

Review and Reflection on the Disclosure of Government Information: Based on Guangdong's Governmental Information Disclosure Annual Reports from 2008 to 2015

Haiqi Chen

School of Public Administration and Emergency Management, Jinan University, Guangzhou, China
Email: 1297573604@qq.com

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Abstract

It's been years since Regulations on the Disclosure of Government Information was issued in 2008. Based on Guangdong's governmental information disclosure annual reports from 2008 to 2015, this paper finds there are several problems in the process of information disclosure, including diverse statistical standard and measurement inaccuracy in the annual reports and unbalanced developments in different regions. In conclusion, in order to achieve higher standard of the government information transparency, much is needed not only to enhance people's consciousness, but also to improve the infrastructure, supervision system and the expertise of the related civil service.

Keywords

Regulations on the Disclosure of Government Information, Guangdong Province, Governmental Information Disclosure Annual Report

1. Introduction

The law of People's Republic of China government information disclosure regulations (hereinafter, the regulations) was enacted in the form of decrees in 2007, and carried out in May 2008 (State Council, 2007). It's been nearly ten years since the government information publicity was announced. The surroundings of the government information disclosure system change during the operation process, so as the problems. The government information disclosure is closely related to each citizen. On the one hand, citizens have the right to know and make use of the information in daily life and work. On the other hand, it is very

important for people to participate in politics and supervise governments during government information disclosure work. Therefore we need to further explore how the work of government information disclosure was going and how governments performed.

Different local governments as well as different departments treated the government information disclosure work differently, and would face varied problems. In this article, we will base on government information disclosure data from 21 cities in Guangdong Province's, in order to further understand and objectively evaluate the government information disclosure work over the years. The government information disclosure annual reports were collected from 21 cities in Guangdong Province (namely, Guangzhou, Shenzhen, Zhuhai, Shantou, Foshan, Qingyuan, Heyuan, Meizhou, Huizhou, Jieyang, Shanwei, Dongguan, Zhongshan, Shaoguan, Zhaoqing, Jiangmen, Maoming, Yangjiang, Zhanjiang, Chaozhou, and Yunfu) from 2008 to 2015. Because some cities' annual reports on the public government information publicity website were still incomplete after applying for the supplement, 166 annual reports were collected totally. Guangzhou started the first implementation i.e. "Governmental Information Opening Provisions of Guangzhou City" on 1st Jan. 2003; later on, Shantou, Shenzhen and other cities issued similar rules. And in 2006, Guangdong Province published "the Guangdong government information disclosure regulations" (Gu, 2010). As Guangdong's government information disclosure work in the leading position, it's of great significance to have a deep look on it, thus offering experience to other cities about how to strengthen administrative transparency and effectively protect citizens' right to know.

2. Initiative Open Government Information

2.1. Quantity of Initiative Open Government Information

According to government offices' annual reports of the government information disclosure, performance varies from cities. As can be seen from **Figure 1**, Guangzhou, Shenzhen and Foshan distinguish by the quantity of initiative open government information, while other cities open less with little fluctuations. Guangzhou's maximum quantity of initiative information disclosure annually was over one million, Shenzhen up to seven hundred thousand, and Foshan over forty thousand. Other cities' initiative information disclosure quantity was below one hundred thousand. According to the data, the quantity of initiative open government information in different cities changed desperately. As for Guangzhou, initiative open government information quantity presented a rapid rise at first, reached the peak in 2012 and then fell down gradually. Shenzhen presented a steady growth trend, appearing a slight reduction after 2014. Foshan's number of open government information increased greatly in the latter few years, but the total amount was no more than Guangzhou or Shenzhen. Zhanjiang, Zhuhai and Zhongshan opened not that much but shown fluctuating rising trend. Some cities (e.g. Shanwei, Yunfu, Heyuan and Dongguan) kept a steady state with small

