

## Reform of the “Administrative Reconsideration System” in China : Research Findings on the “Shanghai Administrative Reconsideration Committee”

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In China, the “Administrative Reconsideration Act” was promulgated in 1999, by which interested parties of particular administrative decisions were allowed to submit challenges to the legality and propriety of such decisions to superior administrative organs.

However, citizens are skeptical of the fairness and impartiality of the system and the results obtained through it, and consequently, people opt to lodge their complaints through more informal and sometimes illegal channels, namely petition or “*XIN FANG*” in Chinese, in seeking to resolve their grievances.

Under these circumstances, Chinese Communist Party and the Chinese government are conducting an experiment of a new system of “Administrative Reconsideration Committees” in various regions and organs. With the system, which features an adjudicative board consisting of “external committee members”, it is expected that the confidence and faith of citizens in the system will be restored and strengthened.

Research and analysis of those trial implementations has revealed many substantial and procedural problems that are difficult to overcome as they are derived from systematic or structural obstacles. Nevertheless, it is also obvious that the enthusiasm and good faith of the responsive administrative officers has been increasing, so it is hoped that the reform will improve over time.