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## **General Office of the CPC Central Committee and General Office of the State Council Prints and Distributes the Opinions on Comprehensively Promoting Open Government**

News dated February 17, 2016 from the Xinhua News Agency. Recently, the General Office of the CPC Central Committee and the General Office of the State Council printed and distributed the *Opinions on Comprehensively Promoting Open Government* and issued a notice, requiring all regions and all departments shall earnestly implement these opinions based on their actual situations.

The full text of the *Opinions on Comprehensively Promoting Open Government* is presented as follows.

Openness and transparency is the basic characteristic of a law-based government. Comprehensively promoting open government and letting power run under sunshine is of great significance in developing socialist democracy, improving the national governance ability, enhancing the government's creditability and executive force, and ensuring the people's right to know, right to participate, right to express and right to supervise. Attaching great importance to open government, the Party Central Committee and the State Council has made a series of major plans, which governments at all levels earnestly implemented, and as a result, the open government endeavor has yielded positive results. However, as compared with the people's expectations, and with the requirement of building a law-based government, some problems still remain, e.g. the concept of openness is not in place, the system regulation is imperfect, the effort is not strong enough, and the actual effect of open government is unsatisfactory. In order to further carry out the open government work at present and in the future, the following opinions are put forward.

### **I. Overall requirements for comprehensively promoting open government**

(I) Guiding thought. Earnestly implement the spirit of the Eighteenth National Congress of the Communist Party of China and the Third, Fourth and Fifth Plenary Sessions of the 18<sup>th</sup> Central Committee of the Communist Party of China, deeply carry through the spirit of a series of important speeches made by President Xi Jinping, closely around the "four-comprehensive" strategic layout, firmly establish the development philosophy of innovation, coordination, greenness, openness and sharing, go deep into the promotion of law-based administration, fully implement relevant regulations of the Party Central Committee and the State Council regarding decision deployment and government information disclosure, insist the principle of "disclosure is the norm, while non-disclosure is the exception", promote the openness of administrative

decision making, execution, management, services and results, boost streamlining of administration and decentralization which is combined with control, optimize services reform, and stimulate vitality of the market and creativity of the people, in order to build a law-based government, an innovative government, a clean government, and a service-oriented government.

(II) Basic principles. Promote implementation, standardization and service by means of openness, closely around economic and social development and people's attentions & concerns. Clearly define the entity, content, standard, mode and procedure of open government according to laws and regulations and promote the disclosure of power list, responsibility list and negative list at a quicker pace. Stick to reform and innovation and pay attention to elaboration and operability to seek for substantial effects of openness which people can see, understand and supervise. Oriented to social demands, with news media as the carrier, carry out the "Internet+ government", expand engagement of the public, and promote effective administration by the government.

(III) Working goals. By 2020, the endeavor of open government will generally reach a new level, the open government negative list system will be implemented actively and steadily according to law, where the content of disclosure will cover the full process of power operation and the full process of government service, open government will be much more systemized, standardized and informationalized, and more engaged by the public. The government will get more understanding, trust and support from the people by making itself more open and more transparent.

## **II. Promote disclosure and transparency of government affairs**

(IV) Promote open decision-making. Define public participation, expert argumentation, risk assessment, legality review and group discussion and decision as the legal procedures of major administrative decision-making. Implement the major decision pre-disclosure system. Under such a system, for important reform schemes, great policy measures and major engineering projects which involve people's vital interests and which need to be widely known to the public, except for those that should be kept confidential according to law, decision drafts and decision basis should be made available to the public before decision-making, public comments should be widely sought for through hearings and panel discussions, surveys, consultations, media communication, etc., and comment collection and adoption should be announced in a proper way. Explore a system in which interested parties, the public, experts and media can attend relevant conferences of the government as nonvoting delegates to increase decision-making transparency. After a decision is made, decided matters and relevant documents should be made public in a timely manner in accordance with relevant provisions.

