

## **Summary of the 2009 Annual Report on China's Administrative Transparency<sup>1</sup>**

**Beijing University Center for Public Participation Studies and Supports  
September 28, 2010**

### **Open Government Information (OGI) Watch Process: The Origins**

#### **May 2008**

Immediately after the promulgation and implementation of the Regulations on Open Government Information (the Regulations), the Center for Public Participation Studies and Supports (the Center) launched, in collaboration with the Ford Foundation, the project of "Open Government Information Public Support" (OGIPS). During the yearlong implementation of that project, the Center set up the first free telephone hotline service for open government information (OGI) consultations in China, responded to over 800 telephone inquiries, organized grassroots training courses on OGI deep inside the provinces of Jiangsu, Guangdong, Yunnan, etc., held a launch ceremony for the hotline, conducted a national round table on the implementation of the Regulations, and held project-concluding seminars. The researchers at the Center jointly launched the request for information disclosure on toll-collections of the Capital Airport Highway, triggering extensive responses among society.

#### **Spring 2009**

The Center organized academic teams to develop the Open Government Information Assessment System, and wrote the 2008 Annual Report on China's Administrative Transparency. This assessment project used a streamlined index system containing 27 indicators developed by the Center itself, which helped shape the project of China's Open Government Information Watch.

#### **Autumn 2009**

The Center launched, in collaboration with The China Law Center of Yale Law School, the Open Government Information Watch Alliance (OGIWA) project.

#### **Late November 2009**

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<sup>1</sup> This is a translation of the executive summary in Chinese released by the OGIWA project of the Center for Public Participation Studies and Supports (CPPSS) at Beijing University Law School on September 28, 2010 at a press conference about the project and the report's release. It is available on the CPPSS website at <http://www.cppss.cn/admin/WebEdit/UploadFile/2010929153120568.doc>.

The Open Government Information Index Assessment Center was officially established.

### **OGI Watch Process: The Preparation**

Within the Center, the project was mainly the responsibility of the team of the Open Government Information Index Assessment Center, which had two sub-teams under it: One was the Research and Development (R&D) Sub-team, which was in charge of developing the China OGI Index Assessment System and coordinating the compilation of the *Watch Report*; the other was the Editing Sub-team, which was in charge of developing the *Citizens' Guide on Open Government Information* and editing the monthly *Transparency* magazine. In the localities, the project was implemented by seven different universities, with each one responsible for a different sector or region.<sup>2</sup>

The taskforce of the China University of Political Science and Law was responsible for assessing and supporting the work of the relevant agencies under the State Council;

The taskforce of Qinghua University was responsible for assessing and supporting the work of the North China Region [Beijing, Tianjin, Hebei, Shanxi, Inner Mongolia];

The taskforce of Jilin University was responsible for assessing and supporting the work of the Northeast China Region [Heilongjiang, Jilin, Liaoning];

The taskforce of the Northwest University of Political Science and Law was responsible for assessing and supporting the work of the Northwest China Region [Xinjiang, Gansu, Ningxia, Shaanxi, Qinghai];

The taskforce of Zhejiang Industry and Commerce University was responsible for assessing and supporting the work of the East China Region [Zhejiang, Fujian, Jiangxi, Anhui, Shanghai, Shandong, Jiangsu];

The taskforce of Sichuan University was responsible for assessing and supporting the work of the Southwest China Region [Sichuan, Chongqing, Yunnan, Guizhou]; and

The taskforce of Guangdong Foreign Language and Foreign Trade University was responsible for assessing and supporting the work of the South-central China Region [Henan, Hubei, Hunan, Guangxi, Guangdong, Hainan].

### **Watch Process: The Activities**

Major activities of the project were:

- To align relevant universities in forming project implementation taskforces;
- To develop the China Open Government Information Index Assessment System;
- To write the *OGI Watch Report*;
- To develop the *Citizens' Guide on Open Government Information*;
- To set up an Open Government Information Public Support Network to provide the public with legal support; and
- To edit the monthly *Transparency* magazine, and track and sum up the progress and

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<sup>2</sup> The regions for this project were defined in the OGI Index Assessment System, as adjusted and set forth in the 2009 Watch Report on China's Administrative Transparency.

experiences in building transparent government in China.

## **Watch Process: The Activities**

### **Research and Development of a New Version of the China Open Government Information Assessment Index System**

From late September to December 2009, the R&D Team organized by the Center held 10 back-to-back workshops, comprehensively studied the OGI evaluation methods used by governments and civil society both at home and abroad, and published a collection of the ten outcome papers. The team came up with a Proposed Draft of the index system at the end of 2009. In January 2010, the Center and the Yale China Law Center jointly held a seminar on the Development of the Open Government Information Assessment Index that brought together relevant experts from United States, India, South Africa and Sri Lanka, and focused on the discussion and revision of the proposed Draft, based on which a text was finalized in April 2010 as a result of several more months of polishing and fine-tuning.

### **The Submission of Test Requests for Open Government Information**

Pursuant to the requirements of the China Open Government Information Index System, the taskforces submitted to relevant governmental departments a total of 850 requests for open government information, among which:

- The taskforce of China University of Political Science and Law submitted 5 requests to each of the 43 relevant agencies under the State Council, totaling 215 requests;
- The taskforce of Qinghua University submitted 5 requests to each of the 6 provinces in the North China Region and each of the 18 counties and districts in the City of Beijing, totaling 120 requests;
- The taskforce of Jilin University submitted 5 requests to each of the 5 provinces in the Northeast China Region, each of the 9 prefectures and cities in Jilin Province, and each of the 17 prefectures and cities in Shandong Province, totaling 155 requests;
- The taskforce of the Northwest University of Political Science and Law submitted 5 requests to each of the 5 provinces in the Northwest China Region, totaling 25 requests;
- The taskforce of Zhejiang University of Industry and Commerce submitted 5 requests to each of the 5 provinces in the East China Region and each of the 11 prefectures and cities in Zhejiang Province, totaling 80 requests;
- The taskforce of Sichuan University submitted 5 requests to each of the 4 provinces in the Southwest China Region and each of the 21 prefectures and cities in Sichuan Province, totaling 125 requests; and

- The taskforce of Guangdong Foreign Languages and Foreign Trade University submitted 5 requests to each of the 5 provinces in the South-central China Region, and each of the 21 prefectures and cities in Guangdong Province, totaling 130 requests.

