

Memorandum of Understanding on Cooperation Between the Anti-Corruption and Civil Rights Commission of the Republic of Korea and the Ombudsman of the Kingdom of Thailand

The Anti-Corruption and Civil Rights Commission of the Republic of Korea and the Ombudsman of the Kingdom of Thailand (hereinafter referred to as “the Sides”);

Desiring to cooperate in order to develop their systems for handling complaints;

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

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

Acting in accordance with the prevailing laws and regulations 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 handling complaints, exchange experiences so that the Sides may 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, visa, and other business-related issues in the territory of the other side.

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. In particular, each side will handle such complaints on its own as a matter of principle. However, if any such complaints are inevitably referred by a Side to another governmental agency, the Side will receive from the government agency the complaint handling result and notify it to the complainant. In addition, each Side may receive complaints from its overseas nationals residing in the other side 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, will make efforts, more than once a year, to visit businesses, workers and multi-cultural families of the

other country, and provide counseling and other services to endeavor to resolve their difficulties. The Sides will open a “window for complaints” exclusively for the nationals of the other country at their respective ombudsman organizations, to receive complaints and give feedback in the other country’s language(s), and actively promote and provide information on the window so that the nationals of the other country can use it. To this end, the Korean Side may, if necessary, provide the Thailand Side with the necessary information technologies.

4. Overseas nationals of one country residing in the other country may request the Sides to provide them with information on the status of their complaints being processed, and the Sides will respond to such requests as faithfully as possible.
5. The Sides will inform the other side of the status of handling difficulties and inconvenience of the other country’s overseas nationals on a semiannual basis.
6. The Sides may issue recommendations for the related institutions in their own country to make necessary improvements of laws or systems if they identify the necessity of such improvements over the course of handling complaints filed by each other’s nationals residing in their territory.

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 practices, systems and procedures;
 - b. opening and promoting a complaints window exclusively for the overseas nationals of the other country;
 - c. exchanging complaint-related policies and experiences, as well as human resources;
 - d. conducting joint investigations and research;
 - e. organizing joint 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 are pursuing cooperation with international ombudsman organizations, academic institutions and private organizations.

Paragraph 4

Implementation Mechanism

The Sides will hold high-level ombudsman 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.
2. This MOU does not create any legal 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. This MOU will come into effect on the date of its signature.

2. The MOU will be effective for five (5) years. The validity of this MOU may be extended for the successive periods of five (5) 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 six (6) months after the receipt of such notification.
4. This MOU may be amended by mutual written consent of the Sides.

Signed in duplicate in Toronto, on the 2nd day of May, 2018, in the English language.

For the Ombudsman of
the Kingdom of Thailand

For the Anti-Corruption and Civil Rights
Commission of the Republic of Korea

Gen. Viddhavat Rajatanun
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Ms. Un-Jong PAK
.....

General (Ret.) Viddhavat Rajatanun

Ms. Un-Jong PAK