



KFTC in accord with free trade agreement due process requirements, vice-chairman says

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IN BRIEF

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The KFTC has taken steps to advance procedural fairness and the regulator is currently trying to introduce some of the due process related rules through the National Assembly, Kim Hak-hyun said at an event* in Washington Friday.

The KFTC's implementation of FTA's due process and procedural fairness clauses came under spotlight in early March when Senator Orrin Hatch, the chairman of the US Senate Finance Committee, highlighted what he called the regulator's alleged lack of transparency in antitrust investigations (see here).

The KFTC has been proactive in adhering to procedural fairness, because it is critical in securing a fair and correct decision, Kim said. It also builds trust in the competition authority, he said.

"We are trying our best to enhance transparency and procedural fairness through open deliberation," Kim said.

The KFTC's procedures resemble judicial proceedings, using evidence-based hearings and allowing defendants to use evidence and testimony to rebut claims in an adversarial system, Kim said.

The KFTC has recently made efforts in improving their internal system. For example, in February the KFTC implemented a system titled 'Enforcement Process 3.0,' which revised its procedures for investigation and enforcement as a way to improve transparency and efficiency (see here).

Kim also stressed that the KFTC's processes for investigation, deliberation and information disclosure are aligned with the recommendations of leading international groups, such as the OECD and the International Competition Network.

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