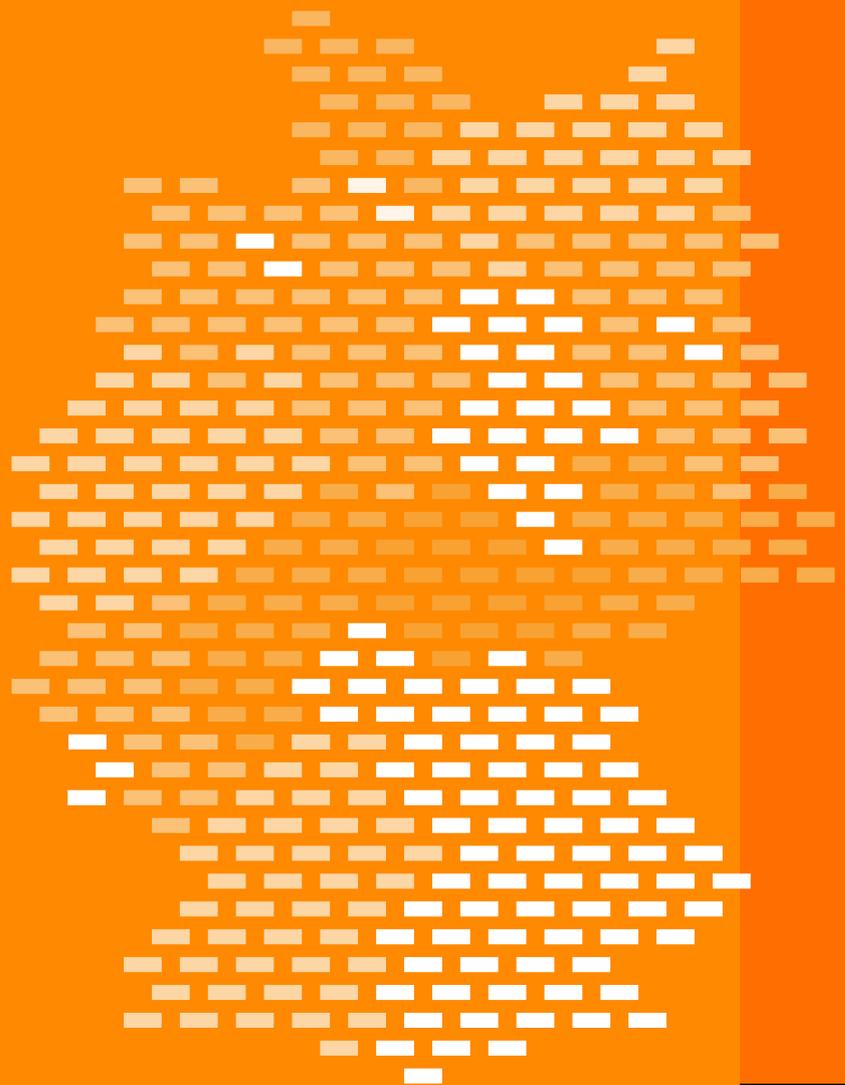


**OPEN
GOVERNMENT
GERMANY**



Second National Action Plan 2019 – 2021



Open
Government
Partnership





Publication details

Second National Action Plan (NAP) 2019 – 2021 in the
Framework of Germany's Participation in the Open
Government Partnership (OGP)

English translation

Published by

Federal Chancellery
Willy-Brandt-Str. 1
10557 Berlin
Germany

www.open-government-deutschland.de

Date of issue

September 2019

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**Germany's participation in the
Open Government Partnership (OGP)**

Second National Action Plan 2019 – 2021

OGP



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Foreword to the Second National Action Plan





Dear fellow citizens,

Effective and comprehensible laws and a public administration that always has the common good in mind – who would not wish for these things from the government? They are easier said than done, however. Rising and falling economic tides, the digital transformation, demographic shifts, climate change and all manner of other changes – some of them global in significance – repeatedly put our governmental fabric and our social cohesion to the test.

One thing is clear: the frameworks set by governmental and administrative action significantly influence our ability to cope with new challenges and the development of our prosperity, social security and social harmony. Citizens are right to expect a modern, service-oriented administration from their government. Companies are right to insist on a legal framework that does not needlessly constrain their flexibility, but rather strengthens the qualities of Germany as a place to do business.

Whatever the public duty at hand, it is a question of taking stock of contextual connections, bringing together interests and determining which solutions enjoy the greatest possible acceptance. We need to be prepared to undertake reforms, but those reforms must also be implemented successfully in the real world. For both goals, close exchange among policy makers, the business community, academia and civil society is indispensable.

“Open government” means being open to new ideas and responses; listening, explaining and educating; approaching one another with sincerity; and practising accountability – these must be part of our culture of governance and administration.

That is the essence of the Second National Action Plan. Participation, transparency and collaboration are cornerstones of our democracy and are essential for a harmonious society. And the numerous and complex challenges of our time especially warrant common efforts and an innovative approach to seeking solutions.

A handwritten signature in black ink, appearing to read 'Angela Merkel'.

Dr Angela Merkel
Federal Chancellor

1. Introduction



“Open government” means government action based on transparency (e.g. in procedures and decisions, and access to information), participation (e.g. citizens’ dialogues, consultations) and collaboration (e.g. between the government and non-governmental organisations, and across various ministries and administrative levels).

Open Government

***OGP** also emphasises the fight against corruption and the harnessing of new technologies to improve governance.*

*The **OECD** defines open government as “a culture of governance based on innovative and sustainable public policies and practices inspired by the principles of transparency, accountability, and participation that fosters democracy and inclusive growth”.*

*The **European Commission** explains the benefits of open government as follows: “Increasing information and knowledge exchange, enhanced connectivity, openness and transparency provide new opportunities for public administrations to become more efficient and effective, provide user-friendly services, while reducing costs and administrative burden. The open government approach can facilitate this transformation. ... It is also about making government processes and decisions open, in order to foster citizen participation and engagement.”*

Since December 2016, Germany has been a participant in the Open Government Partnership (OGP), an initiative by 79 countries so far to promote open government and modern administration.

Open government (see the sidebar for a definition) offers an opportunity for the government and administration to incorporate new ideas for improving their own action and for building trust through transparency and dialogue. Interacting with civil-society organisations on equal terms strengthens motivation for civic engagement and contributes to a solution-oriented society. Open government is an important building block for responsive, democratic and future-facing governance.

The objective of OGP is to bring together reformers from inside and outside public administration and to bolster them by improving visibility and political support for their work. To that end, every two years, states participating in the OGP compile National Action Plans (NAPs) in dialogue with civil society. These plans contain measures for promoting open government in the form of commitments. The action plans are regularly evaluated both by the governments implementing them and by independent OGP expert reports.

The implementation and evaluation of each NAP transitions cyclically into the compilation and implementation of the following NAP. The result is a continuous learning process that is supplemented by expert dialogue among participating states and high-level political engagement with open government. This produces resilient networks, innovations and a binding quality in the implementation of the measures.

This is the second NAP in the framework of Germany's participation in the OGP. The sections that follow describe the significance of open government in Germany and the diverse policy areas to which open government is applied in Germany.

The nine commitments by the Federal Government and, now for the first time, five commitments by three of the Länder give glimpses into the advancement of open government in Germany.¹ These are a selection of measures that are ready for decision-making or implementation within the OGP time frame. They remain subject to individual budgetary authorisation.

Germany is comprised of 16 Länder with approximately 11,000 cities, towns and municipalities. At all levels, there are many additional open government measures under way beyond those profiled here. Some of them are described as examples in other parts of this NAP.

You are all called upon to get involved. Open government, in concert with civil society, business and academia, can help to better solve society's challenges. Read more about how you can play a part in Section 8.

¹ The Federal Government is not taking credit for the contributions of the Länder (pages 52 – 65). These are based on the voluntary participation of the Länder in the NAP compilation process. Accordingly, they are not subject to the Federal Government's decision regarding this Action Plan; rather, they comprise independent appendices to this NAP. For more information, see page 52.

"We seek to further reinforce our citizens' confidence in the capacity of politics to effect change by focusing our efforts on regeneration and solidarity. We want to build a stable and effective government that makes the right choices. At the same time, we aspire to a political approach that encourages public debate, illustrates differences and in so doing advances democracy."

Preamble to the Coalition Agreement between the Governing Parties of the Christian Democratic Union of Germany (CDU), the Christian-Social Union in Bavaria (CSU) and the Social Democratic Party of Germany (SPD) for the 19th legislative term.



In the coalition agreement for the 19th legislative term, the governing parties affirmed Germany's commitment to the international OGP, not least in the lines cited above. Open government is already practised today in many different policy areas and is a key aspect of many of the Federal Government's goals. Examples of this include the provision of public administration data (open data); the promotion of effectiveness in development cooperation; the participation of young people in civic life; and the participation of women in society, the political sphere, business and academia.

Open government is intended to improve our citizens' lives. In this, the Federal Government also follows the principles laid out in the Open Government Declaration:² promoting

transparency, encouraging civic participation and collaboration, fighting corruption and harnessing the opportunities of digital technologies. Open government is not a distinct project or policy area of its own. Rather, it extends across projects and policy areas as a guiding principle for how government and administration can act in order to achieve better results and elicit greater support and trust. This contributes to social cohesion, prosperity and security in Germany and Europe. Through open government, Germany

2. The political significance of open government in Germany

is also promoting the implementation of Goal 16 ("Peace, Justice and Strong Institutions") of the United Nations' Sustainable Development Goals (SDGs).

Open government is not an isolated national aspiration by Germany. The country's participation in the OGP, which is being further intensified at the Federal Chancellor's prompting, is emblematic of that. In April 2019, Germany applied for a seat on the Open Government Partnership Steering Committee. In his letter of candidacy to the co-chairs of the organisation, Prof. Dr Helge Braun, Head of the Federal Chancellery, stressed: "Open government is an idea that has moved beyond tech and data, becoming a formidable strategic tool for leadership and the culture of governance."

On 9 May 2019, the OGP announced that this application was successful and Germany was selected to join the Steering Committee alongside Georgia and Indonesia. (The committee currently includes eleven governments and eleven non-governmental organisations.) The Federal Government is pleased by the OGP's expression of trust. Germany will assume its seat on the committee in October 2019. Together with the other participating states, Germany will strengthen the OGP's work and the international dialogue on open government.

With a delegation led by Minister of State Dorothee Bär, Federal Government Commissioner for Digital Affairs, Germany attended the 6th OGP Global Summit in May 2019 in Ottawa, Canada. The delegation included employees of the Federal Chancellery (BK-Amt); the Federal Foreign Office (FFO); the Federal Ministry for Economic Affairs and Energy (BMWi); the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (BMFSFJ); the Federal Ministry for the Environment, Nature Conservation, and Nuclear Safety (BMU) and GovData, the national data portal. Representatives of the Federal Government had also participated in the two previous summits in Paris and Tbilisi.

² See <https://www.opengovpartnership.org/process/joining-ogp/open-government-declaration/>

The word "civil" in the term "civil society" is equivalent to "citizen." "Civil society" means "society of citizens". In a civil society, citizens take responsibility for society and for other people. They dedicate themselves to democracy and justice. In a civil society, the state is by no means superfluous. It has important responsibilities..., including ensuring that civil society flourishes.

**Source: Gerd Schneider and Christiane Toyka-Seid.
Das junge Politik-Lexikon von www.hanisauland.de,
Bonn: Bundeszentrale für politische Bildung 2019**



3. How open government is being implemented in Germany

In Germany, open government is already practised at all administrative levels and in all policy areas, but rarely under this term. To illustrate this, the explanations below give a – non-conclusive – glimpse of the framework conditions and developments outside the NAP commitments to be found in Section 7.

Participation and engagement of civil society

Participation of civil society and other stakeholders is common practice, both formally and informally, in German government and public administration. For example, this is particularly reflected in cooperation with foundations, initiatives, associations and research institutions and in the participation of associations, consultations, hearings and partnerships in all policy areas.

Examples of **civic participation** at the federal level include:

- **The processes at the Federal Ministry of Transport and Digital Infrastructure (BMVI) to establish the Third National Cycling Plan and to create the 2030 Federal Transport Infrastructure Plan**
- **Financial support for the “BürgerSchaffenWissen” (Citizens Create Knowledge) networking platform for the Citizen Science area of the Federal Ministry of Education and Research (BMBF)**
- **The development of guidelines for positive civic participation and the launching of a competition for citizen participation projects (under the slogan “Ausgezeichnet! Wettbewerb für vorbildliche Beteiligung”)³ at the Federal Ministry for the Environment, Nature Conservation and Nuclear Safety (BMU)**
- **The test run and evaluation of a participation platform with flexible modules for the sake of initiating online dialogue more rapidly and effectively, also at the BMU**

Citizens’ dialogues are carried out by all federal ministries, for example as part of the “Citizens’ Dialogues on the Future of Europe”.

Other dialogues have been held, for example at the Federal Ministry of Defence (BMVg) in regard to security-policy topics and associated ethical issues; at the BMBF in regard to artificial intelligence, during the 2019 Conference on the Future and in Germany-wide dialogue events for the Science Year; and at the BMU as part of the German Resource Efficiency Programme (the Citizens’ Dialogue on “Raw Materials for Conversation”).

³ See <https://www.bmu.de/en/topics/education-participation/citizen-participation-your-opinion-matters/citizen-participation/>

Since 2016, the Federal Foreign Office has conducted more than a hundred citizens' dialogues with a focus on Europe and has discussed issues with citizens at Open Situation Rooms and citizens' workshops.⁴

Specifically for young people, the German Children and Youth Foundation, which is supported by the BMFSFJ, organises regional workshops on the future and youth consultations.

Some examples of **civil society's incorporation into committees** include:

- At the BMBF, the High-Tech Forum⁵ and the implementation of the UNESCO Global Action Programme on Education for Sustainable Development
- At the BMFSFJ, the joint federal-Länder working groups on human trafficking and domestic violence and the initiative "Local Alliances for Family" (see Commitment 11 of the first NAP)
- At the BMVg, the efforts to jointly shape cultural attitudes towards veterans

Examples of consultations and the involvement of outside experts include:

- The WORKSHOP ON THE FUTURE at the Federal Review Board for Media Harmful to Minors
- The "Women in Culture and Media" round table hosted by the Federal Government Commissioner for Culture and the Media (BKM)
- A consultation on the topic of "Growing Up Well with Media" at the BMFSFJ
- A consultation with the practitioners' network Agriculture, Horticulture and Forestry at the Federal Ministry of Food and Agriculture (BMEL)⁶
- Consultations with funded associations on planning and setting priorities for family-related work, and in the federal-Länder working group on domestic violence, all at the BMFSFJ
- A cross-sector expert discussion hosted by the BMVg, along with other government departments and selected NGOs, about challenges in current areas of crisis and conflict
- The web-based consultation process by the Federal Ministry of Labour and Social Affairs (BMAS), the BMU and the Federal Ministry for Economic Affairs and Energy (BMWi), in which approximately two hundred nationally operating associations participated
- The consultation processes conducted by the Federal Ministry for Economic Cooperation and Development (BMZ) as part of the regular country talks to present the basic principles of strategy towards specific countries and to discuss the framework conditions for development cooperation in partner countries

At the IDAHOT Forum and the round table for the European Governmental LGBTI Focal Points Network, the BMFSFJ engages in dialogue with NGOs regarding the status of **equal treatment** of LGBTI (lesbian, gay, bisexual, transgender and intersex) individuals throughout Europe.

4 See <https://www.auswaertiges-amt.de/de/aamt/aussenpolitiklive>

5 See <https://www.hightech-forum.de/>

6 See https://www.bmel.de/DE/Ministerium/Organisation/Beiraete/_Texte/Praktikernetzwerk.html



Academia participates in diverse ways. For example, the BMBF incorporates academia in the annual Forum for Sustainability,⁷ in the development of a new National Policy Strategy on Bioeconomy, in the national Human-Technology Interaction framework programme for research, via the Conference on the Future and in the Network on Integrated Research.

Independent expert researchers and businesspeople have been working together on the **Digital Council** since August 2018. They represent practical experience and innovation, and advise the Federal Government with their specialist expertise.