### **The Undertaking of Surveys and Research by the Administrative Transparency Watch**

Members of the taskforce of Qinghua University visited most of the administrative districts in the City of Beijing except Miyun and Yanqing, and most of the provinces of the North China Region, and had exchanges with local OGI staffers and OGI requesters.

The taskforce of Sichuan University carried out actual surveys and study at the Municipal Government Service Center of the City of Chengdu on May 15, 2010, and at the Provincial Government Service Center of the Province of Sichuan on May 21, and produced the Survey and Study Report on the Municipal Government Service Center of the City of Chengdu and the Survey and Study Report Concerning the Provincial Government Service Center of the Province of Sichuan.

From April to June of this year, the taskforce of Jilin University carried out consultations and studies in the Provincial Government Activities Hall of the Province of Jilin, the Municipal Open Government Center of the City of Changchun, the site of the Provincial Open Government Service of the Province of Liaoning, the General Office of the Provincial Government of Jilin, the Intermediary People's Court of the City of Shenyang, the Gongcheng Law Firm in the City of Jilin, and the Law and Regulation Division and the Office of Administrative Examination and Approval of the Jilin Province Transportation Department.

In June 2010, the taskforce of Northwest University of Political Science and Law carried out actual survey and study at the Provincial Open Government Affairs Hall of the Province of Shaanxi, the Shaanxi Provincial Library, and the Administrative Committee of the Qujiang New District in the City of Xian, and produced written reports.

In April 2010, the taskforce of Guangdong Foreign Languages and Foreign Trade University carried out actual study on the work of open government information in the City of Qingyuan, Guangdong Province, and conducted telephone interviews.

### **Provision of OGI Legal Support**

In the spring of 2010, the 8 universities involved in this project jointly set up the OGI Legal Support Network to provide, through letters, emails and/or hotline telephone calls, legal advice, legal assistance and other legal support.

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### **Drafting of the Citizens' Guide on Open Government Information**

As the core of legal support activities, the Center wrote the book *Citizens' Guide on Open Government Information*, totaling more than 100,000 Chinese characters. This *Guide* not only presented in detail the two major channels for disclosing government information, namely disclosure of government information on the government's own initiative and on request, but also provided specific guidance on open government information in areas of great interest, such as land use and education. It provided a comprehensive vision of building open government across China by connecting the dots of open government affairs, open Party affairs, open factory management, and open village operations, thus helping the citizens acquire a comprehensive understanding of their right to know. Upon its completion, the *Guide* was used as a basis for training new members of the taskforces as well as a reference for various legal support activities. Close to 2,000 copies of the *Citizens' Guide on Open Government Information* are planned to be printed and distributed to relevant departments, social organizations and needy citizens, and its electronic version will be provided on the website of the Center for download free of charge.<sup>3</sup>

### **Editing and Publishing *Transparency* magazine**

In November 2009, the Center launched the publication of the monthly *Transparency* magazine, which had published seven issues by July 2010. The magazine has six major regular columns. They are:

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<sup>3</sup>Available in Chinese only at: [http://www.cppss.cn/news\\_body.asp?id=808](http://www.cppss.cn/news_body.asp?id=808).

- “The Top Leadership,” which covers the latest statements and directives made by the top Chinese leadership on building transparent government in China;
- “The System,” which provides information on the systemic development of China’s transparent government, focusing on situations of “establishing the rules and setting up the systems”;
- “The Message Carriers,” which provides information on the development of channels for carrying messages of building transparent government such as public hearings, government websites, networked spokespersons, etc.
- “Case Studies,” which covers individual cases concerning the building of transparent government in China. It was mainly focused on the request for and lawsuit about open government information. It also pays attention to individual innovative practices that have not been institutionalized.
- “The Focus,” which covers in a comprehensive way individual specific major themes of the building of transparent government; and
- “About Us,” which provides information on the progress we in the Center have made in open government information projects, and publishes selected feedback.

#### **OGI Watch Method: The Targets of Assessment**

The targets of assessment in the 2009 Annual Report on China’s Administrative Transparency (sometimes called the Watch Report) were of three types: first, 43 selected agencies under the State Council; second, the 30 provinces (including autonomous regions and municipalities under the direct jurisdiction of the State Council) excluding Hong Kong, Macao, Taiwan and Tibet; third, all 97 administrative units at the prefectural and city level in the six pilot provinces (and municipalities under the direct jurisdiction of the State Council) of Beijing, Jilin, Shandong, Zhejiang, Guangdong and Sichuan. The total number of targets of assessment was 170.

#### **OGI Watch Method: The Index System**

Proceeding from the provisions of the Regulations themselves and the practical necessity and assessment possibility, the new version of the assessment system adopted an index system with a total of 100 points. It has two sub-versions: the local government version and the State Council agency version, which have slightly different contents. The local government version has a total of 5 primary indicators, 15 secondary indicators and 40 tertiary indicators with a total of 100 points, and the State Council agency version has a total of 5 primary indicators, 15 secondary indicators and 37 tertiary indicators, also with a total of 100 points.

