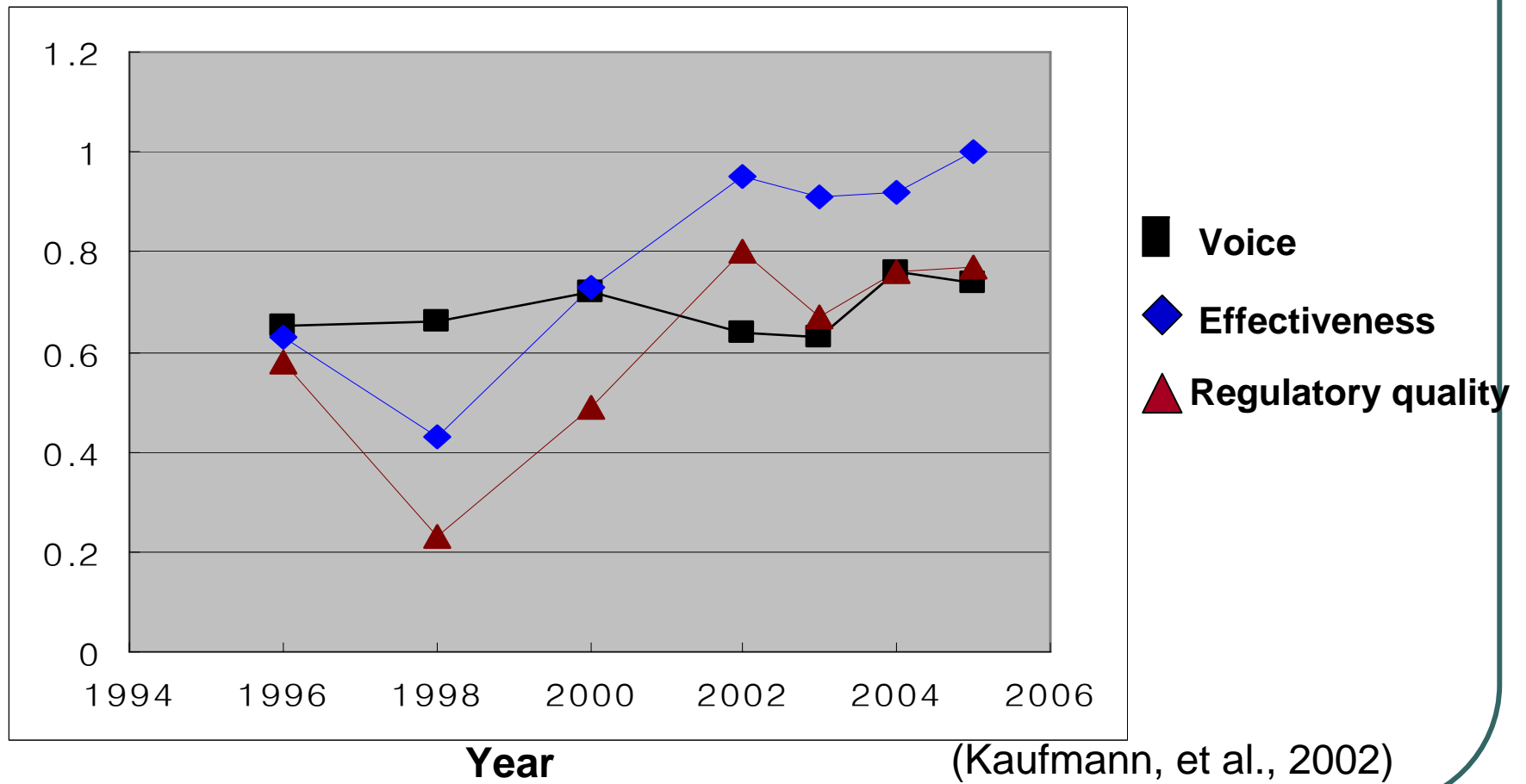
KDI School of Public Policy and Management

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# The Status of Korean governance