A welcoming environment is necessary for volunteerism to flourish. For example:

- ➔ **The BMFSFJ promotes associations and organisations that play an important role in organising volunteers and building their skills**
- ➔ **The BMVg supports local associations and national interest groups that actively advocate for the support and appreciation of soldiers in the Bundeswehr**
- ➔ **The Federal Government Commissioner for Culture and the Media promotes measures to strengthen volunteerism in cultural activities, for example the Training Modules for Organisational Development of Cultural Booster Clubs in Rural Areas**
- ➔ **The BMI⁸ supports Stiftung Bürgermut, a foundation which supports the “D3 – so geht digital” project. The goal is to support associations, non-profit organisations and social start-ups on their path to the digital transformation.**

⁷ See also www.fona.de

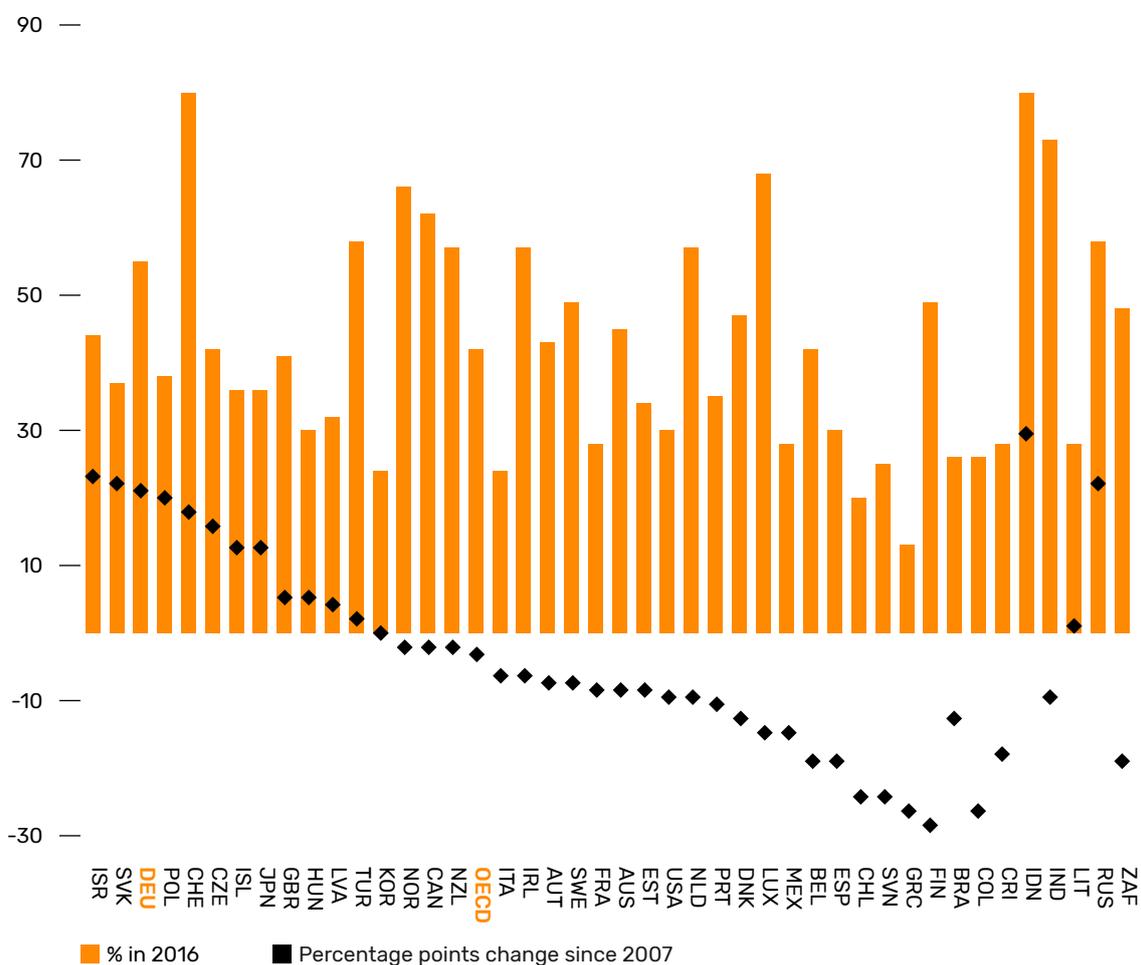
⁸ See <https://so-geht-digital.de/>

Transparency and accountability

The people of Germany have confidence in their government

International comparisons of ratings, responsiveness and the quality of services in key areas (health care, education and justice) reveal important differences among OECD (Organisation for Economic Co-operation and Development) countries. Germany is one of the countries with a high level of confidence in its public administration. Moreover, between 2007 and 2016, it gained roughly 20 percentage points in this metric.

(OECD) – Level of confidence in national governments⁹



9 See <https://www.oecd.org/gov/government-at-a-glance-2017-highlights-en.pdf>

One aspect of open government is the publication of **open government data**. The following frameworks are examples of this:

- **The Open Data Law implemented the objective of declaring the publication of data from the direct public administration as a general principle (“open by default”).**
- **The Spatial Data Access Act (Geodatenzugangsgesetz) provides for the free use of spatial data collected by federal authorities.**
- **As a general rule, all federal ministries publish specialist data, such as data on food and agriculture¹⁰ and statistics.¹¹ The BMVI operates a portal called mCLOUD, which serves as a repository for data on transport, climate & weather, aerospace and infrastructure. These data and the open data of participating Länder are all available at Govdata.de, the national data portal.**
- **The Federal Agency for Cartography and Geodesy provides standardised web services to facilitate the efficient use of **spatial data**. These web services may be used for researching, sharing and editing topographic maps and digital topographic landscape models (geo-reference data). They can also furnish information (metadata) on the availability and quality of the data and services.**

Transparency also means supplying **information** to the public:

- **Federal and Land-level agencies actively provide online access to up-to-date information that serves as the basis for government policy, e.g. monitoring of air and water quality, noise pollution and radiation.**
- **Under the Freedom of Information Act (IFG), citizens generally have the opportunity upon request to obtain information available to federal authorities. In addition, the federal authorities are subject to the publication obligations under Section 11 of the IFG, which are not contingent on individual requests. There are comparable regulations in most Länder.**
- **The Act on the Re-Use of Public Sector Information (IWG) regulates the conditions under which public sector information may be re-used.**
- **The right to environmental information at the federal and Land levels guarantees citizens broad access to environmental information. These regulations are based on the idea of environmental protection through transparency.**
- **Since July 2019, on a new national reporting platform (NRP) the Federal Statistical Office has been providing data and metadata about global sustainable development in Germany in reference to the United Nations Sustainable Development Goals.¹²**

¹⁰ See https://www.ble.de/DE/BZL/Daten-Berichte/daten-berichte_node.htm

¹¹ See https://www.destatis.de/DE/Home/_inhalt.html

¹² See <https://sustainabledevelopment-germany.github.io/>

- Since the 18th legislative term, the federal ministries have been publishing draft legislation and draft regulations as well as opinions submitted during the association participation process on the federal ministries' websites.¹³ There is a list of links to these sources on www.bundesregierung.de.
- The Press and Information Office of the Federal Government is responsible for informing citizens and the media about the Federal Government's policies. In this work, it uses the tools of public relations and information policy to explain and speak on behalf of the activities, plans and goals of the Federal Government. This information is provided to the public particularly via the internet, social media, printed matter and political informational tours.¹⁴
- The web portal on protecting cultural property, operated by the Federal Government Commissioner for Culture and the Media in tandem with the Länder, aims particularly to raise public awareness by creating transparency about the protection of cultural property.

Accountability includes **reporting**. This makes the business of government more comprehensible. There are numerous reporting requirements at the federal and international levels. Most of these result from legal obligations to report to the German Bundestag, from stipulations of coalition agreements and from international obligations to be implemented at the national level.

- For example, twice annually since March 2015, the BMVg has been compiling the "Report by the Federal Ministry of Defence on Matters of Armaments",¹⁵ which covers the current state of affairs regarding the development and acquisition of material; the report's public portion is also published on the internet. In addition, the BMVg annually publishes the "Report by the Commissioner for Competition and Small and Medium-Scale Enterprises", which includes figures and statistics on procurement from the previous year.
- Every four years, the Federal Government publishes the Environment Report, which contains information on the state of the environment on federal territory.
- During each legislative term, the BMFSFJ compiles reports on "The Status of Senior Citizens in the Federal Republic of Germany" and on the equal opportunity of women and men in Germany. In addition, there is a regular report on the development of the share of women and men in leadership positions and in private and public sector bodies (see also Commitment 12, first NAP).
- The BMWi annually compiles procurement statistics, which are currently still in aggregated form. These data are published on the BMWi website. Beyond this, the Federal Statistical Office is currently developing a central, national compilation of procurement statistics. In future, these will extend to procurement activities at all governmental levels of the Federal Republic of Germany. Data collection is set to begin in 2020.
- The legislature's right to ask questions is an extensive tool for exercising oversight over the executive branch's activities. Thorough documentation of this is available at www.bundestag.de.
- On a monthly basis, the Federal Ministry for Economic Cooperation and Development (BMZ) publishes data on financial flows in development cooperation according to the standard of the International Aid Transparency Initiative (IATI) for the sake of presenting current financial flows transparently.

¹³ See <https://www.open-government-deutschland.de/opengov-de/mitmachen/gesetzentwuerfe-und-stellungnahmen-oeffentlich-einsehbar-1591290>

¹⁴ See, for example, <https://www.bundesregierung.de>, <https://www.bundeskanzlerin.de>, (including social media channels and a podcast) and <http://www.bild.bundesarchiv.de/>

¹⁵ See <https://www.bmvg.de/de/aktuelles/9-bericht-des-bmvg-zu-ruestungsangelegenheiten-54336>

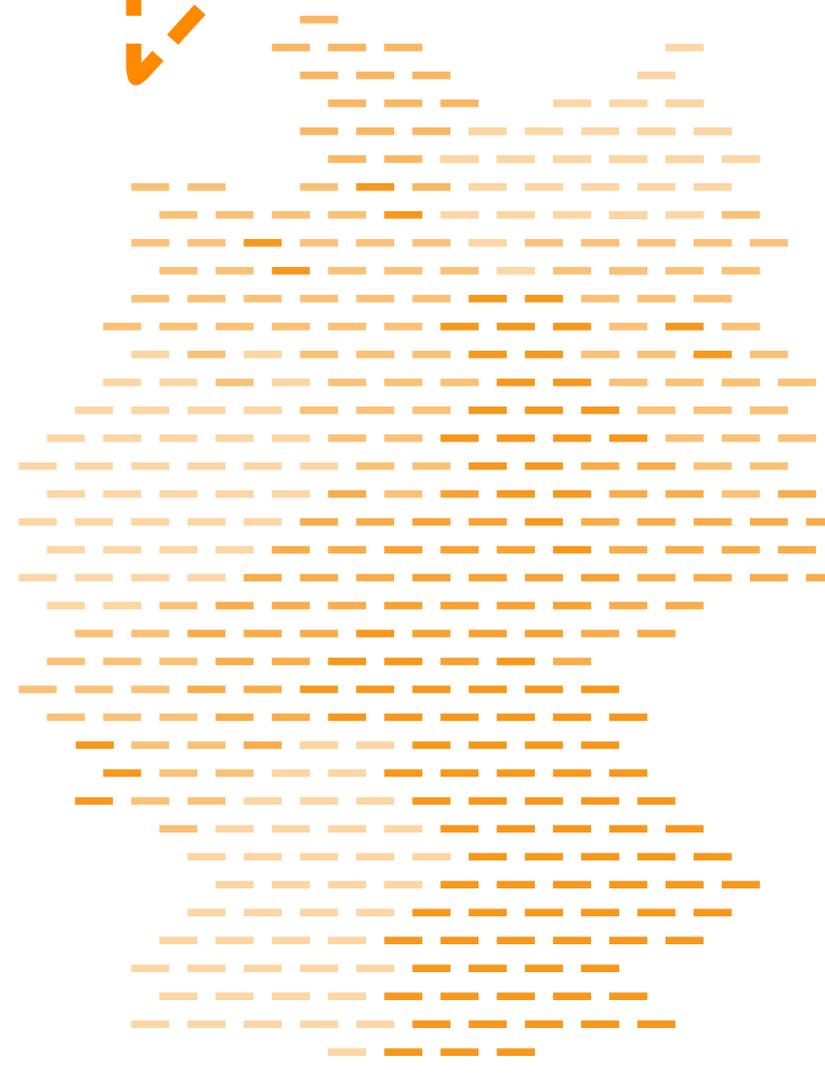
For Germany, a unique form of **accountability** in the context of open government is **coming to grips with the past of public authorities during the Nazi period**. In the framework of a research programme by the Federal Government Commissioner for Culture and the Media,¹⁶ a variety of studies are confronting the Nazi pasts of federal authorities. Subsequently, a one-stop database will consolidate current and future raw research data with a thematic focus on the Nazi period and the post-war process of coming to grips with it.

In addition, more than 20 federal authorities have conducted research into their institutional pasts, including the Federal Ministry of the Interior, Building and Community (BMI)¹⁷, the Federal Foreign Office, the BMWi, the Federal Ministry of Justice and Consumer Protection (BMJV), the BMAS, the BMVg, the Federal Public Prosecutor General, the Federal Intelligence Service, the Federal Criminal Police Office and the Federal Office for the Protection of the Constitution.

Facts and figures about Germany

The World Happiness Report ranks Germany in 16th place out of 155 countries.¹⁸

The Federal Foreign Office's commitment in this action plan to offering digital access to the FFO Political Archive also connects to this aspect of open government (see page 36).



¹⁶ See <https://www.bundesregierung.de/breg-de/aktuelles/aufarbeitung-der-ns-vergangenheit-zentraler-behoerden-start-der-forschungsprojekte-745100>

¹⁷ See <https://www.bmi.bund.de/DE/ministerium/unsere-geschichte/ns-aufarbeitungsprojekt/ns-aufarbeitungsprojekt.html>

¹⁸ See https://s3.amazonaws.com/happiness-report/2018/WHR_web.pdf

Collaboration and innovation

In the early years of the OGP, collaboration came to be understood as the true third cornerstone of open government.¹⁹ The underlying idea is to identify and promote new paths towards cooperative work (not only on a digital basis), for example across the boundaries between sectors and authorities. Openness in the spirit of partnership and cooperation plays a key role in achieving the goal of making government and administration more responsive and more innovative. From the viewpoint of the Federal Government, this aspect of open government has to date received insufficient attention, although there are many examples of it:

- **The *Wirksam regieren* (Effective Governance) project at the Federal Chancellery aims to explore and develop citizen-centred solutions for the federal administration; since 2015, the Federal Government's first policy lab has been translating empirical findings into practical policies. The division comprises implementation experts and academics from various disciplines such as psychology, education studies, economics and law. Using empirical methods, solutions are developed and put through practical tests under realistic conditions. *Wirksam regieren* works in close partnership with experts and professionals from the academic community, ministries and other authorities as well as with members of civil society.**
- **Since June 2018, the BMI has been conducting digital transformation labs, a format in which authorities, the IT sector and citizens collaborate across levels and disciplines to transform public services for the digital age.**
- **With the digital innovation team as a "think & do tank" of the federal administration, the BMI is establishing a structured innovation management system and is anchoring agile working techniques in administration (see Commitment 4).**
- **With its living lab strategy of December 2018, the BMWi has been launching and supervising living labs, strengthening experimentation clauses and promoting the cooperation of the scientific and academic community, the business community, the general public and administration.**
- **The BMAS has created the Policy Lab Digital, Work & Society, which bridges the functions and techniques of a conventional think tank with those of a contemporary future lab. The policy lab will provide a forum for interdisciplinary groups of academic and professional experts to contribute their expertise and present their positions.**
- **The BMVg's Cyber Innovation Hub, as the Bundeswehr's Digital Innovation Unit, has been initiating an effort to contract out innovative projects specifically to start-ups and the founder scene, which already possess market-ready innovations suited to existing needs. The hub thus serves as an interface between the Bundeswehr, start-ups and other innovative private operators.**
- **With its "Digital Life" innovation office, the BMFSFJ is bringing together various players from civil society, the digital scene and government in order to develop and scale up innovative approaches to shaping the digital transformation in society.**

¹⁹ See "Memorandum on Open Government" at <https://obamawhitehouse.archives.gov/the-press-office/transparency-and-open-government>

- The “Digital Technology and Education for Older People” advisory council, established by the BMFSFJ in 2018, assembles intersectoral and interdisciplinary expertise from academia, trade associations and the business community.
- Since 2016, via the research initiative mFUND (Modernity Fund),²⁰ the BMVI has been supporting research and development projects in all aspects of digital, data-driven applications for Mobility 4.0 (see Commitment 7 of the first NAP). Various events are organised within this framework, such as hackathons (the BMVI Data Run), the mFUND Conference and the BMVI Start-up Pitch.
- Since 2016, in cooperation with the initiative “Germany – Land of Ideas”, the BMVI has been presenting the annual German Mobility Award, which spotlights digital innovations in mobility. In a best-practice stage, the award goes to outstanding projects that advance the digital transformation in mobility. An ideas competition selects the best ideas from private citizens and presents them to the public.
- The Network for Integrated Research was established by the BMBF in 2018 with the aim of strengthening knowledge transfer among research projects. In addition, the BMBF organises multidisciplinary, usually single-day, dialogue events with experts and actors in the academic and business communities as well as broader society, who advise one another on current topics in innovation and knowledge transfer, such as “compass meetings”.
- Since 2012, the BMBF has been working closely with the maker scene in Germany with the aim of implementing ground-breaking innovation pathways for the innovative field of photonics. Programmes for this scene include BarCamps and competitions. This has resulted in funding measures to advance open innovation and open-source approaches.
- Beginning in 2019, the BMBF Cluster4Future programme has been promoting the development of a new generation of regional innovation networks (known as “future clusters”). The programme seeks to harness the strength of strategically oriented, long-term regional collaboration networks in order to rapidly and comprehensively transform current foundational research findings into new added value and new societal innovations. The future clusters support an open innovation culture, in part by exploring novel formats for involving potential customers and users as well as citizens and society in processes of research, development and innovation. This also encompasses approaches for maker spaces and citizen science along with the implementation of living labs as spaces for flexible innovation.

