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2024 Survey on Public Access to Information (SDG Indicator 16.10.2)

Print Date: 25/May/2025 - Submitted: 22/May/2024

Contact details

You have been identified as a respondent to this survey. Please update/provide your contact details below if necessary.

Question	Answer
Please update your contact details if necessary	
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First Name	Sven
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Question	Answer
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Please check the boxes of the other contacts for your country for whom you could add or update information details:	
A person responsible in filling in this survey	Yes
Provide/update contact details about the person who is responsible in filing out the survey	
Salutation	Mrs.
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Question	Answer
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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.

Question	Answer
1. Whether a constitutional, statutory and/or other legal guarantee that recognises access to information as a fundamental right exist in your country	Yes
What are the guarantees? (Please add the name of the guarantee(s) in the text box)	

Question	Answer
Primary legislation	<p>Yes</p> <p>(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>
Others	<p>Yes</p> <p>There are also non-binding policies to further development of ATI, e. g.: (1.) Open Government Partnership (National Action Plan) (2.) Digital agenda of the Federal Government (3.) Open Data Strategy of the Federal Government</p>

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.

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

Question	Answer
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.	
Information Commission or Commissioner	Yes
National level	Yes
Subnational level	Yes
Converged body that combines data/privacy protection and Access to Information	Yes
National level	Yes
Subnational level	Yes
Ombudsman	Yes
National level	Yes
Subnational level	Yes
Who appointed the Head of the oversight institution [or institutions]?	
Legislative	Yes
Who approved the budget of the oversight institution [or institutions]?	
Legislative	Yes

Question	Answer
To whom does/do the oversight institution [or institutions] report on their activities?	
Executive	Yes
Legislative	Yes
Other	annual report to legislative, distribution to executive and other institutions, information to the public

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Question	Answer
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	No

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

Question	Answer
Oversight (legal responsibility to ensure implementation of the guarantee)	Yes
Appeals	Yes
Monitoring of Access to Information implementation	Yes
Mediation	Yes

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Question	Answer
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.	Yes

Which of the following exemptions is/are mentioned:

National security	Yes
International relations	Yes
Public health and safety	Yes
The prevention, investigation and prosecution of legal wrongs	Yes
Privacy	Yes

Question	Answer
Legitimate commercial and other economic interests	Yes
Management of the economy	Yes
Fair administration of justice and legal advice privilege	Yes
Conservation of the environment	Yes
Legitimate policy making and other operations of public bodies	Yes

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.

Question	Answer
6. Whether the dedicated Access to Information oversight institution/s in practice has carried out the following activities in 2023:	
Publish an Annual Report	Yes
Provide implementation guidance and/or offer training to officials from public bodies (Ministry/Agency/Department)	Yes
Raise public awareness	Yes
Keep statistics on requests and/or appeals	Yes

Question	Answer
Requested public bodies to keep statistics of their activities and decisions	Yes
Has your institution (or other institutions) introduced Access to Information online request tools, which enables to submit access to information online? Please specify:	- conduct audits - mediations (Ombuds function)

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Question	Answer
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	Yes
Reference year: data provided should be from the latest reporting year. If data from 2023 are not yet available, please choose the most recent year. Select the appropriate year below:	January-December 2023
How many formal requests made under the Access to Information guarantee(s)?	
Received	15730
Denied	1572
How many formal requests were granted?	

Question	Answer
Partially	2558
Fully	6331
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?	Yes

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.

Question	Answer
8. Whether the dedicated Access to Information oversight institution/s keeps statistics of appeals at the national level	Yes
Reference year: data provided should be from the latest reporting year. If data from 2023 are not yet available, please choose the most recent year.	January-December 2023
How many appeals that your institution...	
Received	372
How many formal requests were granted?	
No data	0

Question	Answer
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?	Yes

SCORE

Question	Answer
<p>SECTION I: ADOPTION</p> <p>your score for question 1 : 0</p> <p>your score for question 2 : 0</p> <p>your score for question 3 : 0</p> <p>your score for question 4 : 0.8</p> <p>your score for question 5 : 0</p> <p>Your total score for ADOPTION is : 0.8</p> <p>SECTION II: IMPLEMENTATION</p> <p>your score for question 6 : 2</p> <p>your score for question 7 : 0</p> <p>your score for question 8 : 0</p> <p>Your total score for IMPLEMENTATION is : 2</p> <p>FINAL SCORE</p> <p>Your final score is: 7.8</p>	

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 : 0.8 your score for question 5 : 1 Your total score for ADOPTION is : 3.8 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: 7.8