

# **2010-11 Annual Report on China's Administrative Transparency Watch**

Beijing University Center for Public Participation Studies and Supports

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## **Introduction**

The 2010-11 Annual Report on China's Administrative Transparency Watch (hereinafter referred to as the "Watch Report") is one of the core results of the collaborative project of Open Government Information Watch in China (hereinafter referred to as the "Project") between Beijing University Center for Public Participation Studies and Supports (hereinafter referred to as the "Center for Public Participation") and Yale University Law School China Law Center (hereinafter referred to as "The China Law Center"). It is a continuation of the 2009 Annual Report on China's Administrative Transparency Watch (already published by China Law Press)

## **Structure of the Report**

The "Watch Report" is composed of four sections: Section I: The "Watch Process" is an overview of the preparation for and process of the Watch; Section II: The "Watch Methods" is an introduction of the Watch Report's methodology on the three aspects of the "objects, indicators, and means of evaluation" of the Watch; Section III: The "Watch Conclusions" is a comparative study and analysis on problems encountered in current practices of open government information based on the analysis of the data and information generated during the evaluation of all the localities; Section IV: The "Policy Recommendations" is a discussion and observation on the light the Watch Conclusions have shed on China's future open government information efforts and directions for their possible improvement.

## **Section I. Watch Process**

### **I. Preparation for the Watch**

#### **1. The Launch of the Project**

In November 2009, the Center for Public Participation and The China Law Center co-initiated the project of "China's Open Government Information Watch". In order to maintain the institutionalization of regularly evaluating open

government information, the two centers launched in November 2010 their efforts for the project in the new year which continue to implement the three core concepts of : First, Model Duplication, which is to introduce the relevant experiences of the Center for Public Participation to universities and colleges across the country, to form a network for evaluating and promoting open government information, and to enhance the strength of the "community for transparent government"; Second, Social Mobilization, which is to advocate and popularize the concept of open government, to provide legal support through all kinds of channels such as legal assistance and consultation. to empower citizens regarding their right to know; Third, Government Promotion, which is to evaluate in a scientific way the work of open government information of all localities and administrative agencies, to build platforms and provide opportunities for relevant departments to share ideas and learn from each other, and to give practical recommendations for the governments to improve their work.

From November 2010 to August 2011, on the basis of having developed the "Open Government Information Assessment System", the Center for Public Participation joined efforts with 8 Universities including Beijing University, China University of Political Science and Law, Nankai University, Jilin University, Northwest University of Political Science and Law, Zhejiang University, Sichuan University and Guangdong Foreign Language and Foreign Trade University in setting up 8 taskforces that carried out in-depth and detailed observation and assessment on the work of open government information done in 2010 by 43 agencies under the State Council, and 30 governments at the provincial level, all the administrative agencies at the prefecture level in the 6 model provinces (cities) of Hebei, Liaoning, Shaanxi, Shanghai, Guangdong, and Sichuan, and 24 administrative agencies at the county level in certain other provinces. The taskforces conducted a comprehensive study by means of submitting requests for information disclosure, website examination and testing, and on-site research and investigation culminating in the completion of the "2010-11 Annual Report on China's Administrative Transparency Watch".

## 2. The Formation of the Taskforces

The following taskforces were formed for implementing the project this year:

(1) The Research Taskforce was responsible for revising the existing Open Government Information Assessment System and developing the Version for Governments at the County Level;

(2) The Watch and Assessment Taskforces were responsible for evaluating 43 agencies under the State Council, the 30 governments at the provincial level, and selected administrative agencies at the prefecture and county levels.

Watch and Assessment Taskforce	Observation Objects
Beijing University	Governments at provincial level
China University of Political Science and Law	Agencies under the State Council
Nankai University	All administrative agencies at the prefecture level in one of the provinces (cities) in North China Region (Beijing, Tianjin, Hebei, Inner Mongolia, and Shanxi) and any 4 administrative agencies at the county level in North China Region
Jilin University	All administrative agencies at the prefecture level in one of the provinces in Northeast China Region (Heilongjiang, Jilin, Liaoning, and Shandong) and any 4 administrative agencies at the county level in Northeast China Region
Northwest University of Political Science and Law	All administrative agencies at the prefecture level in one of the provinces in Northwest China Region (Gansu, Ningxia, Shaanxi, Xinjiang, and Qinghai) and any 4 administrative agencies at the county level in Northwest China Region
Zhejiang University	All administrative agencies at the prefecture level in one of the provinces (city) in East China Region (Jiangsu, Shanghai, Anhui, Jiangxi, Zhejiang, and Fujian) and any 4 administrative agencies at the county level in East China Region
Sichuan University	All administrative agencies at the prefecture level in one of the provinces (city, autonomous region) in Southwest China Region (Sichuan, Chongqing, Tibet, Guizhou, and Yunnan) and any 4 administrative agencies at the county level in Southwest China Region
Guangdong Foreign Language and Foreign Trade University	All administrative agencies at the prefecture level in one of the provinces (autonomous region) in South-central China Region (Hunan, Guangxi, Guangdong, and Hainan) and any 4 administrative agencies at the county level in South-central China Region

### 3. Development of the Indicators

The Research Taskforce set up by the Center for Public Participation organized four back-to-back workshops in the last 10 days of February and in March, 2011. On the basis of the watch and assessment practices last year, it carried out a comprehensive study of existing methods for evaluating the open government information work of both domestic and foreign governments, and developed the “Open Government Information Assessment System County Level Government Version”); drafted the “Users’ Guide” for it and fine-tuned the then current version of the index system for the Provincial and Prefectural Governments and the State Council Agencies.

## II. Watch Process

### 1. Requests for Disclosure

In accordance with the “China Open Government Information Assessment System”, the taskforces submitted a total of 1,297 requests to relevant government departments for government information disclosure:

- The taskforce of Beijing University submitted 8 requests to each of the 30 governments at the provincial level with a total of 240 requests;
- The taskforce of China University of Political Science and Law submitted 5 requests to each of the 43 agencies under the State Council with a total of 215 requests;
- The taskforce of Nankai University submitted 8 requests to each of the 11 governments at the prefectural level in Hebei Province with a total of 88 requests;
- The taskforce of Jilin University submitted 8 requests each to the Departments of State Land Resources, Finance, Transportation, Electric Power Supply and Red Cross under the 14 governments at the prefectural level in Liaoning Province and submitted 5 requests each to the Departments of Finance, Transportation, Electricity Supply and Women’s Federation under the governments of Haicheng City, Liaoning Province; Dehui City and Tumen City, Jilin Province; and Anda City, Heilongjiang Province with a total of 132 requests;
- The taskforce of Northwest China University of Political Science and Law submitted 8 requests each to the 10 governments at the prefectural level and 5 requests each to the 4 governments at the county level in Shaanxi Province, with a total of 100 requests;

- The taskforce of Zhejiang University submitted 8 requests each to the 17 governments at the prefectural level in the City of Shanghai totaling 136 requests and 5 requests each to the county-level governments of Xiuning County, Anhui Province; Changshu City, Jiangsu Province; and Ruian City and Lin'an City, Zhejiang Province, totaling 20 requests, with a grand total of 156 requests;

- The taskforce of Sichuan University submitted 8 requests each to the 21 governments at the prefectural level in Sichuan Province totaling 160 requests, and 5 requests each to the 4 county-level governments of Pixian County, Shuangliu County, Wenjiang district and Xindu District, totaling 18 requests with a grand total of 178 requests.

- The taskforce of Guangdong Foreign Language and Foreign Trade University submitted 8 requests each to the 21 city governments at the prefectural level in Guangdong Province and 5 requests each to 4 governments at the county level, totaling 188 requests.

## 2. Websites Examination and Evaluation

Pursuant to the requirement of the "China Open Government Information Assessment System", the taskforces relied on government websites as the primary tool for obtaining information for assessment, and organized comprehensive website examinations and evaluations using the open government information platforms set up by the local governments and their departments as the primary source of information.

## 3. On-site Investigation and Research

In addition to website examinations and evaluations, the taskforces also selected individual cases in the geographical areas they were responsible to conduct on-site investigation and research that resulted in accumulating materials and examples for follow-up research efforts in the future. The on-site research activities of the taskforces will wind up at the end of October, 2011. By the end of September, the following research activities have been carried out:

From March to May, 2011, the taskforce of Beijing University organized a total of 16 study groups carrying out on-site research in each and every capital city of the 30 provinces (cities, autonomous regions) to obtain first-hand materials for watch and assessment.

The on-site research by the taskforce of China University of Political Science and Law was concentrated in the City of Beijing. From March to May, 2011, the taskforce divided its 10 members into five small groups and each group was given 4-5 days of research time to complete an on-site investigation and research on 8-9 observation objects within the time frame.

The taskforce of Nankai University focused its field research primarily on Hebei Province and the cities of Beijing and Tianjin. From March to April, 2011, the taskforce conducted research mainly through retrieving and reading materials online, and through e-mail and telephone survey. Based on this preliminary work, the taskforce members were meticulously divided into groups and conducted targeted on-site research in the 11 cities of Shijiazhuang, Baoding, Handan, Xingtai, Tangshan, Hengshui, Cangzhou, Qinhuangdao, Chengde, Langfang and Zhangjiakou in Hebei Province, the two districts of Dongcheng and Haidian Districts in the City of Beijing, and the two districts of Nankai and Hexi in the City of Tianjin. Their research sites were mainly the administrative service or licensing centers of the local governments, the libraries and archives and etc. During the research, the taskforce members emphasized on studying the staffing and working process of the departments coordinating and those in charge of the open government information work in local governments, and the staffing, the quantity and structure of the information, and the information retrieval process of the retrieving stations of open government information, examined and verified questions on the evaluation process.

The on-site investigation and research of the taskforce of Zhejiang University covered the City of Shanghai and the provinces of Zhejiang, Jiangsu and Anhui. From March to April, 2011, the taskforce members conducted trial research on Huangpu District, Shanghai City. They visited the Open Government Information Office of the Government of Huangpu District, the Huangpu District Library, Archives and other sites for retrieving government information, and the Community Affairs Reception Center of the Office of the East Nanjing Road under the jurisdiction of the Huangpu District. In May, the taskforce members were divided into 4 small groups and dispatched respectively to Xiuning County of Anhui Province (General Office of Xiuning County Government, Xiuning County Archives, Haiyang Township Government and the Village Committee of Yanfu Village), Changshu City of Jiangsu Province (Changshu City Archives, Office of the Five Star Community of Changshu City, and the Changshu City Administrative Service Center), Ruian City of Zhejiang Province (General Office of Ruian Municipal Government, Ruian City Archives, Office of Jinhu Community and the Village Committee of the First Bridge Village of the Jinhu Community), Lin'an City of Zhejiang Province (Lin'an City Government Information Center, Lin'an Women's Federation, Open Government Information Reception Window of Lin'an City Archives, Office of the Qingshan Lake Community, etc.) to carry out comprehensive research. In addition, on May 16, 2011, the taskforce leader invited Judge Ma Guoxian, leader of the General Unit of the Administrative Tribunal of Zhejiang Higher Provincial People's Court, who made a special presentation on the theme of "Study on Questions Related to Open Government Information and Administrative Lawsuit". The members of the taskforce listened attentively to the presentation, and had an exchange with Judge Ma on issues identified in the process of the on-site investigation and research.

The on-site research of the taskforce of Sichuan University was focused on Sichuan Province. Members of the taskforce conducted on-site research at the Administrative Service Center of Chengdu City and the Administrative Service Center of Sichuan Province. In addition, on May 5, 2011, the taskforce conducted activities of public information and survey on open government information to provide the public with legal information, and conducted questionnaire survey on relevant open government information issues in Sichuan University and the surrounding areas of Bamboo Forest, Lotus Station, Crystal Blue Peninsula, Kuo's Bridge and other communities, thus helping the public obtain more extensive knowledge on laws and regulations related to open government information.

The on-site investigation and research of the taskforce of Jilin University was conducted mainly from May 16 to June 11. Evaluation groups with a minimum of two members each visited government agencies and public services enterprises and establishments including: the Offices on Open Government Affairs (or Open Government Information Offices, Offices of the Open Government Affairs Leading Group), Municipal Governments, Administrative Service Centers, Departments of Transportation, Finance, and State Land Resources, as well as the electric power supply companies, Red Cross Committees, Women's Federations, Archives and Libraries.

The on-site investigation and research of the taskforce of Northwest University of Political Science and Law was mainly focused on Xi'an City, Shaanxi Province. In May, 2011, members of the taskforce conducted an on-site survey at the Archives of Xi'an City. They asked the staff of the General Office of the Archives related questions and compiled a written report.

The on-site investigation and research of the taskforce of Guangdong Foreign Language and Foreign Trade University was primarily focused on the provinces of Guangdong and Hubei. In April, 2011, members of the taskforce carried out on-site research on the open government information work of the administrative agencies directly under the jurisdiction of the Guangdong Provincial Government, the Guangzhou Municipal Government and its functional departments. In June, members of the taskforce conducted on-site investigation and research in certain cities at the prefectural level, cities at the county level and counties where the hardware facilities and disclosing channels of the open government information work and the areas it covered were evaluated. In addition, the taskforce also sent people to Wuhan City, Hubei Province to conduct on-site investigation and field research. In August, members of the taskforce conducted on-site field research in Shaoguan City of Guangdong Province and in Renhua County of Shaoguan City.

#### 4. Legal Support

Various forms of legal support action for the citizens are not only important means of social mobilization, but also providing the taskforces with windows for watching the micro operations of open government information in China. With the country's first "Open Government Information Hotline" opened in 2008, the 8 member universities started an "Open Government Information Legal Support Network" in Spring 2010, and have been operating it up until today. The legal support network is based on scientific research institutions. It provides various forms of legal support services such as consultations and legal assistance by means of postal communications, email and telephone hotlines to help people in different geographic locations with varied needs. Specific divisions of labor among the universities are as follows:

University	Address for Consultation by Mail	Email Address and Hotline Telephone Number
Beijing University	Address: Room 208 Kaiyuan Building, Beijing University, 5 Summer Palace Road, Haidian District, Beijing Post Code: 100871 Attention: Beijing University Center for Public Participation Studies and Support	cppss@163.com  010-62757286
China University of Political science and Law	Address: Building 3, China University of Political Science and Law, 25 West Tucheng Road, Haidian District, Beijing Post Code: 100088 Attention: Taskforce on Open Government Information in China, Institute of Rule of Law, University of Political	OGIWA_CUPL@yahoo.com.cn  18210617475



	Science and Law	
Nankai University	Address: Nankai University Law School, 94 Weijin Road, Nankai District, Tianjin Post code: 300071 Attention: Information Law and Human Rights Law Research Center, Nankai University Law School	Network platform:  <a href="http://fzxy.nankai.edu.cn/script/fzxy/nkxxgk_hotline@163.com">http://fzxy.nankai.edu.cn/script/fzxy/nkxxgk_hotline@163.com</a>  022-60254005,15122495071
Jilin University	Address: Jilin University Law School 2699 Qianjin Road, Changchun City, Jilin Province Post code: 130012 Attention: Professor Yu Lishen	"Open Society" network platform:  <a href="http://kfsh.fyfz.cn/kfsh2008@163.com">http://kfsh.fyfz.cn/kfsh2008@163.com</a>  13134305936
Northwest University of political science and Law	Address: PO Box 261, Northwest University of Political Science and Law, 300 South Chang'an Road, Xi'an City, Shaanxi Province Post code 710063 Attention: Professor Wang Zhouhu	  <a href="mailto:xzflaw@sina.com">xzflaw@sina.com</a>  029-85385873
Sichuan University	Address: Sichuan University Law School 29 Wangjiang Road, Chengdu City, Sichuan Province Post code: 610064 Attn: Public Law Research Center	  <a href="mailto:cppsssc@gmail.com">cppsssc@gmail.com</a>  028-66374042
Guangdong Foreign Language	Address: Guangdong Foreign	

and Foreign Trade University	<p>Language and Foreign Trade University Law School 2 North Baiyun Avenue, Baiyun District, Guangzhou City, Guangdong Province Post Code: 510420 Attn: Professor Zhu Zuixin</p> <p>Address: Room 209, Building 1, North Yard, Guangdong Foreign Language and Foreign Trade University, Guangzhou University City, Xiaoguwei, Panyu District, Guangzhou City, Guangdong Province Post Code: 510006 Attn: Attorney Li Jicheng</p>	<p><a href="mailto:minshengzg@163.com">minshengzg@163.com</a></p> <p>15217196105</p>
Zhejiang University	<p>Address: Room 217 Building 1, 51River Road, Hangzhou City, Zhejiang Province Post Code: 310018 Attn: Open Government Information Project Taskforce</p>	<p><a href="mailto:easternchina@yeah.net">easternchina@yeah.net</a></p> <p>13656642346</p>

In order to further promote the Regulations and spread the knowledge of open government information, the taskforces also actively organized legal training and consulting activities:

Around May 1, 2011, the Beijing University taskforce specially held the "2011 China Annual Conference on Open Government Information" concurrently with a symposium on "Retrospect and Prospect of the Three Years of Implementation of the 'Regulations on Open Government Information'", a "Public Lecture on Budget Information" and a social advocacy and survey campaign entitled "Do you know what open government information is about?", and invited leaders on open government information work in some of the Central Government agencies and provincial governments that worked enthusiastically on open government information, and well-known scholars and experts to share their good experiences and practices in the work of disclosing government information over the past 3 years, had in-depth discussions on important practical issues including the format and content of the annual open government information report, the legal responsibilities, etc. Members of the taskforce and volunteers provided public information on the "Regulations on Open Government Information" in university campuses and some communities, conducted a "one minute survey" on how the "Regulations on Open Government Information" had been implemented, distributed free of charge Q & A booklets on open government information, and provided on-site consultations.