Facts and figures about Germany
 Germany ranked third in the 2018 Global Competitiveness Report.²¹

²⁰ See <https://www.bmvi.de/DE/Themen/Digitales/mFund/Ueberblick/ueberblick.html>

²¹ See <http://www3.weforum.org/docs/GCR2018/05FullReport/TheGlobalCompetitivenessReport2018.pdf>

Preventing and fighting corruption

In signing the 2030 Agenda for Sustainable Development, Germany committed to reducing all forms of corruption and bribery (Goal 16.5) and to fighting illegal financial flows (Goal 16.4), among other commitments.

Fighting corruption (prevention and prosecution) is a high priority in Germany.

At the federal level, there is a concept for **corruption prevention**²² that applies to the entire federal administration and also provides guidance to businesses in the individual Länder. The concept comprises a coordinated system of both legal regulations, including disciplinary and labour law, and various internal administrative regulations (such as the Federal Government Directive concerning the Prevention of Corruption in the Federal Administration).

There are also comparable approaches to corruption prevention in the Länder, for example a “Concept for Preventing and Fighting Corruption” by the Standing Conference of the Interior Ministers of the Länder (IMK) from 1995 (“IMK Concept on Corruption”).²³

Corruption prevention takes on particular significance in the area of **public procurement**. Companies that commit economic crimes should not benefit from public contracts or concessions.

A project is currently under way to establish a competition registry that will allow contracting entities to submit a single electronic query and determine whether a company has been associated with relevant legal violations that might warrant exclusion from procurement procedures (e.g., an administrative decision imposing a fine for violations of antitrust law) or even make such exclusion obligatory (e.g., a final and binding conviction for human trafficking, bribery or tax evasion). The Bundeskartellamt (Federal Cartel Office) will be the registration authority. To date, no comparable registry exists in another EU member state.

A transparency registry exists for the sake of fighting **money laundering**. It includes details on the beneficial owner behind a given company, insofar as this data is not available from other registries (the commercial register and the respective official registers of general partnerships, cooperatives, societies, associations and companies). In 2020, the transparency registry is to be made accessible to the entire general public in keeping with the stipulations of the EU’s anti-money laundering directive. It will then no longer be necessary to prove a justified interest in viewing these details. (The legislative process is currently under way).

To strengthen the **prosecution of corruption**, the Federal Government has previously introduced a series of bills, under the lead responsibility of the BMJV. These have been passed by the legislature and have now taken effect.²⁴ The corresponding instruments of international law, such as the law enacting the United Nations Convention against Corruption of 31 October 2003, have been ratified by Germany.

22 See http://www.verwaltungsvorschriften-im-internet.de/bsvwvbund_30072004_04634140151.htm

23 See, for example, <https://www.im.nrw/themen/verwaltung/strukturen-und-aufgaben/schutz-vor-korruption/konzept-der-innenministerkonferenz>

24 See, for example, Bundestag printed papers 18/2138, 18/4350, 18/8831, 18/9234, 18/9525 and 19/7886

There are Germany-wide industry-specific “alliances against **illicit work** and illegal employment” between the BMF and numerous employers’ associations and unions, for example in construction and the logistics sector.

The Federal Government is also committed to fighting corruption at an **international level**. This includes efforts within the OECD, the G20, the Council of Europe (Group of States against Corruption, GRECO) and the United Nations. At the 2017 G20 Summit in Hamburg during Germany’s G20 Presidency, “high-level principles” for fighting corruption were presented and approved by the heads of state and government. They include principles for fighting corruption associated with illegal trafficking of animals and plants as well as corruption associated with customs enforcement, among other issues.²⁵

German development cooperation supports partner countries in their anti-corruption efforts while demanding an active fight against corruption, following the “carrot and stick” approach. National reform processes in partner countries are supported by both projects with institutions that are explicitly involved in preventing or fighting corruption (e.g. anti-corruption commissions) and by mainstreaming the issue in projects in other sectors. The foundation for shaping German development cooperation in this area is the Federal Ministry for Economic Cooperation and Development’s “Anti-corruption and Integrity in German Development Cooperation” strategy as well as, since 2017, the Marshall Plan with Africa.

²⁵ See https://www.bmjv.de/DE/Themen/G20/G20_node.html



Digital Transformation of state and society

Germany has room for improvement in the digital revolution

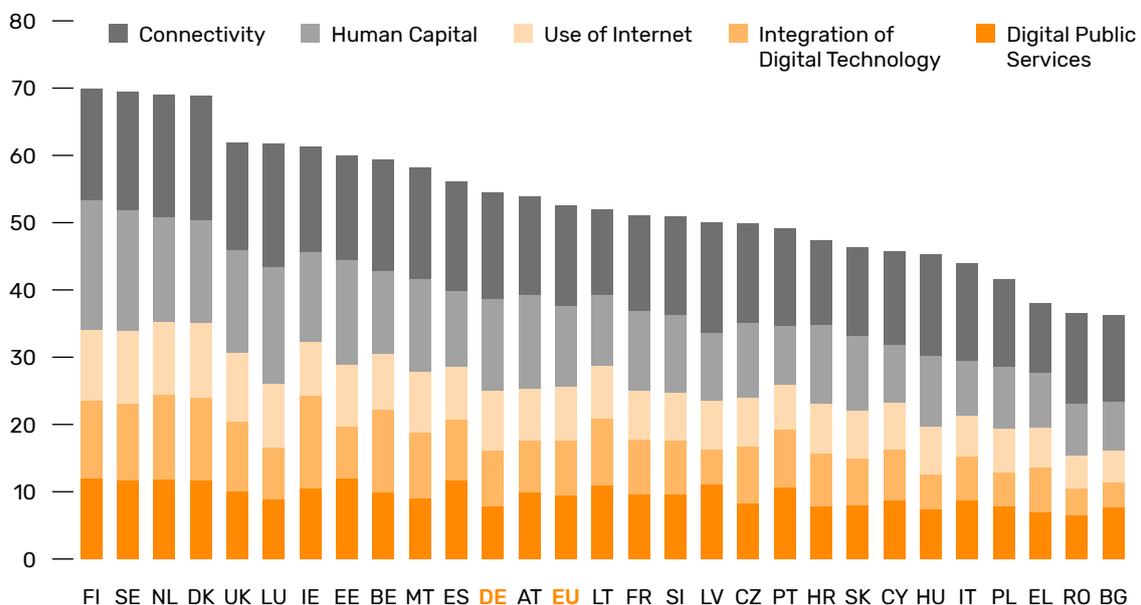
Germany performs well along most dimensions of the DESI and is one of the leading EU states in digital competency. It is still lagging in e-government and the use of ultra-high-speed broadband connections.

The advancing digital transformation of government and society poses major challenges for organisations in the public and private sector as well as for private citizens. However, it also offers opportunities for redesigning public services to be more responsive, for supplying rural areas more equitably and for democratising education:

- **To establish equitable living conditions and digital public services everywhere, the Online Access Act sets the goal of offering 575 public administration services digitally by 2023. Citizens and companies will then be able to take advantage of these services from anywhere at any time via a single user account. The administrative burden on companies will be reduced when they can submit applications and notifications to authorities seamlessly. The account is to ensure that users are informed with the necessary transparency as to which government entities are holding or retrieving data. The implementation process will be cooperative and user-oriented (via digital transformation labs, among other strategies) as well as transparent (for example, FIMportal.de is assisting public authorities at all levels with the Germany-wide harmonisation of legally secure wording on forms).**
- **Experiences from the model project “digital voluntary social year” are being expanded to all other volunteer services by the end of 2020.**
- **The “Digital Technology and Education for Older People” service office at the German National Association of Senior Citizens’ Organisations is the point of contact for all topics in the realm of lifelong learning and the digital age. Information on educational programmes for seniors throughout Germany is provided on the internet platform “wissensdurstig.de” (whose URL translates as “thirsty for knowledge”).**
- **The Federal Government Commissioner for Culture and the Media supports numerous innovative digital projects to enable accessible and low-threshold cultural offerings. The aim is to address new user groups who have not previously had access to cultural offerings, to actively promote their participation and initiative, and to ease any fears of the unknown. For example, the coalition project museum4punkt0, in which the Stiftung Preussischer Kulturbesitz (Prussian Cultural Heritage Foundation) holds lead responsibility, is developing digital strategies for the museum of the future that inspire efforts to develop, try out and implement new technologies.**
- **The “Digital Angel” bus, which tours around Germany, teaches low-threshold digital skills for daily life, especially for senior citizens, in a secure, practical, and helpful manner.**
- **To provide access to the Gigabit society, the Federal Government has set the goal of enabling forward-looking broadband access throughout Germany by 2025 and has established a programme to support broadband expansion.**

- With the Digital Pact for Schools²⁶, the Federal Government is providing five billion euros for investments in digital educational infrastructure to all the schools in the country. This is laying the groundwork for teaching digital skills in the classroom.
- The BMBF is supporting people's digital skills by strengthening STEM (science, technology, engineering and mathematics) education in Germany. The STEM Action Plan, published in early 2019, serves as the strategic umbrella over numerous existing and planned funding measures.
- Funded by the BMBF, a learning portal by the German Adult Education Association offers free e-learning programmes in subjects such as media competency.
- In its statement "Human-technology interaction (HTI) for digital sovereignty", the BMBF announced its funding for HTI innovations. The aim is to enable users to understand which data and data links can generally be recorded, processed, combined and transferred by digital systems. This is meant to empower users to engage with their own data on a thoughtful and informed basis
- The Federal Government is committed on an international level (EU, OECD, G7, G20) to the ethical development and ethical deployment of artificial intelligence (AI). Part of the international principles is exploring the issues of AI systems' transparency, comprehensibility, responsibility, non-discrimination and liability.

Digital Economy and Society Index (DESI) 2019²⁷



²⁶ See <https://www.bmbf.de/de/wissenswertes-zum-digitalpakt-schule-6496.php>

²⁷ See <https://ec.europa.eu/digital-single-market/en/desi>

Open government at the Land and municipal levels

The various dimensions of open government have long been part of policy at the Land and municipal levels, albeit – like at federal level – not necessarily under this label or not yet always as a strategic consideration:

- In Germany, **citizen participation** has a long tradition in particular at the local level. Many cities, towns and municipalities are carrying out projects that enable their residents to participate in prioritising or shaping municipal expenditures (known as participatory budgeting). They gather the residents' suggestions and wishes in their role as "experts on the ground" and discuss and review them in terms of their effects on the municipal budget. Participatory processes are mandatory for most infrastructure projects.
- In research, likewise, participatory approaches are applied to citizen participation – for example, in the City of the Future competition, in which cities, towns and municipalities develop sustainable visions for the future of their locality.
- A continuation of the "**Smart Cities**" dialogue platform is supporting forward-looking pilot projects in Germany that create and implement digital strategies for liveable towns, cities, counties and municipalities.
- With the MobilitätsWerkStadt 2025 (Local Mobility Workshop 2025) competition, the BMBF is supporting up to 50 municipalities in developing innovative and sustainable mobility concepts in collaboration with key players and multipliers from the business community, civil society and academia.
- Since autumn 2017, in the project **Model Municipality** Open Government, supported by the BMI, nine model municipalities of different sizes – from a city of more than a million residents to a town of 4000 – have been cooperating. The aim is to showcase the practicability and effectiveness of open government, especially in view of regional challenges such as structural and demographic change, guaranteeing public social services and digital technology at the municipal level. The joint concluding document, as a handbook for practical application, will be published in autumn under a title that translates as *Municipal Open Government: User Manual for a Utopia*. This is also Milestone No. 5 of Commitment 1 in the first NAP.
- The circumstances for **open data** in Germany vary; to date, legal regulations are not in place in all Länder. All but four Länder have become part of the national GovData data portal, an index of open data in Germany (as of July 2019). Many open data initiatives are being advanced by towns and cities (e.g. Moers, Bonn, Munich and Hamburg), partly as a way to offer their residents smart services in sectors such as transport, social services and culture. The Land Schleswig-Holstein, for example, presented a new and comprehensive open data portal in 2019. A project in Saxony is focused on digital technology and the publication of data sets associated with the **natural resources** sector (including drilling data).²⁸

²⁸ For more information, see <https://www.rohstoffdaten.sachsen.de/>

- In regard to **freedom of information**, the picture is similarly uneven and ranges from Länder with transparency laws to ones without any associated legal regulations.
- There are initiatives and networks for open government in Länder including North Rhine-Westphalia (which also has an Open Government Pact) and Baden-Württemberg. At the municipal level, conferences add a growing dimension of professional networking in government and administration on various aspects of open government. Two examples include the Municipal Open Government Conference, organised by civil-society organisations, and the Smart Country Convention of the Bitkom industrial trade association.
- A variety of civil-society initiatives and networks – such as the Alliance for Diverse Democracy, the Open Government Network of Germany and the Open Knowledge Foundation of Germany's OKLabs – have regional or municipal chapters. In numerous cases, these are established forums in which employees of the federal, Land or municipal administrations can get professionally involved.