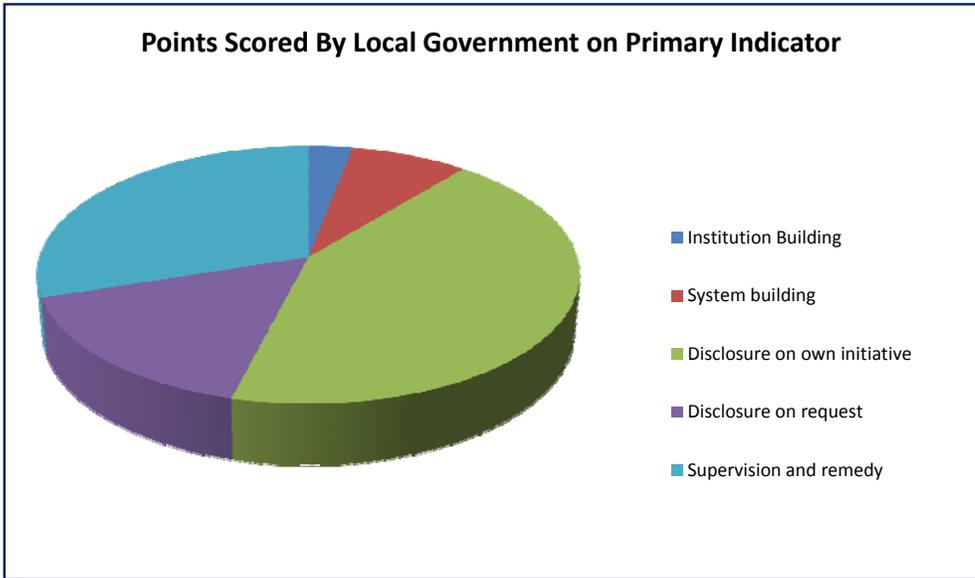
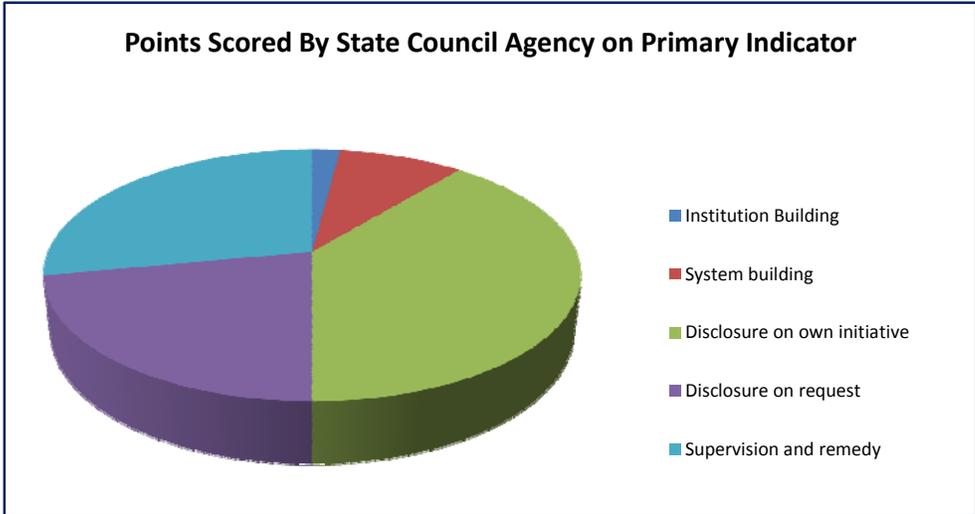


Figure 1. Distribution of Weights on Primary Indicators in the Assessment System

**OGI Watch Method: The Tools**

Two tools are employed in this assessment project: data retrieval and actual measurement. Among all 40 tertiary indicators in the local government version, the information needed for 32 indicators was obtained through data retrieval such as searching 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 37 tertiary indicators in the State Council agency version, the information needed for 29 indicators was obtained through data retrieval such as searching 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.

### OGI Watch Results: The General Ranking of Localities

Ranking	Province	Institution Building	System Building	Disclosure on Govt.'s Own Initiative	Disclosure On Request	Supervision & Remedy	Total Score
1	Beijing	2	2	39	14	19.5	76.5
2	Tianjin	2	2	34	16	21.5	75.5
3	Guangdong	3	6	29.5	12	23.5	74
4	Shanghai	3	8	33.5	12	16	72.5
5	Shaanxi	1.5	4	32	13	17	67.5
6	Guangxi	3	8	32.5	5	16.5	65
6	Sichuan	1.5	6	30.5	5	22	65
8	Hunan	2	6	34.5	2.5	19	64
9	Chongqing	2.5	6	34.5	5	15.5	63.5
10	Hubei	0.5	4	32	7	19	62.5
11	Jiangsu	3	4	30.5	8	16	61.5
12	Hebei	1	6	30	6	17	60

### OGI Watch Results: The General Ranking of State Council Departments and Commissions (“Agencies”)

Ranking	Agency	Institution Building	System Building	Disclosure on Its Own initiative	Disclosure on Request	Supervision & Remedy	Total Score
1	Bank Regulatory Commission	1.5	8	28.5	12.5	10.5	61
2	Ministry of Commerce	1.5	8	17	18.5	15	60
3	General Administration of Customs	1	8	23	17.5	9.5	59
4	Family Planning Commission	1.5	8	17.5	17.5	11.5	56
5	Ministry of Finance	1.5	8	23	13	8.5	54
6	Ministry of Civil Affairs	1.5	8	19.5	15.5	9	53.5
7	General Administration of Quality Supervision	1	8	18.5	16.5	9	53
8	Ministry of Education	1.5	8	17.5	17.5	8	52.5
8	Ministry of Agriculture	1.5	9	17	13.5	11.5	52.5
10	Ministry of Land Resources	1.5	9	21	10	10.5	52
10	State Assets Commission	1.5	8	17	16.5	9	52

### OGI Watch Results: The Comparison between Provinces and Agencies

Items of Comparison	Provincial Administrative Units	State Council Agencies	Difference
Rate of Passing	40.00%	4.70%	+35.3%
Average Points	57.4	46.1	+11.3
Median Points	57	47.5	+9.5

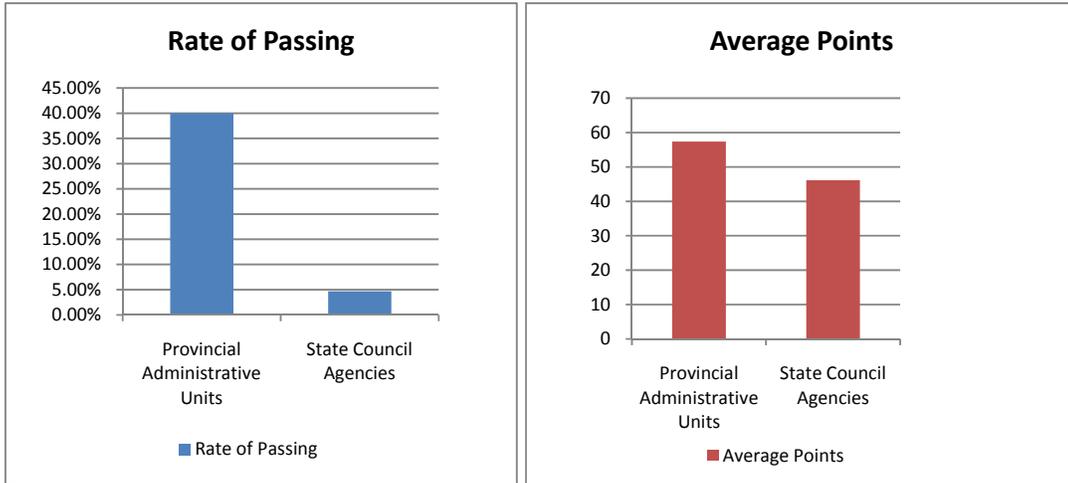


Figure 2. The Passing Rate and Average Points of Localities and State Council Agencies

### Why are Provinces Stronger and Central Government Agencies are Weaker?

The distribution of scoring disparities shows that the provinces were stronger in all high, medium and low points sectors.

