

Section I: Adoption of Access to Information Laws

This section looks at the adoption aspect of the legal framework(s) guaranteeing public access to information in your country. This section contains 5 main questions (Q1-Q5) with some follow-up questions.

* 1. Whether a constitutional, statutory and/or other legal guarantee that recognises access to information as a fundamental right exist in your country

1 Choose one of the following answers

- ☒ Yes
- ☐ No
- ☐ In progress

? Definition of terms used in this question can be found in the [Instruction Manual](#) here.

* What are the guarantees? (Please add the name of the guarantee(s) in the text box)

1 Comment only when you choose an answer.

- | | |
|---|--|
| <input checked="" type="checkbox"/> Primary legislation | <input type="text" value="Federal Republic: (1.1.) German Federal Freedom of Information Act [in combination with article 5 I 1 German Basic Law]"/> |
| <input type="checkbox"/> Secondary legislation/regulation | <input type="text"/> |
| <input type="checkbox"/> Binding policy document | <input type="text"/> |
| <input checked="" type="checkbox"/> Others | <input type="text" value="There are also non-binding policies to further development of ATI, e. g.: (1.) Open Government Partnership (3rd Party Review)"/> |

? Definition of terms used in this question can be found in the [Instruction Manual](#) here.

Section I: Adoption of Access to Information Laws

This section looks at the adoption aspect of the legal framework(s) guaranteeing public access to information in your country. This section contains 5 main questions (Q1-Q5) with some follow-up questions.

* 2. Whether the legal guarantee on Access to Information specifies the need of a dedicated oversight institution [or institutions]?

Choose one of the following answers

☒ Yes

☐ No

? Definition of terms used in this question can be found in the [Instruction Manual](#) here.

* Check any of these that apply, but select only the oversight institution/s that is/are responsible for Access to Information, as mandated by the Access to Information legal guarantee.

Check all that apply

☒ Information Commission or Commissioner

☒ National level

☒ Subnational level

☐ Data Protection or privacy Commission or Commissioner

☒ Converged body that combines data/privacy protection and Access to Information

☒ National level

☒ Subnational level

☐ Human Rights Commission

☒ Ombudsman

☒ National level

☒ Subnational level

☐ Department or Ministry or Agency

☐ Other:

- ☐ Executive
- ☒ Legislative
- ☐ Judiciary
- ☐ Other:

 Choose one or more

Definition of terms used in this question can be found in the [Instruction Manual](#) [here](#).

Who approved the budget of the oversight institution [or institutions]?


 Check all that apply

- ☐ Executive
- ☒ Legislative
- ☐ Judiciary
- ☐ Other:

 Choose one or more

Definition of terms used in this question can be found in the [Instruction Manual](#) [here](#).

To whom does/do the oversight institution [or institutions] report on their activities?

 Check all that apply

- ☒ Executive
- ☒ Legislative
- ☐ Judiciary
- ☒ Other:

 Choose one or more

Definition of terms used in this question can be found in the [Instruction Manual](#) [here](#).

2022 SURVEY ON PUBLIC ACCESS TO INFORMATION (SDG INDICATOR 16.10.2)

30%

Language: English ▼

Section I: Adoption of Access to Information Laws

This section looks at the adoption aspect of the legal framework(s) guaranteeing public access to information in your country. This section contains 5 main questions (Q1-Q5) with some follow-up questions.

*** 3. Whether the legal guarantee on Access to Information specifies the need for public bodies (Ministry/Agency/Department) to appoint public information officers or a specific unit to handle Access to Information requests from the public**

i Choose one of the following answers

- ☐ Yes, to all public bodies
- ☐ Yes, but only to some public bodies
- ☒ No

? Definition of terms used in this question can be found in the [Instruction Manual](#) here.

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2022 SURVEY ON PUBLIC ACCESS TO INFORMATION (SDG INDICATOR 16.10.2)

40%

Language: English ▼

Section I: Adoption of Access to Information Laws

This section looks at the adoption aspect of the legal framework(s) guaranteeing public access to information in your country. This section contains 5 main questions (Q1-Q5) with some follow-up questions.