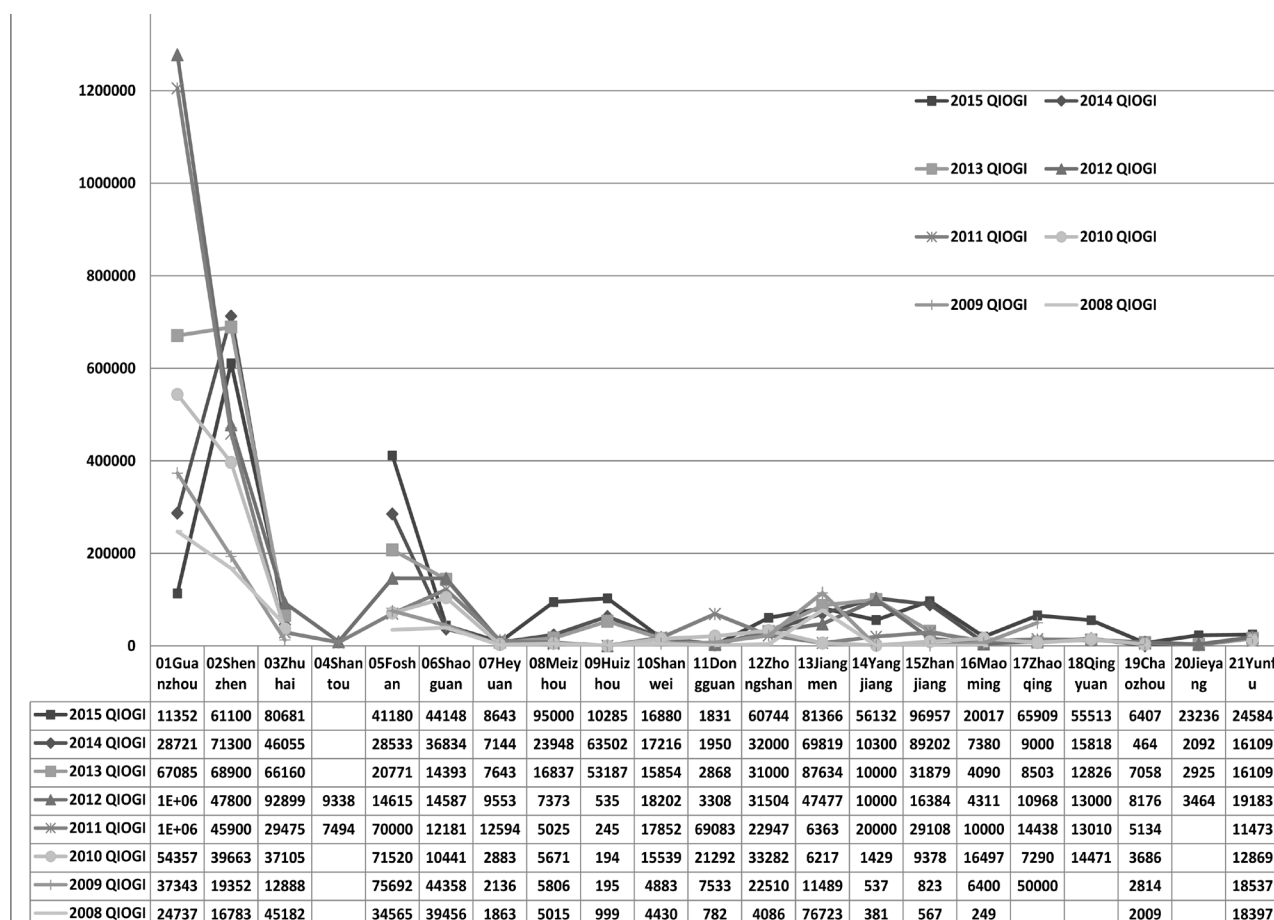


Figure 1. Quantity of initiative open government information of 21 Cities in Guangdong Province from 2008 to 2015. Note: Data was collected by the annual reports, the blank refers to missing. Considering the statistics error and coincident standard, explicit data in the annual reports or the quantity of open information on government portal website was chosen. QIOGI refers to quantity of initiative open government information.

amount of open government information. Other cities (such as Meizhou, Jiangmen, Maoming, Zhaoqing, Qingyuan, etc.) tended to significantly increase and decrease.

Governments open information by varied means, including government website, government commune, press conference, the e-government Weibo or WeChat, news media (newspapers, radio and television), etc. Various means were taken by governments to open information, and each city would have extra emphasis on one or several means, therefore influencing statistics. Some data collected above was explicit data in annual reports while most of it was the quantity on government website in reports. Although different cities opened information by diverse forms, government website is still the main form and takes up most proportion of open information quantity. Therefore these data can largely illustrate the differences among the cities.