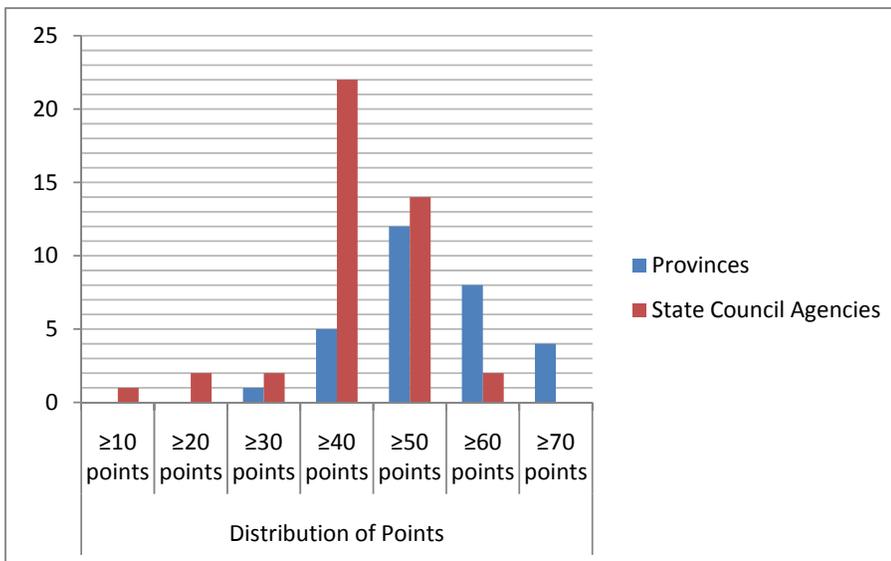


Figure 3. Distribution of points scored by localities and State Council agencies

The scoring disparity on primary indicators shows that, generally speaking, each side has its own strengths and weaknesses, but the provinces have decisive advantages in the two primary indicators that are given the heaviest weights: disclosure of information on the government’s own initiative, and supervision and remedy.

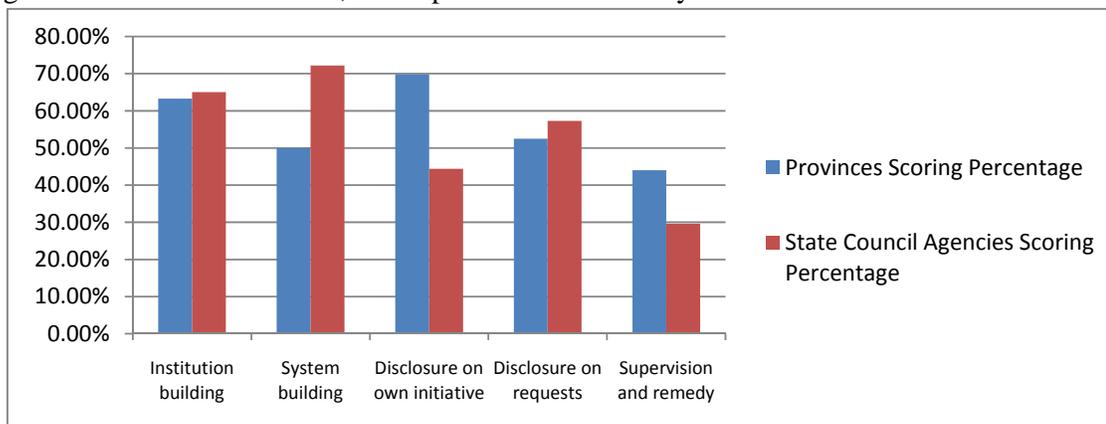


Figure 4. Rate of Scoring on primary indicators by localities and State Council agencies

### OGI Watch Results: Comparison among Regions

Region	Province	Average ranking
Northeast	Heilongjiang, Jilin, Liaoning	17.7
North	Beijing, Tianjin, Hebei, Shanxi, Inner Mongolia	13.4
Northwest	Shaanxi, Gansu, Ningxia, Qinghai, Xinjiang	22.0
Southwest	Sichuan, Chongqing, Guizhou, Yunnan	13.5
South-central	Henan, Hubei, Hunan, Guangxi, Guangdong, Hainan	11.5
East	Shandong, Jiangsu, Shanghai, Zhejiang, Fujian, Anhui, Jiangxi	15.6



**OGI Watch Results: Comparison between the Performance of a Province and Its Subordinate Prefectures and Cities**

	Total Score	Institution Building	System Building	Disclosure on Its Own Initiative	Disclosure on Request	Supervision & Remedy
Guangdong Province	74	3	6	29.5	12	23.5
All Cities Average	47.9	1.9	2.6	26.1	7.5	9.8
Difference	+24.1	+1.1	+3.4	+3.4	+4.5	+13.7

	Total Score	Institution Building	System Building	Disclosure on Its Own Initiative	Disclosure on Request	Supervision & Remedy
Beijing	76.5	2	2	39	14	19.5
All Provinces Average	55.1	2.3	2.3	26.1	12.7	11.7
Difference	+21.4	-0.3	-0.3	+12.9	+1.3	+7.8

	Total Score	Institution Building	System Building	Disclosure on Its Own Initiative	Disclosure on Request	Supervision & Remedy
Zhejiang Province	53.5	0.5	0	31	13	9
All Cities Average	57.8	1.5	4.7	28	11.1	12.3
Difference	-4.3	-1	-4.7	+3	+1.9	-3.3

