

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	<input checked="" type="checkbox"/> Yes
	What are the guarantees? (Please add the name of the guarantee(s) in the text box)		<input checked="" type="checkbox"/> 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 <input checked="" type="checkbox"/> Other: There are also non-binding policies to further development of ATI, e. g.: (1.) Open Government Partnership (3rd National Action Plan) (2.) Digital agenda of the Federal Government (3.) Open Data Strategy of the Federal Government
2.	Whether the legal guarantee on Access to Information specifies the need of a dedicated oversight institution [or institutions]?	Yes = 1 No = 0	<input checked="" type="checkbox"/> 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		<input checked="" type="checkbox"/> Information Commission or Commissioner <input checked="" type="checkbox"/> National level <input checked="" type="checkbox"/> Subnational level

	Access to Information legal guarantee.		<input checked="" type="checkbox"/> Converged body that combines data/privacy protection and Access to Information <input checked="" type="checkbox"/> National level <input checked="" type="checkbox"/> Subnational level <input checked="" type="checkbox"/> Ombudsman <input checked="" type="checkbox"/> National level <input checked="" type="checkbox"/> Subnational level
	Who appointed the Head of the oversight institution [or institutions]?		<input checked="" type="checkbox"/> Legislative
	Who approved the budget of the oversight institution [or institutions]?		<input checked="" type="checkbox"/> Legislative
	To whom does/do the oversight institution [or institutions] report on their activities?		<input checked="" type="checkbox"/> Executive <input checked="" type="checkbox"/> Legislative <input checked="" type="checkbox"/> 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	<input checked="" type="checkbox"/> No
4.	Whether the legal guarantee on Access to Information mandates the following roles for the dedicated Access to Information oversight institution/s :	0.2 for each role selected Total point: 1	<input checked="" type="checkbox"/> Oversight <input checked="" type="checkbox"/> Appeals <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	Yes = 1 No = 0	<input checked="" type="checkbox"/> Yes

	permissible exemptions that are elaborated in well-defined categories whereby requests for information may be legally denied. that are consistent with international standards?		<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 <input type="checkbox"/> Introduced ICT tools to facilitate access to information held by public bodies (2022 or earlier) (this sub question does not provide points and is added to collect information)
	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	<input checked="" type="checkbox"/> Yes
	Reference year: data provided should be from 2022 If data from 2022 are not yet available, please choose the most recent year		<input checked="" type="checkbox"/> 2022

	How many formal requests made under the Access to Information guarantee(s)?		Received: 14042 Denied: 1520 Pending: ./. Dismissed as ineligible: ./.
	How many formal requests were granted?		Partially: 1105 Fully: 6377 No data: Total: 7482
	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?		<input checked="" type="checkbox"/> Yes
8.	Whether the dedicated Access to Information oversight institution/s keep/s statistics of appeals at the national level?	Yes = 1 No = 0	<input checked="" type="checkbox"/> Yes
	Reference year: data provided should be from 2022. If data from 2022 are not yet available, please choose the most recent year.		<input checked="" type="checkbox"/> 2022
	How many appeals that your institution...		Received: 310 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 partial disclosure on the basis of the permissible exemptions as stipulated in your country's legal guarantee?		<input checked="" type="checkbox"/> No
	Punkte (total):	8 (von 9)	

JO 14.04.2022