2.2. Content of Initiative Open Government Information

The regulations issue clear guidelines for governments at county level or above

and their departments, who ought to open information include but not limited to administrative rules, regulations and regulatory documents, financial budget reports, the government procurement information, administrative licensing information, major projects information. It also made supplemental requirements for municipal governments, county-level governments and township governments. From all the government information disclosure annual reports, it can be seen that governments meet the requirement on the whole. As for the contents of initiative open government information, the largest proportion is government affairs information, then administrative law enforcement information and general regulations. In addition, a certain number of personnel information and emergency information was published. Many cities (such as Zhuhai, Meizhou Heyuan and Yangjiang) would offer detailed information on the highlighted areas in annual reports. And with the stable development of the information disclosure work over years, the departments of municipal government have improved the performance in promoting the governmental duty lists, financial situations, public resources and public services spending, major construction projects, environment protection, and progress of food and drug safety in key areas.

Take Guangzhou as an example. The government information disclosure work distinguished in financial budget and three public expenses, and made a breakthrough every year since. 2012, Guangzhou government opened the three public expenses for the first time, correspondingly, its subordinate departments followed and released. The contents included departmental budget statements and budget reports that submitted to the Municipal People's Congress. And prominently the contents were very specific with "item" class spending subject. And in 2013, all levels of governments and their departments opened the three public expenses, which turned out to be a great breakthrough. More specifically, the breakthrough referred to the comprehensive scope of the disclosure (government at city, county and town and their departments, directly affiliated institutions, Municipal Peoples' Congress, Chinese people's political consultative conference (CPPCC), the intermediate people's court, the procuratorate, democratic parties, trade unions, people's groups), the detailed contents of actual budget(financial expenditure performance and the using efficiency of financial funds were added), and standardized budget reports applied by the three levels of government. In 2014, Guangzhou government opened the "non-tax revenue" and conference fees to the public, meanwhile pushing information disclosure more widely and more detailed. When it came to 2015, Guangzhou's financial information disclosure continued to take the leading position, and Guangzhou got on with refining the financial budget disclosure—opening budget information of governmental fund, special financial, procurement project expenses and project performance, and improving budget reporting regulations. Besides the excellent performance in financial information disclosure, Guangzhou also paid attention to the specification and extents of government information publicity,

responded to public concerns in time, and provided useful information to people who need.

As for Shenzhen government, it focused mainly on information system construction, contents construction and platform construction, and made progress every year since. The most outstanding performance is the construction of continually improved website platform—"Shenzhen government online", which ranks top for consecutive years in the national government websites performance evaluation. The platform gave a full play in the bridge of communication between the officials and the people, also enhanced political interaction atmosphere. Differently, Zhuhai's government information disclosure annual reports are characterized by detailed information in key areas. To be specifically, in 2014 39 departments of Zhuhai government opened 10121 administrative and government affairs service items to the society through the government website; in 2015 through government online business hall, 825 municipal items, 2059 items of district, 669 items of town were opened. The information disclosure work is in the steady progress.

3. Government Information to Be Disclosed upon Application

3.1. Quantity of Government Information to Be Disclosed upon Application

According to the government information disclosure annual reports, application as well as the dispose of government information to be disclosed were varied. Some cities such as Guangzhou and Shenzhen were more, while some other cities (like Shantou, Shanwei and Jiangmen) were less. Lack of unified standard, the government information disclosure upon application has much difference, even in the same city of different years.

Take Guangzhou and Shenzhen for example. Applications of government information to be disclosed from 2008 to 2015 are shown in **Figure 2** and **Figure 3**. Since the implementation of the regulations in 2008, the number of open government information upon application showed a sharp rise at first and then gradually declined and remained a low level. Notably, the number of government information disclosed upon application reached the peak in the 2009. This may be concerned with the land seizures and evictions and demolition compensation issues.

Other cities' government information disclosure upon application is shown in **Figure 4**. As can be seen in the figure, most cities' application demand for government information to be disclosed was not big, some cities' (Zhuhai, Foshan, Shaoguan, and Zhanjiang) demand bigger, but the application amount of the government information disclosure was still less than ten thousand. As for Meizhou, Huizhou, Zhongshan, Maoming, Zhaoqing and Jiayang city in 2015, there was a sudden rise, which was because they used new statistical standard covering the whole city and its department.