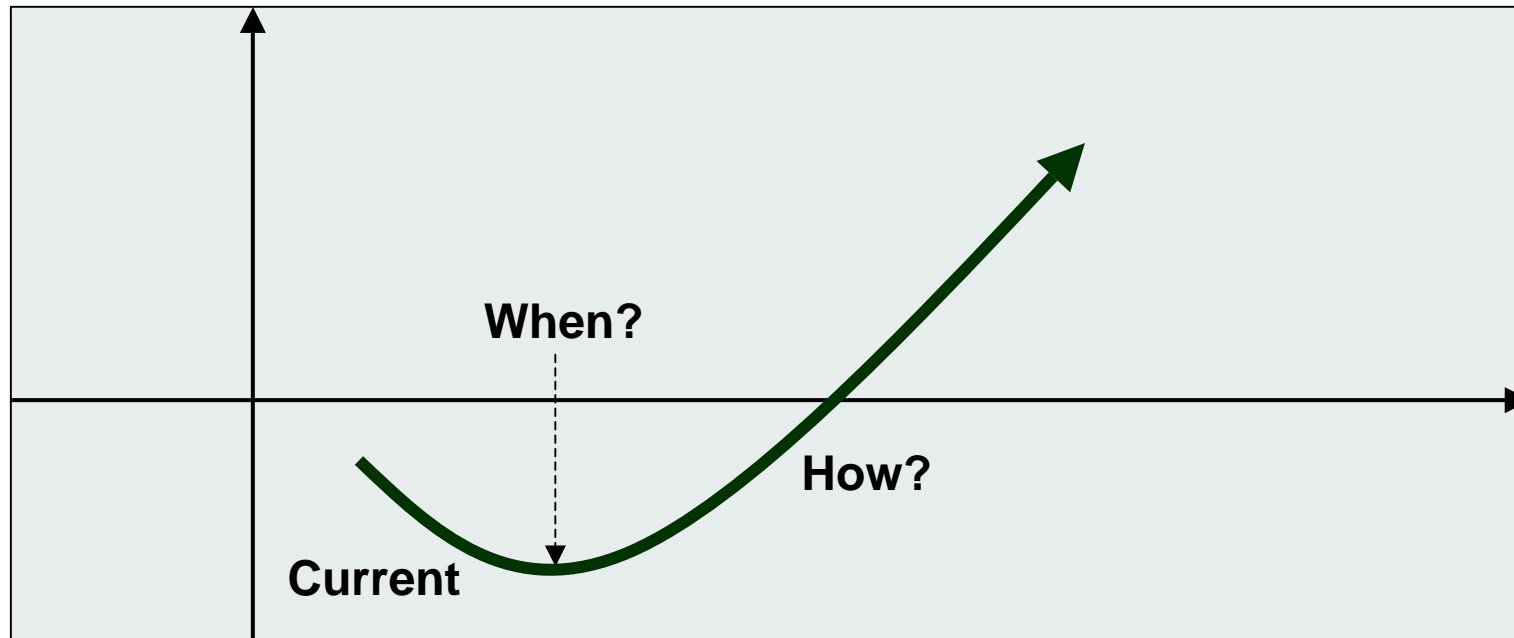


# Transition in Korean Governance



# Conceptual Evolution: Public Dispute vs. Gov. Effectiveness

**Government Effectiveness**



**Voice and Accountability**

# Current Situation (I)

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- Social learning on the costs of public disputes and need for alternatives
- Several experiments on Innovative Process at the local and regional levels
  - Private-Public Partnership
  - Mediated stakeholder negotiation
  - Deliberative democracy
  - Citizen's jury...

## Current Situation (II)

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- Proliferation of education programs on dispute resolution
  - Centers, Association
  - Universities
- Initial stage of professionalization in the field of public dispute resolution
- Uncertain institutionalization of dispute resolution in decision making process

## Current Situation (III)

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- Lack of successful (model) cases of alternative public dispute resolution
- Still high BATNAs: demonstrations, unitary extreme actions, law-suits
- Lack of using mediators and facilitators

# Current Situation (IV)

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- Three major background conflicts
  - Ideology (Progressive vs. Conservative)
  - Status (High income vs. Low income)
  - Regional (East vs. West)
- Lack of dispute prevention and resolution system
- Too fast (dynamic) procedures in experiments

# Four Choices to Make (I)

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## 1. The role of government

- *Institutionalization under which conditions?*
  - 1) Some experiments → Institutionalization
  - 2) Institutionalization → Collective experiments

## 2. The role of private sectors

- *Professionalization under which conditions?*
  - 1) Proliferation of neutral third parties outside government
  - 2) Government-initiated processes rather than third party neutrals

# Four Choices to Make (II)

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## 3. Issue priority

- *Focusing energy on which issue?*
  - 1) Focus on three major social conflicts
  - 2) Rather focus on practical problem-solving issues at local and regional

## 4. Benchmarking model

- *Which model of dispute resolution to follow?*
  - 1) US models tailored to Korean culture
  - 2) Other European models tailored to Korean
  - 3) Unique Korean models

# Important Themes to Consider (I)

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- Government as Stakeholder, Convenor, Facilitator, and Leader
- Importance of innovative experiments
  - Thorough preparation
  - Careful selection of the first case
  - From easy to difficult
  - From local to national
  - Evaluation and upgrade

## Important Themes to Consider (II)

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- How to encourage innovative experiments?
  - The role of government
  - The role of private-sectors
- The use of professional neutrals and their quality controls
  - Balance between demand and supply
- Dispute prevention as well as resolution

# Thank you

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- Any questions?