Facts and figures about Germany
Germany ranks 5th out of 188 on the Human Development Index.²⁹



²⁹ See <http://hdr.undp.org/en/data>

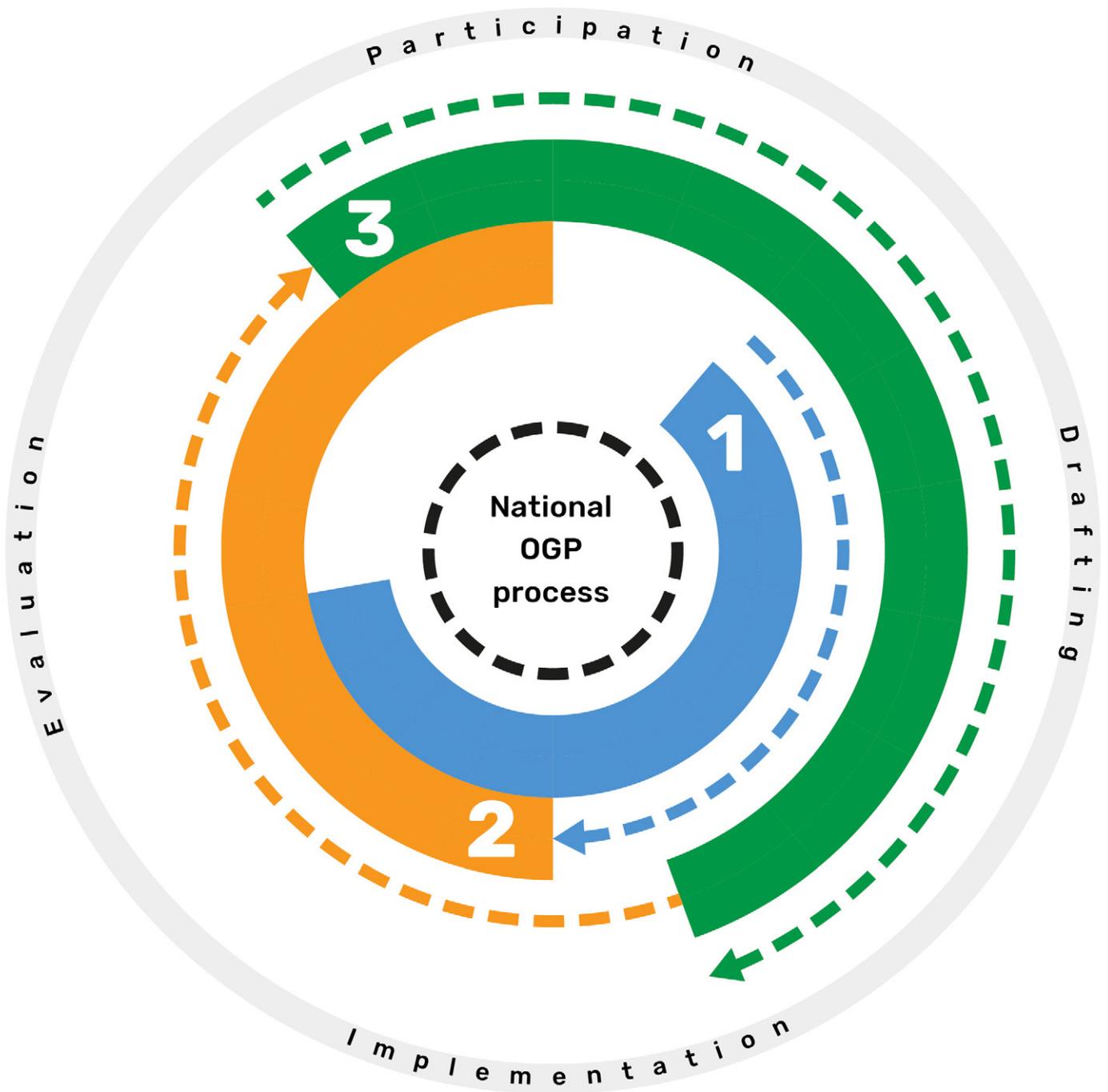
4. How the OGP process works

In accordance with the OGP rules, the NAPs are to be created in cooperation with civil society and contain 5 to 15 government commitments that are ambitious, measurable and relevant to open government. The level of exchange with civil society can range from consultation to co-creation. Opportunities for participation in the process must be communicated broadly and at an early stage. Steps and results must be documented transparently, and feedback must be provided. The consultation process is a fundamental component of developing the action plans. Civil society should also be involved in their implementation and reporting whenever possible.

The action plans are subject to the Independent Reporting Mechanism (IRM) of the OGP. An expert who is commissioned by the OGP, but is editorially independent of its office, assesses the development process and implementation of each participating country's action plan. This assessment first considers the design and realisation of an action plan (in the interim report after one year of implementation) and then the achievement of objectives and impacts (after two years). These reports supplement the government's own reporting system. IRM reports are based on publicly available sources, individual research and/or enquiries with the relevant bodies and participating NGOs³⁰.

As the figure illustrates, the OGP process is cyclical: the periodic preparation, implementation and evaluation of action plans with measurable reforms are all interlinked, and all contribute to a continuous learning process designed to build confidence and promote innovation on all sides. External expertise is constructively combined with public-sector know-how.

³⁰ See 2019 OGP Handbook at <https://www.opengovpartnership.org/documents/ogp-handbook-rules-and-guidance-for-participants-2019/>



**Schematic representation
of the cyclical OGP process**



5. The path from the first to the second NAP

Developments since the 1st NAP:

The first National Action Plan was adopted in August 2017. The Federal Government presented an Interim Report on its implementation in November 2018³¹, and the final report is expected to be compiled by November 2019. As of the time of the adoption of the present second NAP, the commitments in the first NAP have been largely implemented. These included a goal to improve the OGP process itself.

Since the first NAP, a variety of steps have been taken to anchor the OGP process more firmly and to provide information about open government:

- **The coalition agreement among the CDU, CSU and SPD for the 19th legislative term underscores Germany's commitment to the OGP.**
- **Since summer 2018, the Federal Chancellery has been responsible for coordinating the OGP process.**
- **Since March 2019, open government has had a web presence, including a newsletter function, at www.open-government-deutschland.de.**
- **Exchange with the Länder, associations and civil society organisations as well as partner countries is being continuously intensified. The consultation process on the 2nd NAP took place primarily online. For the first time, the Länder were formally invited to take part.**

As part of the implementation of the first NAP, Germany became the first EU member state to achieve EITI-compliant status under the Extractive Industries Transparency Initiative (EITI).

In July 2019, an IRM interim report also became available for Germany for the first time, and was open for public comment³².

How the second National Action Plan was created:

The aim for the 2nd NAP was to build on the process for the 1st NAP to reach an even broader range of civil society organisations and involve them in a dialogue. In keeping with Commitment 1 of the 1st NAP, the process was to be based on optimised, and in particular more transparent, methods.

The Federal Chancellery hosted an informational event in October 2018 in the run-up to the consultation process. More than 50 attendees, including participants from the Länder, were informed about the OGP there.

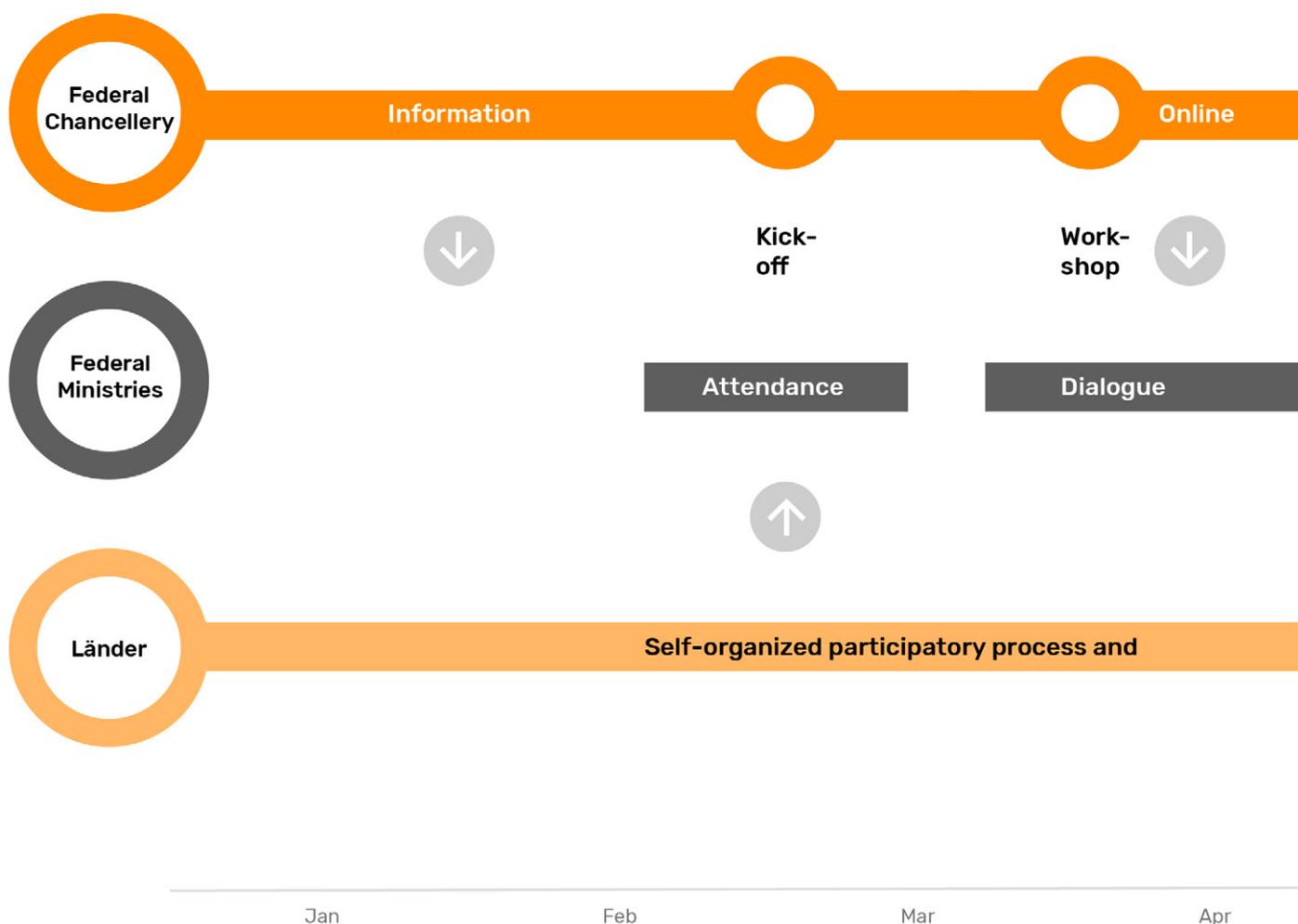
- **The consultation process began with a kick-off event in March 2019, to which some 150 people and institutions were invited. The event had 75 participants, including representatives of federal ministries.**

31 See <https://www.open-government-deutschland.de/opengov-de/mitmachen/zwischenbericht-zur-umsetzung-des-ersten-aktionsplans-verabschiedet-1591292> (available in English)

32 See <https://ogp.civcomment.org/germany-design-report-2017-2019-year-1-public-comment>

- This was followed by a one-month online consultation period with the opportunity to formulate and discuss proposals for commitments. The Federal Chancellery also offered interested organisations space and a structure for developing and improving their ideas at four workshops, some of which were organised in cooperation with the civil society Open Government Network³³. These revisions were incorporated back into the online channel. All of the steps, participants and results were documented online³⁴. Organisations and individuals made a total of 1435 online contributions during this period, and more than 150 NGOs, initiatives, university chairs and individuals were part of the growing circle of invited participants.
- At the same time, both the ministries and the Länder had the opportunity to enter into dialogue with a specialist audience in order to work on the commitments – as was done, for example, by the Land North Rhine-Westphalia.
- The consultation process concluded with a multi-stakeholder workshop in mid-May. This event featured a general discussion of ways to promote open government as well as brainstorming on how to shape the content chapters of the second NAP.

OGP consultation process (schematic timeline)



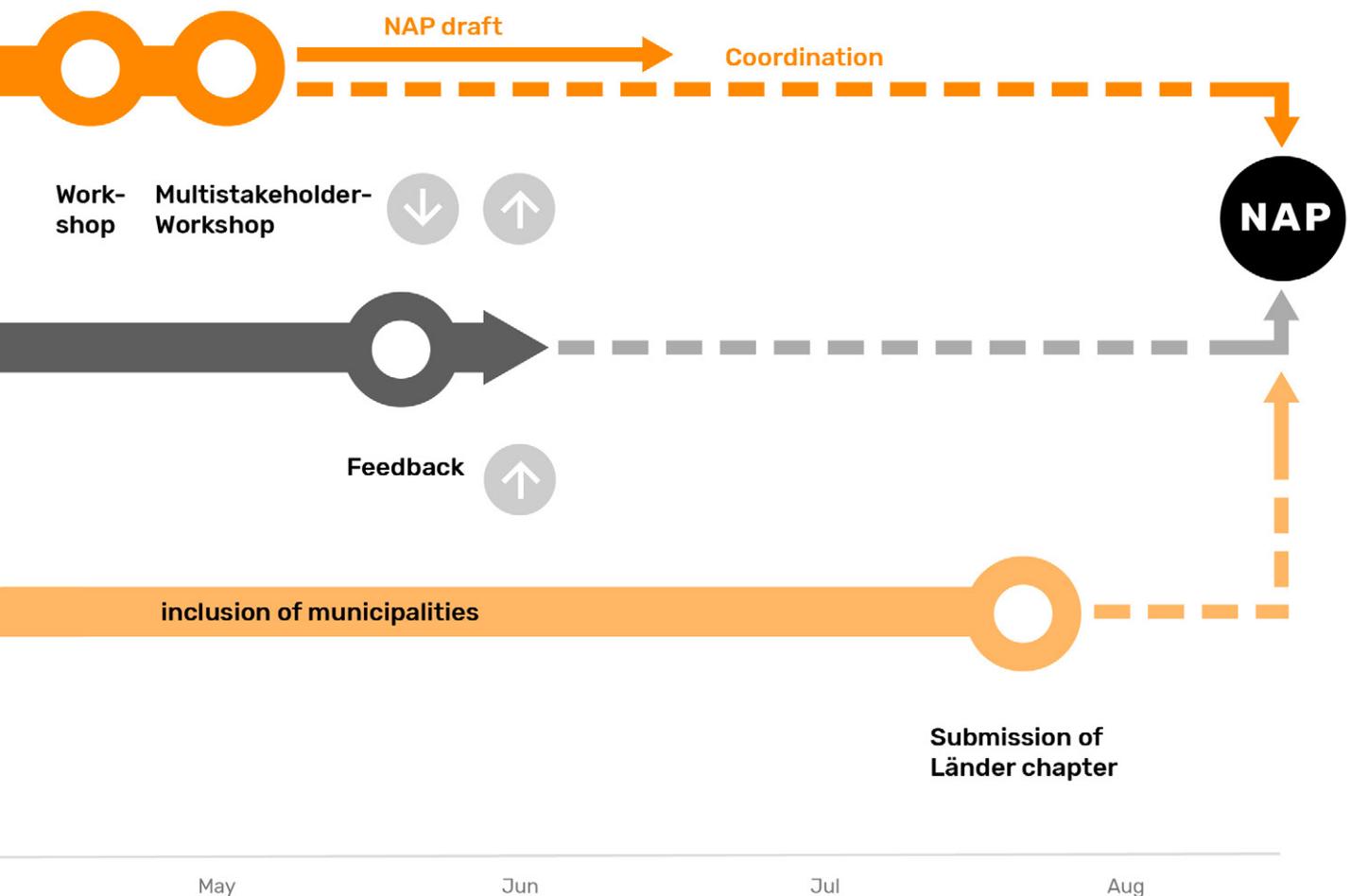
³³ See <https://www.opengovpartnership.de>

³⁴ See <https://www.open-government-deutschland.de/opengov-de/mitmachen/machen-sie-mit--1591044>

Fifty-eight ideas for commitments came out of the consultation process. After being consolidated by NGOs at the last of the four workshops, the ideas (available online, along with their history, draft versions and full documentation of the events³⁵) were sent to the Federal Chancellery and were forwarded to the federal ministries for internal consultation. As with comparable consultation processes, in this process, too, a large number of the proposals submitted were not immediately accepted by the government as commitments. In August a preliminary response to these proposals was sent to those who had submitted them in order to conclude the consultation process at this point and provide feedback.

Recommendations from the IRM expert have been incorporated into the preparation of this NAP. The commitments represent a considerable advancement, including in the range of topics – for example, regarding transparency and open data. During the consultation process, the Federal Government placed particular emphasis on also involving civil society beyond the areas of technology, data and transparency. The consultation process has been thoroughly documented online.

The Federal Government is very thankful to the representatives of civil society for their commitment, for the time they invested and for their suggestions.



³⁵ Ibid.

6. The commitments at a glance



Regional Open Government Labs

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Civil society dialogue on foreign policy

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Youth participation in the Federal Government's joint youth strategy

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Establishment of an e-government agency as a Digital Innovation Team of the federal administration

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Promotion of transparency and participation in development cooperation

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Further development and promotion of the open data environment

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Participatory process to develop research and innovation policy further in the framework of the 2025 High-Tech Strategy

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Better regulation through participation and testing

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Smarte LandRegion – a pilot project for smart rural regions

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Commitments by the Länder

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- North Rhine-Westphalia I
Developing infrastructure and framework conditions for open government in North Rhine-Westphalia | *Page 54*
- North Rhine-Westphalia II
Creating spaces for exchange and cooperation in North Rhine-Westphalia | *Page 58*
- North Rhine-Westphalia III
Strengthening data sovereignty | *Page 60*
- Saxony
Further developing and establishing the participation portal of the Free State of Saxony | *Page 62*
- Schleswig-Holstein
Open-source software in public administrations | *Page 64*

7. Detailed descriptions of the commitments

1

Regional Open Government Labs

What is the public problem that the commitment will address?

Local administrations are faced with a broad range of challenges arising from structural change, demographic change, the digital transformation, climate change, migration, conflicting regional interests (e.g. regarding construction and infrastructure projects), anti-democratic trends, and other issues. Civil society demands transparency, co-determination and active participation. Sometimes there are also conflicting interests between authorities and civil society, between civil society and business, and within civil society.

What is the commitment?

The BMI will support up to 16 Regional Open Government Labs (regOGL) throughout Germany. Regional Open Government Labs will provide a framework for cooperation between local administrations, local politics and civil society, with the participation of academia and local businesses where appropriate. The initiative for the regOGLs is to arise from the regions where they are to be located.

How will the commitment contribute to solving the public problem?