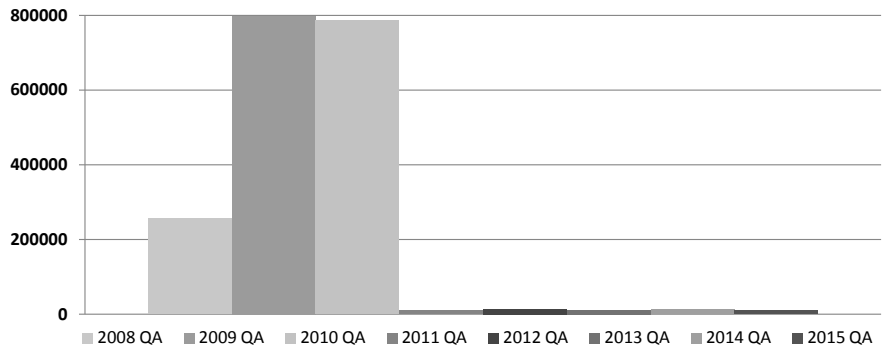


Figure 2. Quantity of Guangzhou's government information to be disclosed upon application from 2008-2015. Note: QA refers to Quantity of application.

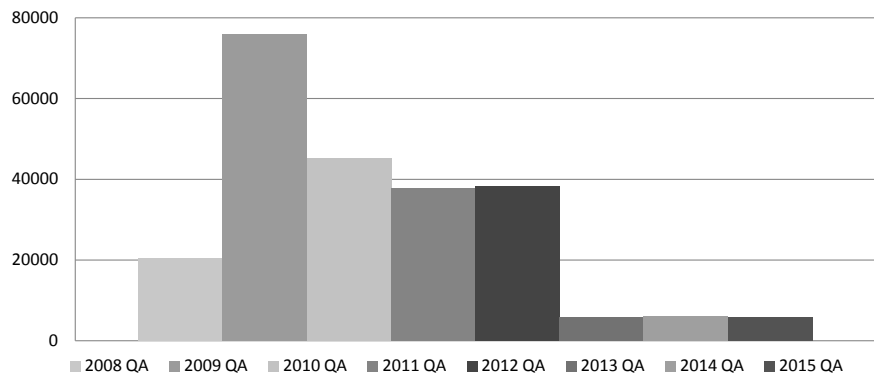


Figure 3. Quantity of Shenzhen's government information to be disclosed upon application from 2008-2015. Note: QA refers to Quantity of application.

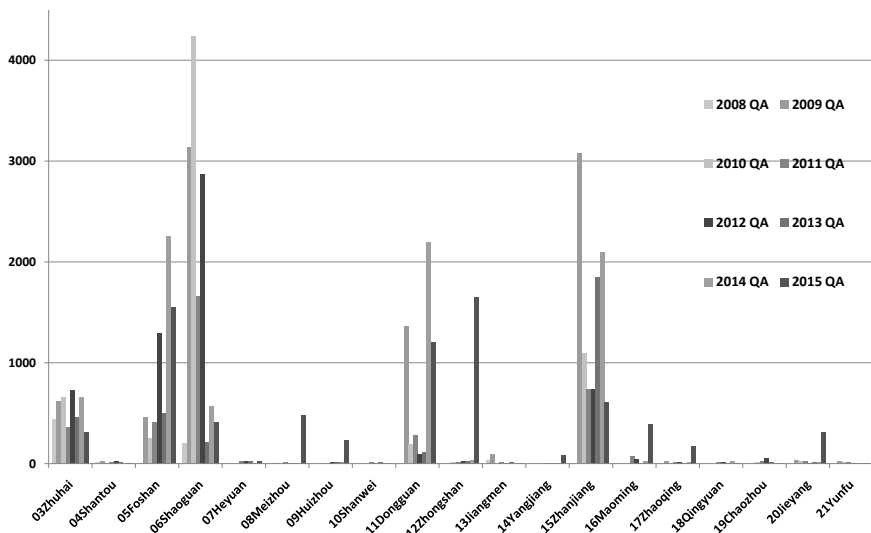


Figure 4. Quantity of other cities' government information to be disclosed upon application from 2008-2015. Note: QA refers to Quantity of application.

3.2. Contents of the Government Information to Be Disclosed upon Application

The main contents of government information disclosure are in accordance with

requirements of the regulations in different forms. Some governments pointed out specific contents, such as urban and rural planning and construction, land and housing management, demolition compensation, police enforcement and law enforcement; some cities only told the departments that accepted the most applications; other cities however, didn't mention the specific application contents.

