

THEMATIC COMPILATION OF RELEVANT INFORMATION SUBMITTED BY GERMANY

ARTICLE 10 UNCAC

PUBLIC REPORTING

GERMANY (SEVENTH MEETING)

In relation to public reporting (article 10), States parties and signatories may wish to provide information on measures that:

- Make available online, including in open data formats, government information relating to the implementation of the Convention, in order to foster greater transparency, accountability and efficiency;
- Promote the use of online platforms or portals to enhance transparency in public administration, including information on the organization, functioning and decision-making processes of the public administration and on decisions and legal acts. Information sought may, in particular, include the following:
 - Use of websites, online libraries, online archives or other means by which information on the organization, functioning and decision-making processes of the public administration is made available to the general public;
 - Outline of the laws, procedures or regulations allowing members of the general public to obtain information on the organization, functioning and decision-making processes of the public administration through information and communications technologies;
 - Description of the type of information to be proactively made available and automatically published by the Government through online platforms and websites, including details of:
 - The types of bodies required to publish information;
 - The scope of the information that is published;
 - The means by which the information is published;
 - How often the information is updated;
- Description of the types of information to be made available upon request by a member of the public (i.e. legislation on freedom of information or access to information);
- Standards to protect privacy and personal data in the disclosure of such information;
- Description of online initiatives to raise public awareness with regard to the information available and how it can be accessed online;
- Examples of proactive publication of information online without a special request.

Information on the organization, functioning and decision-making process of the public administration can be found on the websites of the public bodies and the government website www.bund.de. Most public bodies also provide some of the information in English. The Ministries and other administrative bodies usually provide organizational charts and a basic introduction about their tasks. The German Government is committed to provide as much information as possible in an accessible version.

By dialing 115, individuals and businesses can get answers to all their questions about public administration services regardless of the government level concerned whether federal, state or local (http://www.bmi.bund.de/EN/Topics/Administrative-Reform/Single-Government-Service-Number-115/single-government-service-number-115_node.html). 115 is the public administration's customer service. What started in 2009 with a few municipalities has developed into the service standard of many German authorities. 115 is one of the most important driving forces of a modern and efficient administration close to citizens' needs. The aim is to introduce this service throughout Germany. The federal public authorities are contributors to this service.

Legal acts are published in the Federal Law Gazette (<https://www1.bgbl.de/>) and all Federal Laws can be found under <https://www.gesetze-im-internet.de/>, provided by the Federal Ministry of Justice and Consumer Protection.

With regard to corruption prevention and thus with regard of information relating to the implementation of the Convention, information can be found in the relevant section of the BMI website (http://www.bmi.bund.de/DE/Themen/Moderne-Verwaltung/Korruptionspraevention-Sponsoring-IR/korruptionspraevention-sponsoring-ir_node.html, http://www.bmi.bund.de/EN/Topics/Administrative-Reform/Integrity/integrity_node.html), including temporary initiatives such as the public consultation of the Council of Europe on recommendations on legal regulations of lobbying in April 2016. Brochures such as the “Rules on Integrity” and other specialist information can be downloaded free-of-charge. Some of the reports as well as other information are available on the Open Data Portal (<https://www.govdata.de/>; http://www.bmi.bund.de/SharedDocs/Downloads/DE/Broschueren/2014/aktionsplan-open-data.pdf?__blob=publicationFile).

The public can obtain information in consulting websites and on request under the Freedom of Information Act (http://www.gesetze-im-internet.de/englisch_ifg/). The Freedom of Information Act grants all natural persons and legal entities under private law the unconditional right to access official information held by federal authorities. An information request can only be rejected if one of the exceptions provided for in the Freedom of Information Act is fulfilled. Information concerning the activities of the Federal Commissioner for Data Protection and Freedom of Information are available under <http://www.bfdi.bund.de> including regular reports to the German Parliament.

Since 2005, the Federal Government has submitted an annual written report to the German Parliament on the development and the results of corruption prevention in the federal administration. The report can be downloaded free-of-charge from the website of the Federal Ministry of the Interior (http://www.bmi.bund.de/DE/Themen/Moderne-Verwaltung/Korruptionspraevention-Sponsoring-IR/Korruptionspraevention/korruptionspraevention_node.html;jsessionid=63C03270D0629D5DC2027F8184908F07.2_cid287). The report includes data from the annual reports submitted by all federal ministries to the Federal Ministry of the Interior, which bears the lead responsibility in this context. In their reports, the ministries provide information on

the implementation status of the directive on corruption prevention within their remit and their executive agencies. Suspected cases of corruption are also reported. Giving due regard to the decisions of the Auditing Committee of the German Bundestag, the Federal Government presents and assesses essential issues in its annual reports, such as the identification and evaluation of areas of activity especially vulnerable to corruption. It also draws conclusions for the future. Furthermore, the annual reports provide an overview of corruption prevention in general. Moreover, public authorities try to keep their staff informed. For example, authorities organize agency-specific awareness-raising activities on the occasion of certain events such as Christmas, and the Federal Ministry of the Interior publishes newsletters that are accessible to anyone who is interested.