	Total Score	Institution Building	System Building	Disclosure on Its Own Initiative	Disclosure on Request	Supervision & Remedy
Sichuan Province	65	1.5	6	30.5	5	22
All Cities Average	48.6	1.8	2.7	25.7	6	12.4
Difference	+16.4	-0.3	+3.3	+4.8	-1	+9.6

	Total Score	Institution Building	System Building	Disclosure on Its Own Initiative	Disclosure on Request	Supervision & Remedy
Jilin Province	54.5	2.5	6	30	4	12
All Cities Average	31.5	1.7	1.6	19.4	1.8	7
Difference	+23	+0.8	+4.4	+10.6	+2.2	+5

	Total Score	Institution Building	System Building	Disclosure on Its Own Initiative	Disclosure on Request	Supervision & Remedy
Shandong Province	46	0.5	2	32	5	6.5
All Cities Average	40.7	1.2	3.2	23.6	3.3	9.3
Difference	+5.3	-0.7	-1.2	+8.4	+1.7	-2.8

Compared with their subordinate prefectures and cities, the provinces generally had dominantly higher total scores, leading by 10 or more than 20 points, except in one single case (Zhejiang Province) where the total score of the province was less than that of the prefectures and cities within it. In terms of primary indicators, the advantages of the provinces were so dominant that the provinces were able to lead in scoring on all the primary indicators. This demonstrates the top-down nature of the disclosure of government information, and the associated situation in which OGI resources are concentrated in governments at higher levels. While the center of demand for OGI was at the grassroots level, the center of resources for OGI was at higher levels. The tension between the two has to be addressed urgently.

### **OGI Watch Results: Points Scored on Primary Indicators by Provinces**

#### **Primary Indicator A: Institution Building**

Points Scored	3.00	2.50	2.00	1.50	1.00	0.50
Number of Provinces	7	5	7	3	4	4

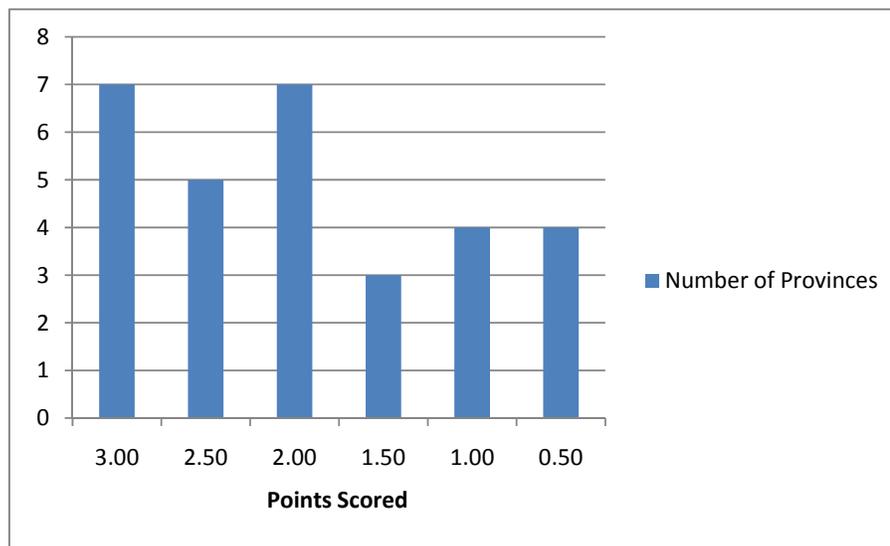


Figure 6. Distribution of Points Scored By Localities on Institution Building

## **Causes of Scoring Disparities [in Primary Indicator A, Institution Building]**

First, Indicator A01 aims at examining “if the level of leadership over the OGI deliberative and coordinative body was higher than that of the corresponding department in charge.” In this regard, all the provinces that scored 100% have not only set up deliberative and coordinative bodies, but the level of leadership of all those bodies is also higher than that of the corresponding departments in charge, which were normally at the level of the General Office of the Provincial Government. In contrast, none of the four provinces at the bottom scored on this indicator, either due to having not set up such deliberative and coordinative body at all (Shandong Province), or because the level of such a body was not clear (Zhejiang Province) or the level of leadership of such a body was equal to that of the relevant department in charge (Hubei Province and Xinjiang Autonomous Region).

Second: Indicator A02 aims at examining “if the government has set up a separate organ specializing in the work of open government information”. In this regard, all the provinces that scored 100% had set up separate organs specializing in the work of open government information, but none of the provinces at the bottom had set up such specialized organs. They either made a general rule of letting the General Office of the Provincial Government be in charge of OGI work (Hubei and Zhejiang Provinces) or simply put the “hat” of OGI affairs on the existing E-Government Office of the Provincial Government (Shandong Province and Xinjiang Autonomous Region), thus scoring only 0.5 points on this indicator.

Third: Indicator A03 aims at examining “if the government has full-time staff in charge of the work of open government information.” In this regard, all the provinces that scored 100% had full-time OGI staff, whereas the provinces at the bottom either had no full-time OGI staff (Xinjiang Autonomous Region), or no information about such staff could be accessed (Hubei, Zhejiang, and Shandong Provinces), thus scoring no points.

### **Best Practice Example**

A best practice example of this primary indicator was the City of Shanghai. Shanghai has set up a joint conference on open government information as its deliberative and coordinative organ with a member of the Standing Committee of the Municipal Party Committee, the executive deputy mayor, as its chief facilitator, whose administrative level was higher than that of the department in charge (the General Office of the Municipal Government). In 2009, the new “3 point program” issued by the General Office of the Municipal Government clarified the duties and responsibilities on open government information, and established an additional organ, the Division of Open Government Information, as the specialized organ in charge of OGI operations. According to the 2009 Annual Report on the Work of Open Government Information in the City of Shanghai, the number of full-time staff for the work of open government information had already reached 165.