Overall, the contents of the government information to be disclosed upon application referred to the following perspectives: the urban and rural planning and construction, land & housing administration, demolition compensation, administrative enforcement of law, policies and regulations, social security, environmental protection, administrative examination and approval, education, labor security, and all these areas are closely related to people's livelihood. Notably, there were some information applications aimed to supervise the government's actions and safeguard the public interests, in which they asked for opening the government's fiscal budget, the three public expenses, municipal government work meeting minutes, and so on.

To be specific, the government information disclosure annual reports showed that in 2009 the five departments with the largest number of applications in Guangzhou were: the Municipal Administration for Industry & Commerce (515,464 applications, including 503,299 for enterprise basic information query), the Municipal Bureau of Land and House Administration (275,353 totally, including 155,632 applications for file query, photocopying, transferring and read, and 119,380 applications about judicial query and reply), city planning bureau, municipal finance bureau, and municipal human resources and social security bureau. The application contents of the latter three departments mainly involved industrial and commercial archives, land and housing management, urban planning, financial revenues and expenditures, administrative law enforcement basis. In 2010, the Municipal Administration for Industry & Commerce (774,371 applications, including 70,037 for enterprise basic information query), Municipal Bureau for Urban Planning, Disabled Federation, the Municipal Bureau of Land and House Administration, and Municipal Finance Bureau were the top five demanding departments. The application contents mainly involved business archives, fiscal revenue and expenditure, administrative law enforcement basis, land & housing administration.

And Shenzhen's applications for the government information disclosure mainly consisted of the land planning, industrial and commercial registration, education, social security management in 2009. While In 2010 and 2011, applications covered market entities registrations, medical institution's practice as well as personnel information, social security management, corporate executives housing subsidies information. When it came to 2012, people applied information mainly for market supervision, fire safety, medical care and health, housing construction and other aspects.

Thus it can be seen from the data, application contents are concentrated in

business information and land & housing information query in the first few years. If looking back, we can find that the increase of information application is related to nationwide economic incentive instruments dealing with 2008's financial crisis. In addition, along with the Asian games in 2009, Guangzhou conducted the project named the construction of "three old" (the old town, old factory, and old village housing), which promoted information applications.

3.3. Means to Government Information Disclosure Application

Section 20 states that all citizens, legal persons and organizations have the right to apply for government information based on section 13 in written form (email included). If applicant has trouble in writing, he/she can tell the certain department orally and it would help fill in a written application.

Generally speaking, citizens or organizations can apply for government information by diversified means, including asking face to face, submitting online, sending emails, writing letters, sending fax, and etc. According to data collected in 2015, we get to know the general situation of the application means preference in some way (see **Figure 5**).

For most cities, such as Guangzhou, Foshan, and Zhuhai, the most popular application mean is asking face to face, and submitting online the second. And particularly, submitting online became the most popular mean since 2013 in Shenzhen, though asking face to face used to the priority as other cities. The reason ought to be the construction of government information publicity