(V) Promote open execution. Actively make public the execution measures, implementation steps, division of responsibilities and supervision mode of important reform tasks, great policies and major engineering projects, announce the results and subsequent moves as per the work

progress, listen to the public's comments and suggestions, and strengthen and improve execution, so that execution is in place. Governments at all levels and working departments thereof should do a good job in disclosing the information about problems found in supervision and audit and fulfillment of rectification, and should also disclose, to the public, accountability about nonfeasance and delayed performance and misfeasance, in order to enhance the executive force of implementation.

(VI) Promote open management. Comprehensively promote disclosure of power list, responsibility list and negative list and establish and improve a dynamic list adjustment disclosure mechanism. Carry out the executive law enforcement announcement system, in which governments at all levels should, based on their respective powers of office and functions, on the principle of highlighting key points, compliance with law, orderliness, accuracy and convenience for the people, drive law enforcement departments to make public their duties and authorities, grounds of law enforcement, discretion criteria, law enforcement process, law enforcement results, relief approach, etc., order to standardize administrative discretion and promote justice and equality in law enforcement. Carry out disclosure of supervision information, with the importance attached to the disclosure of information about supervision over work safety, ecological environment, hygiene and epidemic prevention, food and drug, indemnificatory housing, quality and price, land resource, social credit, transportation, tourist market, state-owned enterprises, and trading of public resources. Make public information about distribution and use of fund related to people's livelihood, with the importance attached to implementation of well-targeted poverty alleviation and poverty elimination, and exert greater efforts in disclosing information about the scope of receivers of poverty alleviation support and distribution and use of poverty alleviation fund, which should be under supervision by the public.

(VII) Promote open services. Combine the physical government service center with the online office hall to make government service more extended on the Internet. All regions and departments shall make service items fully known to the public, prepare and issue affairs-handling guides, simplify and optimize the affairs-handling process, so that it will be more convenient for people to handle government-related affairs in a more understandable and comfortable environment. Announce the list of intermediary services for administrative review and approval and make public the name of projects, grounds for setting, and time limits for services. Carry out the disclosure of information about government's purchase of public services and about services provided through cooperation between government and social capital (PPP). Give great impetus to the disclosure of affairs-handling for enterprises and public institutions. Competent departments for industries shall strengthen classified guidance, organize the preparation of directories of open service items, and formulate and improve specific methods, undertaking the organizing, coordinating, supervising and guiding duties in a true sense. Put through the "last one kilometer" in the contact and service between the government and the people by maximizing conveniences for enterprises and the people in affairs-handling.

(VIII) Promote open results. Administrative organs at all levels shall actively make public the implementation of major decisions and great policies and exert greater efforts in disclosing the results of implementation of decisions and plans of the Party Central Committee and the State Council. Promote the disclosure of implementation of development plans, government work reports and government decisions, with the importance attached to the disclosure of matters about development goals, reform tasks and livelihood-related measures. Establish and improve the major decision tracking, feedback and evaluation system, and by using many emphasized methods such as third party evaluation, professional institution appraisal and public opinion survey, evaluate the results of policy implementation in a scientific way to increase the reliability of results disclosure, in order to win the trust of the people with real results.

(IX) Promote information disclosure in key fields. Exert great effort in promoting government information disclosure in fields such as approval and implementation of fiscal budgets and final accounts, public resource allocation, major construction projects, and construction of social and public welfare undertakings. Relevant departments shall formulate implementation methods and clearly define specific requirements. Administrative organs at all levels shall announce all normative documents regarding rights and obligations of citizens, legal persons or other organizations in accordance with government information disclosure requirements and procedures. The result of clearing of normative documents shall be made known to the public. Strengthen the release of information about abrupt events, public security and major epidemic situations. Regions and departments responsible for disposition shall be the first responsible person who shall respond quickly and issue information according to progress dynamics of disposition in a timely manner.

### **III. Expand participation in open government**

(X) Promote openness of government data. Implement government data resource list management according to the requirements of the “Promote Big Data Development” action outline, accelerate the construction of the national unified government data disclosure platform, prepare the disclosure directory and data collection standard, and steadily promote government data sharing and disclosure. Give priority to the promotion of orderly disclosure of government data in the fields including people’s livelihood guarantee, public service and market supervision to the public. Formulate policy opinions on steadily promoting the openness of public information resources. Support and encourage social forces in fully developing and utilizing government’s data resources and promote crowd-creating, crowd-sourcing, crowd-supporting and crowd-funding, to provide conditions for the masses to start businesses and make innovations.

