

**OPEN
GOVERNMENT
DEUTSCHLAND**



Third National Action Plan 2021-2023

Interim Report by the German Federal Government



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“Those who want to bring about change should cooperate with those who stand for change. These are often none other than the stakeholders from civil society.”

Federal Chancellor Olaf Scholz at the Civil7 (C7) summit in Berlin on 5 May 2022, speaking in the context of Germany’s Presidency of the G7

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1. Introduction

In their coalition agreement of 24 November 2021, Daring More Progress, the coalition partners forming the Federal Government commit themselves to open government and Germany's participation in the Open Government Partnership (OGP):

- “We intend to strengthen our democracy by means of greater transparency. We are guided by the principles of open government – transparency, public participation and cooperation.”
- “We intend to implement and update the National Action Plans in the context of Germany's Open Government Partnership.”

The implementation of the third National Action Plan (NAP) depicted in this report is a step on the way to drawing up a fourth NAP in 2023 (see the Outlook section at the end of this report).

2. The Third National Action Plan

This interim report is part of the reporting in the framework of participation in the OGP. The third NAP for 2021–2023 was adopted on 30 June 2021. It contains nine commitments by the Federal Government, two with joint federal and Land involvement and three solely under Land responsibility.

The full text of the third NAP, the commitments made and the progress achieved towards each of the milestones can be accessed here, in German: www.open-government-deutschland.de. Monitoring is carried out on a quarterly basis. (The Third NAP in English is published at www.open-government-deutschland.de/opengov-en.)

The writing of this report was preceded by a two-week phase in which the public were invited to comment and by conversations about individual projects with engagement from civil-society organisations. The German Federal Government welcomes the interest and input of specialists from among the general public and thanks them for that involvement.

3. Other developments relating to open government since the adoption of the third National Action Plan

- **KanzlerGESPRÄCH** (Chancellor chat) is a new series of citizens' dialogues held in different locations throughout the Länder. For 90 minutes, the Federal Chancellor engages with questions raised by members of the public. They can ask him anything. The Chancellor wishes to know what is on people's minds and what they want from their politicians.



Federal Government photograph, KanzlerGESPRÄCH held in Lübeck on 11 July 2022

- Germany is establishing a **National Security Strategy** for itself for the first time. It is not being drawn up behind closed doors, but discussed in a joint and inclusive process with the public as well as experts from an early stage in its development and with the involvement of Federal Foreign Minister Baerbock. To that end, the Federal Foreign Office set up an extensive dialogue process comprising citizens' dialogue events in various venues across Germany. The suggestions thus developed for the possible content and objectives of the strategy were discussed in an "open situation room"-style workshop on 11 August 2022 and the participating members of the public and specialists forged them into specific proposals.

- **Democracy opens its doors:** on 20 and 21 August 2022 the public had a chance to explore the work of the Federal Government first-hand and see places that are usually not publicly accessible. For the Federal Chancellery, the federal ministries and the Federal Press and Information Office, that weekend was all about the Federal Government Open Day.

- **IdeenLauf** (Flow of ideas) is the central participatory initiative of the 2022 Year of Science. From January to April, everyone was invited to put their questions to science. More than 14,000 questions were submitted. They are now being discussed and processed by scientists and the general public. This is generating a pool of ideas to stimulate and inspire in the scientific and political spheres.

- **Online dialogue on a programme of natural climate action:** the programme of action is intended to strengthen ecosystems and combine protection of the climate with nature conservation. Numerous measures will ensure that damaged ecosystems are returned to a state of health, resilience and diversity. The dialogue is a way for the Federal Ministry for the Environment, Nature Conservation, Nuclear Safety and Consumer Protection to place the programme of action on a broad grassroots footing. To that end, a digital launch was held on 5 September 2022 to inform a diverse range of stakeholders and associations of the start of the participatory process and the political background. The launch marked the start of six weeks of online participation in shaping the programme of action, finishing on 28 October 2022. Stakeholders and the interested public were able to comment on the programme and propose new ideas. (*Link, in German: www.bmu.de/WS6906*)