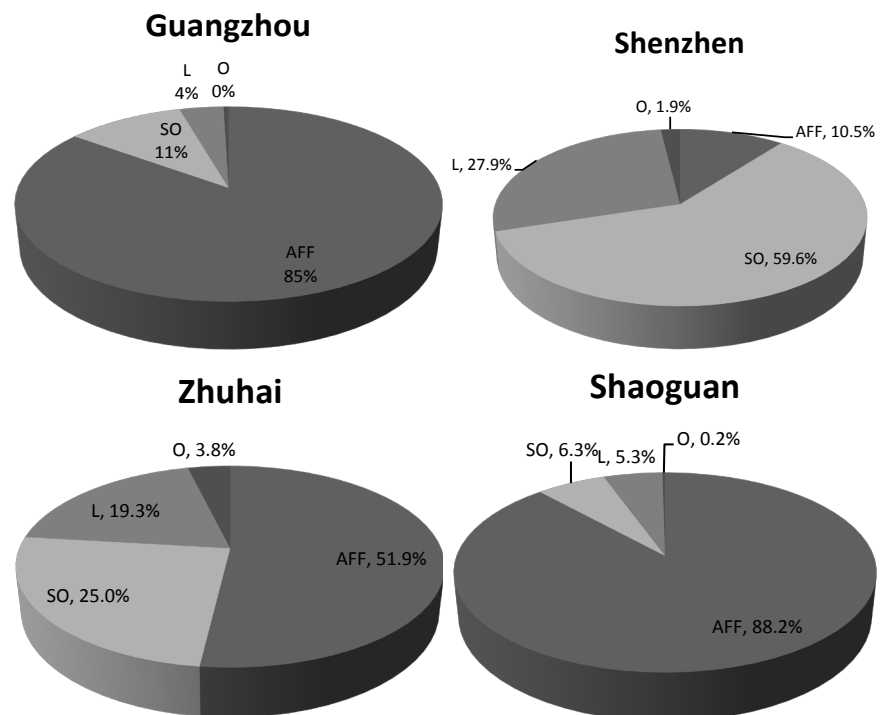


Figure 5. Means to government information application of some cities in 2015. Note: AFF refers to asking face to face, SO refers to submitting online, L refers to letters, O refers to others.

Along with initiative open government information, the means that government information to be disclosed upon application is an important approach to information disclosure. Governments shouldn't ignore either one. The behavior that applicants apply for government information and governments properly dispose the applications and give feedbacks shows people have their rights been guaranteed to know as well as to supervise. People and organizations can use the government information to promote studies or business easily. Actually, how to properly interact with the public and better serve citizens is always a big question for government. The condition of government information disclosure application disposes is supposed to accept supervision in the whole of society. A fair and transparent government, not only depends on the initiative open government information, but also concerns with its performance on how to deal with the information undisclosed and people's applications for government information.

4. Remedy Systems on the Government Information Publicity

Remedy system is not only the ensurance but also an indispensable part of the legal system on the publicity of government information. Overall, cases for legal remedy on government information publicity (mainly refer to the administrative reconsideration and administrative litigation cases) showed a growing tendency from 2008 to 2015 (see **Figure 6** & **Figure 7**).

Most governments' legal remedy cases observed a slight increase before 2014 and a greater growth in 2015. However, the amount of legal remedy cases was no more than 100. As can be seen in the figure, there was a dramatically growth in latter few years of Guangzhou, with 564 administrative reconsideration cases and 405 administrative litigation issues in 2015. Exceptionally, Shenzhen's administrative reconsideration cases almost remained the same before 2010, after

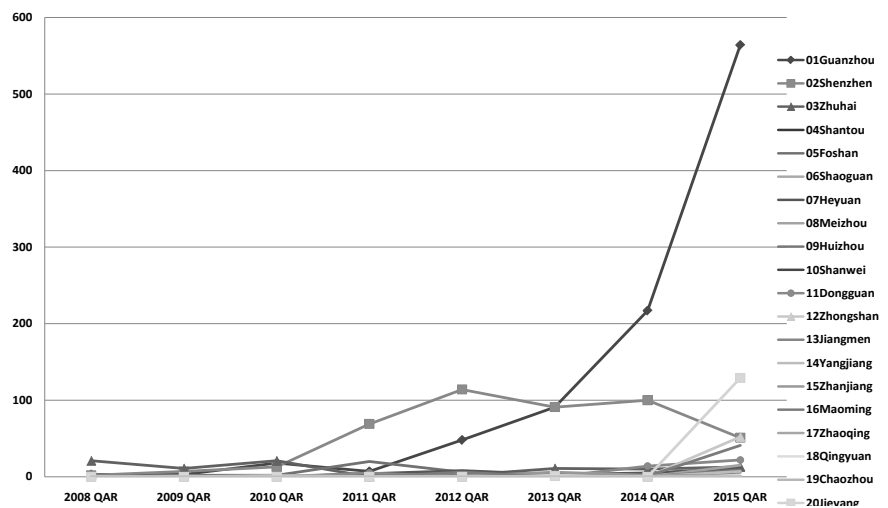


Figure 6. Quantity of administrative reconsideration cases on government information publicity from 2008 to 2015.