On March 21, 2011, Professor Zheng Chunyan, Leader of the Zhejiang University Taskforce, made a theme lecture at the Public Security Department of the Zhejiang Provincial Government and answered in great detail questions raised by the participants on whether information and materials such as evidence materials in the process of administrative law enforcement, materials for internal examination and approval, materials for administrative reviews, or materials on cases that had been closed many years ago should be made public. On May 6, the taskforce members went to the Civic Centre of Hangzhou City to provide the public with information about open government information. The format included distributing survey questionnaires and public information materials. They also exchanged views with people through "chatting" to sensitize the public about related mechanism on open government information as well as to seek feedback on their opinions and expectations concerning the work of open government information. On May 16, Judge Ma Guoxian from the Administrative Tribunal of the Higher People's Court of Zhejiang Province made a theme presentation at Yuelun Mountain on certain difficult problems and applications encountered in litigation over open government information. He also had a very good interactive discussion with members of the project taskforce. On May 18, members of the taskforce conducted consultation activities on open government information at Tianzhu Road Neighborhood in Qingshan Lake Street Community.

From March to May 2011, the taskforce of China University of Political Science and Law conducted an event of "bringing knowledge on open government information to everyone in the community" to provide public information on open government information through distributing leaflets, brochures, survey questionnaires and etc.

From May 1 to 7, 2011, the taskforce of Jilin University conducted public information activities on open government information at Wal-Mart Plaza in Changchun City, the main contents of the activities include posting posters, distributing public information brochures on "Open Government Information Week in China", distributing and collecting survey questionnaires for public opinion on the "Regulations on Open Government Information", and providing consultations on hot issues of public concern and public information on policies and legal regulations governing open government information. In addition, on August 26, during his lecture to a class of a general selective course in Jilin University and his interview with the university's TV station, Professor Yu Lishen highlighted the significance of open campus information. On August 23, while lecturing over 200 participants at the "Training Program for Legal System Backbone Cadres in National Quality Examination and Control System" sponsored by the Legal Regulation Department of the General Administration of Quality Supervision and Quarantine Inspection, Professor Yu lectured on the concept of open government information in the process of administrative enforcement. On August 30, Professor Yu further explained the importance of the right to know and the system of open government information at a symposium on "People's Republic of China Law on Supervision by Standing Committees of People's Congresses at all Levels" organized for the Standing Committee of the People's Congress of Liaoyuan City, Jilin Province. The Chairman of the Standing Committee of the city's People's Congress, the mayor of the city, the staff members of the people's congress of the city and the standing committees of the people's congresses of the counties and districts under the city, and people from the city's Intermediate People's Court and from the Municipal People's Procuratorate, totaling over 200 people, listened to the lecture.

On May 7, 2011, the taskforce of Nankai University held a symposium on public interests with the theme of "Protection of the Public's Right to Know and Development of Open Government Information System in China", with the taskforce leader Professor Zhao Zhengqun as the keynote speaker. Over 40 readers at the Tianjin Library participated. After the lecture, Professor Zhao Zhengqun passed on a book entitled "Citizens' Guide to Open Government Information" to the Library of Tianjin City and answered, on the spot, queries raised by a number of people on the question of open government information.

On May 22, June 6, and July 16, 2011, Northwest University of Political Science and Law printed public information materials and questionnaires on open government information and conducted promotional and survey activities in the campus of Northwest University of Political Science and Law, and its surrounding areas including Yang's Village, Shangluo City Bus Station, and Chongwen Neighborhood in Yulin City on open government information. They distributed a total of 120 questionnaires and disseminated thousands of brochures, writing pens, and key chains.

From June to August, 2011, under the guidance of the teacher in charge, Jiang Liang and Zhong Xiaomin, members of the taskforce of Guangdong Foreign Language and Foreign Trade University went to some of the neighborhoods, shopping centers, and residential communities in Tianhe District, Baiyun District, and Panyu District of Guangzhou City and provided public information on open government information.

On July 29, 2011, the Sichuan University taskforce held a symposium at Sichuan University Graduate School to provide knowledge on open government information. On September 15, 2011, the taskforce of Sichuan University carried out law advocacy activities on open government information for the local residents in Wenxing Town, Shuangliu County under Chengdu City, and answered legal questions related to open government information on the spot. On September 8, 2011, the taskforce of Sichuan University held a discussion on issues related to open government information in conjunction with some hot topics of current affairs at the Moot Court Hall of Sichuan University Jiang'an Campus Law School which triggered off enthusiastic responses.

## **Section II. Watch Methods**

### **I. The Evaluation Objects**

There were a total of 191 observation objects evaluated in the "Watch Report": 1. Forty-three of the agencies under the State Council; 2. Thirty governments at the provincial level in China; 3. All 94 administrative agencies at the prefectural level under the 6 selected provincial level governments of Beijing, Jilin, Shandong, Zhejiang, Guangdong, and Sichuan; and 4. Four county-level administrative agencies each selected by taskforces of Nankai and five other universities totaling 24 county-level administrative agencies.<sup>1</sup>

### **II. The Index System**

The evaluation was based on the "China Open Government Information Assessment Index System". The purpose of this assessment system was for conducting evaluations on the development of China's open government and administrative transparency in a scientific, indexed and regular way guided by the provisions of the "Regulations on Open Government Information", identifying, extracting and summing up experiences and problems in the practices of open government information, and promoting the concerted efforts of the governments, public, academics and media in promoting the work of open government information.

Based on the differences among the objects of evaluation and proceeding from the perspective of targeted implementation, three versions of the

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assessment system were used: the "Local Government Version" that is applicable to evaluating the administrative agencies at the provincial and prefectural levels; the "State Council Agency Version" that is applicable to evaluating the commissions and ministries under the State Council, and the "County Level Government Version" that is applicable to evaluating administrative agencies at the county level. For weights assigned to the primary indicators, please see Figure 1. For concrete contents of the index system, please see tables appended to this section.

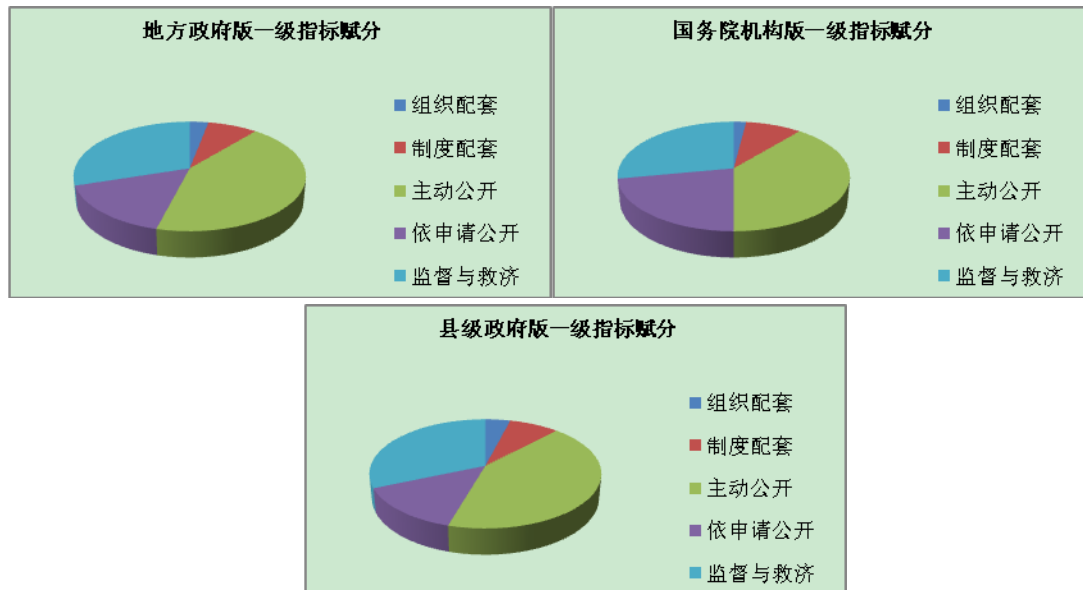


Figure 1. Weight Assigned to Primary Indicators in the Assessment System

*(Translation of words in the charts:*

*Top-left:* weights assigned to primary indicators in Local Government Version: *Light Blue:* Institution Building; *Red:* System Building; *Green:* Disclosure on Governments' Own Initiative; *Purple:* Disclosure on Requests; *Dark Blue:* Supervision and Remedy

*Top-right:* weights assigned to primary indicators in State Council Agency Version: *Light Blue:* Institution Building; *Red:* System Building; *Green:* Disclosure on Governments' Own Initiative; *Purple:* Disclosure on Requests; *Dark Blue:* Supervision and Remedy

*Bottom:* weights assigned to primary indicators in County Level Government Version: *Light Blue:* Institution Building; *Red:* System Building; *Green:* Disclosure on Governments' Own Initiative; *Purple:* Disclosure on Requests; *Dark Blue:* Supervision and Remedy)

Generally speaking, the unbalanced distribution of numbers and weights of the indicators was mainly due to consideration of the following three factors:

First, based on the requirements of the Regulations. The principle contents of the Regulations are about the two major channels of information disclosure: government information disclosed on governments' own initiative, and government information disclosed on request, whereas the supporting measures of institution building, system building, and supervision and remedy are supplementary. That is why the combined weights of "information disclosure on governments' own initiative" and "information disclosure on request" accounted for 60% of the total weights of the assessment index system and the tertiary indicators related to them were also more than half of the total. These were of decisive significance to the final scores of the objects of evaluation. Second, of the two major channels of disclosure, it is obvious that the Regulations emphasize "information disclosure on governments' own initiative" as the basic channel and treat "information disclosure on request" as a supplementary and supporting channel. This was in conformity with the practice of open government information in the past year or so. As a result, the number and weights of indicators on information disclosure on governments' own initiative is clearly more than that of "information disclosure on request". Third, of the systemic measures in the three aspects of "institution building", "system building", and "supervision and remedy", the Regulations devote a special chapter to the provisions on "supervision and remedy", which demonstrates the importance they attach to this aspect, whereas "institution building" and "system building" were viewed more as interim measures required in the initial stage of the Regulations' implementation. That is why the points and weights related to the aspect of "supervision and remedy" are about 3 times those of "institution building" and "system building".

Second, based on the requirements of implementation. As early as in the drafting phase of the Regulations, a number of experts from the Public Participation Center became involved; Since the Regulations started to be officially implemented on May 1, 2008, the Center has been comprehensively involved in their implementation through setting up free hotline consultation, organizing grass-roots training and lecturing, holding round tables and seminars, initiating open government information requests in the public interest, etc. and completed the research work for the "2008 Annual Report on China's Administration Transparency Watch" in 2009. Unremitting efforts of observation work have enabled the Center to accumulate rich practical experiences and made their design of the assessment system more targeted. This was mainly shown in: First, in terms of "institution building", the evaluation was not only focused on the situation of the establishment and staffing of the office in charge and the functional organ of open government information in accordance with the Regulations, but also expanded its horizon to include various consultation and coordination institutions (such as the liaison meetings, coordination meetings and etc.) that were broadly set up by various localities and departments. It

differentiated between units specially set up for open government information purpose and those functional units established only by adding another sign board on the door of an existing unit. It specially emphasized the significance of the principle of being “full-time, professional and with special mandate” to “institution building”.

Second, in the aspect of “system building”, while the Regulations only provide general requirement, the assessment system provided not only requirements for unified norms on open government information of the localities and departments concerned, but also, in view of the blind spots in current efforts of system building, examined with emphasis the establishment of the two concrete systems of “confidentiality examination and archives management”. It also examined the establishment of long-term mechanisms.

Third, in terms of “information disclosure on governments’ own initiative”, for one thing, examination was carried out with emphasis on the three key contents of information disclosure provided by the Regulations, i.e., fees for administrative services reports on budgets and financial financial accounts; and reports on government procurement, so as to disclose in real earnest the contents required to be disclosed on governments’ own initiative. For another, evaluations were carried out on the integration, search ability and visual attractiveness of governments’ websites combined with the users’ experiences of operating on the platform of open government information websites.

Fourth, in terms of “information disclosure on request”, based on the practice in this regard over the last year or so, special emphasis was put on the governments’ obligation to timely accept, timely respond to, and clearly explain with respect to the requests as stipulated by the Regulations.

Fifth, in the sector of “supervision and remedy”, clarification was made in greater details on requirements of the performance evaluation system, and as many as 5 indicators were established to address the problem of details, neutrality, openness and effectiveness that were lacking in performance evaluation. Preliminary examinations were made on the actual contents of the social appraisal and the annual reports. Thanks to the above-mentioned efforts, the assessment system now has not only covered the basic obligations stipulated in the Regulations, but also come up with requirements that are more concrete, more comprehensive, of a higher standard, more focused in light of the actual need, and therefore, having a higher guiding value.

Third, concerning the feasibility of the evaluation, which in turn fell into two different cases: One was that it was difficult to obtain data required for the evaluation, and even when the data was accessible, it was still beyond the evaluators’ capability to process the data. For example, when evaluating the system of confidentiality examination, information on things like the quantity of classified data, the justification for classifying those data, the justification for



refusing to disclose certain data on the ground of confidentiality, and etc. was very difficult to obtain, because such information itself might very well be state secrets. The only thing the evaluators could do was to have preliminary examination on whether there was a system of confidentiality examination in place. Another case was that the Regulations had made general provisions on the accuracy of the information made public by the governments, but obviously it was impossible to verify and count the disclosed information piece by piece. The evaluation could only be done by examining the supporting systems for coordinating the disclosure of government information.

### III. The Evaluation Methods

Two methods were employed in this assessment project: data retrieval and actual measurement. Among all 41 tertiary indicators in the “Provincial and Prefectural Government Version”, the information needed for 33 indicators was obtained through data retrieval such as search websites, reading government gazettes, examining the annual reports on open government information, and making inquiries to governments, and the information needed for the other 8 indicators was obtained through actual measurement. Among all 38 tertiary indicators in the “State Council Agency Version”, the information needed for 30 indicators was obtained through data retrieval such as search websites, reading government gazettes, examining the annual reports on open government information, and making inquiries to governments, and the information needed for the other 8 indicators was obtained through actual measurement. Among all 46 tertiary indicators in the “County Level Government Version”, the information needed for 36 indicators was obtained through data retrieval such as search websites, reading government gazettes, examining the annual reports on open government information, and making inquiries to governments, the information needed for 7 other indicators was obtained through actual measurement, and the information needed for the remaining 3 was obtained by a combination of both methods. Volunteer evaluators could be engaged for actual measurement for them to make judgment through hands-on operation. It could also be done by submitting “test case” requests.