### **Primary Indicator B: System Building**

Points Scored	8	6	4	2	0
Number of Provinces	2	10	7	8	3

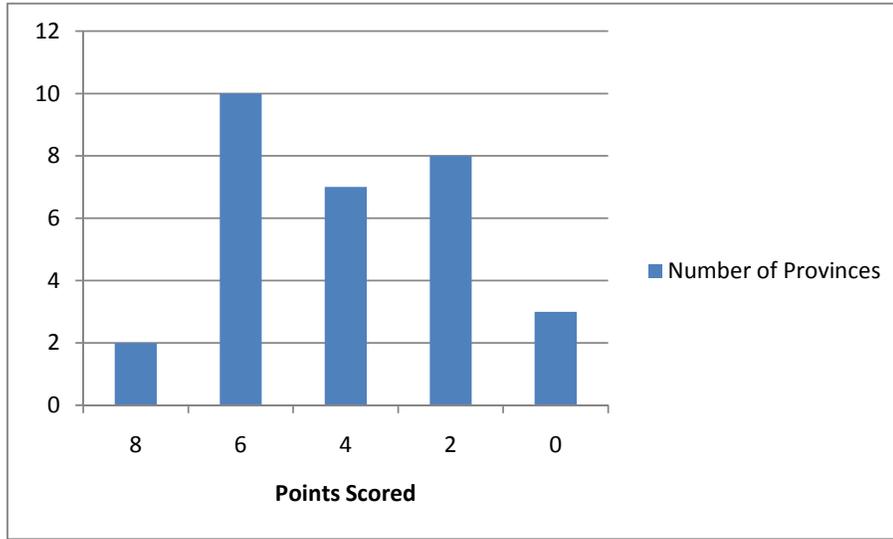


Figure 7. Distribution of Points Scored By Localities on System Building

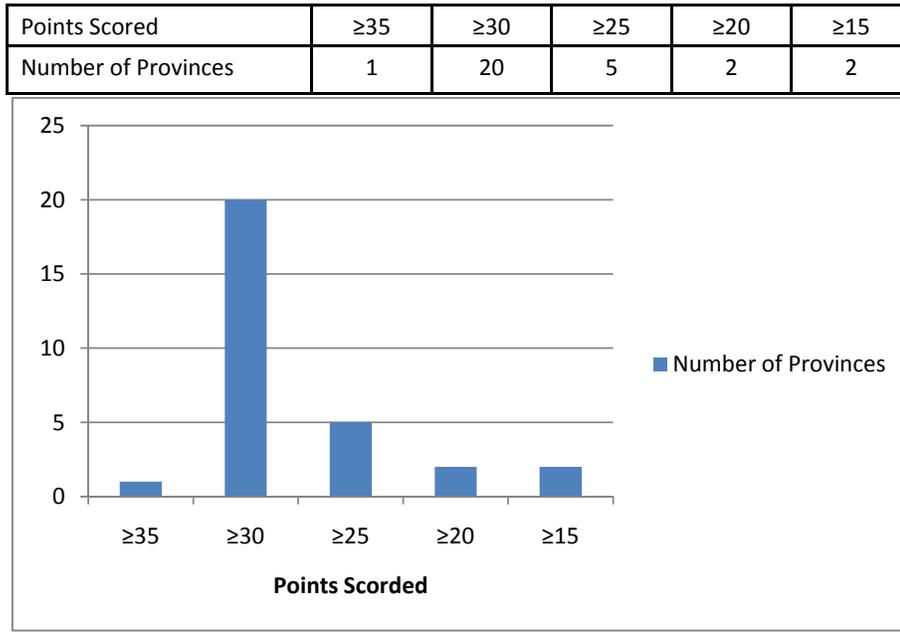
### **Causes for Scoring Disparities [in Primary Indicator B, System Building]**

Among all the 30 provinces, Shanghai and Guangxi scored 100% on this indicator whereas Yunnan, Zhejiang and Inner-Mongolia scored zero. The three tertiary indicators under this primary indicator are aimed respectively at examining the codification of integrated OGI regulations, special regulations on secrecy examination and special regulations on archives management and openness. Points were awarded as long as corresponding documents had been issued. The lagging scores of the bottom point-scorers in this regard reflect the absence of key regulations on open government information as well as the backwardness of system coordination.

### **Best Practice Example**

A best practice example of this primary indicator was the Guangxi Zhuang Autonomous Region. Guangxi formulated the Guangxi Zhuang Autonomous Region Open Government Information System (For Trial Implementation) on September 15, 2008, published and implemented the Guangxi Zhuang Autonomous Region Interim Measures for OGI Secrecy Examination on September 1, 2008, and then formulated the Work Provisions on Providing Government Information Disclosed on the Government's Own Initiative to OGI Reading Centers by Administrative Agencies of the Guangxi Zhuang Autonomous Region (For Trial Implementation), thus satisfying the requirements of system building in this assessment process.

**Primary Indicator C: Disclosure on Government’s Own Initiative**



**Figure 8. Distribution of Points Scored by Localities on Disclosure on Government’s Own Initiative**

**Causes for Scoring Disparities [in Primary Indicator C, Disclosure on the Government’s Own Initiative]**

Among all the 30 provinces, the highest scorers top down were Beijing (39 points), Chongqing and Hunan (tied at 34.5 points); the lowest scorers from bottom up were Ningxia (19 points), Henan (19.5 points) and Xinjiang (22 points). As this primary indicator involves a host of contents, only the highest scorer Beijing and the lowest scorer Ningxia were selected for comparison, the result of which shows that there are mainly two indicators that caused the decisive gap: one was the secondary indicator concerning the “extensiveness of disclosure on government’s own initiative” (corresponding to the tertiary indicators of C01, C02 and C03); and the other is the tertiary indicators (C09, C10 and C11) concerning website construction contained in the secondary indicator of “user-friendliness of disclosure on government’s own initiative.”

**The “Extensiveness of Disclosure on the Government’s Own Initiative”:**

The Municipal Government of Beijing scored as many as 9 points more than the Government of Ningxia Hui Autonomous Region.

**Information on Administrative Fee Collection (C01)<sup>4</sup>**

The City of Beijing issued the Notice on Circulating 2009 Administrative Fee Collecting Schedules in the City of Beijing, the annex of which contains concrete fee items and their

<sup>4</sup> This was a specific area of investigation chosen for its perceived interest to the public, under the OGI Watch Assessment Index System.

basis and rates, thus scoring the full 5 points.

Ningxia only had published the Provisions on Managing Administrative Fee Collecting in the Ningxia Hui Autonomous Region, which were promulgated more than ten years ago, thus scoring no points.