- **Citizens' proposal on sustainable food:** at the heart of the dialogue process is a citizens' workshop held in Kassel from 13 to 15 May 2022. Supported by scientists, the almost 60 randomly selected participants jointly developed concrete ideas and innovative proposals for political action to promote a sustainable plant-based diet. In the trial phase following the citizens' workshop, a number of the proposals are being tested for their real-life feasibility. During this phase, several people from the workshop are testing the measures they developed. (*Link, in German: www.bmu.de/WS6833*)

International developments

- Under Germany's **Presidency of the G7**, the G7 summit was held at Elmau, Bavaria, from 25 to 28 June 2022. The G7, together with this year's partner countries, Indonesia, India, Senegal, South Africa and Argentina, sent a joint message in favour of strengthening resilient democracies. In their Resilient Democracies Statement, the heads of state or government commit themselves to, among other things, protecting and fostering open and pluralistic civic spaces as well as open public debate. During Germany's Presidency of the G7, Federal Chancellor Scholz and the German Federal Government are engaging in far-reaching dialogue with civil society. Meetings are being held with representatives of the sciences, business, trade unions, women and young people as well as with non-governmental organisations and think tanks from the G7 countries. Seven G7 Engagement Group processes have been set in motion: apart from Civil7, these are Business7, Labour7, Science7, Think7, Women7 and Youth7. The substance of these independent dialogue processes lies entirely in the hands of each group.
- Germany successfully reapplied for a seat on the **OGP Steering Committee**.
- On 11 and 12 October 2022 the Italian government welcomed the **Europe Regional Meeting** of the OGP to Rome. The meeting focused on transparency, public participation and cooperation in the context of European challenges. As well as a high-level opening ceremony and discussions on democracy in Europe and the future reconstruction of Ukraine (that country's journey within the OGP is described in an article at: www.opengovpartnership.org/stories/ukraines-inspiring-journey-in-the-open-government-partnership), there were many formats and workshops looking at, for example, public participation, combating disinformation, the transparency of AI and the integration of regional and local governments into national open government efforts. As is usual within the OGP, the conference was attended in equal measure by people from governments and civil society, alongside those taking part in the OGP Local programme from all across Europe.
- On 13 and 14 October 2022 the **OGP Steering Committee** met in Rome to discuss the progress made so far on the strategy process begun in spring. Some 10 years since it was founded, the OGP is looking to arm itself for the future and is putting its own rules, the way its mechanisms work and political backing on the agenda for discussion. Germany stands shoulder to shoulder with Estonia, incoming co-chair of the OGP, on the subject of substantial reforms.

Hamburg and Detmold taking part in OGP Local

For some years, the OGP has provided the opportunity for subnational entities to take part directly in a local programme, irrespective of national efforts. This option is open to all regional and local governments within OGP member countries worldwide. The aim of the programme is to gather insights about open government from below the national or federal level and integrate these more strongly into the international dialogue.

In response to the latest call for new members, which was open until mid-March 2022, the city of Detmold and the Free and Hanseatic City of Hamburg became the first German candidates to apply – and were both successful.

Detmold intends to set up a sustainability index at the neighbourhood level in cooperation with city society and to publish the indicators and related figures as open data. At the end of October, in an online participatory process, the people of Detmold will therefore collate their views as to what sustainability data about their neighbourhoods they want to see. On that basis, a steering group made up of stakeholders from organised city society will join the Detmold city authorities in drawing up the action plan on 15 November 2022. A sustainability index at the neighbourhood level will thus be generated by 2025 in a participatory and iterative process with the support of the Institute for Design Strategies at OWL University of Applied Sciences and Arts in East Westphalia-Lippe. In the interests of transparency, anyone who is interested can keep up with the development of the project (in German) at www.wechange.de/project/ogp-local-detmold/.

Hamburg will improve equal access to services for its inhabitants by strengthening digital sovereignty and making municipal data more readily available.

Further information on each of these applications can be obtained from the Detmold city authorities and the Senate Chancellery of the Free and Hanseatic City of Hamburg.

4. The commitments

(numbering as given in the NAP)

Federal Government commitments in the third National Action Plan

A foundation for improving access to legal information (6.1 in the third NAP)

The Federal Ministry of Justice will develop a uniform, contemporary and user-friendly legislative information portal. The portal is intended to provide the general public with a significantly larger range of legislative information from the Federal Government in future, free of charge and in digital format.