Regional lab work will be carried out with a thematic objective and milestone planning determined by the labs themselves. The sponsors of the Open Government Labs will ensure systematic reflection on their experiences and findings, which will be discussed within the network of Open Government Labs and generalised for broader application.

Why is this commitment relevant to OGP values?

In the regOGLs, the transparency and accountability of government will be actively implemented. Civil society will be directly involved in the regOGLs. The main purposes of the lab's work are the systematic inclusion of civil society in the decision-making processes of local government and the harnessing of the region's societal innovative potential for the sake of regional development. This will include a variety of participatory elements. Accompanying this, the commitment aims to foster public relations work that is commensurate with the challenge of open administrative action. The regOGLs are tied directly to the findings of the project "Modellkommune Open Government" (Open Government Pilot Community) and are a way of applying these findings more widely.

Additional information: Funding in the amount of three million euros for the Regional Open Government Labs project has been requested from the Federal Rural Development Programme. The coalition agreement between the CDU, CSU and SPD for the 19th legislative term provides for the facilitation of Regional Open Government Labs.

Implementing body: Federal Ministry of the Interior, Building and Community (BMI)

Contact: Dr Kristina Schade (Division H111)

Other stakeholders (ministries, agencies, divisions): Municipal administrations as sponsors of the regOGLs (to be confirmed when the regOGLs are determined)

Other stakeholders (NGOs, private business, multilateral organisations, working groups): Civil society partners in the regOGLs (to be confirmed when the regOGLs are determined)

Milestone Activity with a verifiable deliverable

Description	Start date	End date
Application phase and selection of up to 16 regOGLs	September 2019	January 2020
Assignment of the following tasks to a research capacity: Ensuring exchange among the regOGLs Generalising the findings Managing public relations work	January 2020	March 2020
Developing and establishing the labs' work	January 2020	June 2020
Preparing interim conclusions for second NAP OGP and regional conference	January 2021	March 2021
Preparing outcome documents and presenting at final conference	March 2022	September 2022

Civil society dialogue on foreign policy

2

What is the public problem that the commitment will address?

The Federal Foreign Office currently offers citizens' dialogues and civil society participation procedures that enable interested individuals to get involved in discussing German foreign policy. These formats are informative and consultative, but they are not always visible enough. Data from the holdings of the Federal Foreign Office are occasionally available to the public in digital form.

What is the commitment?

The Federal Foreign Office will increase the visibility of many existing formats and activities in the area of foreign policy that correspond to the guiding principle of open government, and will make greater use of the potential for further measures.

The civil society dialogue with think tanks and civil society organisations as well as with the general public is to be continued in a variety of formats, including formats related to the Federal Foreign Office's 150th anniversary. These dialogue events are informative in nature and take place both on- and offline. In consultative formats such as blog-based debates and a hackathon, civil society is to be given the opportunity for more input of opinions and ideas for shaping German foreign policy.

Furthermore, via social media, those who are interested can contact the Federal Foreign Office and the Federal Foreign Minister and ask questions and make comments – for example, through formats like the Instagram question sticker – which will then receive responses.

The Federal Foreign Office is digitising some of the holdings of its Political Archive, and will put these online for free, non-commercial use. Metadata on approximately 20 km of paper files and approximately 18 million digital images, some of them in machine-readable form, will be put online in downloadable form for free research.

How will the commitment contribute to solving the public problem?

Through the commitment, citizens will be better informed about German foreign policy and will be included more in consultative processes.

The digitisation and publication of parts of the Political Archive will make large volumes of data from retro-digitised files of the Federal Foreign Office available to the public for the first time.

Why is this commitment relevant to OGP values?

Providing previously unavailable political and historical information and data from the field of foreign policy will add a large measure of additional **transparency**. Creating better options for informing the public and for public involvement will increase **participation** in foreign policy matters, and make the foreign policy environment even more conducive to civil society engagement.

Implementing body: Federal Foreign Office (FFO)

Contact: Katrin aus dem Siepen, Task Force on Digitalisation, Directorate-General 1, as-digi-k@diplo.de

Other stakeholders (ministries, agencies, divisions): Directorates-General 1, 4, 6, and S are involved, as are the Policy Planning Staff and the Press Division

Milestone Activity with a verifiable deliverable

Description	End date
Explaining and discussing German foreign policy: Informative formats with think tanks and citizens, on- and offline <ul style="list-style-type: none">• Broad-ranging informational events on 150 years of the Federal Foreign Office• Ongoing citizens' dialogues• Annual citizens' workshop on foreign policy• Regular Open Situation Rooms	2020 ongoing
Having a say in German foreign policy: Consultative formats <ul style="list-style-type: none">• An additional blog-based debate on peacelab.blog, the results of which will be taken into account in implementing the Federal Foreign Office's crisis guidelines• Organisation of a hackathon to improve models for early recognition of crises and early warning tools with academic experts	until 2021
Digitising and publishing selected parts of the FFO Political Archive: Making files accessible online for everyone	2020

Youth participation in the Federal Government's joint youth strategy

What is the public problem that the commitment will address?

Young people want to help shape our society, and they want to be asked for input on setting the political course for the future. Current debates about the relationship between young people and politics show that many young people want to have a political say. It is also the case that projects and decisions in all policy areas can have effects which are relevant, or even specific, to young people.

The joint youth strategy of the Federal Government is meant to offer adolescents and young adults the best possible conditions for mastering the challenges of this stage of their lives, while taking the interests and needs of the younger generation into account appropriately. This also requires youth participation in the development and implementation of such a strategy.

What is the commitment?

To develop and implement a joint youth strategy, the Federal Government will involve young people in as broad and substantive a way as possible through different formats, as young people should be able to help shape "their" youth strategy themselves. The quality standards for effective youth participation that were formulated as part of the National Action Plan "For a Germany Fit for Children 2005-2010" apply to all of these formats. The results of the participatory processes will be integrated into the implementation of the strategy via the interministerial working group on youth. This will improve the substantive quality and long-term impact of the interministerial youth strategy.

How will the commitment contribute to solving the public problem?

Opportunities for participation will serve to stoke young people's interest in politics and enthusiasm about democracy, as well as to disseminate information about the youth strategy specifically to the target group. The interministerial working group on youth, which includes representatives of every federal ministry, will engage intensively with the results of the participation formats and provide transparent feedback on which results can be implemented in what way and, if applicable, which results cannot be implemented and why.

Why is this commitment relevant to OGP values?

Youth participation in the implementation of the Federal Government's youth strategy will create new and innovative options for substantive dialogue between the federal ministries and adolescents and young adults. Information and communication on the youth strategy will foster transparency. This also includes feedback on how the results of participation are dealt with, including disclosure of what occurs and who is responsible.

Additional information: The Federal Government has been developing its joint youth strategy since October 2018 on a participatory and interministerial basis. The commitment to youth participation in the joint youth strategy of the Federal Government refers to the implementation phase of the strategy, which will begin with the anticipated cabinet decision.

Implementing body: Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (BMFSFJ)

Contact: BMFSFJ Division 501, Immanuel Benz, Immanuel.Benz@bmfsfj.bund.de;

Division Z26, z26@bmfsfj.bund.de

Other stakeholders (ministries, agencies, divisions): Interministerial working group on youth

Other stakeholders (NGOs, private business, multilateral organisations, working groups): Child and Youth Welfare Association (AGJ), German Federal Youth Council, Kooperationsverbund Jugendsozialarbeit, Federal Association of Non-Statutory Welfare, German Youth Institute, "jugendgerecht.de – the Independent Youth Policy Office" (co-organisation of youth conference), among others

Milestone Activity with a verifiable deliverable

Description	End date
Cabinet decision on the joint youth strategy of the Federal Government	December 2019
A youth conference as an interim review of the implementation of the youth strategy to date as well as its design	September 2020
The JugendPolitikTage 2021 (Youth Politics Days; form is yet to be determined) take stock of the youth strategy from the perspective of the younger generation and derive additional prospects for effective youth participation formats at federal level, among other things	Spring 2021

Establishment of an e-government agency as a Digital Innovation Team of the federal administration

What is the public problem that the commitment will address?

To date, digital transformation projects and digital challenges have often been implemented by the administration in a self-contained way and by specific agencies in silos. Innovative and agile methods and processes are only rarely taken into consideration. Users are often included in the implementation of digital transformation projects only too late or not at all. Lessons learned are not applied, and failures are not taken as opportunities to learn.

In order to keep pace with the digital transformation of the world, the administration must try out ideas in an experimental, user-oriented way and find solutions – faster, more nimbly and more openly than previously. This includes more transparent communication of both successes and failures.

What is the commitment?

The BMI will set up a Digital Innovation Team that acts as a “think & do tank”, establishing structured innovation management in the federal administration and disseminating and embedding methods from design thinking, service design and agile working in the administration. The Digital Innovation Team will thus create space to shape innovative solutions for government, including outside the usual administrative structures and thinking patterns (outside the box), and to develop these solutions and implement them in a moderated way. The Digital Innovation Team will be responsible for setting up and running a suitable working environment as well as for networking and communication among all of the relevant participating players.

Partners from business, public administration and civil society will be brought together in a network to jointly work on innovative solutions. The aim is to gain new kinds of working experiences in administration, learn from one another and grow together. The Digital Innovation Team will thus serve as a support, consulting and coaching unit, which will empower others to find and implement innovative solutions.

How will the commitment contribute to solving the public problem?

The culture of innovation that is systematically disseminated by the Digital Innovation Team will make projects more successful for the long term, provide for quicker solutions in administrative work – even outside the digital transformation – and thereby provide positive impetus for a more modern, transparent, participatory and solution-oriented administrative culture. By setting up a website specifically for the team and publishing all of the project results and project knowledge, we will promote transparency in the federal administration. We are pursuing an approach based on the principle that before the Federal Government can project transparency outward, it must practice transparency internally to bring about a shift in the mindset of the federal administration.

Why is this commitment relevant to OGP values?

A key objective of this measure is to make the digital transformation of the administration more citizen-centred and participatory through more interconnection with, for example, civil society initiatives. The methods disseminated by the Digital Innovation Team will foster a better cultural approach to mistakes as well as transparency and openness in administrative action and towards the public.

Additional information: The promotion of innovative e-government solutions and promotion in the form of an incubator/accelerator were agreed in the coalition agreement for the 19th legislative term through the establishment of an e-government agency.

The commitment takes into account proposals from the consultation process, during which joint long-term innovation management or public-sector processes for innovation and problem-solving are recurring suggestions.

Implementing body: Federal Ministry of the Interior, Building and Community (BMI)

Contact: Project Group on Designing and Establishing a Digital Innovation Team/an E-Government Agency (PG DIT) pgdit@bmi.bund.de, <http://dit.bund.de>

Milestone Activity with a verifiable deliverable

Description	Start date	End date
Setting up a workshop space for project partners from the federal administration to carry out workshops on innovation, design thinking and similar themes	July 2019	March 2020
Transparent testing of the innovation process at two federal agencies	July 2019	January 2020
Transparent testing of the – if necessary, redesigned – innovation process in at least four additional projects	February 2020	February 2020
Carrying out of at least three advanced-training events (workshops, lunch lectures, etc.) for federal administrative agencies per year	July 2019	December 2020

Promotion of transparency and participation in development cooperation

What is the public problem that the commitment will address?

The publication of current, detailed project information and data on development cooperation in the spirit of the open data principles provides the foundation for evidence-based decisions and for participation in the partner countries of German development cooperation, which is a necessary precondition for achieving international development goals. Coordination, accountability and participation at national and international level are strengthened considerably by open data. The IATI Standard of the International Aid Transparency Initiative, which was agreed internationally to that end, is implemented within the Federal Government only partially and by individual ministries. The Federal Ministry for Economic Cooperation and Development (BMZ) now publishes updated data and information on a monthly basis in accordance with the Standard (developed further within the 1st NAP), but it does not yet entirely fulfil its requirements.

Achieving transparency goals requires additional measures to expand and improve the quality and usability of data. Ongoing development measures should be presented in a coherent and comprehensive way. The ministries and other participants in German development cooperation are striving for a coordinated approach to principles of transparency. We also need to specifically promote the use of the published data, especially in developing countries, in order to facilitate informed political participation and coordination of development cooperation. This is a matter of imparting knowledge but also of creating links with our partners' data systems.

What is the commitment?

Building on the dialogue process that was started with the first NAP, structured formats with German stakeholders in development cooperation, civil society and ministries will be expanded within the framework of the ODA transparency expert group that was founded in 2018. These formats serve the goal of implementing and using the IATI Standard and facilitating the coordination of basic guidelines regarding the publication of information. The BMZ will set up a management system to optimise and safeguard data quality and to expand German IATI reporting.

An IATI visualisation portal of the BMZ is intended to improve the usability of IATI data. A strategy will be created to encourage the use of IATI data, especially in partner countries and for donor coordination but also by the German public; workshops in partner countries will be used to develop clear courses of action.

How will the commitment contribute to solving the public problem?

The measures will directly tackle the following challenges:

- Expanding, updating and consolidating the pool of information regarding German development cooperation
- Improving its potential for utilisation
- Improving all private individuals' access, use of information and thus participation in issues concerning development cooperation, especially in Germany and our partner countries

Why is this commitment relevant to OGP values?

Transparency is a foundational principle of effective development cooperation. Disclosing the use of funds makes German development cooperation more predictable and comprehensible.

The commitments are relevant to accountability, anti-corruption and political participation. Continuing the dialogue between state and non-state actors regarding transparent development cooperation strengthens mutual trust and fosters long-term constructive cooperation in the spirit of open policy design.

Additional information: International framework: The G8 Open Data Charter, the agreements made in Busan in 2011 concerning effective development cooperation, the 2030 Agenda for Sustainable Development and the Addis Ababa Action Agenda (AAAA) emphasise the importance of transparency in development cooperation. With this commitment, the BMZ is building on the results achieved in the first NAP, carrying them further, and taking up the results of the consultation process on the second NAP in the area of further development of open government.

Implementing body: Federal Ministry for Economic Cooperation and Development (BMZ)

Contact: Division 513, rl513@bmz.bund.de

Other stakeholders (ministries, agencies, divisions): Federal implementing organisations (GIZ, KfW, BGR, PTB, Engagement Global); Federal Foreign Office; additional ministries

Other stakeholders (NGOs, private business, multilateral organisations, working groups): German development cooperation NGOs, Transparency International, Open Knowledge Foundation

Milestone Activity with a verifiable deliverable

Description	Start date	End date
Utilisation concept: Specifying potential for use and obstacles to use regarding IATI data	February 2020	September 2020
Conceptualising and implementing support measures	October 2020	June 2021
Coordinating strategic steps with ministries and civil society to implement principles of open data (especially from the G8 Open Data Charter) and open government in the context of development cooperation as well as expanding IATI data reporting (regarding current data reporters and potentially additional ones)	October 2019	Strategy by December 2020 June 2021
Developing an advanced training format	October 2019	July 2020
Carrying out training events on the IATI Standard and IATI data for development policy players from German civil society	July 2020	June 2021
Introducing an IATI data QA system (especially a feedback mechanism) and expanding the BMZ's IATA data (project reports, impact data, etc.)	October 2019	QA System: December 2020 June 2021
Developing a BMZ visualisation portal to improve the presentation of data	October 2019	Concept by September 2020 June 2021

Further development and promotion of the open data environment

6

What is the public problem that the commitment will address?

The Open Data Law (Section 12a E-Government Act (EGovG)) established a foundation for the active provision of open data by the agencies of the direct federal administration. The success of this law hinges largely on its effective and comprehensive implementation. To this end, the knowledge of open data in the federal administration is to be deepened, and accompanying measures to support the application of the law are to be implemented. So that open data can meet the needs of users, more consideration will be given to users' concerns. The aim is for publication of data as open data to become a part of everyday administrative activities. The resulting administrative data ecosystem (of providers and subsequent users) constitutes a foundation for transparency and innovation, and must meet the needs of users.

What is the commitment?

Strengthening the shared knowledge base and developing coherent criteria for the implementation of open data in the federal administration in order to achieve a common understanding in the implementation of the open data concept and promote cultural change within the public administration.

How will the commitment contribute to solving the public problem?

For authorities to undergo the needed cultural shift towards a more public orientation in the way they handle data obtained in the fulfilment of their statutory duties, they need accompanying measures such as expansion of knowledge management and ongoing exchange both with data users and among different data providers. Networks, guiding principles and knowledge management should be helpful in this pursuit.

Why is this commitment relevant to OGP values?

The commitment will help to further entrench the concept of open data in the agencies of the direct federal administration. The provision of open data will create transparency and offer the opportunity for more participation.