(XI) Strengthen policy interpretation. Consider and arrange policy interpretation and policy formulation simultaneously. All regions and departments shall give play to people who participate in policy-making and experts and scholars who are familiar with relevant policies and business in relevant fields and the news media, and pay attention to the use of digitization, charts & diagrams, and videos & audios, in order to make policy interpretation more targeted, scientific

and authoritative. Policies and regulations with wide coverage, focused social attention, implementation difficulties and strong specialization shall be well interpreted through news release, policy briefing, interview and article publication, where the background, target and key points of policies shall be explained profoundly in simple terms. Governments of provinces (autonomous regions and municipalities directly under the State Council) and all departments of the State Council shall interpret policies by fully making use of press conferences and policy briefings; leading cadres shall take the lead in policy preaching, particularly in case of major sudden events and import social concerns, where the principals shall take the lead in giving interviews to news media, defining their position, giving out authoritative sound, i.e. acting properly as the “first news spokesperson”. News media, news websites and research institutions shall do a good job in interpreting major policies of the Party Central Committee and the State Council.

(XII) Expand public engagement. Through open government, the public will be made more engaged in policy making, execution and supervision, and public wisdoms will be converged to for policy implementation, so that policy and work will be improved constantly. Study and explore the categories of matters in which people at different levels and in different fields can participate and the way of such participation, build a government-people interaction platform, by which the government can seek comments and suggestions from the people and know the needs of the people, thus to increase the public’s recognition and support for government work. Actively explore new modes of public engagement by making full use of the Internet advantages to quicken the government’s response in terms of public policy-making, public management and public service.

(XIII) Respond to social concerns. Establish and improve a mechanism for collecting, studying/judging, disposing and responding to public opinions about government affairs, strengthen supervision over responses to public opinions about significant government affairs, and conduct result evaluation. For hot issues involving a region and a department, such as important public opinion about government affairs, media concerns, and sudden events, authoritative information shall be released in accordance with relevant procedures in a timely manner, clarifying the facts, policy measures and disposition results, which is the right way to respond to concerns. Define the one responsible for response according to laws and rules and put responsibilities in place to ensure that sounds will be made and accountability will be fulfilled in case of major sudden events and social hot issues.

(XIV) Give play to media. See news media as the bridge linking the party and the government with the people. Use main news media to release information in a timely manner, to interpret policies, and to lead social opinion. Provide opportunities for principals of central and local media and news websites to attend important activities and know major decisions; put through the interview channel and facilitate media interviews actively. At the same time, give play to the website transmission and social influence of news websites, commercial websites and

new media such as MicroBlog, WeChat and mobile client, to increase pertinence and effectiveness of publicity and guidance.

#### **IV. Increase open government capacity**

(XV) Improve institutional norms. Establish and improve the open government system, attach importance to escalating results of government practice to institutional norms, and adjust and clear provisions which are not suitable for the situation. Amend government information disclosure regulations and improve provisions about active information disclosure and information disclosure on request. Establish a mechanism that "openness promotes law-based administration", facilitating relevant departments to solve issues such as irregular administrative act. Establish and improve standards regarding the content, process, platform and time limit of disclosure of government affairs. Promote standardization of government service centers, unifying the name, identification, stationed department, matters handled, and management service, etc. Formulate government website development guide, clearly defining functional orientation, column setting and content assurance and other requirements.

(XVI) Establish the open government's negative list. Governments of all provinces (autonomous regions and municipalities directly under the State Council) and departments of the State Council shall formulate the open government's negative list actively and steadily according to law, detailing the scope of non-disclosure, and including matters that may endanger national security, economic security, public security and social stability after being made public into the negative list, which shall be adjusted and updated in time. The negative list shall be detailed and specific, and convenient for inspection and supervision; matters outside the negative list shall generally be made public according to laws and rules. Improve the "confidentiality review before disclosure" mechanism, standardize the confidentiality examination procedures, and properly handle the relationship between disclosing government affairs and keeping confidentiality; for matters which should be kept confidential according to law, concrete measures shall be taken to keep them confidential.