### Appendix: Summary Table of the Index System

#### The Provincial and Prefectural Government Version

Primary Indicators	Secondary Indicators	Tertiary Indicators	Weight	Method
A. Institution Building	Agency in Charge	A01 Is the leader of the open government information deliberating and coordinating body of a higher rank than those	1	Data Retrieval

		of corresponding bodies?		
	Functional Organ	A02 Has the government set up a special functional organ responsible for open government information work?	1	Data Retrieval
		A03 Does the government have full-time staff members responsible for open government information work?	1	Data Retrieval
B. System Building	Norms Integration	B01 Has the government developed integrated norms on open government information work?	4	Data Retrieval
	Specific Systems	B02 Has the government established with specific norms the confidentiality examination system on open government information?	2	Data Retrieval
		B03 Has the government established with specific norms the linkage between open government information and the archives management system?	2	Data Retrieval
C. Disclosure on Governments' Own Initiative	Extensive-ness	C01 Is the information on administrative fees disclosed on governments' own initiative?	5	Data Retrieval
		C02 Are reports on budges and final financial accounts disclosed on governments' own initiative?	5	Data Retrieval
		C03 Is the information on centralized government procurement disclosed on	5	Data Retrieval

		governments' own initiative?		
	Timeliness	C04 Has the time limit for open government information been set up in accordance with the law?	1	Data Retrieval
	Accuracy	C05 Has the government established with specific norms a coordinating system for information release?	1	Data Retrieval
	User-friendliness	C06 Has the government set up open government information reading facilities and actually provided open government information service in accordance with the law?	4	Data Retrieval
		C07 Has the government gazette been published continuously	1	Data Retrieval
		C08 Has the government gazette been categorized appropriately?	1	Data Retrieval
		C09 Is the government website highly integrated?	4	Actual Measurement
		C10 Is the search function of the government's website complete and effective?	4	Actual Measurement
		C11 Is the design of the government's webpages user-friendly?	2	Actual Measurement
		C12 Is the press release by the government institutionalized?	2	Actual Measurement
		C13 Are the functional organs recorded in the "Open Government Information Guide" complete and adequate?	3	Data Retrieval
		C14 Are the open government information	2	Data Retrieval

		situation recorded in the “Open Government Information Guide” well-arranged and systematic?		
		C15 Dose the “Catalogue of Open Government Information” include all the contents stipulated by law?	3	Data Retrieval
D. Disclosure on Request	Conditions for Making Request	D01 Does the government permit the submission of requests for open government information via internet?	2	Actual Measurement
		D02 Is the collecting of requestors’ personal information more than necessary?	2	Actual Measurement
	Responses	D03 Does the government respond to the requests for open government information on time?	5	Actual Measurement
		D04 Are the reasons for refusing to provide the requested information legitimate?	2	Actual Measurement
		D05 Have the reasons for refusing to provide requested information been adequately explained?	3	Actual Measurement
		D06 Is the ratio of government refusal to provide the requested information too high?	2	Data Retrieval
E. Supervision and Remedy	Performance Evaluation System	E01 Has the government established detailed norms for performance evaluation systems?	3	Data Retrieval
		E02 Has the government developed detailed assessment forms for open government	2	Data Retrieval

		information work?		
		E03 Is the portion of self-assessment by the government in evaluating open government information work lower than 70%?	1	Data Retrieval
		E04 Is the result of the evaluation on open government information work open to the public?	2	Data Retrieval
		E05 Is the evaluation on open government information work linked to the accountability system?	1	Data Retrieval
	Social Appraisal System	E06 Has the government established a detailed social appraisal system?	2	Data Retrieval
		E07 Has the government been evaluated by the public on its open government information work?	2	Data Retrieval
		E08 Is the result of the evaluations by the public on open government information work open to the public?	2	Data Retrieval
	Accountability System	E09 Has the government established with specific norms an accountability system?	3	Data Retrieval
	Annual Report System	E10 Is the timing of the government's issuance of its annual report on open government information in accordance with the law?	3	Data Retrieval
		E11 Does the annual report on open government information issued by the government include certain information required by	3	Data Retrieval

		the Regulations?		
		E12 Has the government provided guidance to whistle blowing, administrative reviewing or law suits?	4	Data Retrieval
	Remedy System for Individual Cases	E13 Has the Government actually accepted reviews or participated in litigations?	1	Data Retrieval
		E14 Has the government incorporated remedy for individual cases into the performance evaluation or accountability system?	1	Data Retrieval

The State Council Agency Version (Applicable to Evaluations on Open Government Information Work by Ministries and Commissions under the State Council)

Primary Indicators	Secondary Indicators	Tertiary Indicators	Weight	Method
A. Institution Building	Agency in Charge	A01 Is the leader of the open government information deliberating and coordinating body of a higher rank than those of corresponding bodies?	1	Data Retrieval
	Functional Organ	A02 Has the Agency set up a special functional organ responsible for its open government information work?	1	Data Retrieval
B. System Building	Norms Integration	B01 Has the government developed integrated norms on open government information work?	4	Data Retrieval
	Specific Systems	B02 Has the Agency established with specific norms the confidentiality examination system on	2	Data Retrieval

		open government information?		
		B03 Has the Agency developed other long-term mechanisms that promote its open government information work?	3	Data Retrieval
Disclosure on Governments' Own Initiative	Extensive-ness	C01 Is the information on administrative fees disclosed on agency's own initiative?	5	Data Retrieval
		C02 Are reports on budges and final financial accounts disclosed on the agency's own initiative?	5	Data Retrieval
		C03 Is the information on centralized government procurement disclosed on the agency's own initiative?	5	Data Retrieval
	Timeliness	C04 Has the time limit for open government information been set in accordance with the law?	1	Data Retrieval
	Accuracy	C05 Has the agency established with specific norms a coordinating mechanism for information release?	3	Data Retrieval
	User-friendliness	C06 Has the agency set up open government information reading facilities and actually provided open government information service in accordance with the law?	2	Data Retrieval
		C07 Has the government gazette been published continuously	1	Data Retrieval
		C08 Has the government gazette been categorized appropriately?	1	Data Retrieval
		C09 Is the search	4	Actual

		function of the government's website complete and effective?		Measurement
		C10 Is the design of the government webpages user-friendly?	2	Actual Measurement
		C11 Is the press release by the government institutionalized?	2	Actual Measurement
		C12 Are the functional organs recorded in the "Open Government Information Guide" complete and adequate?	3	Data Retrieval
		C13 Are the open government information situation recorded in the "Open Government Information Guide" well-arranged and systemic?	2	Data Retrieval
		C14 Dose the "Catalogue of Open Government Information" include all the contents stipulated by the law?	3	Data Retrieval
D. Disclosure on Request	Conditions for Making Request	D01 Are channels for disclosing government information on request convenient for people to use?	5	Actual Measurement
	Responses	D02 Is the collecting of requestors' personal information more than necessary?	3	Actual Measurement
		D03 Does the agency respond to requests for government information on time?	5	Actual Measurement
		D04 Are the reasons for refusing to provide requested information legitimate?	2	Actual Measurement
		D05 Have the reason for refusing to provide requested information been	3	Actual Measurement



		adequately explained?		
		D06 Is the ratio of the agency's refusal to provide the requested information too high?	3	Actual Measurement
E. Supervision and Remedy	Performance Evaluation System	E01 Has the agency established detailed norms for performance evaluation systems?	3	Data Retrieval
		E02 Has the agency developed detailed assessment forms for open government information work?	2	Data Retrieval
		E03 Is the portion of self-assessment by the agency in evaluating its open government information work lower than 70%?	1	Data Retrieval
		E04 Is the result of the evaluation on open government information work open to the public?	2	Data Retrieval
		E05 Is the evaluation on open government information work linked to the accountability system?	1	Data Retrieval
	Social Appraisal System	E06 Has the agency established a detailed social appraisal system?	2	Data Retrieval
		E07 Has the government been evaluated by the public on its open government information work?	2	Data Retrieval
		E08 Is the result of social appraisal on open government information work open to the public?	2	Data Retrieval
	Performance Evaluation System	E09 Has the government established with specific norms an accountability system?	3	Data Retrieval
		E10 Is the timing of the	2	Data

	Annual Report System	agency's issuance of its annual report on open government information in accordance with the law?		Retrieval
		E11 Does the annual report on open government information issued by the agency include certain information required by the Regulations?	3	Data Retrieval
	Remedy System for Individual Cases	E12 Has the agency provided guidance to whistle blowing, administrative reviewing or law suits?	4	Data Retrieval
		E14 Has the agency incorporated remedy for individual cases into performance evaluation or accountability system?	1	Data Retrieval

County Level Government Version (Applicable to Evaluations on Open Government Information Work of Governments at the County Level)

Primary Indicators	Secondary Indicators	Tertiary Indicators	Weight	Method
A. Institution Building	Agency in Charge	A01 Is the leader of the open government information deliberating and coordinating body of a higher rank than those of corresponding bodies?	1	Data Retrieval
		A02 Has the government organized public information and training programs on open government information?	2	Data Retrieval
	Functional Organ	A03 Has the government set up a special functional organ responsible for open government information work?	1	Data Retrieval

B. System Building	Norms Integration	B01 Has the government developed integrated or similar norms on open government information work?	4	Data Retrieval
	Specific Systems	B02 Has the government made public its "Guide to Open Government Information" and Its "Catalogue of Open Government Information"?	2	Data Retrieval
		B03 Has the government made public the implementation of confidentiality examination on open government information?	2	Data Retrieval
C. Disclosure on Governments' Own Initiative	Extensive-ness	C01 Is the information on administrative fees disclosed on governments' own initiative?	3	Data Retrieval
		C02 Are reports on budges and final financial accounts disclosed on governments' own initiative?	3	Data Retrieval
		C03 Is the information on centralized government procurement disclosed on governments' own initiative?	4	Data Retrieval
	Diversity	C04 Has the government set up public reading rooms, material acquiring stations, information bulletins or electronic information screens in public places?	2.5	Data Retrieval (Actual Measure-ment)
		C05 Has the government disclosed information on its own initiative via establishing special open government information stations and posting or	2	Data Retrieval (Actual Measure-

		distributing related materials in administrative villages or communities?		ment)
		C06 Has the government disclosed information on its own initiative via local broadcasting, television, cell phone messaging, public forum and other channels?	2	Data Retrieval  (Actual Measurement)
	Timeliness	C07 Has the time limit for open government information been set in accordance with the law?	1	Data Retrieval
	Accuracy	C08 Has the government established a coordinating mechanism for information release?	1	Data Retrieval
	User-friendliness	C09 Has the government set up open government information reading facilities and actually provided open government information service in accordance with the law?	2	Actual Measurement
		C10 Has the government gazette been published continuously?	1	Actual Measurement
		C11 Has the government gazette been categorized appropriately?	2	Actual measurement
		C12 Is the government website highly integrated?	2	Actual Measurement
		C13 Is the search function of the government's website complete and effective?	4	Data Retrieval
		C14 Is the design of the government webpages user-friendly?	2	Data Retrieval
		C15 Is the government's press spokesman system institutionalized?	2	Data Retrieval

		C16 Are the functional organs recorded in the "Open Government Information Guide" complete and adequate?	3	Data Retrieval
		C17 Are the open government information situation recorded in the "Open Government Information Guide" well-arranged and systemic?	2	Data Retrieval
		C18 Dose the "Catalogue of Open Government Information" include all the contents stipulated by the law?	4	Data Retrieval
D. Disclosure on Request	Conditions for making request	D01 Has the government set up in its website the function of submitting request for open government information via internet?	1	Actual Measurement
		D02 Does the government support other user-friendly means for submitting requests for open government information?	1	Actual Measurement
		D03 Is the collecting of requestors' personal information more than necessary?	2	Actual Measurement
	Responses	D04 Does the government respond to requests for open government information on time?	5	Actual Measurement
		D05 Are the reasons for refusing to provide requested information legitimate?	2	Actual Measurement
		D06 Have the reasons for refusing to provide requested information been adequately explained?	3	Actual Measurement

E. Supervision and Remedy	Performance Evaluation System	E01 Has the government established performance evaluation systems on the work of open government information?	2	Data Retrieval
		E02 Has the government developed detailed assessment forms for open government information work?	2	Data Retrieval
		E03 Is the portion of self-assessment by the government in evaluating open government information work lower than 70%?	1	Data Retrieval
		E04 Has the government actually carried out evaluations on open government information work?	2	Data Retrieval
		E05 Is the result of evaluation on open government information work open to the public?	2	Data Retrieval
		E06 Has the government established an accountability system on evaluating the performance of its work of open government information?	2	Data Retrieval
	Social Appraisal System	E07 Has the government established a social appraisal system on the work of open government information?	2	Data Retrieval
		E08 Has the government been evaluated by the public on its open government information work?	2	Data Retrieval
		E09 Is the result of the evaluation by the public on open government information work open to	2	Data Retrieval

		the public?		
	Account-ability System	E10 Has the government established the accountability system on open government information?	2	Data Retrieval
		E11 Is the work of the accountability system on open government information open to the public?	1	Data Retrieval
	Annual Report System	E12 Does the government issue its annual report on open government information work by March 31 each year?	2	Data Retrieval
		E13 Does the annual report on its open government information work issued by the government have all the contents required by the law?	2.5	Data Retrieval
	Remedy System for Individual Cases	E14 Has the government provided guidance to whistle blowing, administrative reviewing or law suits?	3	Data Retrieval
		E15 Has the government actually accepted reviews or participated in litigations?	2	Data Retrieval
		E16 Has the government incorporated remedy for individual cases into the performance evaluation or accountability system?	2	Data Retrieval

### Section III. Watch Results

#### I. The Overall Situation and the Evaluation

##### 1. Points Scored by Localities and Agencies and Their Rankings

### (1) Analysis on Points Scored by Governments at Provincial Level

Please see Table 3-1 for points scored by the 30 governments at the provincial level and their rankings as a result of the evaluation. Generally speaking, the points scored by the four Municipalities under the Direct Jurisdiction of the Central Government and their rankings are more prominent, occupying four of the eight top positions with Beijing and Chongqing sitting among the top three.