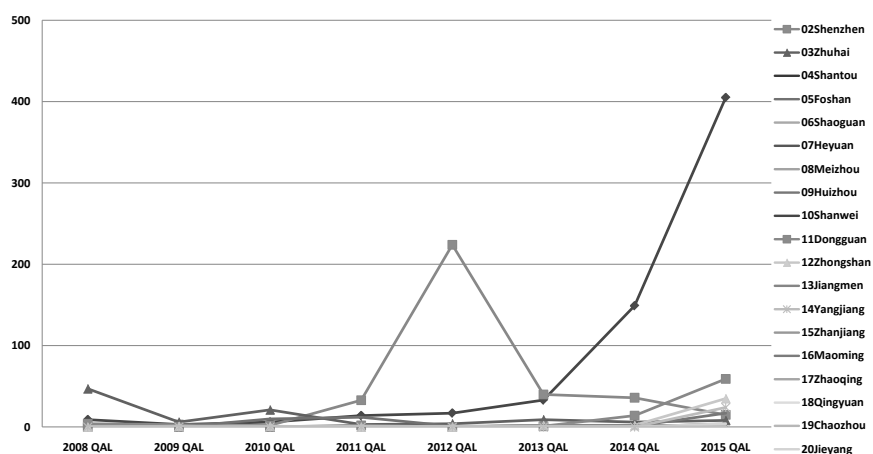


Figure 7. Quantity of administrative litigation cases on government information publicity from 2008 to 2015.

that cases showed an increase at first and then declined. As for administrative litigation cases of Shenzhen, there was a sharp increase in 2012, and declined to original level with administrative litigation cases not exceeding 50.

One of the main causes of legal remedy cases is that applicants couldn't get government information required. To some extent, the ratio of legal remedy cases to applications could represent performance in government information disclosure (Xiao, 2010). As stated previously, applications for government information to be disclosed trend to decline while legal remedy cases appear to rise. Possible explanation is that citizens and organizations' demands for government information disclosure become more stable and more rational; they would defend their rights and interests firmly resorting to legal tools.

5. Conclusions

It has been for eight years since the People's Republic of China government information disclosure regulations was enacted in 2008. The government information disclosure has experienced rapid development stage, and entered the stable development stage. On the whole, all governments in Guangdong Province showed satisfactory performance on information disclosure work. Meanwhile, according to annual reports, governments were committed to make progress.

In fact, it's normal that the quantity of initiative open government information rises gradually or sharply or even decline after rise. Due to different economic and social development status, some government developed faster in government information disclosure, some may slower. Though in different development stages, all governments are devoted to improving their performance in government information disclosure—using diversified means to open information, especially combining network technology with information disclosure, and opening more information that people concerned. When looking back on applications of government information to be disclosed and remedy systems on the government information disclosure, we can see an encouraging result that

governments deal with applications of information disclosure more standardized; on the other way, citizen's political rationality is also promoted.

Still, there are some problems in government information disclosure. Attention should be paid to both government information disclosure annual reports and government information disclosure performance.

Firstly, the government information disclosure annual reports need to obey the same statistic criteria. Though writing annual reports can refer to fixed template, some governments add more detailed data and some don't. Different criteria make it difficult to compare one government's performance to another. Additionally, different statistic criteria exist not only in different governments but also different departments. Secondly, whether the same information to be disclosed by several approaches should be counted as one piece of information or more? To make it more specific, if the contents are released on government website, can it be regarded as a new piece of information when they are posted on Weibo once again? There was no detailed description in the annual report about statistical data, either.

As for government information disclosure work, three problems remain to be solved. The first problem is the insufficient recognition of government information disclosure. Due to lack of correct awareness and attention to government information disclosure, some governments failed to dispose applications or open government information initiatives. Thus, emphasis on the necessity and significance of government information disclosure should be put during the developing process. The second is the mediums of government information disclosure need to improve. Some cities' information infrastructure development may be at a low level. These cities' governments should improve both hardware and software to support information disclosure work. To improve staff capacity is to build a firm foundation for government information disclosure. The last one is the institutional deficiency of government information disclosure. Without institutional constraint, some governments show poor performance such as incomplete opening, inconsecutive statistic data, and rough annual reports. Therefore, supervision from inside and outside is very important. Strict rules can help standardize government information disclosure work.

Actually, the government information disclosure regulations are the guarantee of the citizen's right to know, to participate in politics, to express ideas and to supervise governments. In the meantime, it is a duty of government to open information. In the age of internet becoming more and more prevalent, e-government occupies an important position and has profound influence. As discussed from above, to improve the level of government information disclosure work, it is urgent to strengthen the recognition of the government information disclosure, and to promote the construction of both hardware and software (talent team) to support its development. More importantly, citizens' political quality and governments' governance capacity can both be improved in the process of development. And citizens and governments in Guangdong Province are still on

the way with nearly ten-year development.

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