Implementing body: Federal Ministry of the Interior, Building and Community (BMI)

Contact: Division DG I 1, DGI1@bmi.bund.de

Other stakeholders (ministries, agencies, divisions): Federal ministries: Competence Centre Open Data (CCOD, Federal Office of Administration) Division VM II 8, opendata@bva.bund.de

Milestone Activity with a verifiable deliverable

Description	Start date	End date
Open data strategy of the federal administration	September 2019	May 2020
Organising or participating in a workshop on exchange with stakeholders in the context of creating an open data strategy	November 2019	February 2020
Declaration on the implementation of the International Open Data Charter principles	January 2021	August 2021
Involvement of civil society organisations, journalists, start-ups and scholars in regularly occurring federal administration events on the topic of open data	4th quarter 2019	Ongoing / Once per quarter
Holding or participating in international events, including in the framework of the 2020–2021 European Council Presidency	October 2019	Ongoing / at least twice per year
Holding an open data conference with federal and Land participation to bolster the coordinated and standardised provision of open data at the federal, Land and local levels	2nd quarter 2020	4th quarter 2020
Expanding knowledge management through the creation of a central open data information website	January 2020	June 2020
Creating a central directory for open data applications	January 2020	June 2020

Participatory process to develop research and innovation policy further in the framework of the 2025 High-Tech Strategy

What is the public problem that the commitment will address?

The 2025 High-Tech Strategy (HTS) is the current research and innovation strategy of the Federal Government. It encompasses three fields of action: social challenges, future-oriented skills and an open culture of innovation and risk-taking.

The starting point for the content of the participatory process is the new and therefore still fairly abstract focus on the triad of technologies, skilled workers and society in the 2025 HTS. This is because basic and advanced training, promotion of research and technology, and an interested, involved public are all closely interrelated. These three areas need to be closely interlinked to shape technological or social change. The process expressly addresses people who work in various areas of our research and innovation system or who have particular ties to it, for example, through their volunteer work. They are directly impacted by the effects of research and innovation policy, and also have particular insight into different areas of the system.

What is the commitment?

The goal of the participatory process is to initiate a dialogue between the participants and the Federal Government on the future of research and innovation.

In roughly six to eight regional dialogue events at a variety of locations within the innovation system (at universities or other venues, depending on the regional focus), ideas for content are to be developed jointly, as are concrete activities. The events will be supplemented by online features to prepare the events, provide input and contribute to the collation of findings. A further goal of the participation process is to activate local potential and create projects and networks.

At the end of the process, the Federal Government will give the participants feedback (as part of an event or in writing) on how the results are to be translated into government action.

How will the commitment contribute to solving the public problem?

In the participatory process of the 2025 HTS, engaged and well-informed citizens work together with the Federal Government to shape current technological and social developments and their impacts on basic and advanced training, fostering of research and technology, and society as a whole.

A broad range of participants will thus be involved in strategic issues concerning research and innovation policy. The participants will gain insight into research policy while also having the opportunity to help shape it themselves. The process will therefore also have an impact beyond the participants, serving to interest the broader public in research and innovation policy. Additionally, it will provide valuable input to the Federal Government.

Why is this commitment relevant to OGP values?

- As a pilot project for a transparent participatory process on strategy development, the process will contribute to both greater transparency in government action and greater participation.
- This commitment will improve public access to information (on the dialogue topics and on the strategy development process itself).

Through regional dialogue events and supplementary online participation formats, the commitment helps the public to become better informed and better able to take part in the decision-making process.

Implementing body: Federal Ministry of Education and Research (BMBF)

Contact: Division 113, DL-113@bmbf.bund.de, Jana.Schnieders@bmbf.bund.de

Other stakeholders (NGOs, private business, multilateral organisations, working groups): High-Tech Forum (advisory group of 20 academic, business and civil society experts chaired by Prof. Reimund Neugebauer, President of the Fraunhofer-Gesellschaft, and Christian Luft, State Secretary at the BMBF)

Milestone Activity with a verifiable deliverable

Description	Start date	End date
Six to eight dialogue events supplemented by online participation	Beginning of 2020	Spring 2020
Discussion and categorisation of the results by the High-Tech Forum panel of experts		Autumn 2020
Submission of results to Federal Government. Decision on implementation in the state secretaries working group on HTS 2025		Autumn 2020
Feedback to participants		Winter 2020

Better regulation through participation and testing

What is the public problem that the commitment will address?

To preserve the high quality of our law, we need to further develop it systematically and cautiously, also with a view to future requirements. In some cases, provisions are not perceived as feasible in practice. Law should be made simple, understandable and effective.

What is the commitment?

The Federal Government wants to listen from an earlier stage, work together more closely with people affected by measures, and test out measures before adopting them. The Federal Government's steadfast aim must be to understand clearly what its new regulations mean in terms of the effort they require from individuals, companies and authorities (e.g. practicability and efficacy). It also wants to make regulations more comprehensible and more accessible (e.g. the editorial staff for legal language should be involved at an earlier stage).

How will the commitment contribute to solving the public problem?

Exchange with those affected by and involved in regulations is of vital importance for better regulation.

Why is this commitment relevant to OGP values?

By strengthening early participation in and testing of regulatory initiatives, the Federal Government will more effectively involve affected citizens in its decision-making processes. Bolstering the editorial staff for legal language and introducing electronic promulgation of laws will make law easier to understand and more accessible.

Additional information: The basis for the commitment is the 2018 Work Programme on Better Regulation and Bureaucracy Reduction No. I 5-7 and 10, 11, 14 and No. III.

Better law can contribute to the implementation of the UN's 2030 Agenda and the Sustainable Development Goals, especially Goal 16.

Implementing body: Federal Chancellery and relevant ministries

Contact: Federal Chancellery, Division 613, bürokratieabbau@bk.bund.de and Division 612, wirksam.regieren@bk.bund.de

Other stakeholders (ministries, agencies, divisions): All federal ministries; the Federal Chancellery (Citizen-Centred Government and Digital State Divisions) Federal Government Commissioner for Culture and the Media, Federal Office of Justice (Promulgation Division)

Milestone Activity with a verifiable deliverable

Description	Start date	End date
Development of a strategy to strengthen early participation in policy initiatives and legislation on the basis of positive practical examples such as the establishment of central consulting hours to advise ministries on participation projects and an interministerial network on participation in legislation to facilitate experience sharing.	Mid-2019	March 2021
Practical testing of regulatory alternatives in suitable cases with affected individuals, companies and participating agencies or bodies responsible for self-administration tasks. At least five practical tests or pilot projects (e.g. to make laws comprehensible in cooperation with the legal editorial office of the Federal Ministry of Justice and Consumer Protection)	Mid-2019	March 2021
At least eight training courses for employees on early participation and testing (including on "Understanding, Developing, Testing" – Division 612, Citizen-Centred Government – and on early participation)	August 2019	Current (including 2 cycles of the training series effective governance "Understanding, Developing, Testing" by 2021)
Evaluation of the results of the 3rd Life Situation Survey of the Federal Statistical Office on behalf of the Federal Government and derivation of suggestions for improvement together with experts, practitioners and affected people; publication of the results (online and offline)	Sept. 2019	March 2021
Electronic promulgation of laws and free digital access to the Federal Law Gazette are in the process of implementation	End of 2017	January 2022
Improvement of information about participation processes at federal level via an online presence and preparations for a Federal Government participation platform that serves the transparent participation of citizens and associations	October 2019	Q2 2020

Smarte LandRegion: A pilot project for smart rural regions

9

What is the public problem that the commitment will address?

The specific challenge facing rural regions is that they are sparsely populated, with infrastructure and services in many areas seeing reduced demand and proving increasingly uneconomical. In this context, setting up an innovative platform that provides digital access to public services, networks, participation, etc. will create a unique opportunity to address these specific challenges and thereby contribute in a very real way to the establishment of equivalent living conditions throughout the country (cf. article 72(2) of the Basic Law). This will require new, innovative research and development measures. One of the key benefits of platforms of this kind is their networking effect, as they enable many different stakeholders – private individuals, county administrations, service providers, businesses – to come into contact, interact and thus gain mutual advantage from the solutions being road-tested in this pilot project.

What is the commitment?

Over the course of four years, the Federal Ministry of Food and Agriculture (BMEL) will provide funds to seven districts in which digital solutions (e.g. apps) seeking to improve everyday life in rural areas in response to identified need are developed and tried out in cooperation with a research institute. These endeavours will be supported by the development and study of a nationwide digital platform that will connect new prototype services with existing ones. The districts will also be assisted in developing strategies for the digital revolution, enhancing expertise in this area within their administrations and raising public awareness of the issues. Research will also be undertaken into the possibility of integrating additional districts – which are not receiving funding – into this digital ecosystem, so that they too can use the services and the networking potential of the platform in future.

How will the commitment contribute to solving the public problem?

Innovative digital solutions and the propagation of expertise in digital technology among local and regional players are intended to help establish equivalent living conditions throughout Germany, i.e. to improve living standards. The project will offer insights into the potential of digital technology to boost rural areas. The outcome will be the development and study of a platform that fosters ties and provides digital services which are already available in cities but are not yet to be found in rural parts of the country. Publishing the results will make it easier to identify solutions which can also be implemented in other regions.

Why is this commitment relevant to OGP values?

This commitment makes provision for the digital transformation of state and society, for cooperation and for innovation in pilot regions. The benefits gained will be accessible to other regions even before the pilot project has ended, which will help make it widely applicable and thereby enhance its long-term usefulness. Participation, engagement and a sense of ownership on the part of civil society – people living in rural areas and other local stakeholders – are a crucial aspect of the project and its implementation, assisting the targeted reflection of actual needs and the generation of lasting benefit.

The pilot project will also boost open government in Länder and municipalities through its activities relating to digital transformation strategies and the development of public services as well as its reconfiguration of administrative processes.



Additional information: The Fraunhofer Institute for Experimental Software Engineering (IESE) is the research partner which is to technically develop and test digital solutions and the platform from 2020 onwards, in collaboration with the districts receiving funding. Those districts will be selected by means of a competition. The whole project is intended to run for around five years.

Implementing body: Federal Ministry of Food and Agriculture (BMEL)

Contact: Division 812

Other stakeholders (ministries, agencies, divisions): Federal Office for Agriculture and Food with its Centre of Excellence for Rural Development (KomLE, Division 423)

Other stakeholders (NGOs, private business, multilateral organisations, working groups): Fraunhofer Institute for Experimental Software Engineering (IESE), Association of German Counties

Milestone Activity with a verifiable deliverable

Description	Start date	End date
Approval of research project	2nd half of 2019	end of 2023 (TBC)
Call for bids to districts	2nd half of 2019	2019
Selection and funding of seven districts (pilot regions)	1st half of 2020	end of 2023 (TBC)
Launch of digital platform; development and testing of digital services (four central services and 21 additional, less complex services)	2020	2023 (TBC)
Funding of digital projects by regional players (e.g. businesses, associations, etc.) in the seven districts	2020	2023 (TBC)
At least once a year: publication of project results	2020	2023/24

In 2015, the Länder expressed an interest in having Germany participate in the OGP (Bundesrat Decision 462/1514 of 6 November 2015).³⁶ The parameters for the involvement of the Länder are set out in IT Planning Council Decision 2018/18 of 16 April 2018, including the stipulation that contributions from the Länder are subject to the reporting process for this NAP.³⁷

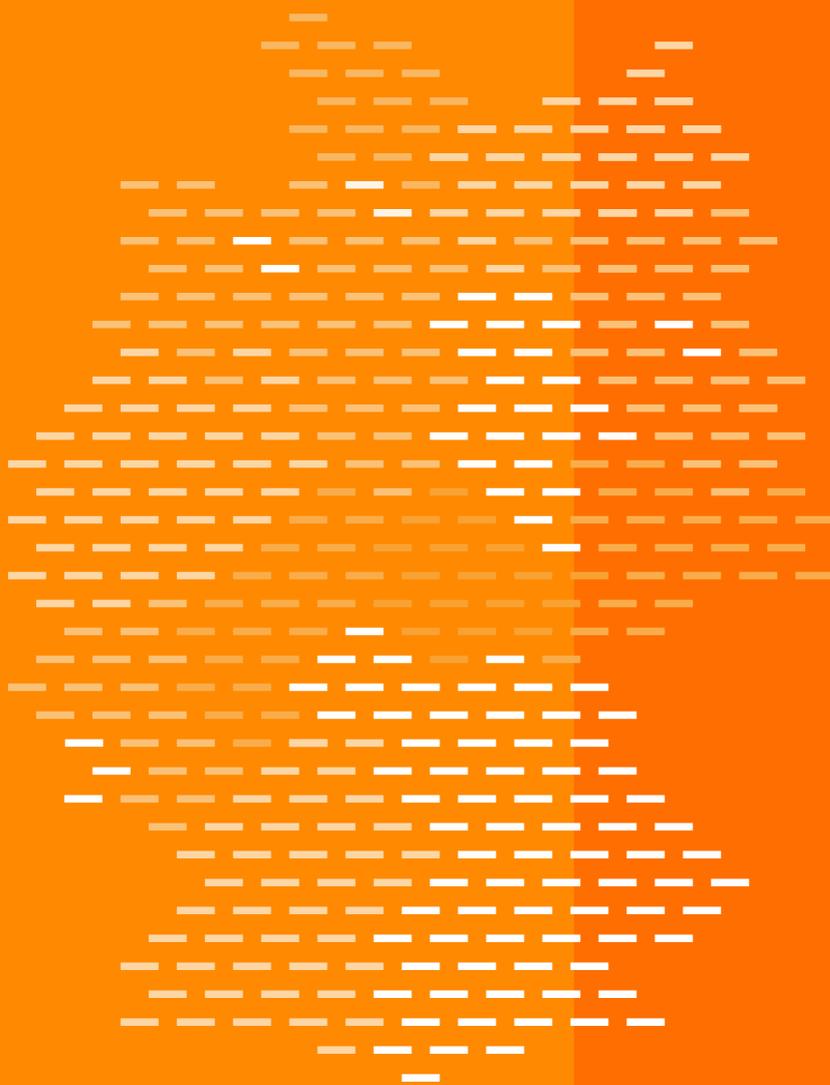
Commitments by the Länder

Particularly in that context, the Federal Government is pleased to note that for the first time this second NAP also contains commitments by individual Länder and municipalities.

For constitutional reasons, these are not covered by the Federal Government's decision underlying the other chapters of the Action Plan. All decisions about entering into such commitments and about how they should be implemented were made by the Länder themselves. Nonetheless, this second National Action Plan is only complete with these contributions by the Länder.

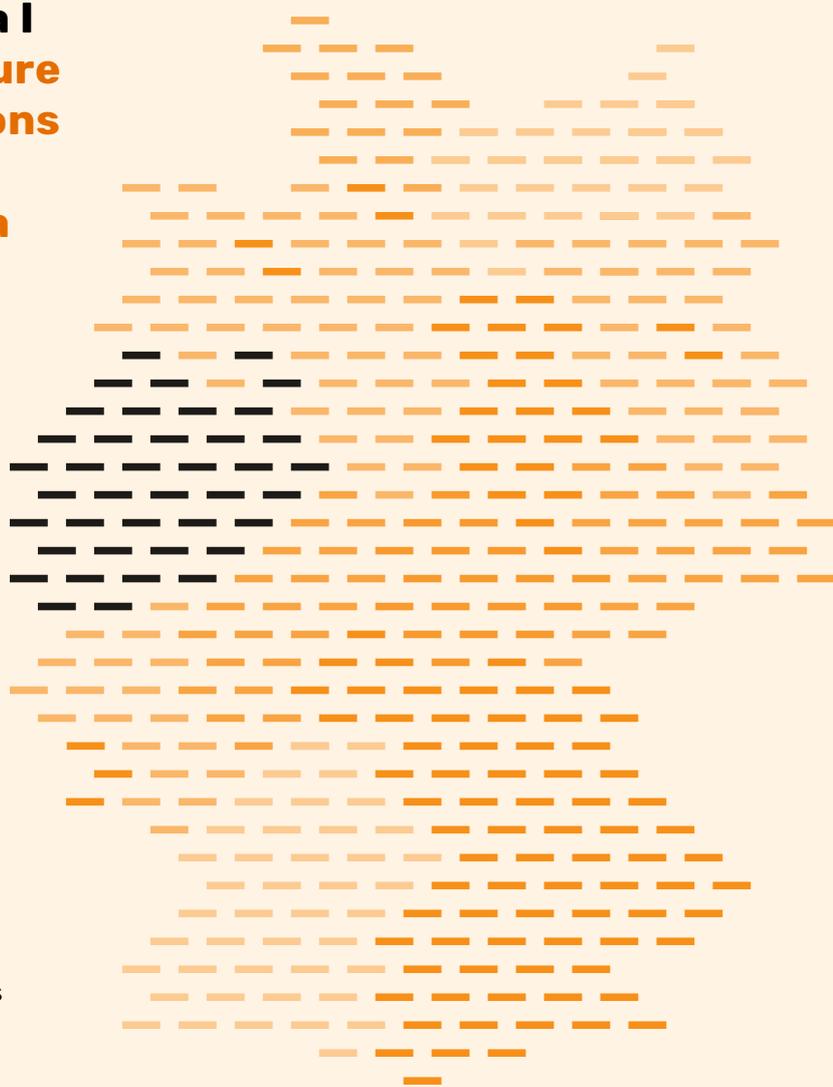
³⁶ See <https://www.bundesrat.de/SharedDocs/drucksachen/2015/0401-0500/462-15%28B%29.pdf>

³⁷ See https://www.it-planungsrat.de/SharedDocs/Sitzungen/DE/2018/Sitzung_25.html?pos=15



North Rhine-Westphalia I

Developing infrastructure and framework conditions for open government in North Rhine-Westphalia



What is the public problem that the commitment will address?