### **Information on Government Procurement (C03)<sup>5</sup>**

The City of Beijing published its catalogue and standards of government collective procurement for all years (including 2010). The website on Procurement by the Municipal Government of the City of Beijing made public the process of government collective procurement, and was a platform for announcing concrete procurement items. However, none of the websites released the Annual Work Report on Collective Procurement by the Government, and therefore only 4 points were scored on this indicator.

Ningxia: Under the item of “Government Procurement” in the OGI column on the government website, there was only a Notice for Public Tendering on the Construction of the Sanitization Laboratory of the Center for Disease Prevention and Control of Shizuishan City, Ningxia Autonomous Region posted over three years ago. Therefore no points could be awarded.

### **The “User Friendliness of Disclosure on Government’s Own Initiative:”**

Ningxia scored a total of seven points less than Beijing.

### **The Integration of Government Websites (C09)**

The City of Beijing: Under the column titled “Inquiries about Public Accumulation Fund”, one can find all the information about applying for the Housing Public Accumulation Fund, including the five elements of the conditions for withdrawing from the Fund, the process and procedures, the necessary documents, the organs responsible for processing the applications, and the fees therefore. That is why Beijing was able to score the full 4 points for this indicator.

Ningxia: By typing key words like Housing Public Accumulation Fund, or Public Accumulation Fund in the OGI column of the website of the Government of Ningxia, one cannot retrieve any relevant information and, therefore, no points could be awarded.

### **The Search Function of Government Websites (C10)**

The City of Beijing: There was a search column on the home page of “Windows of the Nation’s Capital,” the website of the Beijing Municipal Government. Actual testing shows that it supports searching by the title, by the whole text, by a vague concept, or by words not contained in titles. Therefore it has scored all the 4 points available for this indicator.

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<sup>5</sup> Id.

Ningxia: There was a search column on the first screen of the home page of the Government of Ningxia website. However, it does not have the function of searching by a vague concept, by the whole text, or by keywords that are not initial words of a title. Only searching by the titles was nominally functional. As a result, it scored only 1 point.

**Best Practice Example**

A best practice example of this primary indicator was the City of Beijing. Only 4 points were deducted from the publication of departmental budgets and final accounts, the publication of annual reports on government procurement, and the classification of government information used in the “Catalogue of Open Government Information,” and Beijing thus scored a total of 39 points. The content of the information disclosed by the Government of Beijing on its own initiative was extensive. In particular, the publication of information on its administrative fee collection was timely and comprehensive. By making clear the time limits for disclosure and setting up a multi-departmental OGI coordinating mechanisms, it ensured the timeliness and accuracy of the information disclosed on the government’s own initiative. The publication of the government gazette was strong in continuity, and detailed in content classification, and it was reader-friendly. Its government website was highly integrated with satisfactory search functions and logical column-design, and fulfilled well the role of being the primary platform for open government information. Its press conference system was institutionalized, and its OGI guide and catalogue are relatively complete as well.

**Primary Indicator D: Disclosure on Request**

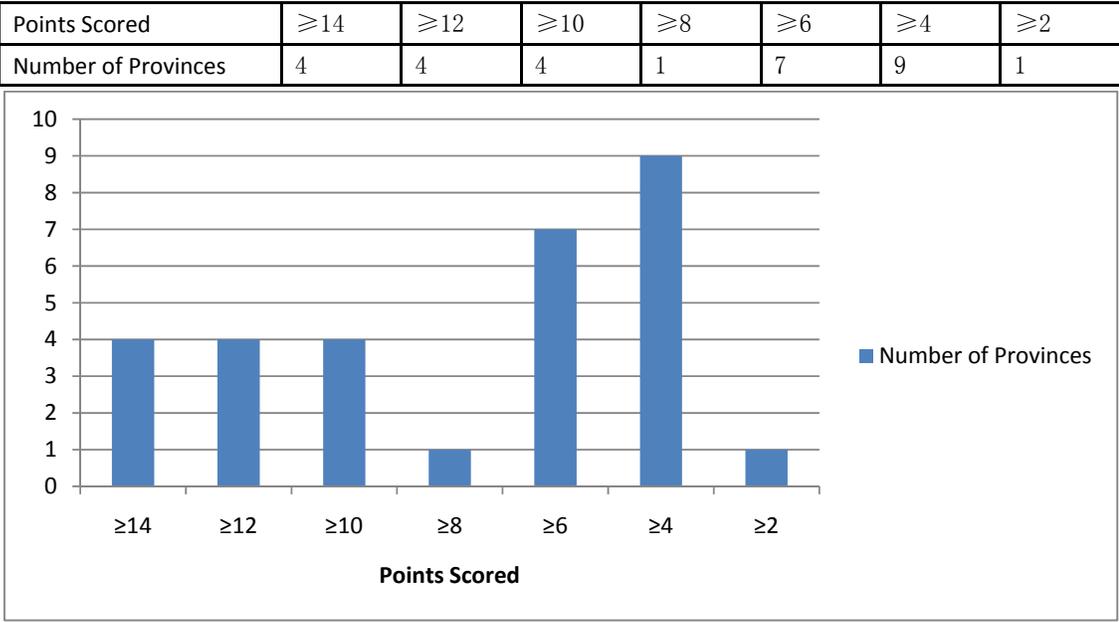


Figure 9. Distribution Of Points Scored By Localities On Disclosure On Request  
 Causes for Scoring Disparity [in Primary Indicator D, Disclosure on Request]

Among all the 30 provinces, only Tianjin and Xinjiang scored 100% on this indicator, although Henan only had a half point deducted. The lowest scorer, Hunan, scored only 2.5 points, whereas Heilongjiang, Jilin, Yunnan and Shanxi scored 4 points each, tied for second place from the bottom. As this primary indicator involves a host of contents, only the highest scorer, the City of Tianjin, and the lowest scorer, the Province of Hunan, were selected for comparison.

The reasons for the gap between the two places are relatively obvious: While the Government of Hunan Province allows making requests online, its relevant functions are still at a testing stage, and this led to point deductions. When submitting a request, one has to provide not only his/her name, ID number and the type of information requested, but also his/her address, telephone number, zip code, certification of a research project, etc. This constituted an over-collection of personal information, and therefore no points can be awarded. Since there was no response whatsoever, no point was given to the indicators aimed at measuring the responses to the test requests including the timeliness of the responses (D03, the legitimacy of the reasons for denying the requests (D04), and the adequacy of explanations of reasons for denying the requests. The proportion of denial among all the requests submitted was over 25%. This also had a negative impact on the scoring.