Improved access to the Joint Ministerial Gazette (6.2)

The Joint Ministerial Gazette is the official publication of the Federal Government. It is published by the Federal Ministry of the Interior and Community. The content of the Gazette is to be available largely free of charge and in digital format in future.

Transparency about approval procedures for major transport infrastructure projects (6.3)

The Federal Ministry for Digital and Transport will set up a publicly accessible web-based information platform. It will offer details of the planning and approval procedures for major federal transport infrastructure projects.

Provision of the Federal Government's integrity report as open data and extension of reporting to include aspects of internal audit work (6.4)

In the future, the Federal Ministry of the Interior and Community will provide a standardised report on integrity management within the Federal Government and also publish the underlying corpus of data in an open format.



Continued development and enhancement of the government data information platform (6.5)

The Administrative Data Information Platform offered by the Federal Statistical Office creates an overview of the different registers held by the government and the properties of the data stored there. The Federal Statistical Office will draw up a strategy for how the platform can use standard criteria to show the open-data suitability of government data holdings in future.



Promotion of knowledge-sharing in the open data environment (6.6)

The Centre of Competence on Open Data (CCOD) within the Federal Office of Administration will establish a long-term event format with conferences and expert forums. The aim is to strengthen the coordinated provision of open government data by means of intensive knowledge-sharing not only between ministries but also with the scientific and academic community, civil society, business and the Länder.



Participatory development of the next National Action Plan on Education for Sustainable Development (6.7)

New commitments are being drafted for the next National Action Plan on Education for Sustainable Development (ESD). The Federal Ministry of Education and Research will get the general public involved as part of a consultation process and channel the resulting ideas to the bodies engaged in the ESD process.



Maintaining the dialogue on trace substances (6.8)

The dialogue on trace substances is to be continued within the German Federal Environment Agency. The stakeholders concerned, such as product manufacturers, the agriculture sector, environmental associations, unions and the Länder, are to push ahead with potential measures to reduce the release of micropollutants into the aquatic environment. (Ministry responsible: Federal Ministry for the Environment, Nature Conservation, Nuclear Safety and Consumer Protection)



National Centre for Biodiversity Monitoring (6.9)

The National Centre for Biodiversity Monitoring has been set up within the Federal Agency for Nature Conservation. It is to unite monitoring practice with monitoring research, prepare monitoring data from existing sources and make it publicly available, update data management, and connect, empower and support the actors concerned. (Ministry responsible: Federal Ministry for the Environment, Nature Conservation, Nuclear Safety and Consumer Protection)

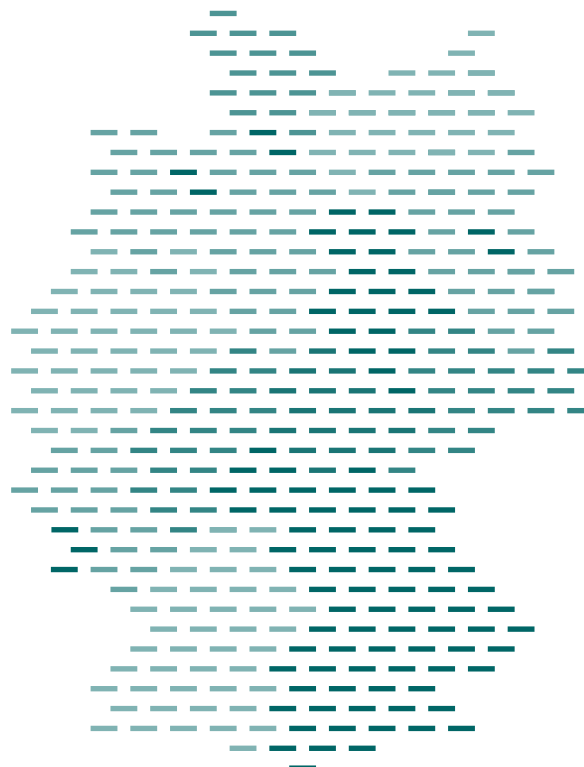
Federal Government commitments involving Länder

An open source platform for public administrations (7.1 in the third NAP)

The Federal Ministry of the Interior and Community and the Länder Baden-Württemberg and North Rhine-Westphalia are creating an open source platform for public administrations that will also be open to actors outside government. This digital platform is intended to make possible a code repository for software solutions and their source code, structured storage for software projects and their management, and shared onward development.