(XVII) Elevate the informatization level. Elevate the informatization and centralization level of open government by actively making use of big data, cloud computation, mobile internet and other information technology. Accelerate the promotion of "Internet + government", construct the Internet-based integrated government service system, and carry out online consulting, online handling and electronic supervision of examination & approval and services through information sharing, interconnection and business coordination to facilitate enterprises and the people. Promote interconnection and sharing of credit information and promote the construction of "credible China". Expand information spreading, carry out online services and strengthen user experience by making full use of government-related MicroBlog and WeChat, government-related client side, and other new platforms.

(XVIII) Strengthen the construction of government web portals. Strengthen the role of government web portals as first platform for information disclosure, integrate government web information resources, strengthen coordination and linkage among websites of governments at all levels, strengthen linkage with main news media, main news websites and major commercial websites at the central and local level, fully utilize new media means to expand information communication channels, improve functions and systems, strengthen content and technology assurance, build government websites into a platform for more comprehensive information disclosure, a platform for more authoritative policy release and interpretation and public opinion guidance, and a platform for more timely responses to concerns and convenient services for the people.

(XIX) Conduct education and training properly. Governments at all levels shall include open government into the collection of subjects for civil servant training, and strengthen training for working staffs in administrative organs especially cadres by relying on party schools, administrative colleges, cadre colleges and other cadre education and training institutions at all levels, in order to enhance their sense of openness, and increase their ability of releasing information, interpreting policies, and responding to concerns. Make work training plans, carefully arrange training subjects and contents and organize and implement the plans by level and by layer. Try hard to make all staff members working for open government around the China trained and support staff members working for open government in receiving continued education. The competent education department shall encourage higher learning institutions to start open government courses to train professional personnel specialized in open government.

## **V. Strengthen supporting measures**

(XX) Strengthen organization and leadership. Party committees and governments at all levels shall pay high attention to disclosure of government affairs. Governments at all levels shall, under centralized leadership of the party committee, take the lead in disclosing government affairs, for which a government leader shall be designated to undertake the duty, the coordination mechanism shall be established and improved, division of work shall be clearly defined, and concrete measures shall be taken to yield real results. Governments at all levels and the offices of their working departments shall serve as the competent departments for open government, specifically responsible for organizing, coordinating, guiding, boosting, supervising and inspecting open government work in their regions and systems. They shall integrate forces and resources in terms of open government, strengthen communication and coordination with news media and news websites, and properly conduct planning and guiding on the whole; further rationalize the mechanism, clearly define the working organ, and provide a complete range of full-time workers for this purpose. If conditions permit, open government, government service, government data disclosure and public resource transaction supervision and management shall be considered as a whole and boosted in a coordinated way. The fund guarantee for open government shall be strengthened to create conditions for this work to go on smoothly.

Introduction of social resources and purchase of services and other modes shall be encouraged to improve the professional level of open government.

(XXI) Strengthen assessment supervision. Include open government work into the performance assessment system and increase its score weight. Encourage and support third party institutions to assess the quality and result of open government independently and fairly. News media and government websites shall be guided to do a good job in releasing government information, interpreting policies, and responding to concerns. Give full play to the role of NPC members, CPPCC members, democratic parties, mass organizations, the public and news media in supervising open government. Strengthen incentives and accountability. Those who perform well in implementing open government work shall be commended in accordance with relevant provisions, while those who perform poorly in this regard shall be criticized with circulated notice; for those who violate provisions regarding open government, fail to perform disclosure obligations or disclose matters which should not be disclosed, resulting in serious consequences, punishments shall be imposed for the responsibilities according to relevant laws and rules.

The General Office of the State Council will formulate relevant implementing rules according to these opinions. All regions and all departments shall, in light of their actual situations, specific implementation measures, elaborate task actions, clearly define well-divided responsibilities, and take concrete steps to yield real results.