4. Whether the legal guarantee on Access to Information mandates the following roles for the dedicated Access to Information oversight institutions [or institutions]:

📌 Check all that apply

- ☒ Oversight (legal responsibility to ensure implementation of the guarantee)
- ☒ Appeals
- ☒ Monitoring of Access to Information implementation
- ☒ Enforcement of compliance with Access to Information legal guarantee(s)
- ☒ Mediation

🔗 Definition of terms used in this question can be found in the [Instruction Manual](#) here.

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Section I: Adoption of Access to Information Laws

This section looks at the adoption aspect of the legal framework(s) guaranteeing public access to information in your country. This section contains 5 main questions (Q1-Q5) with some follow-up questions.

* 5. Does the legal guarantee on Access to Information explicitly mentions permissible exemptions that are elaborated in well-defined categories and whereby requests for information may be legally denied.

Choose one of the following answers

☒ Yes

☐ No

Definition of terms used in this question can be found in the [Instruction Manual](#) here.

* Which of the following exemptions is/are mentioned:

Check all that apply

- ☒ National security
- ☒ International relations
- ☒ Public health and safety
- ☒ The prevention, investigation and prosecution of legal wrongs
- ☒ Privacy
- ☒ Legitimate commercial and other economic interests
- ☒ Management of the economy
- ☒ Fair administration of justice and legal advice privilege
- ☒ Conservation of the environment
- ☒ Legitimate policy making and other operations of public bodies

Definition of terms used in this question can be found in the [Instruction Manual](#) here.

Section II: Implementation of Access to Information Laws

This section looks at the implementation aspect of the legal framework(s) guaranteeing public access to information adopted by your country. This section contains 3 main questions (Q6-Q8) with some follow-up questions.

6. Whether the dedicated Access to Information oversight institution/s in practice has carried out the following activities in 2021:

☒ Check all that apply

- ☒ Publish an Annual Report
- ☒ Provide implementation guidance and/or offer training to officials from public bodies (Ministry/Agency/Department)
- ☒ Raise public awareness
- ☒ Keep statistics on requests and/or appeals
- ☒ Requested public bodies to keep statistics of their activities and decisions

Do you have any best good practices with regards promoting gender equality in Access to Information? Please specify:

Any other initiatives/activities that you would like to add?

- conduct audits
- mediations (Ombuds function)

2022 SURVEY ON PUBLIC ACCESS TO INFORMATION (SDG INDICATOR 16.10.2)

70%

Language: English ▼

Section II: Implementation of Access to Information Laws

This section looks at the implementation aspect of the legal framework(s) guaranteeing public access to information adopted by your country. This section contains 3 main questions (Q6-Q8) with some follow-up questions.

* 7. Whether in practice the dedicated Access to Information oversight institution [or institutions] receives reports on Access to Information requests received by public bodies (Ministry/Agency/Department) at the national level

Choose one of the following answers

☒

Yes

☐

No

Definition of terms used in this question can be found in the [Instruction Manual](#) here.

* Reference year: data provided should be from the latest reporting year. If data from 2021 are not yet available, please choose the most recent year. Select the appropriate year below:

Choose one of the following answers

☒

January-December 2021

☐

July 2020-June 2021

☐

Either January-December 2020 or July 2019-June 2020

☐

Either January-December 2019 or July 2018-June 2019

Definition of terms used in this question can be found in the [Instruction Manual](#) here.

How many formal requests made under the Access to Information guarantee(s)?

Only numbers may be entered in these fields.

Received

14123

Denied

1306

Pending

Dismissed as ineligible

Definition of terms used in this question can be found in the [Instruction Manual](#) here.

How many formal requests were granted?

- Each answer must be at most 9999999
- The sum must be at most 9999999
- Only integer values may be entered in these fields.

Partially

934

Fully

7268

No data

Total:

8202

Definition of terms used in this question can be found in the [Instruction Manual](#) here.

Do you keep disaggregated data on the reasons for non-disclosure and partial disclosure on the basis of the permissible exemptions as stipulated in your country's legal guarantee?

Choose one of the following answers

☒ Yes

☐ No

Definition of terms used in this question can be found in the [Instruction Manual here](#).