Standards-based simplification of business access to public procurement (7.2)

The Federal Ministry of the Interior and Community and the Free Hanseatic City of Bremen will set up a central national public-procurement data service for public contract awards. (The planned online service was previously referred to as a notification service or Bekanntmachungsservice and also known by its German initials, BKMS.) The new data service will chiefly accept contract and award notices in a standardised format from as many notification platforms as possible, check them for completeness and plausibility, and make them available at all times for customisable searches by businesses and individuals. They will also be provided as open data (OCDS).



Independent Land contributions to the third National Action Plan

The third NAP again includes commitments made by two Länder. All decisions about entering into these commitments and about how they should be implemented were made by the Länder themselves. For constitutional reasons, these commitments are not covered by the Federal Government decision underpinning the other chapters of the third NAP.

Free and Hanseatic City of Hamburg (8.1 in the third NAP):

Public participation and information – digitalisation of administrative services for participation and provision of plans in a spatial planning context

Hamburg will develop software products, termed “benchmark implementations”, that provide optimum digital support to public-participation processes surrounding spatial planning and planning approval and can also be used to make plans available to the public. The software products are to be designed according to the “one for all” principle, i.e. in such a way that they can subsequently be made available to interested Länder and local governments for their own use.

North Rhine-Westphalia I (8.2):

Improve the quality and quantity of data from public service entities and of election data

North Rhine-Westphalia (NRW) will create the technical and legal framework for data from public service entities to be published as open data. Furthermore, all public sector data providers from NRW (public service entities, local governments and Land authorities) are to be aided with the user-friendly publication of high-quality data. Election data are to be standardised and providers’ attention is to be drawn to the quality of the data they supply.

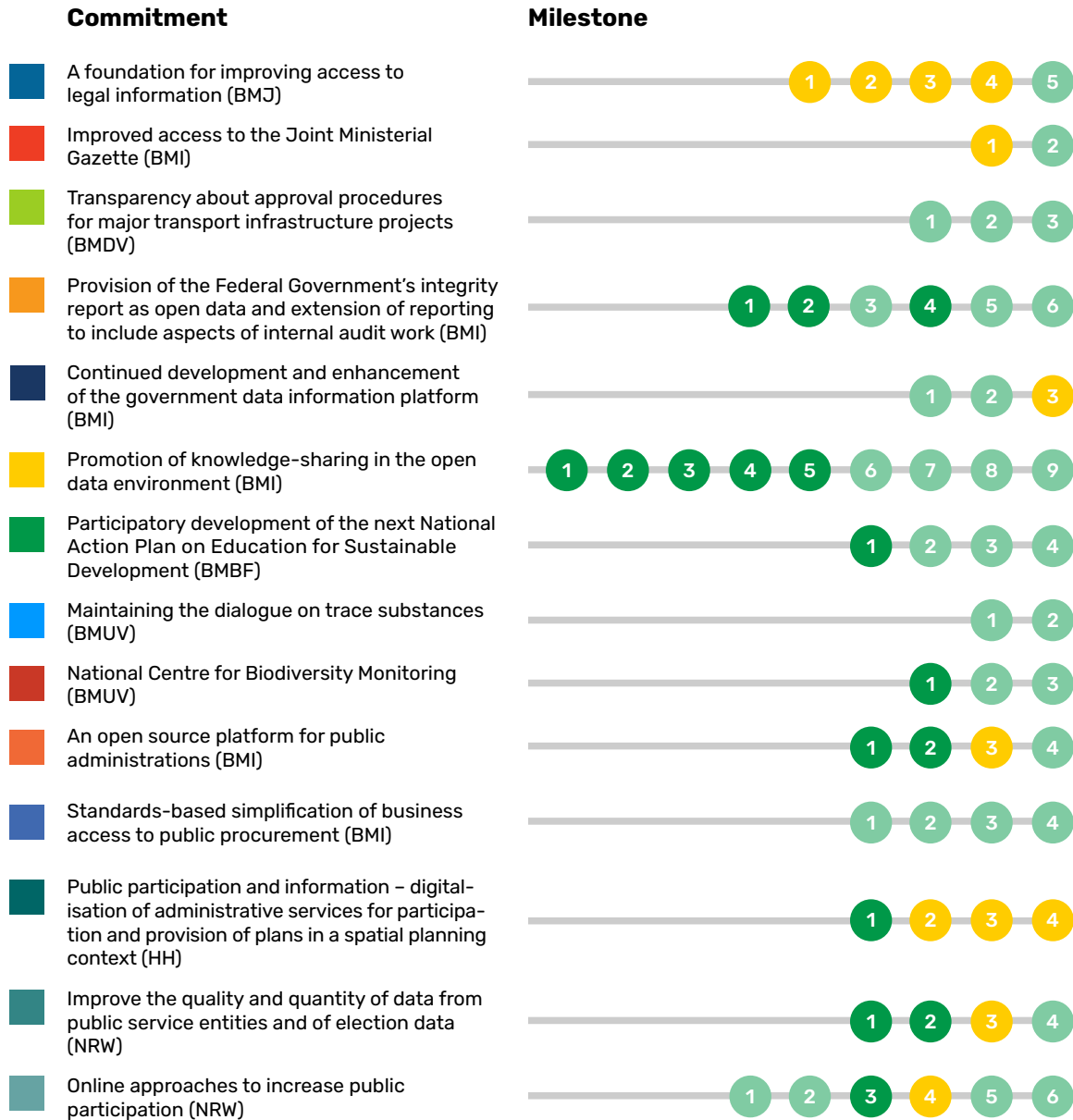
North Rhine-Westphalia II (8.3):