**Table 3-1 Points Scored and Rankings of the Governments at the Provincial Level**

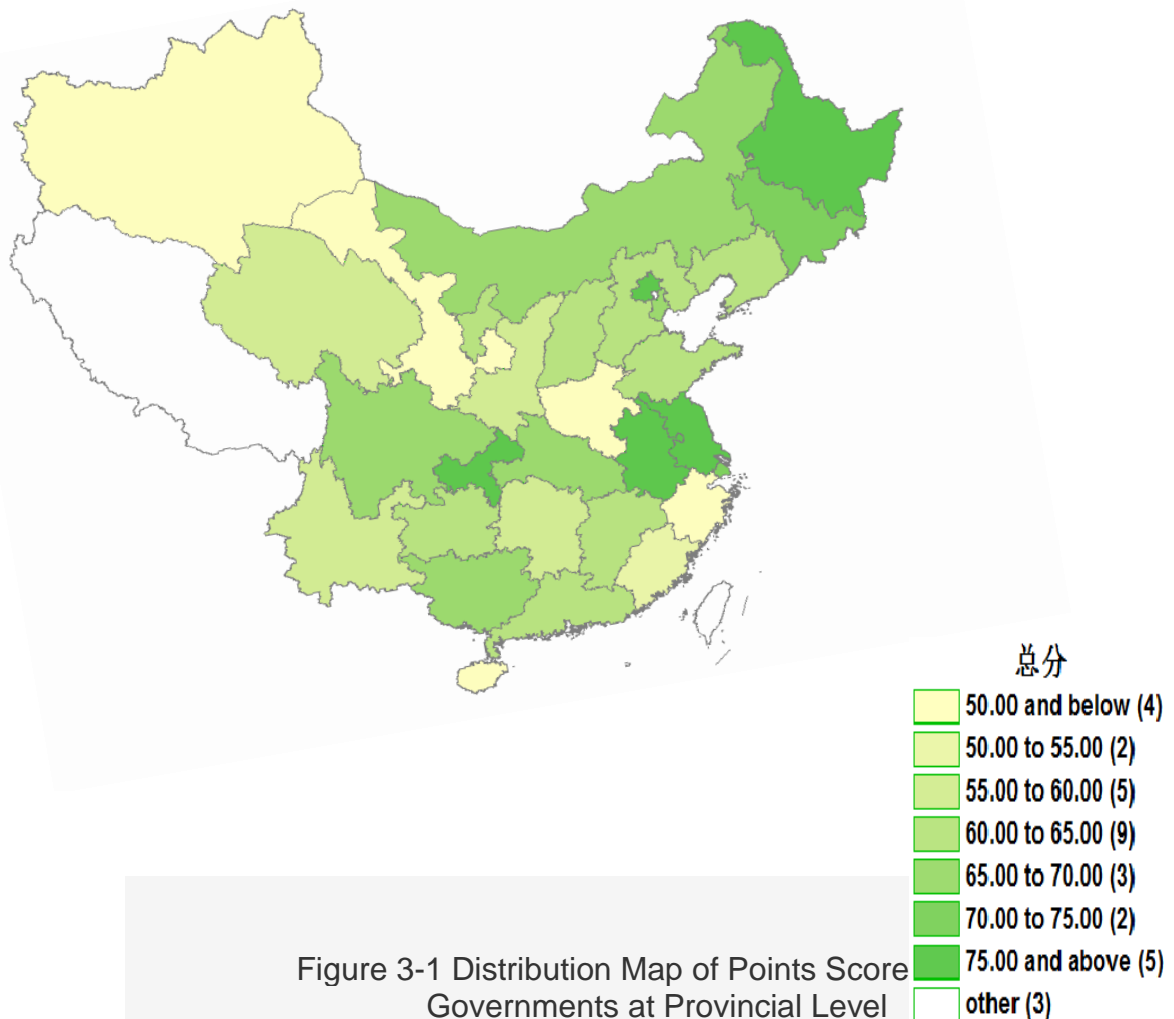
Ranking	Province	Institution Building	System Building	Disclosure on Govt.'s Own Initiative	Disclosure On Request	Supervision & Remedy	Total Score
1	Beijing	3	6	37	11	22.5	<b>79.5</b>
1	Jiangsu	3	8	36.5	11	21	<b>79.5</b>
3	Chongqing	2	8	33	15	18.5	<b>76.5</b>
4	Anhui	2.5	6	37	10	20.5	<b>76</b>
5	Heilongjiang	3	8	36	8	20.5	<b>75.5</b>
6	Shanghai	3	8	33	10.5	20	<b>74.5</b>
7	Jilin	2	8	37	5	20.5	<b>72.5</b>
8	Tianjin	1.5	6	33	8.5	18.5	<b>67.5</b>
9	Hubei	2	4	33	10	18	<b>67</b>
10	Sichuan	3	6	25	11	21	<b>66</b>
11	Inner Mongolia	3	8	21	13	20	<b>65</b>
11	Guangxi	2	6	30.5	11	15.5	<b>65</b>
13	Guangdong	3	6	30	6	18.5	<b>63.5</b>
13	Shandong	3	6	31.5	6	17	<b>63.5</b>
13	Ningxia	2	6	31	6	18.5	<b>63.5</b>
16	Guizhou	2.5	6	33	4	17.5	<b>63</b>
17	Hebei	1	6	32	8	15	<b>62</b>
17	Shanxi	3	2	34.5	2	20.5	<b>62</b>
19	Jiangxi	3	2	35	9	11.5	<b>60.5</b>
19	Liaoning	3	6	30	9	12.5	<b>60.5</b>
21	Hunan	3	6	34.5	2	13.5	<b>59</b>
21	Yunnan	3	5	31.5	4	15.5	<b>59</b>
23	Shaanxi	1.5	4	33	4	15.5	<b>58</b>
24	Qinghai	2	8	33	6	7.5	<b>56.5</b>
25	Fujian	0	6	31	5.5	12	<b>54.5</b>



26	Gansu	3	8	29	2	8.5	49.5
26	Hainan	2	8	24.5	4	10	49.5
28	Zhejiang	1	0	32	4	12	49
29	Henan	3	4	24	7	8.5	46.5
30	Xinjiang	0.5	6	28.5	2	9	46

The average points scored by the above 30 objects of evaluation was 62.4; and the median score was 63.25 points; The passing rate was 63.3%.

Analysis on the evaluation scores of the 30 provincial level governments and their performances are shown in Figure 3-1. Obviously, the implementation of open government information and the level of economic development were by no means of a directly proportional relationship. A case in point was that the performance of developed regions such as Zhejiang Province was not satisfactory.



(Translation of the only Chinese word in the chart: Total Score

(2) Analysis on Points Scored by Agencies under State Council

Table 3-2 Evaluation Points Scored and Rankings of 43 Agencies Under State Council

Ranking	Agency	Institution Building	System Building	Disclosure on Its Own initiative	Disclosure on Request	Supervision & Remedy	Total Score
1	Administration of Intellectual Property Rights	1.5	7	30	20	9.5	68
2	General Administration of Customs	2	8	24.5	17	15	66.5
2	Ministry of Transportation	2	9	23	14	18	66
4	Bank Regulatory Commission	1.5	8	28.5	16	11	65
5	Ministry of Education	1.5	9	24.5	21	7	63
5	Ministry of Water Conservancy	1.5	9	22.5	20	10	63
7	Family Planning Commission	1.5	9	21	16	15	62.5
8	Ministry of Commerce	1.5	8	17	21	14.5	62
9	Ministry of Finance	1.5	8	23	18	9.5	60
10	Ministry of Agriculture	1.5	8	21	18	11	59
11	Auditing Administration	1.5	9	20	17	11.5	59
12	Ministry of Environment Protection	0.5	7	23.5	19	8.5	58.5
13	Ministry of Land Resources	1.5	8	23.5	13	11	57
13	People's Bank	1.5	8	16	19	12.5	57
13	Drug Regulation Administration	1.5	8	21	20	6.5	57
16	State Assets Commission	1.5	8	20	18	9	56.5
16	Ministry of Science and Technology	1.5	9	20	18	9	56.5
18	Administration of Safety Regulation	0.5	9	20.5	13	12	55
19	Ministry of Civil Affairs	1.5	8	19.5	17	8	54
19	General Administration of Taxation	2	9	20.5	16	6.5	54
19	General Administration of Sports	1.5	8	20.5	16	8	54
22	Food Administration	1.5	9	18	18	5.5	52
22	Tobacco Administration	1.5	8	15.5	19	8	52
24	General Administration of Quality Supervision	1	8	17.5	17	7.5	51

25	Ministry of Industry and Information	1.5	8	18.5	12	10	<b>50</b>
26	Commission on Development and Reform	1.5	7	16	16.5	8	<b>49</b>
26	National Commission on Nationalities	1.5	8	19	12	8.5	<b>49</b>
28	General Administration of Industrial and Commercial Affairs	1.5	8	17.5	9	12	<b>48</b>
28	Ministry of Public Security	2	3	19.5	18	5.5	<b>48</b>
28	Ministry of Human Resources Protection	2	9	16.5	16	4.5	<b>48</b>
28	Ministry of Culture	1.5	5	16	17	8.5	<b>48</b>
28	Securities Regulation Commission	1.5	9	22.5	7	8	<b>48</b>
33	Telecommunication Regulation Commission	2	8	15.5	15	7	<b>47.5</b>
33	Ministry of Public Health	2	3.5	24	13	5	<b>47.5</b>
35	National Statistics Bureau	1.5	5	24	11	4	<b>45.5</b>
35	Ministry of Foreign Affairs	1.5	4	16	17	7	<b>45.5</b>
37	General Postal Office	1.5	8	21	5	8.5	<b>44</b>
38	Insurance Regulation Commission	0.5	8	16.5	7.5	9.5	<b>42</b>
39	Ministry of Housing and Urban and Rural Construction	1.5	8	17.5	7	6.5	<b>40.5</b>
40	Ministry of Justice	1.5	4	12	13	5.5	<b>36</b>
41	Ministry of Railroad	1.5	0	9	13	7	<b>30.5</b>
42	State Council Legal Office	0	3	11.5	12	2	<b>28.5</b>
43	Ministry of Supervision	0.5	4	11.5	0	2	<b>18</b>

The average points scored by the 43 objects of evaluation were 51.2; The median score was 52 points; The passing rate was 20.9%. The overall performance of the ministries and commissions under the State Council was less than ideal, especially that of the Ministry of Supervision which was responsible for supervising and guiding the open government information work but once again ranked at the bottom was really surprising and disappointing.

## 2. Comparison of Scores of Provincial Level Governments and State Council Agencies

Table 3-3 and Figures 3-2 and 3-3 were developed on the basis of the points scored by the objects of evaluation. The following are the details:

Items of Comparison	Provincial level Governments	State Council Agencies	Difference
---------------------	------------------------------	------------------------	------------

<b>Rate of Passing</b>	66.7%	20.9%	45.8%
<b>Average Points</b>	63	51.7	+11.3
<b>Median Points</b>	63.5	52	+11.5

Table 3-3 Comparison between Provincial Level Governments and State Council Agencies

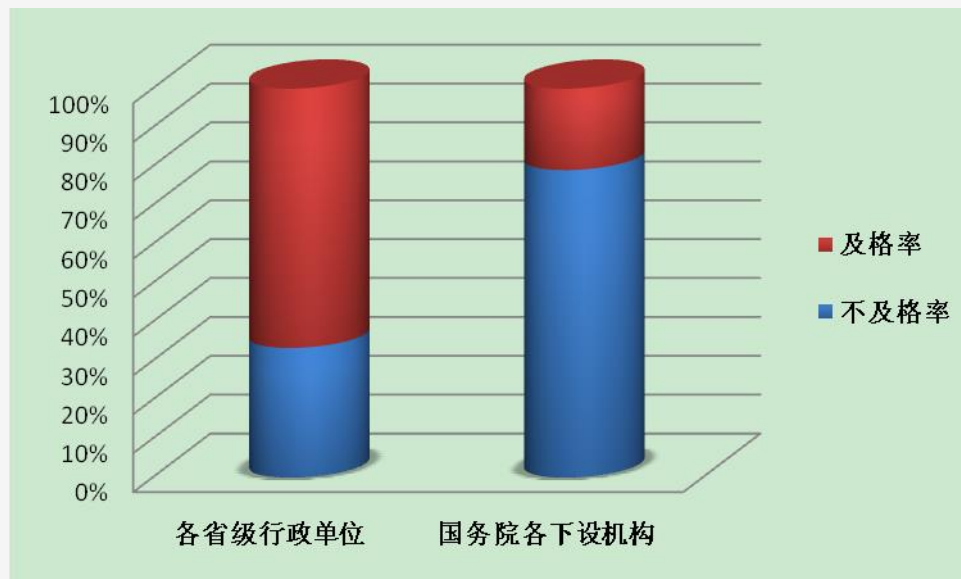


Figure 3-2 Comparison between the Passing Rates of Provincial Level Governments and State Council Agencies

(Translation of the chart: bottom left: Provincial Level Governments  
bottom right: State Council Agencies  
red: passing rate  
blue: failing rate)

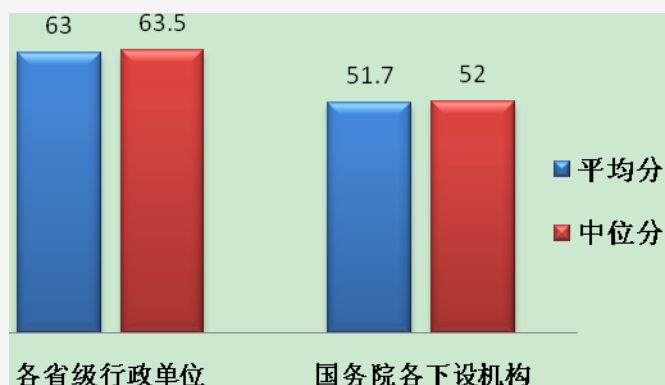


Figure 3-3 Average Evaluation Points Scored by Provincial Level Governments and State Council Agencies

(translation of the chart: bottom left: Provincial Level Governments  
bottom right: State Council Agencies  
red: average point  
blue: median point)

It is not difficult to see from the above charts that as far as the overall performance of open government information was concerned, the provincial level governments were better than State Council agencies. This was mainly reflected at:

First, in terms of the passing rate: Most of the provincial level governments scored over the passing level, whereas the number of agencies under the State Council scored over the passing level was obviously too low, not even 25%. Nineteen provincial level governments scored more than 60 points, more than 65% of the total evaluated. In contrast, only 9 State Council agencies reached the passing line of 60 points, barely 20% of the total.

Second, in terms of the average and median points: The average points scored by the provincial governments were 10 points high than that of the State Council agencies. The average and median points scored by the provincial level governments were both over the passing line. This was in conformity with the result that more than half of the provincial level governments scored points higher than the passing line. In contrast, the average and median points scored by the State Council agencies were both about 10 points under the passing line.

How come there was such a gap, then?

One of the reasons was the difference in score distribution. Figure 3 and the following table show the highest score, lowest score and distribution of scores among the localities and State Council agencies:

Items of Comparison		Provinces		State Council Agencies		Difference
Highest Score		<b>79.5</b>		68		11.5
Lowest Score		<b>46</b>		18		28
Distribution of Scores	≥70 points	8	26.7%	0	0.0%	<b>26.67%</b>
	≥60 points	13	43.3%	9	20.9%	<b>22.40%</b>
	≥50 points	5	16.7%	16	37.2%	<b>-20.54%</b>
	≥40 points	4	13.3%	14	32.6%	<b>-19.22%</b>
	≥30 points	0	0.0%	2	4.7%	<b>-4.65%</b>
	≥20 points	0	0.0%	1	2.3%	<b>-2.33%</b>
	≥10 points	0	0.0%	1	2.3%	<b>-2.33%</b>

Table 3-4 Distribution of Evaluation Scores of Provincial Level Governments and State Council Agencies

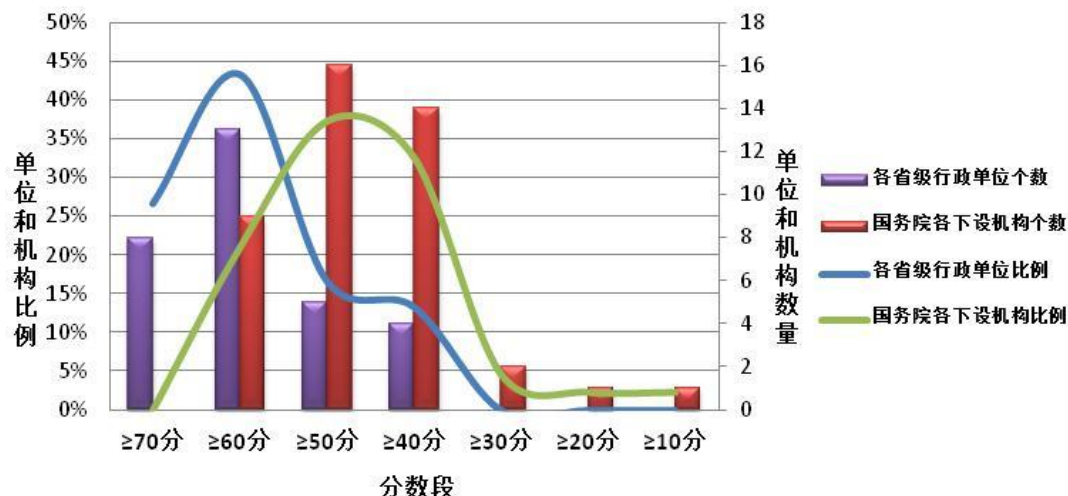


Figure 3-4 Distribution of Evaluation Scores among Provincial Level Governments and State Council Agencies

((translation of the chart:

left: Ratio between provincial level governments and State Council Agencies

bottom: Points groups

right: Number of provincial level governments and State Council Agencies:

purple column: number of provincial level governments

red column: Number of State Council agencies

blue line: Percentage of provincial level governments

green line: Percentage of State Council agencies)

We can see that not only the highest and lowest scores of the provincial level governments were much higher than those of the State Council agencies, the score distribution among the localities was also better than that among the State Council agencies:

- First, the provincial level governments dominated the high points sections. In the over-70 points section, there were 7 provincial level governments but no State Council agencies;
- Second, the provincial level governments showed a prominent absence in the low points sections. In the below-40 points section, there was no provincial level government, but 2 State Council agencies were found there;
- Third, the scores of the provincial level governments were clustered in sections of higher points, mostly in sections of 60 to 80 points, accounting for 63.3% of the governments at the provincial level whereas the State Council agencies were mainly clustered in sections of 40 to 60 points, accounting for 69.8% of the evaluated State Council agencies.

In short, compared with the State Council agencies, the number of governments at the provincial level that scored higher points was obviously higher than that of the State Council agencies. The number of provincial level governments that “dragged down the average” was obviously lower than among the State Council agencies. The majority of the provincial level governments scored 10 points more than their State Council agency counterpart. This was one of the reasons why the governments at the provincial level performed better than the State Council agencies.