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Section II: Implementation of Access to Information Laws

This section looks at the implementation aspect of the legal framework(s) guaranteeing public access to information adopted by your country. This section contains 3 main questions (Q6-Q8) with some follow-up questions.

8. Whether the dedicated Access to Information oversight institution/s keeps statistics of appeals at the national level

Choose one of the following answers

☒

Yes

☐

No

Definition of terms used in this question can be found in the [Instruction Manual](#) here.

Reference year: data provided should be from the latest reporting year. If data from 2021 are not yet available, please choose the most recent year.

Choose one of the following answers

☒

January-December 2021

☐

July 2020-June 2021

☐

Either January-December 2020 or July 2019-June 2020

☐

Either January-December 2019 or July 2018-June 2019

Definition of terms used in this question can be found in the [Instruction Manual](#) here.

How many appeals that your institution...

Only numbers may be entered in these fields.

Received

211

Denied

Pending

Dismissed as ineligible

Definition of terms used in this question can be found in the [Instruction Manual](#) here.

How many formal appeals were granted?

Each answer must be at most 9999999

The sum must be at most 9999999

Only integer values may be entered in these fields.

Partially

Fully

No data

Total:

0

Definition of terms used in this question can be found in the [Instruction Manual](#) here.

Do you keep disaggregated data on the reasons for non-disclosure and partial disclosure on the basis of the permissible exemptions as stipulated in your country's legal guarantee?

Choose one of the following answers

☒

Yes

☐

No

Definition of terms used in this question can be found in the [Instruction Manual](#) here.

2022 SURVEY ON PUBLIC ACCESS TO INFORMATION (SDG INDICATOR 16.10.2)

90%

Language: English ▼

SCORE

SECTION I: ADOPTION

your score for question 1 : 1

your score for question 2 : 1

your score for question 3 : 0

your score for question 4 : 1

your score for question 5 : 1

Your total score for ADOPTION is : 4

SECTION II: IMPLEMENTATION

your score for question 6 : 2

your score for question 7 : 1

your score for question 8 : 1

Your total score for IMPLEMENTATION is : 4

FINAL SCORE

Your final score is: 8

ⓘ NB: We would like to note that results from this survey will not assign countries to any level category (e.g.: low, medium or high). They will only contribute to global aggregates that will illustrate overall trends.

UNESCO 2022 Survey on Public Access to Information

Antworten, die in den Online-Fragebogen geschrieben wurden:

	UNESCO Survey on Public Access to Information, Indicator: 16.10.2		
1.	Whether a constitutional, statutory and/or other legal guarantee that recognises access to information as a fundamental right exists in your country?	Yes = 1 No = 0 In progress: 0.5	[x] Yes
	What are the guarantees? (Please add the name of the guarantee(s) in the text box)		<p>[x] Primary legislation: (1) Federal Republic: (1.1.) German Federal Freedom of Information Act [in combination with article 5 I 1 German Basic Law (Constitution)] (1.1.) German Act on public access to environmental information (based on the European directive on public access to environmental information) (2) federal states ("Länder"): (2.1) Freedom of Information Acts or Transparency Acts in almost all Länder (2.2) Regional Acts on public access to environmental information in all Länder</p> <p>[x] Other: There are also non-binding policies to further development of ATI, e. g.: (1.) Open Government Partnership (3rd National Action Plan, currently in the consultation phase (2.) Digital agenda of the Federal Government (3.) Open Data Strategy of the Federal Government (in legislative preparation)</p>
2.	Whether the legal guarantee on Access to Information specifies the need of a dedicated oversight institution [or institutions]?	Yes = 1 No = 0	[x] Yes

	Check any of these that apply, but select only the oversight institution/s that is/are responsible for Access to Information, as mandated by the Access to Information legal guarantee.		[x] Information Commission or Commissioner [x] National level [x] Subnational level [x] Converged body that combines data/privacy protection and Access to Information [x] National level [x] Subnational level [x] Ombudsman [x] National level [x] Subnational level
	Who appointed the Head of the oversight institution [or institutions]?		[x] Legislative
	Who approved the budget of the oversight institution [or institutions]?		[x] Legislative
	To whom does/do the oversight institution [or institutions] report on their activities?		[x] Executive [x] Legislative [x] Other: annual report to legislative, distribution to executive and other institutions, information to the public
3.	Whether the legal guarantee on Access to Information specifies the need for national public bodies (Ministry/Agency/Department) to appoint public information officers or a specific unit to handle Access to Information requests from the public?	Yes, to ALL public bodies being required to appoint = 1 Yes, but only to some public bodies = 0.5 No = 0	[x] No
4.	Whether the legal guarantee on Access to Information mandates the following roles for the dedicated	0.2 for each role selected	[x] Oversight [x] Appeals