Numerous good initiatives and open government projects have already arisen in North Rhine-Westphalia in recent years. The Land and municipal authorities have been working in partnership with civil society, within the Open Government Working Group, to implement the Open Government Pact in the shared hope of establishing open administration as common practice in North Rhine-Westphalia by 2020. The pilot project *Kommunales Open Government in NRW* ran ten municipal projects, which flagged up examples of greater transparency, public involvement and collaboration that could be applied in other municipalities as well. More than 3800 data sets are available on the metadata portal *Open.NRW*. Over 40 local authorities already publish data, and new portals providing further data are appearing all the time. North Rhine-Westphalia has seen the creation not only of many good projects but also of a very extensive open government landscape whose full potential is not yet realised. A lack of financial resources and staff poses an additional obstacle to implementation. Efforts to get more municipalities on board for open government activities are ongoing.

What is the commitment?

The goal is to create the conditions required for open government in North Rhine-Westphalia to become firmly anchored in all areas and for the long term. Priorities here include avoiding redundant effort, boosting synergies and signposting the onward evolution of open government.

The primary aim of this commitment is to provide access to technological means of simplifying open government. This includes creating open standards for APIs and making open data easier to provide and to find. In addition, the introduction of an open government label is intended to create an incentive for more administrations to join open government initiatives.

How will the commitment contribute to solving the public problem?

The use of the open standards OParl, Open311, XErleben and OffenerHaushalt is to be recommended throughout North Rhine-Westphalia. This is very important for standardising both the accessibility of open data and improvements in how they can be used.

OParl is an initiative to standardise open access to parliamentary information systems in Germany.

Open311 is to be used to establish a standard API for online civic-issue trackers which will make contributions not only re-usable as open data but also compatible with internal use by control stations.

XErleben is to serve across North Rhine-Westphalia as an exchange standard for open data on places of interest in the fields of education, public bodies, health-care and social affairs, transport, tourism, buildings and culture, leisure and trails, events, business and enterprise, etc.

OffenerHaushalt is to be made available as a standard for open budget data, making budgets, for example, easier to use and release as open data.

The Open.NRW portal will give Land and municipal administrations easier ways of making data publicly available. The bodies releasing data will have their own pages on which they can directly publish and manage them.

Open data that have been made available are to be directly accessible via search engines. This will increase their reach and thus their pool of potential users.

The model data catalogue for open data gives an overview of what municipalities have already made available. Expanding this catalogue to cover all local communities and associations that have published data on Open.NRW will make it easier for municipalities in North Rhine-Westphalia to start out in the area of open data, while municipalities already active in the field will discover additional possibilities.

Developing and road-testing a prototype open government label can motivate

administrations to put greater effort into implementing open government measures and thereby receive recognition in the form of the label. This has the potential to enhance the visibility of open government implementation.

Why is this commitment relevant to OGP values?

This commitment creates the conditions that will enable more open government in North Rhine-Westphalia, through the greater transparency generated by increased and improved availability of open data in combination with better usability by individuals and businesses.



Additional information

Strategy for Digital North Rhine-Westphalia: <https://www.digitalstrategie.nrw/digitalnrw/de/home>

North Rhine-Westphalia Open Government Pact: https://open.nrw/sites/default/files/atoms/files/rahmenvereinbarung_zum_open_government_pakt_nrw.pdf

Open Government Working Group: <https://open.nrw/der-arbeitskreis-open-government>

Published final report on pilot project Kommunales Open Government in NRW: https://open.nrw/sites/default/files/atoms/files/open.nrw_publication_kommunales_open_government_in_nrw.pdf

Metadata portal Open.NRW: <https://open.nrw/>

North Rhine-Westphalia I

Developing infrastructure and framework conditions for open government in North Rhine-Westphalia

Milestone Activity with a verifiable deliverable

Description	Start date	End date
Recommending OParl standard for use across North Rhine-Westphalia (NRW) <ul style="list-style-type: none"> • Concept development • Implementation 	September 2019	January 2021 June 2020 November 2020
Recommending OffenerHaushalt standard for use across NRW <ul style="list-style-type: none"> • Concept development • Testing and release of the platform • Implementation 	September 2019	August 2021 June 2020 June 2021 August 2021 (TBC)
Recommending Open311 standard for use across NRW	September 2019	August 2021
Recommending XErleben standard	September 2019	August 2021
Creating easier options for Land authorities to make data available via central Land metadata portal Open.NRW	September 2019	December 2019
Creating easier options for municipal authorities to make data available via central Land metadata portal Open.NRW	September 2019	June 2020

Description	Start date	End date
Enhancing accessibility of data via search engine	September 2019	June 2020
Expanding model data catalogue for North Rhine-Westphalia	September 2019	June 2020
Developing and testing prototype open government label	September 2019	August 2021

Implementing body: North Rhine-Westphalia Ministry of Economic Affairs, Innovation, Digitization and Energy and Open Government Working Group

Contact: North Rhine-Westphalia Ministry of Economic Affairs, Innovation, Digitization and Energy, Division II A 2 (Open.NRW office): kontakt@open.nrw.de

Other stakeholders (ministries, agencies, divisions): OParl, OffenerHaushalt: kdvs Rhein-Erft-Rur (municipal data-processing centre), City of Bonn; XErleben: County of Warendorf, City of Duisburg, City of Solingen, City of Dortmund, Cologne Regional Commission

Other stakeholders (NGOs, private business, multilateral organisations, working groups):

OParl: Open Knowledge Foundation Deutschland e.V. (OKF), Düsseldorf University, producers of information systems for municipal administrations; OffenerHaushalt: Fraunhofer Fokus; XErleben: EFTAS Fernerkundung Technologietransfer GmbH, con terra GmbH; Model data catalogue: Rhineland Open Data Region, GovData, Bertelsmann Stiftung

North Rhine- Westphalia II

Creating spaces for exchange and cooperation in North Rhine-Westphalia

What is the public problem that the commitment will address?

It is important for public administrations to be open to innovation. Incorporating and using knowledge and skills shared by members of the public, businesses and experts can result in new products, services and business models for the public sector. Collaboration with innovative start-ups can also play an important role.

Spaces for innovation and experimentation have been created in many countries in recent years, in both the public and private sectors, and the same is true at the federal, Land and municipal levels in Germany. The best-known international example is the UK's NESTA. In North Rhine-Westphalia too, the first good examples are in evidence, including on the municipal scale.

If these innovative forms of cooperation are to be established, there will be an increased need for analogue, physical spaces and digital spaces to accommodate dialogue and interaction.

What is the commitment?

The goal is to drive forward the continued and targeted opening of North Rhine-Westphalia's administration to collaborative and co-creative processes in the interests of cultivating innovative projects, user-friendly services and solutions to identifiable challenges facing the administration.

This commitment is intended to create spaces in North Rhine-Westphalia for exchange and cooperation with the administration. Providing central physical spaces fosters regular exchange among the Land and municipal administrations, start-ups and civil society and encourages goal-oriented collaboration – unrestricted by boundaries between disciplines, official remits or levels of responsibility for implementation.

How will the commitment contribute to solving the public problem?

Real places will promote understanding of open government and create a network for developing new and innovative ideas. They will provide ways to bring in external expertise to solve challenges in public administration, combining self-organising engagement by members of the public with new forms of collaboration in and with the administration.

The plan is to create a space for new forms of agile cooperation as a Land-level pilot project. This innovation lab is to incubate new methods of exchange and particularly flexible forms of collaboration within the Land Government. Here, administration staff focused on specific schemes or on subject areas will work with researchers, professionals and civil-society players on inter-portfolio questions and projects. The innovation lab will also be a space in which to strengthen cooperation between the public administration and start-ups. This is to involve analysing other countries' experience of successful GovTech initiatives, like those of Scotland and Poland, and drawing up a plan for starting a GovTech initiative for North Rhine-Westphalia – which will be road-tested in a pilot project.

In addition, start-up pitches will be held at public agencies as a further boost to innovative ideas and to cooperation between the administration and start-ups.

Why is this commitment relevant to OGP values?

This commitment will foster the sharing of information and experience and encourage collaboration among the administrative authorities, civil society and start-ups in their search for innovative solutions that will serve the administration as well as civil society.

Spaces for exchange and cooperation create a way of continuously breathing life into the concept of open government. They incorporate all three pillars – open data, participation and cooperation – enabling their long-term interaction and the creation of useful synergies.



Additional information

2017-2022 Coalition Agreement for North Rhine-Westphalia: https://www.cdunrw.de/sites/default/files/media/docs/nrwkoalition_koalitionsvertrag_fuer_nordrhein-westfalen_2017_-_2022.pdf

Strategy for Digital North Rhine-Westphalia: <https://www.digitalstrategie.nrw/digitalnrw/de/home>

North Rhine-Westphalia Open Government Pact: https://open.nrw/sites/default/files/atoms/files/rahmenvereinbarung_zum_open_government_pakt_nrw.pdf

Open Government Working Group: <https://open.nrw/der-arbeitskreis-open-government>

Published final report on pilot project Kommunales Open Government in NRW: https://open.nrw/sites/default/files/atoms/files/open.nrw_publikation_kommunales_open_government_in_nrw.pdf

Milestone Activity with a verifiable deliverable

Description	Start date	End date
Creating Land Government space for exchange and agile cooperation	September 2019	August 2021
Developing a plan for a GovTech initiative and testing in a pilot project	September 2019	August 2021
Holding start-up pitches at administrative offices	September 2019	August 2021

Implementing body: North Rhine-Westphalia Ministry of Economic Affairs, Innovation, Digitization and Energy and Open Government Working Group

Contact: North Rhine-Westphalia Ministry of Economic Affairs, Innovation, Digitization and Energy, Division II A 2 (Open.NRW office): kontakt@open.nrw.de

Other stakeholders (NGOs, private business, multilateral organisations, working groups): Bertelsmann Stiftung, Offene Kommunen.NRW Institut e.V. (OKNRW), Open Knowledge Foundation Deutschland e.V. (OKF)

North Rhine- Westphalia III

Strengthening data sovereignty

What is the public problem that the commitment will address?

Legislation for open data is slated to commence before the end of 2019 with an amendment to the North Rhine-Westphalia E-Government Act (EGovG NRW). The goal is for the administration's data to be made available, comprehensively and free of charge, for unlimited subsequent use. This is to enable businesses and civil society as well as the administrative authorities to take advantage of the data.

Administrative bodies collate and process data in the course of their duties. In some cases, others collaborate in the collation of that data. If data are to be made available in their entirety, it is crucial for the administrative authorities themselves to have ownership and sovereign rights over the data. If those rights are held by a third party, it can prove difficult or impossible to make them public.

Not all administrative bodies have the requisite knowledge and information at their disposal to ensure they have data sovereignty and ownership. However, such knowledge is essential for conducting procurement procedures and making contracts with third parties, for instance, as such activities frequently influence how data can be used in future.

What is the commitment?

This commitment is meant to promote the comprehensive provision of open data by the administrative authorities. Obstacles to publication – such as copyrights, protections favouring third parties and usage agreements – are to be reduced as much as possible so that data may be comprehensively used inside and outside the administration. This has the potential to assist and facilitate data-based decision-making at the administrative and political levels. It will give the public improved means of acquiring information on the basis of open data. What is more, it may give rise to new business models and an expansion in the use of artificial intelligence.

How will the commitment contribute to solving the public problem?

Ensuring data sovereignty will eliminate key obstacles to the comprehensive re-use of data by administrative authorities so that open data can be made available on a larger scale. The aim is to enable administrations to comprehensively use and release data. Recommendations and guidelines are to be drawn up and made available.

Why is this commitment relevant to OGP values?

Administrative authorities' data ownership and sovereignty is the basis on which open data can be made public on an extensive scale; it is therefore pivotal to generating greater transparency and innovation.

Milestone Activity with a verifiable deliverable

Description	Start date	End date
Taking stock of data sovereignty in municipalities	In progress	December 2019
Writing guidelines on ensuring administrative authorities' data ownership and data sovereignty	January 2020	December 2020
Publishing and recommending guidelines	January 2021	August 2021

Implementing body: North Rhine-Westphalia Ministry of Economic Affairs, Innovation, Digitization and Energy and Open Government Working Group

Contact: North Rhine-Westphalia Ministry of Economic Affairs, Innovation, Digitization and Energy, Division II A 2 (Open.NRW office): kontakt@open.nrw.de

Other stakeholders (ministries, agencies, divisions): Municipality of Bonn, Rhineland Open Data Region, Association of German Cities, German Association of Towns and Municipalities

Other stakeholders (NGOs, private business, multilateral organisations, working groups): Consulting agency PD – Berater der öffentlichen Hand GmbH

Saxony

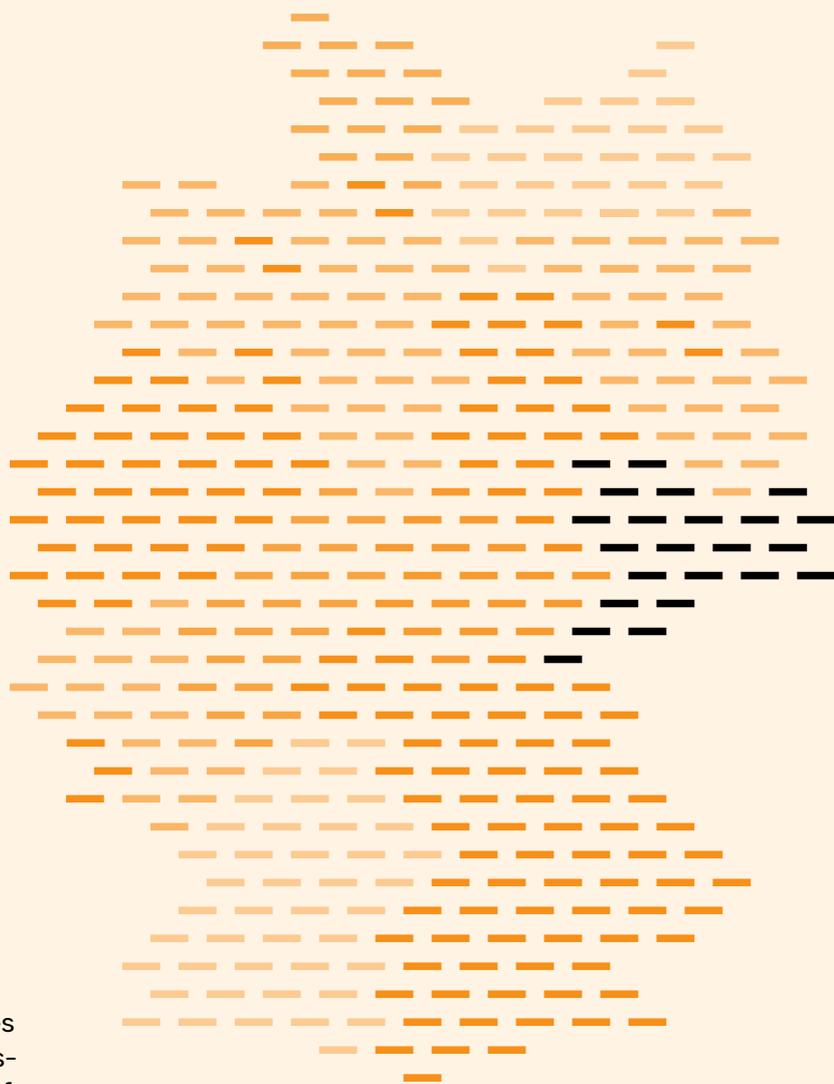
Further developing and establishing the participation portal of the Free State of Saxony

What is the public problem that the commitment will address?