A second reason was the difference in points scored for the primary indicators. The points scored for the primary indicators by the localities and the State Council agencies are shown in Finger 4 and the table below:

Primary Indicators	Governments at Provincial Level		State Council Agencies		Difference
	Average Points	Scoring Rate	Average Points	Scoring Rate	
Institution Building	2.3	77.2%	1.4	48.10%	<b>29.12%</b>
System Building	5.9	73.8%	7.2	90.60%	<b>-16.85%</b>
Disclosure on own Initiative	31.7	73.6%	19.4	45.20%	<b>28.44%</b>
Disclosure on Request	7.2	44.7%	14.9	93.30%	<b>-48.61%</b>
Supervision and Remedy	16.0	53.3%	8.7	28.80%	<b>24.48%</b>

Table 3-5 Scoring Rates of Provincial Level Governments and State Council Agencies on Primary Indicators



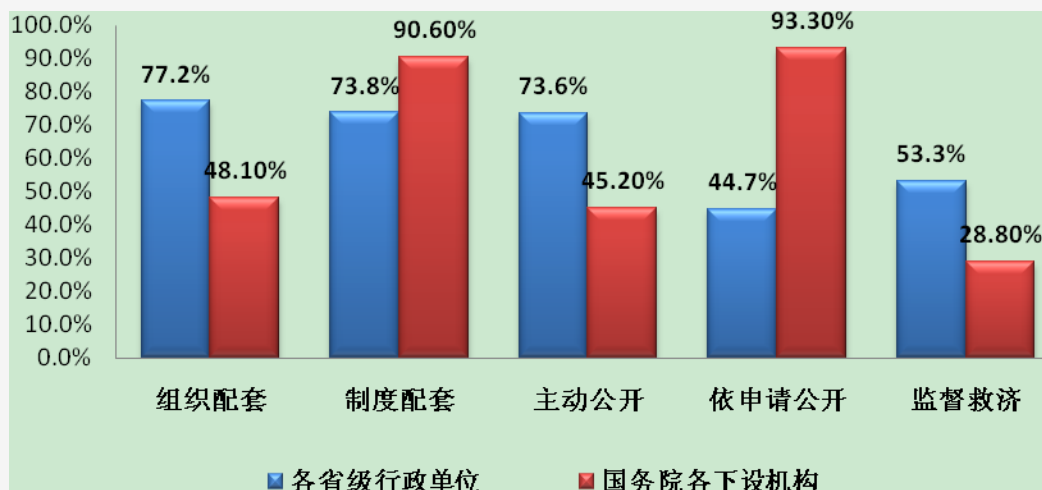


Figure 3-5. Scoring Rate of Provincial Level Governments and State Council Agencies on Primary Indicators

(Translation of the chart:

Bottom top: Institution Building   System Building   Disclosure on Own Initiative   Disclosure on Request   Supervision and Remedy

Bottom bottom; blue: Provincial Level Governments

red: Agencies under State Council)

We can see that in terms of scoring on primary indicators, the governments at the provincial level and agencies under the State Council had mixed results. The agencies under the State Council even scored obviously better than the governments at the provincial level in system building and disclosure on request. However, for the two primary indicators that had the largest weights, namely, disclosure on governments' own initiative and supervision and remedy, the governments at the provincial level gained a decisive upper hand. This was the second reason why the performance of the governments at the provincial level was better than the agencies under the State Council.

### 3. Comparison among Governments at Provincial Level in Various Regions

According to the way China is divided into the 6 Regions of Northeast, North, Northwest, Southwest, South Central, and East China, the average ranking of the governments at the provincial level in each region is shown in Table 3-6 below:

Region	Governments At Provincial Level	Average Ranking
North-east	Heilongjiang, Jilin, Liaoning	10
North	Beijing, Tianjin, Hebei, Shanxi,	10.8

	Inner-Mongolia	
North-west	Shaanxi, Gansu, Ningxia, Qinghai, Xinjiang	25
South-west	Sichuan, Chongqing, Guizhou, Yunnan	12.8
South Central	Henan, Hubei, Hunan, Guangxi, Guangdong, Hainan	18
East	Shandong, Jiangsu, Shanghai, Zhejiang, Fujian, Anhui, Jiangxi	13.9

Table 3-6 Average Ranking of Provincial Level Governments in Each Region

Distribution of governments at the provincial level in each ranking group is shown in Table 3-7 and Figure 3-6:

Ranking Group	North-east	North	North-west	South-west	Central South	North
No 1-10	2	3	0	1	1	3
No 11-20	1	2	0	2	3	2
No 21-30	0	0	5	1	2	2

Table 3-7 Distribution of Rankings of Governments at Provincial Level in Each Region

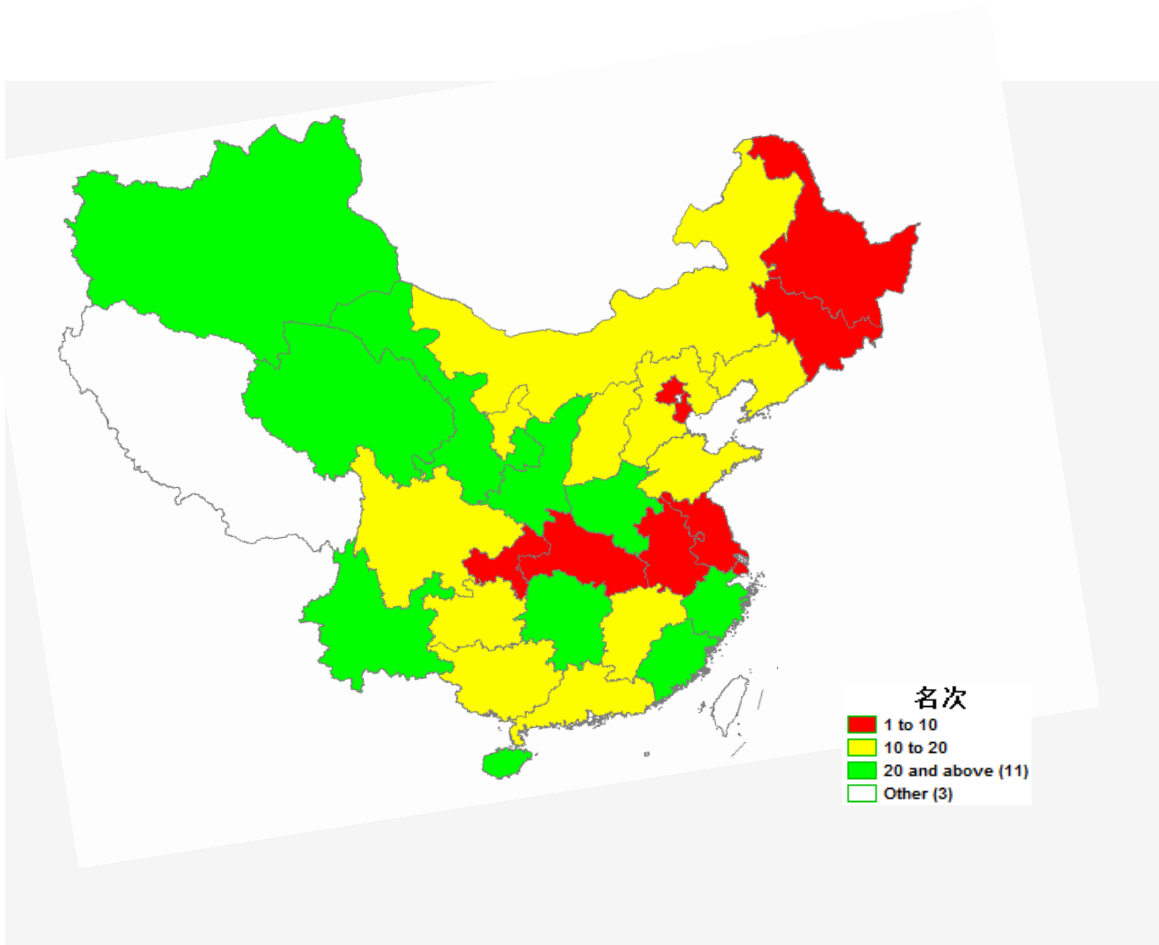


Figure 3-6 Distribution of Score Rankings of Governments at Provincial Level

*(translation of the chart: Rankings)*

From Figure 3-6, we can see situation varied markedly in different regions:

First, performance of the Northeast Region was eye-catching with an average ranking of No. 1. This was mainly attributable to the fact that both Heilongjiang and Jilin Provinces received onto the top ten list. It also had something to do with the very small number of provincial level governments this region covers. Comparing with the governments at the provincial level along China's Southeast coast, the level of social and economic development in the Northeast was not superior, but still, they led the whole country in open government information work. This further shows that there is no strict positive relationship between the level of economic development and the extend of open government information.

Second, scores of the provinces of Henan and Hunan in Central South China and the provinces of Zhejiang and Fujian in East China Region were relatively low; and there was a discrepancy between their scores and the average scores of the regions they belong and the level of their economic

development. A very careful analysis on the reasons is called for so as to strengthen their open government information work.

Third, most of the governments at the provincial level in North China and Southwest regions were in the middle of the whole pack (i.e. from No. 11 to 20). Although there were a handful of governments at the provincial level such as those of Jiangsu and Chongqing showing outstanding performance, the difference within the regions were pretty big and the scores of the regions as a whole were lack-luster.

Fourth, the performance of Northwest Region as a whole was at the bottom. Four of the bottom 10 governments at the provincial level were in that region. Their future road of improvement is still long and arduous.

#### 4. Comparison of Open Government Information Work among Administrative Agencies at Different Levels

Administrative agencies at the prefectural level under the provincial level governments of 6 localities were selected as objects of evaluation for this watch project. A comparison of these 6 provincial level governments and the administrative agencies at the prefectural level under them are seen in tables 3-8 to 3-13 below:

	Institution Building	System Building	Disclosure on Own Initiative	Disclosure on Request	Supervision and Remedy	Total Points
Guangdong Provincial Government	3	6	31.5	6	17	63.5
Average of Points Scored by Governments at Prefectural Level	2.3	3.2	28.6	9.0	11.8	54.9
Difference	0.7	2.8	3.0	-3.0	5.2	8.6

Table 3-8 Comparison of Points Scored by Guangdong Provincial Government and Its Administrative Agencies at Prefectural Level

	Institution Building	System Building	Disclosure on Own	Disclosure on	Supervision and Remedy	Total Points
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	Building		Initiative	Request		
Liaoning Provincial Government	3	6	30	9	12.5	60.5
Average of Points Scored by Governments at Prefectural Level	2.0	5.4	25.3	6.9	16.0	55.7
Difference	1.0	0.6	4.7	2.1	-3.5	4.8

Table 3-9 Comparison of Points Scored by Liaoning Provincial Government and Its Administrative Agencies at Prefectural Level

	Institution Building	System Building	Disclosure on Own Initiative	Disclosure on Request	Supervision and Remedy	Total Points
Shanghai Government	3	8	33	10.5	20	74.5
Average of Points scored by Governments at District Level	2.6	2.6	29.2	11.5	16.7	62.6
Difference	0.4	5.4	3.8	-1.0	3.3	11.9

Table 3-10 Comparison of Points Scored by Shanghai Municipal Government and Its Administrative Agencies at District (Prefectural) Level

	Institution Building	System Building	Disclosure on Own Initiative	Disclosure on Request	Supervision and Remedy	Total Points
Sichuan Provincial Govern-	3	6	25	11	21	66

ment						
Average of Points Scored by Governments at Prefectural Level	2.7	5.3	29.0	7.3	16.1	60.4
Difference	0.3	0.7	-4.0	3.7	4.9	5.6

Table 3-11 Comparison of Scores of Sichuan Provincial Government and Its Administrative Agencies at Prefectural Level

	Institution Building	System Building	Disclosure on Own Initiative	Disclosure on Request	Supervision and Remedy	Total Points
Hebei Provincial Government	1	6	32	8	15	62
Average of Points Scored by Governments at Prefectural Level	2.0	6.5	28.4	10.0	15.3	62.3
Difference	-1.0	-0.5	3.6	-2.0	-0.3	-0.3

Table 3-12 Comparison of Scores of Hebei Provincial Government and Its Administrative Agencies at Prefectural Level

	Institution Building	System Building	Disclosure on own initiative	Disclosure on Request	Supervision and Remedy	Total Points
Shaanxi Provincial Government	1.5	4	33	4	15.5	58
Average of	2.3	5.9	26.3	5.5	16.7	56.7

Points Scored by Govern- ments at Prefec- tural Level						
Difference	-0.8	-1.9	6.7	-1.5	-1.2	1.3

Table 3-13 Comparison of Scores of Shaanxi Provincial Government and Its Administrative Agencies at Prefectural Level

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Locality	Score
Pixian County	76
Ruian City	73
Shuangliu County	70
East City District	67
Haidian District	63
Nankai District	60.5
Xiuning County	59.5
Linan City	59
Renhua County	56
Xindu District	56
Changshu City	56
Hexi District	52.5
Qishan County	52.5
Dehui City	50.5
Haicheng City	49.5
Andan City	43.5
Zengcheng City	42.5
Wenjiang District	40.5
Tumen City	40
Fuping County	39.5
Liannan Yao Nationality Autonomous County	37
Kaiping City	37
Danfeng County	31
Yuyang District	23.5
<b>Average Score</b>	<b>51.5</b>
<b>Passing Rate</b>	<b>25%</b>

Table 3-14 Points Scored by Administrative Agencies at County Level

It is clear that compared with their subordinate governments at the prefectural level, the governments at the provincial level had a relative advantage in their overall score, with an up to 11.9 points lead. The only exception was Hebei Province which scored lower than its subordinate governments in total score. When looking at the scores on the primary indicators, the governments at the provincial level had done better in all fields, scoring higher on all the primary indicators. The passing rate of the 24 county level administrative units was only 20.83%, way below that of 63.3% seen among governments at the provincial level. The average points the county level units scored was 50.5, also lower than the average point scored by the administrative units at the prefectural level subordinate to the 6 provincial level governments. Although a different index system was applied to the county level administrative units than the governments at the provincial level and the administrative units at the prefectural level, the above mentioned data had nevertheless served as a corroborating proof to the fact that the lower level you go, the larger space for improvement on open government information work there is.

#### 5. Comparison of Scores of Provincial Level Governments and State Council Agencies over the Past Two Years

Although some fine tuning was done to the assessment index system this year, the weights of the core indicators remained virtually the same. Therefore, it is still possible to compare the scores of the governments at the provincial level and agencies under the State Council on the basis of the points they scored respectively in 2009 and 2010.

In view of the scores of the governments at the provincial level, when compared with those of 2009, twenty-two governments at the provincial level (73.3% of the total) improved significantly in 2010. The average score of the governments at the provincial level also increased from 57.4 points in 2009 to 62.5 points in 2010, an increase of 5.1 points. Among them, the governments of Ningxia, Heilongjiang and Inner Mongolia were the most improved, increased by a margin of over 20 points. In contrast to them, seven governments at the provincial level scored less than the previous year, the governments of Tianjin, Shaanxi and Guangdong scored almost 10 points less than the previous year. Generally speaking, the overwhelming majority of the provincial level governments made good progress in their open government information work in the new year.