	Access to Information oversight institution/s :	Total point: 1	<input checked="" type="checkbox"/> Monitoring of Access to Information implementation <input checked="" type="checkbox"/> Mediation <input checked="" type="checkbox"/> Enforcement of compliance with Access to Information legal guarantee(s)
5.	Does the legal guarantee on Access to Information explicitly mentions permissible exemptions that are elaborated in well-defined categories whereby requests for information may be legally denied. that are consistent with international standards?	Yes = 1 No = 0	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> National security <input checked="" type="checkbox"/> International relations <input checked="" type="checkbox"/> Public health and safety <input checked="" type="checkbox"/> The prevention, investigation and prosecution of legal wrongs <input checked="" type="checkbox"/> Privacy <input checked="" type="checkbox"/> Legitimate commercial and other economic interests <input checked="" type="checkbox"/> Management of the economy <input checked="" type="checkbox"/> Fair administration of justice and legal advice privilege <input checked="" type="checkbox"/> Conservation of the environment <input checked="" type="checkbox"/> Legitimate policy making and other operations of public bodies
6.	Whether the dedicated Access to Information oversight institution/s in practice during the reporting year has carried out the following activities: Published an Annual Report Provided implementation guidance and/or offer training to officials from public bodies (Ministry/Agency/Department) Raised public awareness Kept statistics on requests and/or appeals Requested public bodies to keep statistics of their activities and decisions	0.4 for each activity selected Total point: 2	<input checked="" type="checkbox"/> Publish an Annual Report <input checked="" type="checkbox"/> Provide implementation guidance and/or offer training to officials from public bodies (Ministry/Agency/Department) <input checked="" type="checkbox"/> Raise public awareness <input checked="" type="checkbox"/> Keep statistics on requests and/or appeals <input checked="" type="checkbox"/> Request public bodies to keep statistics of their activities and decisions
	Any other initiatives/activities that you would like to add?		- conduct audits - mediations (Ombuds function)

7.	Whether in practice the dedicated Access to Information oversight institution/s at the national level receive/s reports from public bodies (Ministry/Agency/Department) on the processing of Access to Information requests?	Yes = 1 No = 0	[x] Yes
	Reference year: data provided should be from 2020. If data from 2020 are not yet available, please choose the most recent year		[x] 2021
	How many formal requests made under the Access to Information guarantee(s)?		Received: 14123 Denied: 1306 Pending: ./. Dismissed as ineligible: ./.
	How many formal requests were granted?		Partially: 934 Fully: 7268 No data: Total: 8202
	Do you keep disaggregated data on the reasons for non-disclosure and partial disclosure on the basis of the permissible exemptions as stipulated in your country's legal guarantee?		[x] Yes
8.	Whether the dedicated Access to Information oversight institution/s keep/s statistics of appeals at the national level?	Yes = 1 No = 0	[x] Yes
	Reference year: data provided should be from 2020. If data from 2020 are not yet available, please choose the most recent year.		[x] 2021
	How many appeals that your institution...		Received: 211 Denied: Pending: Dismissed as ineligible:
	How many formal appeals were granted?		Partially: Fully: No data: Total:
	Do you keep disaggregated data on the reasons for non-disclosure and		[x] Yes

	partial disclosure on the basis of the permissible exemptions as stipulated in your country's legal guarantee?		
	Punkte (total):	8 (von 9)	

Die Stimmabgabe wurde zudem über Screenshots dokumentiert. Hierzu ist allerdings darauf hinzuweisen, dass computertechnisch einzelne Informationen auf den Screenshots nicht angezeigt werden (bestimmtes Ankreuzen von Yes/No-Antworten).

ÖS 13.04.2022