Online approaches to increase public participation





NRW will launch a Land-wide participation portal (*www.beteiligung.nrw.de*) to be fine-tuned in line with needs in close collaboration with the local governments and Land authorities of NRW and its cooperation partner, the Free State of Saxony. Moreover, joint guidelines for both formal and informal public-participation procedures are to be formulated in the interests of improving the standard of participation processes.

5. Milestones and monitoring

The Federal Chancellery enquires at the ministry responsible for each commitment as to the progress made towards each milestone, generally on a quarterly basis.



Key:

-  Milestone achieved
-  Implementation begun, being prepared or partially complete
-  Implementation delayed but achievement of milestone within reference period of third NAP not jeopardised
-  Deadline cannot be met, achievement of milestone doubtful or impossible within reference period of third NAP

The progress indicators relate exclusively to the milestones set out in the NAP. Some of the commitments here simply represent phases of multiannual projects.

There is currently no indication of substantial delays in the implementation of the third NAP which might jeopardise the timely and complete fulfilment of the commitments. Of the 59 milestones, 16 have been achieved, a further 31 are on schedule or in progress and only 12 are currently delayed.

Details on the individual milestones can be read in the monitoring reports on implementation available here, in German: www.open-government-deutschland.de. (The Third NAP in English is published at www.open-government-deutschland.de/opengov-en.)

6. Outlook

In line with the OGP cycle, the fourth NAP for 2023–2025 is due to be adopted in summer 2023. Information-sharing, networking and preparatory conceptual work will already begin this autumn. The German Federal Government’s coalition agreement for the 20th legislative term contains many objectives relating to transparency, public participation and cooperation. The fourth NAP will set out those tasks in context.



7. Abbreviations

BKMS	National notification service, now the national public-procurement data service
BMBF	Federal Ministry of Education and Research
BMDV	Federal Ministry for Digital and Transport
BMI	Federal Ministry of the Interior and Community
BMJ	Federal Ministry of Justice
BMUV	Federal Ministry for the Environment, Nature Conservation, Nuclear Safety and Consumer Protection
CCOD	Centre of Competence on Open Data
ESD	Education for Sustainable Development
HH	Free and Hanseatic City of Hamburg
NAP	National Action Plan
NRW	North Rhine-Westphalia
OCDS	Open Contracting Data Standard
OGP	Open Government Partnership