The people of the Free State of Saxony have a growing need for a sense of ownership and a voice within a modern, vibrant democracy. They expect their parliamentary representatives and their administrative institutions to come up with innovative and effective solutions to the ever-more complex issues affecting many areas of our lives. Correspondingly, people's desire for transparency and involvement in decision-making processes is continuously increasing. It is the administrative authorities' job to find new forms of cooperation among the general public, the political sphere and administrators and to develop instruments that will support such cooperation. The opportunities are clear. This will considerably raise the value ascribed to civic engagement, and the political and administrative spheres will be able to put the population's huge wealth of knowledge and experience to good use in the running of our Land.

What is the commitment?

The Free State of Saxony's *Beteiligungsportal*, or participation portal, is just the kind of instrument required. This application will facilitate various forms of civic involvement to be undertaken online. People can engage in discussion on free-ranging subjects, in formal types of participation like planning procedures, and in online surveys.



The Free State of Saxony pledges to continue developing the portal in terms of both content and technology, and it would be gratified to see it re-used by other Länder.

How will the commitment contribute to solving the public problem?

It is important to the Government of Saxony to boost public involvement. The Representation of the Free State of Saxony to the Federation has developed the online participation portal to that end. The focus has been on user friendliness, including compatibility with smartphone use and accessibility to people with disabilities. The portal supports not only one possible form of civic engagement but a broad spectrum of participatory procedures. This enables agencies of the Free State of Saxony, as well as districts and municipalities, to involve large numbers of the public in decision-making processes

on an individual, goal-oriented level. The concept of this online participation portal was developed in close cooperation with pilot agencies and municipalities. This direct link to real-life applications will be strictly upheld in its ongoing evolution.

Why is this commitment relevant to OGP values?

Key issues:

- **Transparency:** Wide-ranging and early public involvement in political decision-making processes has the potential to raise the transparency of policy decisions and of administrative actions.
- **Participation:** This tool makes it possible for individuals and the administrators of public policy to be directly involved in the formulation of objectives and decisions. It helps create an environment that fosters a sense of ownership.



Additional information

The following forms of civic engagement are currently supported:

- **Formal participation procedures** (e.g. planning processes for rural, regional and urban land use)
- **Dialogue procedures** (e.g. on topics of political discourse)
- **Online surveys** (e.g. opinion polls on areas of municipal policy)
- **Incident trackers** (e.g. trackers flagging up municipal problems)
- **Events** (e.g. to organise, hold and learn from town hall debates)

Milestone Activity with a verifiable deliverable

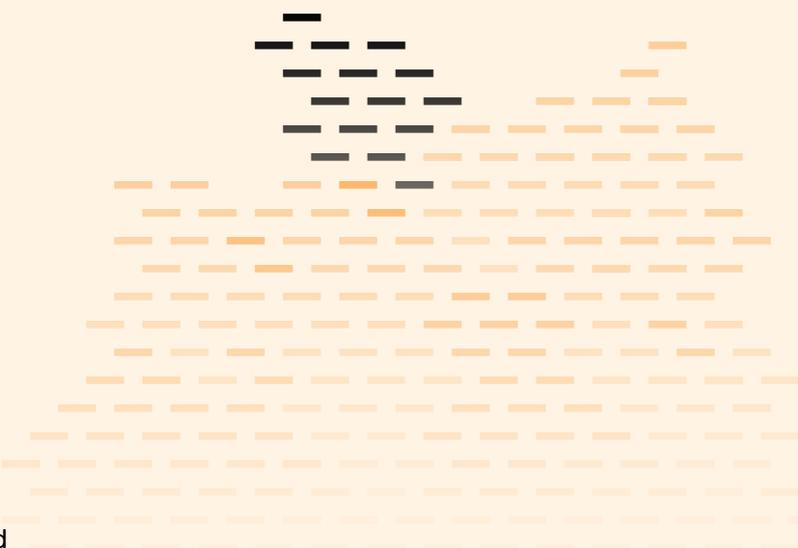
Description	Start date	End date
General ongoing evolution	Continuous	
Urban land-use planning 2.0	1 July 2019	31 December 2019
App for specialised reporting procedures	1 January 2019	31 December 2019
Assuring interoperability in planning procedures by means of XPlanung standard	1 September 2019	30 April 2020
Repeating BITV test to check accessibility	1 September 2019	31 March 2020

Implementing body: Chancellery of the Free State of Saxony

Contact: Chancellery of the Free State of Saxony; Division 43 , Ralf Pietsch, Telephone: 0351 564 14320, Email: ralf.pietsch@sk.sachsen.de

Schleswig-Holstein

Open-source software in public administrations



What is the public problem that the commitment will address?

The digital services proffered and used by our public administrations constitute critical infrastructure for our democracy. Complete control of the software employed and of the computer systems is essential to their trustworthiness.

To fulfil their duties, administrative institutions require reliable software, the procurement of which ensures freedom of choice, adaptability and competition, and which grants them complete control of their own digital infrastructure without making them economically or technologically dependent on any third party. Public bodies in particular should avoid the high costs of commercial software being compounded by undesirable side-effects – such as loss of confidentiality and/or integrity of data processing, lack of control with respect to the onward development of solutions, or insufficient implementation of new or amended legal provisions – caused by software providers having exclusive rights over the development of their products.

In the context of deploying software packages, public trust in the state's technological sovereignty, especially as regards its defence of the confidentiality and integrity of data processing, is of the highest priority. We are therefore following a new and durable path in the context of IT infrastructure in pursuit of more autonomy in production as well as greater IT security and data protection.

What is the commitment?

When it comes to developing software for specialist applications, the goal is open-source development. To achieve that ambition, we will revise the relevant procurement conditions, among other activities.

Schleswig-Holstein will provide access to an online platform on which members of

the public can examine, comment on and discuss software the Land has commissioned.

In data centres, the use of open-source software (OSS) technologies will be tested and implemented. This will chiefly affect server systems and databases set up with or replaced by OSS.

In piloting an OSS-equipped workstation for administrative bodies, we are seizing the opportunity to avoid contractual and financial dependence (on, for instance, commercially available cloud infrastructure), prevent undesirable data leakage and reduce licencing costs.

How will the commitment contribute to solving the public problem?

Making the software used in administrative procedures open to examination facilitates a high level of transparency. Open licences make it possible for other users to exploit and further develop the software, which may well result in savings for the taxpayer. Ideally, Schleswig-Holstein will benefit in turn from other's developments of the OSS.

Using OSS in data centres will prevent the growth of monopolistic structures and entrenched dependence on major global IT companies.

What is more, using open data formats will ensure freedom of choice and competition, since it will enable smaller and regional businesses to participate in the development of software. This may prove a boon to software SMEs enhancing the environment for investment in technological innovation.

Why is this commitment relevant to OGP values?

Creating transparency about the software used for administrative procedures facilitates the independent oversight, financial transparency and traceability of automatic processes as well as long-term use of the software.

The Land's collaborative open-source platform will give members of the public the chance to play a part in the ongoing evolution of the Land administration. The use of open-source software boosts competition and thereby prevents the Schleswig-Holstein administrative authorities becoming dependent on a small number of companies.



Additional information

The use of open-source software is discussed on page 108 of the coalition agreement for the 19th legislative term of the Land Parliament of Schleswig-Holstein (2017-2022). It declares as follows: "We will pursue the urgent deployment of open-source software [...] Full replacement is the long-term goal."

The Land Parliament furthermore called on the Land Government in its printed paper LT Drs. 19/756 of 14 June 2018 to "continue to pursue a forward-looking software strategy in order to ensure a modern and effective administration, and, when major changes are due or new tenders are issued, to switch to open-source software for as many procedures as possible. The relevant tender specifications are to be constantly reviewed and, as necessary, revised. Apart from functionality, the key objectives in software tenders are to remain security, economy, usability, interoperability and sound forward planning".

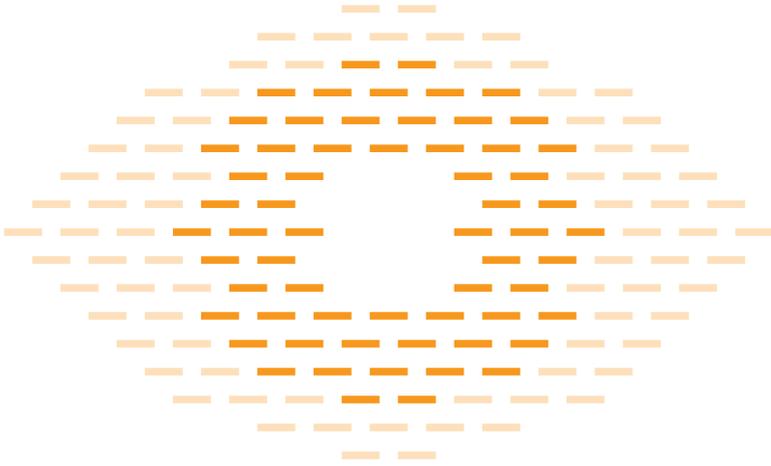
Milestone Activity with a verifiable deliverable

Description	Start date	End date
Launch of platform for publishing and collaborating	November 2019	April 2020
Pilot on use of Open Document format and LibreOffice as standards in administrative posts	July 2019	
Release of source code for five specialist procedures	April 2020	June 2020
Release of source code for another five specialist procedures	June 2020	December 2020

Implementing body: Schleswig-Holstein Ministry of Energy, Agriculture, the Environment, Nature and Digitalization

Contact: Dr Jesper Zedlitz, Division 30, Digitalization and Central IT Management of the Land Government, Ministry of Energy, Agriculture, the Environment, Nature and Digitalization, Niemansweg 220, 24106 Kiel, Email: jesper.zedlitz@melund.landsh.de, Telephone: +49 431 988 7884

Other stakeholders (NGOs, private business, multilateral organisations, working groups): Dataport A. ö. R., Altenholzer Straße 10-14, 24161 Altenholz



Outlook

As of the publication date of this second action plan, Germany's OGP process is still in its infancy. It will be a shared task to use the next two years to accumulate experience with open government: to implement good solutions, create networks of expertise and continue the conversation about how openness in government and administration can help resolve the challenges facing our societies.

Apart from the above commitments, a number of future open government measures have already been identified:

- The Federal Government has an obligation to implement the amended European Directive on the re-use of public sector information, known as the PSI Directive, now the **Open Data and Public Sector Information Directive**, by 2021. It is playing an active role in the ongoing European process to identify high-quality data sets which are to be made available free of charge across the EU in machine-readable formats and via APIs.
- In passing the Geological Data Act (Geologiedatengesetz), the Federal Government will ensure the long-term **availability of geological data**, which are needed for all kinds of activities pertaining to the subsoil.

- The Federal Ministry of Justice and Consumer Protection (BMJV) has drafted a bill to change the rules governing punitive measures for businesses. The aim is to ensure that, where employees have been engaged in corruption or other economic crime, the companies profiting from their staff's misconduct are sanctioned more severely.

- The Federal Ministry of Labour and Social Affairs (BMAS) is planning to run its Civil Technology pilot project at the end of 2019, to foster knowledge and use of AI for the public good. It will innovatively promote information-sharing and multidisciplinary, sociable development of technology on a wide-ranging basis, using the methodology of participation and co-creation.

- A new German foundation for civil engagement and volunteering, the Deutsche Stiftung für Engagement und Ehrenamt due to launch before the end of 2019, will focus part of its work on the **digital transformation of civil society**. Its particular aim is to collaborate with existing federal programmes to enhance engagement and volunteering structures in rural and less prosperous areas.

- The German Bundestag has tasked the Government with publishing a **study on the development of voluntary civic engagement** in Germany once every legislative term, produced by an independent commission of experts and supplemented by a Government response. The third such report will be published during the 17th legislative term and will focus on the future of civil society – specifically, civic engagement among young people in the digital age.

- The Federal Ministry of Transport and Digital Infrastructure (BMVI) will continue its mFUND to support data-based ideas for intelligent mobility and the ongoing development of the open-data portal mCLOUD.

- In 2020, using the Science Year as a platform for discussion, information-sharing and participation, the Federal Ministry of Education and Research (BMBF) will again promote numerous programmes for education, dialogue and public participation in science and research, concentrated around the concept of the bioeconomy. The central hub for all important dates and programmes is the online platform www.wissenschaftsjahr.de.
- With the implementation of the EITI standard, efforts will be made to expand reporting mechanisms to include additional areas of the extractive industries and to ensure data are available directly.
- Within the framework of a study into agriculture platforms, the Federal Ministry of Food and Agriculture (BMEL) will gauge the needs of the agricultural sector with regard to data-sharing and use of public sector information, specifically in connection with data sovereignty and security.

Getting involved

The Federal Government welcomes the active engagement of private individuals, organisations and initiatives with political life and with society at large; the open exchange of views, freedom of assembly and voluntary action are the lifeblood of our representative democracy. And participating in OGP processes is only one of the many ways people can put their expertise and dedication to use for the common good and for the betterment of life in our community:

- ➔ *Everyone reading this second National Action Plan is invited to seek out more information through the open government activities of Germany's Federation, Länder and municipalities, to take part in events and/or to put their proposals forward in consultations exercises.*
- ➔ *Staff working in government or administrative posts will hopefully take this second National Action Plan as motivation to carry on with their open government activities or indeed to take heart and launch themselves into working with these new tools and bringing their experience to bear in the changed situation.*
- ➔ *For academia, open government means wide and uncharted areas for research with great potential.*
- ➔ *The private sector, too, is called upon to support and to demand open government. As an overarching concept, open government stands for ideas like open and innovative exchange, the fight against corruption, and defence of our prosperity and democratic unity – which are important factors in Germany's attractiveness as a place to do business.*

The third National Action Plan will be drawn up in the first half of 2021. Participation in the OGP is a continuous process. We urge you already to think about and discuss ideas for how to advance open government, so that the third NAP can benefit once again from dialogue with civil society.

If you want to know more about any aspect of the OGP process, www.open-government-deutschland.de/ should be your first port of call. Organisations which are active nationwide may wish to contact the Digital State Division of the Federal Chancellery directly (OGP@bk.bund.de).

Index of abbreviations

AI	artificial intelligence	GRECO	Group of States against Corruption
API	application programming interface	IATI	International Aid Transparency Initiative
BKAmt	Federal Chancellery	IFG	Freedom of Information Act
BKM	Federal Government Commissioner for Culture and the Media	IMAGI	Interministerial Committee for Spatial Data
BMAS	Federal Ministry of Labour and Social Affairs	IMK	Conference of Interior Ministers
BMBF	Federal Ministry of Education and Research	IRM	Independent Reporting Mechanism
BMEL	Federal Ministry of Food and Agriculture	IWG	Act on the Re-Use of Public Sector Information
BMF	Federal Ministry of Finance	NAP	National Action Plan
BMFSFJ	Federal Ministry for Family Affairs, Senior Citizens, Women and Youth	NGO	non-governmental organisation
BMI	Federal Ministry of the Interior, Building and Community	ODA	official development assistance
BMJV	Federal Ministry of Justice and Consumer Protection	OECD	Organisation for Economic Co-operation and Development
BMU	Federal Ministry for the Environment, Nature Conservation and Nuclear Safety	OGP	Open Government Partnership
BMVg	Federal Ministry of Defence	OZG	Online Access Act
BMVI	Federal Ministry of Transport and Digital Infrastructure	PSI	public sector information
BMWi	Federal Ministry for Economic Affairs and Energy	QA	quality assurance
BMZ	Federal Ministry for Economic Cooperation and Development	regOGL	Regional Open Government Labs
CDU	Christian Democratic Union of Germany	SDG	Sustainable Development Goals
CSU	Christian Social Union in Bavaria	SPD	Social Democratic Party of Germany
DESI	Digital Economy and Society Index	UNCAC	United Nations Convention against Corruption
EITI	Extractive Industries Transparency Initiative	UNESCO	United Nations Educational, Scientific and Cultural Organization
EU	European Union		
FFO	Federal Foreign Office		
G20	Group of Twenty		
G7	Group of Seven		

in Deutschland 

2. Nationaler Aktionsplan

Sept. 2019 - Aug. 2021

NEU: Beteiligung Länder,
Kommunen, Zivilgesellschaft