### **Best Practice Example**

A best practice example of this primary indicator was the City of Tianjin. The column of “Disclosure on Request” on the Municipal Government’s OGI website may be filled out online and submitted for requesting disclosure of government information. And it requires only the name, ID number and contact information of the requester instead of over-collecting personal information. The assessors submitted 5 requests for information disclosure and received responses for all of them within the statutory time limits; the reasons for denying two of the requests were respectively “please contact the Municipal Red Cross Committee” (the information requested was not within the scope of disclosure of the receiving organ), and “the requested content for disclosure was not clear,” evidencing nothing against the law. In addition, the name of the relevant organ and its contact information was provided to the requester for the information the disclosure of which was not within the receiving organ’s scope, and the reasons given are adequately convincing. In 2009, the City of Tianjin responded to 1,728 requests with a denial rate of 12%, way below the reference rate of 25%.

**Primary Indicator E: Supervision and Remedy**

Points Scored	≥25	≥20	≥15	≥10	≥5	≥0
Number of Provinces	0	3	10	7	9	1

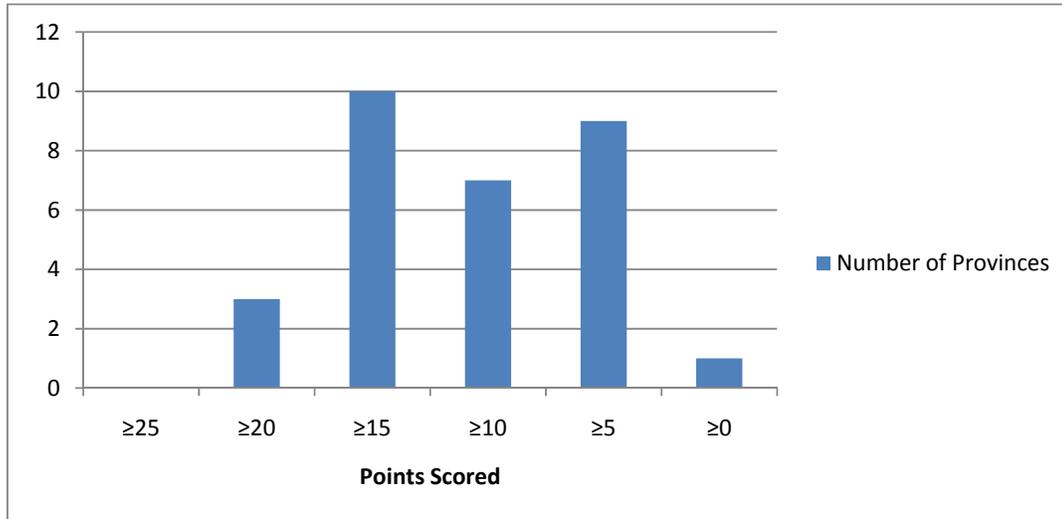


Figure 10. Distribution of Points Scored by Localities on Supervision and Remedy

**Causes for Scoring Disparity [in Primary Indicator E, Supervision and Remedy]**

Among all the 30 provinces, the highest three scorers from top down were Guangdong (23.5 points), Sichuan (22 points), and Tianjin and Guangdong (tied at 21.5 points); the lowest scorer was Ningxia (4 points), whereas Xinjiang, Gansu and Qinghai are only slightly higher than Ningxia (tied at 5 points). As this primary indicator involves a host of contents, only the highest scorer, the Province of Guangdong, and the lowest scorer, the Ningxia Hui Autonomous Region, were selected for comparison.

The gap between the two was very large: For all the 5 secondary indicators, Ningxia only scored 4 points on the indicator of the “annual report system.” It scored zero on the four major indicators of “work inspection system,” “social appraisal system”, “accountability system” and “individual cases remedy system.” This shows the supervision and remedy work on OGI in Ningxia was basically a blank, with neither system setup, nor relevant practice.

**Best Practice Example**

A best practice example of this primary indicator was the Province of Guangdong. The OGI supervision and remedy system of this province was relatively sound. The systems corresponding to the 5 secondary indicators were all basically set up and put into use. In particular, this province formulated special normative documents governing the three systems of work inspection, social appraisal and accountability, indicating the importance it

attached to system integrity. Of course, there was still a big gap between the systems on paper and in actual practice. In the future, this province should continue to strengthen the disclosure of the actual operation of these systems, such as the disclosure of detailed items in work inspection, the disclosure of the detailed proceedings of social appraisal, the enrichment of the content of the annual reports, and providing further guidance to remedial channels. The assessment result of this primary indicator was not satisfactory, since the highest scoring province only achieved 78.3% of the total points. This should be improved with greater efforts in future work.

## **Policy Recommendations**

The results of this assessment project show that 90% of all the 30 provinces have, to a different extent, formulated special regulations on open government information. However, once the performance in implementing these regulations was included in the assessment process, one sees that only less than half of the provinces achieved a passing score. The gap between the “regulations on paper” and the “regulations in life” was obvious.

**Recommendation 1:** Break through the “bottleneck phase” of open government information; shift the focus of work from establishing regulations and setting up systems to implementing and improving them; shift the practice of spreading resources on every front of system building to focusing efforts on targeted difficulties, and change the propelling force from mono-directional pushing to mutual interaction.

The result of this assessment demonstrates that in the two years since the implementation of the Regulations, progress in the work of open government information was very imbalanced between the State Council agencies and local governments, among the large regions in China, among the provinces, and even among the prefectures and cities within a province.

**Recommendation 2:** Break the “imbalance” in the disclosure of government information; learn and replicate best practices; and endeavor to solve the problem of imbalanced development between the central government and local governments, among different regions and among governments at different levels.

The past year witnessed an incessant up-surge of hot issues of open government information and the people’s demand for building open government and transparent government.

**Recommendation 3:** Accelerate the systemic progress of open government information at the central level; and respond to the rapidly increasing demand for open government information in hot areas such as legal remedies, the threshold for government information disclosure on request, and disclosure of fiscal information.