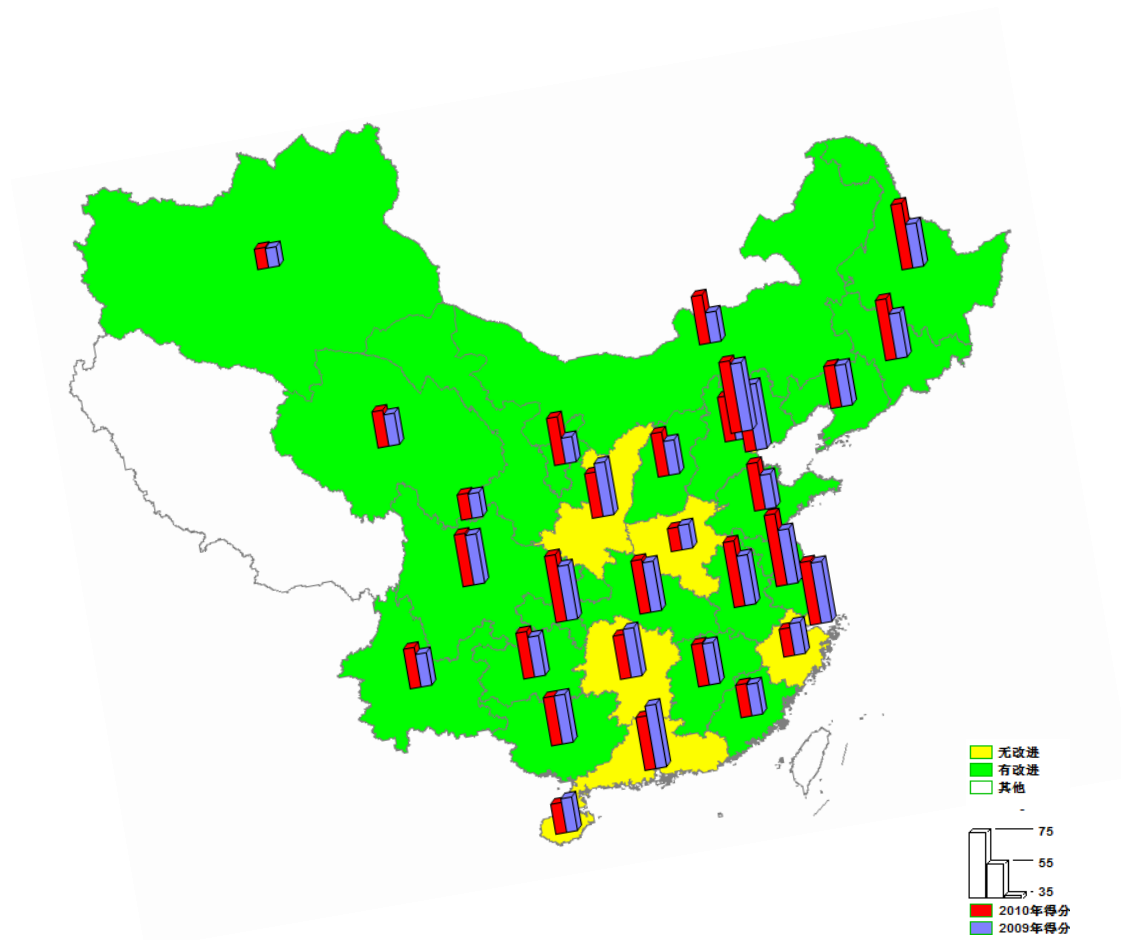


Figure 3-7 Comparison of Evaluation Scores of 30 Governments at Provincial Level in China

(Translation of the chart: yellow: No improvement  
green: With improvement  
white: Other  
red: Scores in 2010  
blue: Scores in 2009)

Governments at Provincial Level	Scores in 2009	Scores in 2010	Score Increase
Ningxia	35	63.5	28.5
Heilongjiang	50.5	74.5	24.5
Inner	42	65	23

Mongolia			
Jiangsu	61.5	79.5	18
Jilin	54.5	72.5	18
Anhui	58.5	76	17.5
Shandong	46	63.5	17.5
Chongqing	63.5	76.5	13
Shanxi	50	62	12
Yunnan	50	59	9
Guizhou	55.5	63	7.5
Qinghai	50.5	56.5	6
Hubei	62.5	67	4.5
Beijing	76.5	79.5	3
Shanghai	72.5	74.5	2
Hebei	60	62	2
Fujian	52.5	54.5	2
Jiangxi	59	60.5	1.5
Gansu	48	49.5	1.5
Sichuan	65	66	1
Liaoning	59.5	60.5	1
Xinjiang	45.5	46	0.5
Guangxi	65	65	0
Henan	48.5	46.5	-2
Zhejiang	53.5	49	-4.5
Hunan	64	59	-5
Hainan	55	49.5	-5.5
Tianjin	75.5	67.5	-8
Shaanxi	67.5	58	-9.5
Guangdong	74	63.5	-10.5
<b>Average</b>	<b>57.4</b>	<b>63.0</b>	<b>5.7</b>

Table 3-15 Comparison of Scores of 30 Governments at Provincial Level in China

Judging from the scores of the agencies under the State Council, compared with those of 2009, thirty-six agencies under the State Council (83.72% of the total) improved in 2010. The average point scored by agencies under the State Council also increased from 46.1 points in 2009 to 51.2 points in 2010, increased by 5.1 points. Among them, the Administration of Intellectual Property Rights, Ministry of Transportation and Ministry of Water Conservancy were the top three that made the most improvement. In contrast, 11 agencies under the State Council scored worse than the previous year. The points scored by the Ministry of Railroad, the State Council Legislative Affairs Office and the Ministry of Supervision all decreased by a large margin. However, generally speaking, the past year has witnessed some progress in the open government information work of the agencies under the State Council.

Table -16 Comparison of Evaluation Scores of State Council Agencies

Agencies under State Council	Scores in 2009	Scores in 2010	Score Increase
Administration of Intellectual Property Rights	45.5	68	22.5
Ministry of Transportation	46	66	20.0
Ministry of Water Conservancy	45.5	63	17.5
Ministry of Public Security	32.5	48	15.5
Auditing Administration	46	59	13.0
General Administration of Sports	43	54	11.0
Ministry of Education	52.5	63	10.5
National Commission on Nationalities	40.5	49	8.5
Ministry of Environment Protection	50	58.5	8.5
People's Bank	49.5	57	7.5
General Administration of Customs	59	66.5	7.5
Ministry of Agriculture	52.5	59.5	7.0
Ministry of Railroad	24	30.5	6.5
Drug Regulation Administration	50.5	57	6.5
Family Planning Commission	56	62.5	6.5
Ministry of Supervision	12	18	6.0
Ministry of Science and Technology	1.5	56.5	6.0
Ministry of Finance	54	60	6.0
Food Administration	46.5	52	5.5
Administration of Safety Regulation	49.5	55	5.5
Telecommunication Regulation Commission	42.5	47.5	5.0
Securities Regulation Commission	43	48	5.0
Tobacco Administration	47	52	5.0
Ministry of Land Resources	52	57	5.0
Ministry of Foreign Affairs	41	45.5	4.5
Ministry of Human Resources Protection	43.5	48	4.5
State Assets Commission	52	56.5	4.5
The General Administration of Industrial and Commercial Affairs	44	48	4.0
Bank Regulatory Commission	61	65	4.0
State Council Legal Office	25	28.5	3.5
Ministry of Public Health	44.5	47.5	3.0
Ministry of Industry and Information	47.5	50	2.5

General Administration of Taxation	51.5	54	2.5
Ministry of Justice	34	36	2.0
Ministry of Commerce	60	62	2.0
Commission on Development and Reform	47.5	49	1.5
National Statistics Bureau	45	45.5	0.5
Ministry of Culture	47.5	48	0.5
Ministry of Civil Affairs	53.5	54	0.5
Ministry of Housing and Urban and Rural Construction	42	40.5	-1.5
General Administration of Quality Supervision	53	51	-2.0
Insurance Regulation Commission	47.5	42	-5.5
General postal Office	51.5	44	-7.5
<b>Average</b>	<b>46.08</b>	<b>51.69</b>	<b>5.61</b>

The above comparisons have further proved that with the continuous importance attached to the open government information work by the Central Government, and with the further improvement of system building, the overall situation of open government information work by both the local governments and State Council agencies is showing sustained improvement. Therefore, we have reasons to have even higher expectations for open government information work next year.

## II. Points Scored by Provincial Level Governments on Primary Indicators and Analysis Thereon

The scores of the State Council agencies on primary indicators and the analysis thereon can be found in related reports, this report only sums up the evaluation of performance of governments at the provincial level on primary indicators.

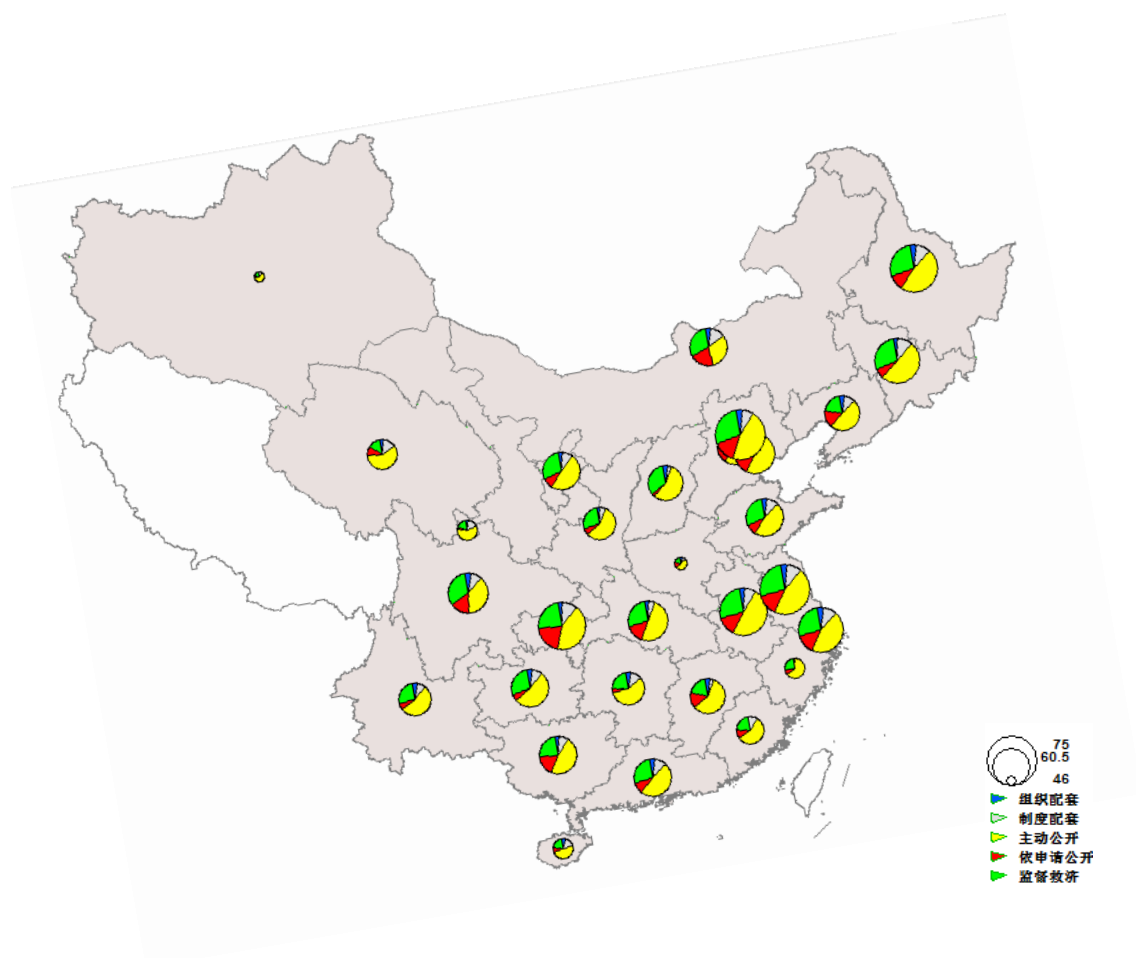


Figure 3-8 Scoring by 30 Provincial Level Governments on Primary Indicators and Their Weight Distribution

(Translation of the chart: Institution Building  
System Building  
Disclosure on Governments' Own Initiative  
Disclosure on Request  
Supervision and Remedy)

### 1. Scores on the Indicator of "Institution Building"

#### (1) The Overall Performance

There are 3 tertiary indicators under the primary indicator of "Institution Building" with a total weight of 3 points. The distribution of points scored by governments at the provincial level is shown in Table 3-17 and Figure 3- 9

Scores	0	0.5	1	1.5	2	2.5	3
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Number of Provincial Level Governments	1	1	2	2	7	2	15
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Table 3-17 Distribution of Points Scored by Governments at Provincial Level Governments on “Institution Building”

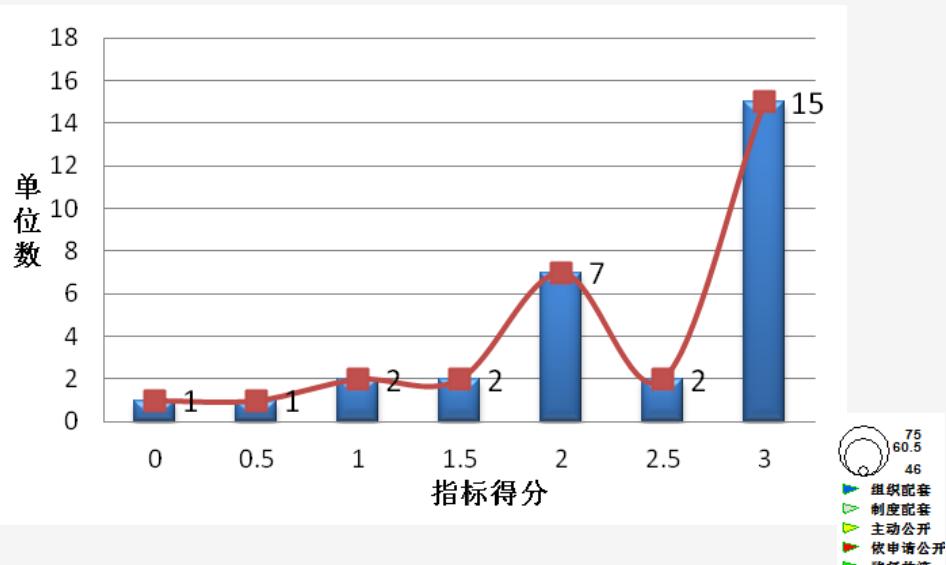


Figure 3-9 Distribution of Points Scored on “Institution Building” by Governments at Provincial Level

(Translation of the chart: left: Number of Governments  
bottom: Scores on the Indicator  
bottom right:  
Institution Building  
System Building  
Disclosure on Governments’ Own Initiative  
Disclosure on Request  
Supervision and Remedy)

The median score for this indicator was 2.5 points, so was the average score. The average scoring rate was 83.3%, showing that the performance of the governments at the provincial level on the “Institution Building” aspect of the open government information work is pretty good.

## (2) Causes of the Scoring Disparity

Of all the 30 governments at the provincial level, fifteen received a perfect score: Beijing, Guangdong, Hainan, Henan, Heilongjiang, Hunan, Jiangsu,

Jiangxi, Liaoning, Inner Mongolia, Shandong, Shanxi, Shanghai, Sichuan and Yunnan; The governments at the provincial level that scored 1 point or less were: Zhejiang, Xinjiang, and Fujian. To compare those who scored the highest with those who scored the lowest can help identify the reasons for the disparity:

First, Indicator A01 examines “whether the leader of the open government information deliberating and coordinating body is of a higher rank than those of corresponding bodies”. In this regard, the governments at the provincial level that received perfect scores had rendered an outstanding performance in assigning high level leaders to head the deliberation and coordination organ for open government information work, fully demonstrating the importance the governments attached to open government information. The three governments at the provincial level that scored the lowest failed to satisfy the requirement of the Indicator except Zhejiang Province.

Second, Indicator A02 examines “whether the government has set up a special functional organ responsible for its open government information work”. In this regard, the governments at the provincial level that received perfect scores had all set up special functional organs for open government information work, whereas the governments at the provincial level that scored poorly all failed to set up special organs. They either generally stipulated that their general offices be responsible for the open government information work, or simply hung up another sign board on the doors of their e-government offices.

Third, Indicator A03 examines “whether the government has full-time staff members responsible for open government information work.” In this regard, all the governments at the provincial level that received perfect scores had full time staff for open government information work, whereas the governments at the provincial level that scored poorly either clearly had no full-time staff for open government information, or no information about the staffing was available..

### (3) Best Practice Example

The best practice example for this primary indicator was Guangdong Province. First, the Provincial Government of Guangdong set up in 2009 a “Joint Meeting on Open Government” with one of its lieutenant governors as the primary facilitator who was high in administrative ranking. This has made mobilizing the administrative recourses, coordinating the overall planning and ensuring high efficiency work in an orderly way a lot easier in the process of open government information. Second, the Provincial Government had set up a Division of Open Government under its General Office with a full time staff responsible for open government information work. This indicated the level of specialization of the open government information work in the provincial government is high, and showed at the same time that the system functioned interactively with the Joint Meeting on Open Government in making top-down overall planning on open government information work as well as its



implementation, thus providing better guarantee for the orderly process and high efficiency of the open government information work.

## 2. Scores on the Indicator of “System Building”

### (1) The Overall Performance

There are 3 tertiary indicators under the primary indicator of “System Building” with a total weight of 8 points. The distribution of points scored by governments at the provincial level is shown in Table 3-18 and Figure 3- 8.

Scores	0	2	4	5	6
Provincial Level Governments	1	2	3	1	14

Table 3-18 Distribution of Points Scored by Governments at Provincial Level on “System Building”

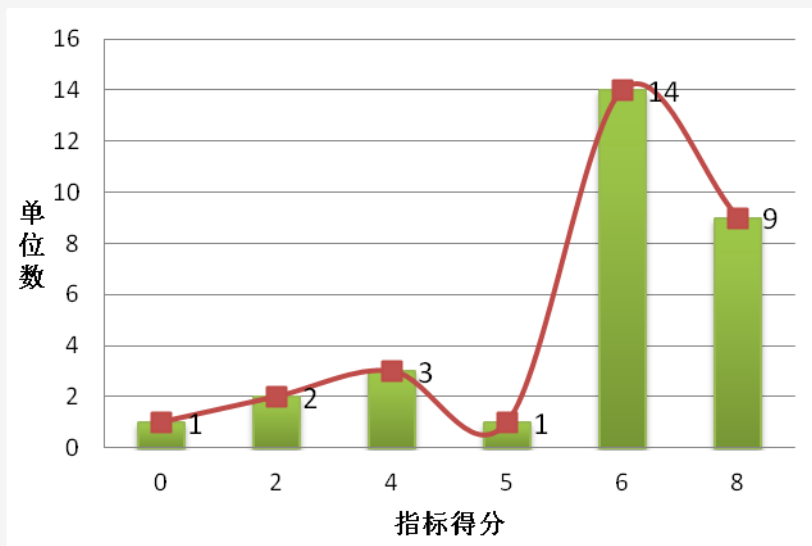


Figure 3-10 Distribution of Scores by Provincial Level Governments on “System Building”

(Translation of the chart: left: Number of Governments  
bottom: Scores on the Indicator)

The median score on this indicator was 4 points and so was the average score. The average scoring rate was 50%, lower than the passing line.

## (2) Cause of the Scoring Disparity

Of all the 30 governments at the provincial level, nine received perfect scores, whereas Zhejiang scored zero. There are 3 tertiary indicators under this primary indicator, evaluating respectively the work on formulating integrated norms, specific norms on confidentiality examination, and specific norms on archives management for the disclosure of open government information. Points were awarded so long as related documents had been made public. The fact that the governments at the provincial level scored poorly and lagged behind meant absence or lack of key norms as well as backwardness of their integration system.

## (3) Best Practice Example

The best practice example for this primary indicator was Heilongjiang Province. The normative system of the Provincial Government of Heilongjiang on open government information work was relatively complete. As an integrated normative regulation on open government information work, the “Relevant Regulations on Open Government Information of Heilongjiang Province (For Trial Implementation)” provided complete and detailed provisions for various systems. In addition, the Provincial Government of Heilongjiang formulated separate provisions for certain systems, such as the “Key Provisions for News Release” which provided very detailed guidance for the work of news release. This kind of normative system led by integrated norms and supplemented by specific system norms effectively solved the problem of “having no operational rules to follow” in open government information work. For those systems on which no separate norms had been stipulated, the integrated norms provided very detailed provisions. For example, the section on “Examination and Evaluation System” contained in the “Relevant Regulations on Open Government Information of Heilongjiang Province (For Trial Implementation)” stipulated very detailed provisions for the work of examination and evaluations.

## 3. Scores on the Indicator of “Information Disclosure on Governments’ Own Initiative”

### (1) The Overall Performance

There are 15 tertiary indicators under the primary indicator of “Disclosure on Governments’ Own Initiative” with a total weight of 43 points. The distribution of points scored by governments at the provincial level is shown in Table 3-19 and Figure 3-11

Scores	≥35	≥30	≥25	≥20
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Number of Governments at Provincial Level	6	17	4	3
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Table 3-19 Distribution of Scores by Provincial Level Governments on “Information Disclosure on Governments’ Own Initiative”

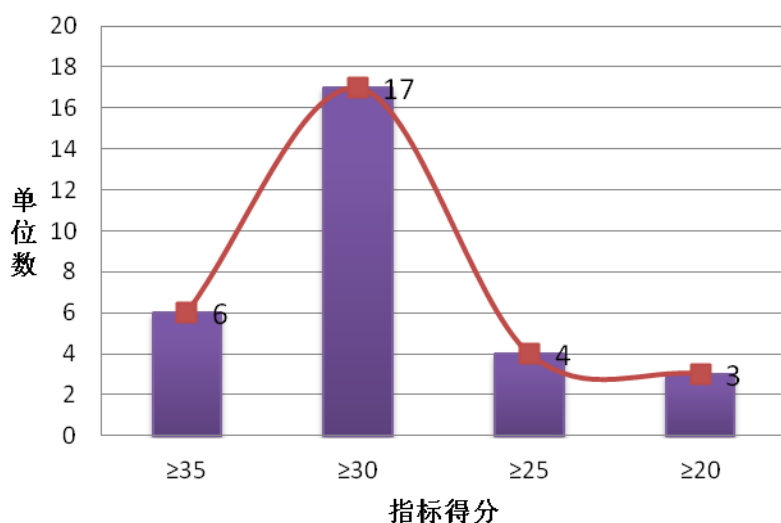


Figure 3-11. Distribution of Scores on “Information Disclosure on Governments’ Own Initiative”

(Translation of the chart: left: Number of Governments  
bottom: Scores on the Indicator)

The median score on this indicator was 31 points and the average score was 31.1 points. The average scoring rate was 72.3%, higher than the passing line.

## (2) Cause of the Scoring Disparity

Of all the 30 governments at the provincial level, the top three scorers were Beijing, Jilin and Anhui (all scored 37 points). The poorest scorers were Hainan, Henan and Inner Mongolia.

Take the case of Inner Mongolia which was the lowest scorer, iscoring zerozero in 2 aspects: the secondary indicator of “Timeliness”, and the tertiary indicator of “ntegration of government websites and search function of the government websites” under the secondary indicator of “User Friendliness”.

With regard to “timeliness”, the principal reason for Inner Mongolia to lose points was the time limit. What it stipulated in this regard did not conform to the requirement of the Regulations. It stipulated in its “Guidelines by the General Office of the People’s Government of the Inner Mongolia Autonomous Region on Open Government Information” that for government information to be made public in the name of the People’s Government of the Autonomous Region or its General Office, “it shall be made public through the above-mentioned channels within 20 work days from the date the information is produced or revised. If there are special difficulties, the information shall be made public no later than 30 days from the production of the information.” Article 18 of the Regulations stipulates that “government information that falls into the category of information to be disclosed on the government’s own initiative shall be made public within 20 work days from the date the information is produced or revised. When laws or legal regulations have stipulated otherwise on the time limit of disclosing government information, those stipulations shall prevail.” Obviously the provisions of the former are not in conformity with the stipulations of the Regulations.

With regard to “user friendliness”, the government of the Inner Mongolia Autonomous Region scored zero on both the degree of integration of its government websites, and the search function on its websites. What was even more puzzling was that there indeed was a search column at the first screen of the first page of the website of the Government of the Autonomous Region where it had even provided advanced search format, including the three ways of “search by content and title of the article”, “search by content of the article” and “search by title of the article”. However, according to incomplete statistics, none of the key words the evaluators put in (such as ‘Inner Mongolia, Animal Husbandry and Government) produced any result. When “advanced search” was applied, the search result was either a number of illegible crazy codes or “Sorry, no information about this is found!” Obviously it was a representative case of the phenomenon seen in many government websites building efforts which are for “looks” rather than for “use”.

### (3) Best Practice Example CHANGED TO BEIJING

The best practice example for this primary indicator was Anhui Province. Anhui Province’s scoring rate on the indicator of information disclosure on governments’ own initiative was 86.05%, a top scorer in a three-way tie on this indicator. The reasons why Anhui Province scored high in this field were because it had mainly benefited from the following three aspects:

First, the libraries, archives, administration service centers and other access points to government information had been established and improved, providing the citizens and legal persons and other organizations with convenient and prompt services to retrieve relevant government information. In addition to installing electronic retrieving and reading equipment in the above mentioned access points to government information, the Anhui Provincial Government had

also set up access points at the Provincial Library and Provincial Archeries for accessing hard copies of government information. Citizens may get in there and search and read relevant paper documents such as the Anhui Government Gazettes and State Council Gazettes.

Second, the establishment and continuous improvement of the website of the Anhui Provincial Government for open government information. The website of Anhui Province was very rich in content, including 8 columns of “Regulations and Stipulations on Open Government Information”, “Guide on and Category of Open Government Information”, “Information Disclosure on Request”, “Dynamics of Open Government Information Work”, “Experience Sharing”, “Time for Study” and “Supervision and Remedy”. It updated and publicized relevant open government information in a timely manner, and at the same time shared experiences and new knowledge among different departments in the Provincial Government and governments at the prefectural level in the work of open government information. There was also a special column of “Public Feed-back Box”, providing a smoother channel for the public to express their opinions and make suggestions.

In addition, on the tertiary indicator “Is the press release by the government institutionalized?” added to the index this year, we found the Anhui Provincial Government had launched the “Press Release System of the People’s Government of Anhui Province” that established through special regulations the initiating mechanism and the responsible departments for holding press release conferences, a step further ahead of the country in information disclosure on the governments’ own initiative

#### 4. Scores on the Indicator of “Information Disclosure on Request”

##### (1) The Overall Performance

There are 6 tertiary indicators under the primary indicator of “Information Disclosure on Request” with a total weight of 16 points. The distribution of points scored by governments at the provincial level is shown in Table 3-20 and Figure 3-12

Scores	≥14	≥12	≥10	≥8	≥6	≥4	≥2
Number of Governments at Provincial Level	1	1	7	5	5	8	3

Figure 3-20 Distribution of Points Scored by Governments at Provincial Level on “Information Disclosure on Request”

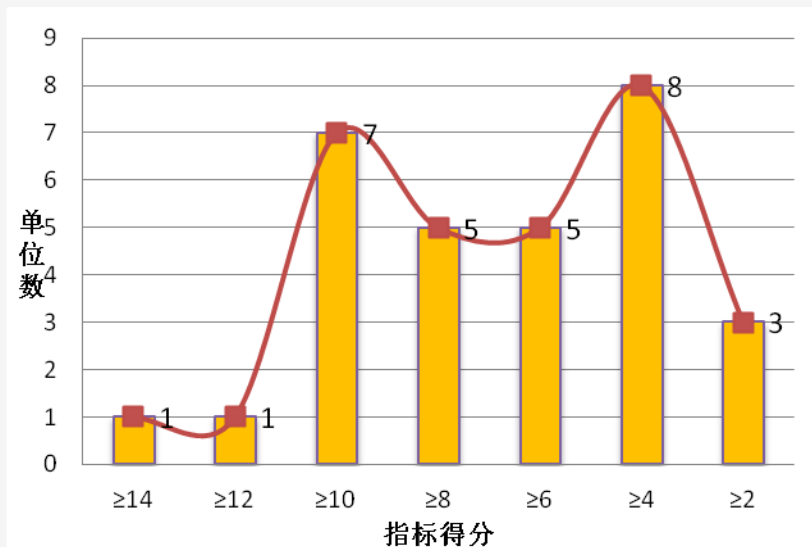


Figure 3-12 Distribution of Points Scored by Governments at Provincial Level on “Information Disclosure on Request”

(translation of the chart: left: Number of Governments  
bottom: Scores on the Indicator)

The median score on this indicator was 8 points, the average score was 7.2 points, and the average scoring rate was 45%, lower than the passing line.

## (2) Cause of the Scoring Disparity

Of all the 30 governments at the provincial level, none scored the perfect score in the evaluation of 2010. The top scorer was Chongqing with 15 points, whereas the poorest scorers were Gansu, Hunan, Xinjiang and Shanxi, all scored 2 points each. The reason for the disparity was that the governments at the provincial level that scored the lowest basically provided no answer to the test cases on information disclosure requested by the evaluators.

## (3) Best Practice Example

The best practice example for this primary indicator was Chongqing. The People’s Government of Chongqing handled information disclosure on request in a way that had basically satisfied the basic expectations of the ordinary citizens for an open, transparent, accountable and efficient government. In terms of making requests, the Municipal People’s Government of Chongqing City provided samples for filling in the request forms, and only required requestors to

provide basic information on both themselves and the information they requested. There was neither over-collection of the requestor's personal information, nor obstacle building, making the requesting process relatively convenient. In terms of requests handling, aside from the Chongqing Electric Power Company and the Chongqing Municipal Committee of the Red Cross, all relevant functional organs of the government responded in good faith promptly over the phone. With regard to requests they refused because they didn't have the information in question, they made efforts to inform the requestors the name of the administrative agencies where the information was being held, and their explanations for the refusal were relatively adequately.

## 5. Scores on the Indicator of "Supervision and Remedy"

### (1) The Overall Performance

There are 14 tertiary indicators under the primary indicator of "Supervision and Remedy" with a total weight of 30 points. The distribution of points scored by governments at the provincial level is shown in Table 3-21 and Figure 3-13

Scores	$\geq 25$	$\geq 20$	$\geq 15$	$\geq 10$	$\geq 5$	$\geq 0$
Numbers of Governments at Provincial Level	0	8	11	7	4	0

Table 3-21 Distribution of Points Scored by Governments at Provincial Level on "Supervision and Remedy"

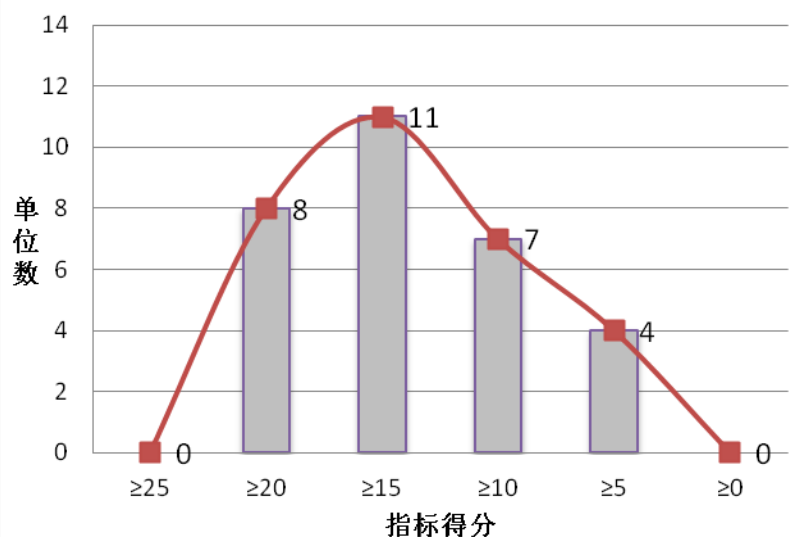


Figure 3-13 Distribution of Points Scored by Governments at Provincial Level on “Supervision and Remedy”

(Translation of the chart: *left*: Number of Governments  
*bottom*: Scores on the Indicator)

The median score on this indicator was 17.5 points, the average score was 15.6 points, and the average scoring rate was 52%, lower than the passing line.

## (2) Cause of the Scoring Disparity

Compared with other primary indicators, the points scored on this primary indicator were all relatively low, and no governments at the provincial level scored more than 25 points. Of all the 30 governments at the provincial level, the top scorer was Beijing, scoring 22.5 points, whereas the poorest scorers were Henan (8.5 points), Gansu (8.5 points) and Qinghai (7.5 points).

Take the case of Qinghai, in contrast to Beijing where development of the supervision and remedy system of open government information was unfolding comprehensively, Qinghai showed gaps in the fields of open government information work evaluation, social appraisal and accountability, so much so that it scored zero on the nine indicators from E01 to E09.

## (3) Best Practice Example

The best practice example for this primary indicator was Beijing. In recent years, the People’s Government of Beijing has successively formulated 18



stipulations respectively on inventorying government information, disclosing information on request, coordinating information release, clarifying fake or incomplete information, managing open government information columns, transferring paper documents, developing information accessing stations, carrying out examination and supervision, etc. playing a very important role in safeguarding the citizens' right to know and remedy. According to the 2010 Annual Report On Open Government Information Work by the People's Government of Beijing, "the administrative agencies in the City of Beijing accepted a total of 251 cases of administrative review on open government information, among which the Municipal Government handled 57 cases, the governments of the districts and counties handled 64 cases, the functional departments of the Municipal Government that had the function of administrative review handled 130 cases. Of all these cases, 247 were closed and four were in the process of being reviewed. The case-closing rate was 98.4%. Of the 247 closed cases, the original decisions were upheld for 219 cases, four cases were rejected, 12 cases were terminated, 7 cases were withdrawn, and the parties to one case were ordered to fulfill their statutory obligations within a time limit". "Courts in the city as a whole adjudicated a total of 503 lawsuits related to open government information, of which 239 were cases of second instance. Among them, the original decisions were upheld for 238 cases with the remaining one case being remanded for a retrial. Of the 264 cases of first instance, 234 were rejected. The decisions for 9 of the cases were to nullify the respective administrative actions, for 5 of the cases were to enforce the administrative actions, for another 5 of the cases were not to accept the cases, for 3 of the cases were to allow the cases to be withdrawn and for another 3 of the cases were to transfer them to other courts to be adjudicated there". Apparently, the administrative agencies in the City of Beijing had a pretty impressive performance in terms of administrative supervision and actively responding to judicial examinations. Besides, in accordance with the relevant provisions of the "People's Republic of China Regulations on Open Government Information", the City of Beijing conducted examinations and evaluations on its open government information work for 2010 with an orderly process of 4 steps: self-examination, special item inspection, graded evaluation, and results feedback. The examination and evaluation were carried on 76 subjects working in the open government information field including 16 district and county governments, 60 functional departments and related agencies in the municipal government, and the result was published in "Beijing Daily". This had further guided, promoted and deepened the open government information work.

### III. Responses to Test Cases and Evaluations Thereof

A total of close to 1,300 requests were actually submitted during this round of watch and evaluation, among which the requests for information about Red Cross Committees at different levels and electric power supply enterprises were of the most outstanding features, echoing very strongly the extensive social attention on open information on charities. The following are some brief analysis

and observations on the requests submitted for information disclosure of those two categories.

### 1. Requesting for Disclosure of Red Cross Information

The Beijing University taskforce submitted requests for disclosure of information to the 30 provincial level Red Cross Committees, inquiring about “the total amount of funds raised by that Red Cross Committee in the year of 2010” and some other relevant information, and the replies received are basically listed in Table 3-22

Provincial Government to which the Red Cross Committee Is Affiliated	Manner of Responses
Jiangsu	Replied on time
Shanxi	Replied on time
Guangxi	Replied on time
Hubei	Replied during extended time
Inner Mongolia	Replied by phone
Heilongjiang	Noted by phone about institution change, no reply
Hunan	No reply
Qinghai	No reply
Guizhou	Refused to disclose the information requested and told the requestor to “only look for information already publicized on newspaper or television” .
Yunnan	No reply
Henan	No reply
Jiangxi	No reply
Anhui	No reply
Shanghai	No reply
Zhejiang	No reply
Fujian	No reply
Shandong	No reply
Beijing	No reply
Liaoning	No reply
Jilin	No reply

Henan	No reply
Guangdong	No reply
Xinjiang	No reply
Tianjin	No reply
Ningxia	No reply
Gansu	No reply
Shaanxi	No reply
Hebei	No reply
Chongqing	No reply
Sichuan	Believed they didn' t have the duty of information disclosure
<b>Rate of Replies Provided On Time in Accordance with the Law</b>	<b>16.7%</b>

Table 3-22 Information Provincial Level Red Cross Committees Disclosed on Request

The situation of information disclosure on request by the 30 provincial level Red Cross Committees has shown that:

First, it is not that the Red Cross Committees were totally ignorant about their duties on open government information, at least judging from the cases of information requests submitted by the evaluators, the performance of some of the provincial level Red Cross Committees could be described as active: The way the Shanxi Provincial Red Cross Committee responded was even better than the government organs at the same level such as the Finance Department and Environment Protection Department. This clearly shows that the disclosure of information on the Red Cross Committee was not a question of whether their information should be disclosed, but a question of whether they paid attention to the open government information work. That is: whether they were willing to do it.

Second, generally speaking, there is still an overwhelming majority of provincial level Red Cross Committees failing to fulfill their duty provided in the Regulations in accordance with the law. Even with the ones that responded over the telephone, the portion of provincial level Red Cross Committees that disclosed information in accordance with the law was only 1/6. Obviously, it remains to be a pretty arduous task to promote open information of charities represented by the Red Cross Committees.

## 2. Information Disclosure by Electric Power Supply Enterprises

The Beijing University taskforce submitted requests for disclosure of information to the 30 provincial level electric power supply companies, requiring information about “the rates implemented in collecting electricity fees from enterprises and other consumers in the year of 2010 and the service items provided with fees, the rates of and the legal basis for the fees”. The replies received are basically listed in Table 3-23

Provinces	Manner of Response
Jiangsu	Replied on time
Shanghai	Replied on time
Jiangxi	Replied on time
Hebei	In a telephone conversation, the evaluator requested for a written response, never actually received it though it was promised.
Heilongjiang	The evaluator was told to consult the National Electricity Regulation Commission.
Guizhou	The evaluator went to the Customer Service Center of South China Grid located in Chengnan District, Guiyang City, to conduct on-site investigation. When asking about rates of electricity fees, he failed to get an appropriate answer.
Inner Mongolia	Search on the internet for email address and telephone number of the Electricity Supply Company of Inner Mongolia had failed to yield any result, thus no contact could be made.
Guangxi	No reply
Yunnan	No reply
Shanxi	No reply
Henan	No reply
Qinghai	No reply
Hubei	No reply
Hunan	No reply

Anhui	No reply
Zhejiang	No reply
Fujian	No reply
Shandong	No reply
Beijing	No reply
Liaoning	No reply
Jilin	No reply
Guangdong	No reply
Xinjiang	No reply
Tianjin	No reply
Ningxia	No reply
Gansu	No reply
Sichuan	No reply
Chongqing	No reply
Shaanxi	No reply
Hainan	The Grid Company of Hainan Province refused to respond, claiming it did not provide the service of disclosing information on request.
<b>Rate of Replies Provided on Time in Accordance with the Law</b>	<b>10%</b>

Table 3-23 Information Disclosure on Request by Provincial Level Electric Power Supply Enterprises

The table above on the performance of the 30 provincial level power supply companies in information disclosure on request shows:

First, the power supply companies still lack understanding about the duty of information disclosure on the part of the public utility companies serving the public as provided in Article 37 of the Regulations. Of the 30 provincial level electric power companies, only 10% had disclosed relevant information on request. Improving information disclosure on the part of the public utilities represented by the electric power supply companies remains to be an important task in promoting further implementation of the Regulations.

Second, with their own service centers and service hotlines as platforms for direct contact with the public, the electric power supply enterprises had in their possession channels of information disclosure even more convenient than

the ordinary agencies. How to effectively bring into play the role of these platforms in their future work of information disclosure is an important point of entry for further intensified efforts.

## **Section VI. Policy Recommendations**

Based on the experience of this year's watch and evaluation, the Center for Public Participation offers a number of recommendations for improving open government information work to serve as a reference for the administrative agencies concerned.

**Recommendation 1: To change the way of thinking, further establish the "principle of disclosure as the rule, non-disclosure as the exception", further improve the content of disclosed information in areas the public are most interested and concerned about, enhance the quality of information disclosed on governments' own initiatives, promote disclosing information on public services, and increase the extensiveness, promptness, accuracy and user-friendliness of the information disclosed on governments' own initiative.**

Since the promulgation and implementation of the "Regulations on Open Government Information", the administrative agencies at different levels have all successively formulated and promulgated a series of related policy regulations and open government information has continuously increased in scope and enhanced in intensity, and is well received by the public. However, judging from what has been learned in the evaluation process, there still exists a pretty big tension between information the government can provide and the open government information the public demands. It is mainly demonstrated in that some administrative agencies have either not established the mechanism of government information release, or have established it but lacks concrete implementation rules, thus impeding the open government information work. In terms of important areas of open government information such as the budget and final financial account reports, administrative and public service fees, concentrated government procurement and other information that should be disclosed on governments' own initiative, there still exist the problems of information disclosed not on time, not in correct format or not in required details; Some of the government departments have failed to provide in a timely manner information to information retrieving and reading stations, thus weakening the effectiveness of the services provided by these stations. The system of government information release is yet to be regularized and institutionalized. In addition, the institutions and agencies that provide public services still lack the conscientiousness and motivations for open government information in their operations.

To this end, the Center for Public Participation suggests: the administrative agencies at different levels all establish the principle of "disclosing

as the rule and not disclosing as the exception” and further strengthen the work of disclosing information on the governments’ own initiative. One thing is to gradually expand the scope of information disclosed on governments’ own initiative, including the disclosure of information concerning the operation and expenses of the government itself such as the “three public expenses”, the budget and final financial account reports, the approval and execution of major construction projects, the information concerning the pre-planning for emergency public incidents, early warning and the handling of the incidents, disclosing government information on inspection and supervision over environment protection, public health, safe production, food and drugs, quality control and etc. and provide comprehensive and timely information on areas of special interests or concern to the public. The other thing is to further improve the quality of information disclosure on the governments’ own initiative. In terms of information contents, the Open Government Information Guides and Catalogues should be improved, and the reports on a government’s budget and final financial account should be further concretized to try to cover all the administrative agencies at the department level; To establish coordinating mechanism for open government information to ensure the accuracy and consistency of open government information. In terms of the *modus operandi*, efforts should be made to build centralized stations for retrieving and reading government information in public places, and gradually set up special open government information stations in remote administrative villages or communities ; To optimize the column lay-out, navigating experience, search and downloading functions of the government websites, and make wide use of a variety of channels such as radio and television, newspaper and magazine, press conference, administrative service center, cell phone messaging, citizen forum, etc. to promote open government information on governments’ own initiative. In addition, the Center for Public Participation suggests that while further promoting the open government information work in governments at all levels, the public service establishments such as the Red Cross Committees and electric power supply companies enhance their consciousness about information disclosure, improve their transparency, and disclose on their own initiative information closely related to their consumers. The department in charge and the department responsible for open government information in public service establishments should provide more guidance and supervision through various channels to promote open information work in the public service field.

**Recommendation 2: To strictly implement open government information policies, further broaden the channels for government information disclosure, appropriately and promptly respond to requests for disclosure of information in accordance with the law, and at the same time intensify efforts to solve the problem of difficulty in getting the public service enterprises and establishments to disclose their information.**

Judging from the findings in the evaluation process, there are mainly three kinds of problems in the field of information disclosure on requests: First, the

channels through which citizens make requests for information do not flow very well. Some of the government agencies have not yet fully implemented the provisions of the “Regulations on Open Government Information” on establishing or completing ways and means for requesting information, others have limited the channels for making requests only to telephone or direct postal delivery or email and refuse to respond to requests made by the public through other ways and means. The request column on the website of some government agencies is actually not functional, or refuses to accept requests on line, thus defeating the purpose of setting up that on-line platform for requesting information in the first place. At the same time, the phenomena of over collecting personal information, requiring the requestor to provide extra certifying documents, etc. still exist in the process of request acceptance, subjecting the public to unnecessary burdens, and in effect raising the barrier to requesting government information. Second, responses sometimes are not made within the time limit stipulated by the law, or the contents of the responses are not complete, or the formats through which the information is provided are not that requested by the requestors. Third, refusal to provide a response and failures to explain the reason why a response is refused, or basing the refusal on illegitimate reasons. The result of the evaluation has shown that there is a fairly high percentage of cases in which the evaluated agencies refused to provide requested information with various unjustifiable reasons. For example, to refuse by saying “the information you requested is not within the scope of government information to be disclosed on request” is in reality simply a perfunctory way for dealing with a requestor; to refuse by saying the information requested involves business secrets of a third party without making a serious judgment on whether the requested government information is classified as business secrets or seeking the opinion of that third party; and to refuse by saying the information requested involves “sensitive information” are all practices against the relevant provisions of the “Regulations on Open Government Information”. In addition, open information work by public service enterprises and establishments needs to be further improved.

To this end, the Center for Public Participation recommends: Disclosure of government information on request be improved in the following aspects: First, the ways and means for disclosing information on request should be further perfected to broaden the channels for the public to request information disclosure. Second, responses should be provided strictly in accordance with the time limit provided by the law and regulations with the contents requested and in the formats preferred by the requestors. The requests for information by the public should be handled promptly and fairly. When there are delays due to seeking of a third party’s opinion or coordinating among departments involved, the requestor shall be promptly informed. Third, the reasons for refusing to respond should be justifiable, adequate, and strictly based on laws and regulations governing the work of open government information. Further more, the open information efforts by public service enterprises and establishments in the fields of education, public health, water supply, power supply, heat supply, environment protection and public transportation, etc. should be gradually intensified. The old way of



thinking shall be really transformed, to increase the popularization of, and training on, and the establishment and perfection of the related systems so as to better safeguard the public's right to know and their right to information.

**Recommendation 3: To make the supervision and safeguarding system of open government information more substantive, increase its practicability, and enhance the transparency of the evaluation system and social appraisal system for open government information work; to establish and perfect the accountability system and promote substantive accountability, and to further improve the channels for remedy, attaching importance to fairness, independence and enforcement of the remedies for rights.**

According to the 2009 Annual Report on China's Administrative Transparency Watch published by the Center for Public Participation in 2010, the open government information work that has been carried on for the past two years has gradually entered into a phase where rational reflections and breakthroughs are badly needed and the Center has described it as the "bottle neck" phase. The content of system building in open government information has been enriched on the basis of its basic framework; open government information work has fundamentally shaped as a concretized and regulated open government information system. Relevant organs have been established gradually and reached the level of having established specialized organs that are staffed with specialized personnel with intensified professional trainings. All this has laid down a fairly good foundation for further promoting open government information. However, judging from the result of this year's evaluation, further improvement is still needed in further perfecting supervision and remedy over government information disclosure on request, the lack of adequate enforcement on related systems remains an outstanding problem. This is concretely shown in: First, the system of examination and evaluation for open government information has yet to be established, the evaluation process has not yet been open to the public, and most of the evaluation is done by self-evaluation resorting to internal examination which lacks the objectivity of external supervision and evaluation, and the objectivity and credibility of the evaluation has been challenged. Second, related systems of social appraisal need to be established soon. Since neither the process nor the result of the social appraisal is open or transparent, the strength and effect of such social oversight is fairly limited. Third, the accountability system for open government information has yet to be established in certain government agencies, the effect of implementing such a system where it has been established is also far from being ideal, with problems such as provisions of the rules are not concrete enough, making their implementation difficult. Fourth, the remedy system for individual open government information cases is practically dormant, the open government information guide of most of the government agencies has failed to provide guidance to institutions that receive cases of whistle blowing, administrative review or litigation, nor has the situation of remedy on individual cases been

included in the scope of accountability. Judging from the 30 governments at the provincial level that have been evaluated in this current watch, seven of them have accepted no case of administrative review on open government information throughout their jurisdictions; 13 of them have accepted no case of litigation, 20 of them have accepted less than 10 cases of administrative review, and 25 of them have accepted less than 10 cases of litigation. After close to 3 years of implementation of the Regulations, the very low number of open government information cases have been accepted has corroborated, from another angle, that the remedy on individual cases is basically dormant.

To this end, the Center for Public Participation suggests that breakthroughs on open government information be made in the following areas: First, in terms of the performance of the evaluation system, the normative rules of the system be concretized by formulating detailed lists of items for evaluation. Experts and the public be invited to participate in the whole process of the evaluation, and the result of the evaluation be publicized. Second, in terms of the social appraisal system, concretized social feedback system should be established to conduct systematic social commenting that meets the requirement of the index system and promptly make the result of this process public to meet the demands of the public to know the evaluation result on the open government information work, and bring into play the supervision role of social commenting on open government information. Third, in terms of the accountability system, efforts should be made to establish and perfect the accountability system, increase the practicability of the norms, concretized the scope of accountability, incorporate the evaluation of the open government information work and the remedy on individual cases into the accountability system, and promote substantive accountability. Fourth, in terms of remedy on individual cases, to formulate open government information guides specifically providing concrete guidance to whistle blowing, administrative review and litigation; And to give information on the institutions that accept such cases, the process of case acceptance and the time limit for the handling of such cases to provide the citizens with concrete guidance on individual cases remedy. Importance should be attached to fairness, independence and enforcement of the remedies to ensure the actual effectiveness of remedy on individual cases.

In addition, through two years of watch and analysis of the annual reports of open government information work by various government agencies, we have found that most of the annual reports are very sketchy in their contents for disclosure, giving rise to the problem of the disclosure being “more nominal than substantive, more on results than on process, more general than concrete”. We suggest that the General Office of the State Council produce a model guide on annual reports to concretize the contents of the annual reports, clearly stipulate the information that should be contained in the reports and make it open to the public, enhance the regularity of the annual reports, improve their readability, make the annual reports more informative, and compile the annual reports in a more scientific way.