FREEDOM OF INFORMATION AND TRANSPARENCY IN GERMANY

SHORT PAPER

giz Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH

As a federally owned enterprise, GIZ supports the German Government in achieving its objectives in the field of international cooperation for sustainable development.

Published by:
Deutsche Gesellschaft für
Internationale Zusammenarbeit (GIZ) GmbH

Registered offices
Bonn and Eschborn

An der Alster 62
20099 Hamburg

T +49 40 80 81 95 6-50
F +49 40 80 81 95 6-60

E info@giz.de
I www.giz.de

Author:
Peter Schaar

Design/layout:
Diamond media GmbH, Neunkirchen-Seelscheid

Photo credits/sources:
Shuttertstock.de

On behalf of
German Federal Ministry for Economic Cooperation and Development (BMZ)
400 – Sectoral and thematic policies, governance, democracy and rule of law Bonn

GIZ is responsible for the content of this publication.

Printed on 100% recycled paper, certified to FSC standards.

The Author

Peter Schaar is Chairman of the European Academy for Freedom of Information and Data Protection (EAID) and former German Federal Commissioner for Data Protection and Freedom of Information (2003-2013). He also chairs the arbitration board of the company gematik GmbH, which coordinates the introduction, maintenance and development of Germany's electronic health card and the corresponding infrastructure as the basis for electronic data transmission applications in the health sector.

CONTENTS

1. INTRODUCTION

The right to access files and documents stored by public authorities improves public participation in the democratic process. However, freedom of information is not only a civil right. It also contributes to greater acceptance of government activities by making decision-making processes more comprehensible to the general public and helps administrations to demonstrate their accountability and efficiency. Transparency, Open Data and Open Government create new economic opportunities in an increasingly digital society.

Freedom of information can become a lasting success story only if it is guaranteed by the legal system, firmly embedded as a principle in people's minds and routinely practised by institutions.

2. GERMAN FREEDOM OF INFORMATION ACT

In Germany, the concept of free and unconditional access to the files, documents and information stored by government bodies is still relatively new from a legal perspective. The Federal Freedom of Information Act (FOIA) came into force on 1 January 2006. Prior to this, information held by federal authorities was subject to the principle of official secrecy. Today, by contrast, the work of those same authorities is ideally characterised by transparency and openness. Other countries have maintained similar regulations for many years and have applied them with increasing degrees of success.

In principle, the FOIA grants everyone an unconditional right to inspect files and obtain information held by any federal authority or other public body of the German Federation. In this context, the role of the Federal Commissioner for Freedom of Information is to oversee the information practices of federal institutions and, in his or her capacity as ombudsperson, to field complaints from members of the public. These duties are performed by the Federal Data Protection Commissioner.

2.1. Freedom of information legislation at federal state level

Due to Germany's federal structure, the Federal Freedom of Information Act is limited to federal authorities. At the time it was passed into law by the German Bundestag (parliament) in 2005, only four of the sixteen federal states (*Länder*) had enacted freedom of information legislation. The number of *Länder* with their own FOIA now (2019) stands at thirteen.

The legal situation at federal level and in those *Länder* where citizens are entitled to access information under federal state laws is not always the same. While they are identical in terms of the underlying principle, individual provisions may differ, for example those governing the protection of trade or business secrets. Three federal state FOIAs have been specifically designed as 'transparency acts', obliging public authorities to publish a wide range of information proactively, i.e. without waiting for a freedom of information request. The state of Hamburg has played a pioneering role in this 'second-generation' freedom of information legislation (see 6.1).

At federal state level, only Bavaria, Saxony and Lower Saxony still lack freedom of information laws. Even here, however, free access to information is often guaranteed within municipalities and cities under local regulations.

2.2. Other transparency regulations

Even before the introduction of the national FOIA, citizens were entitled to access certain information under existing legislation. In particular, the Administrative Procedure Act guaranteed the parties involved in an administrative procedure the right to inspect the relevant files. Data protection laws enshrined the right of every individual to request information about his or her personal data. In addition, the government was obliged to answer parliamentary questions, and press laws stipulated that all government agencies had to answer questions from journalists. In contrast to the Freedom of Information Act, however, these rights to information were limited to certain persons or institutions.

Building on the general rights afforded under the Federal Freedom of Information Act, the German Bundestag has since passed specific freedom of information legislation in certain areas. The most important of these are the Environmental Information Act, the Consumer Information Act and the Act on Access to Geographical Data. These sector-specific laws complement the FOIA and guarantee rights of access to information for everyone.

2.3. Essential FOIA provisions

The Federal Freedom of Information Act enshrines the principle of free access to official information held by federal public bodies and to information on their administrative processes. But the law also defines the limits of access. It specifies a number of exceptions where information requests can be refused. The public authority in question must carefully examine each case. If it refuses to disclose the information, it has to state the reasons and the legal basis for its decision. It must also indicate the period for which access to information is refused.

The right to access information is independent of the domicile and nationality of the individual. Legal persons under private law and associations may also submit information requests. As a general rule, applications under the Freedom of Information Act do not have to be substantiated. If the request concerns the personal data, copyrights or trade secrets of third parties, however, the applicant must set out the grounds for the request so that the third party can decide whether to grant its consent and the public body can perform the required assessment. If there are indications that a third party may have a legitimate interest in denying access to the information, the authority must give that third party the opportunity to comment in writing.

Although free access to information has been established as the general rule, the public authority in question may restrict or refuse to grant access to certain information where there is a legitimate reason for the exemption. The public body must always consider the option of granting at least partial access to the requested information. Even in exceptional circumstances, access to information may be refused only to the extent that the information is eligible for protection and can be separated from a wider body of information without disproportionate administrative expense, through redaction or by another means of exclusion. In the event of complete or partial rejection of the request, the authority must also inform the applicant whether and when access to the information will be possible, in full or in part, at a later date.

The role of the Freedom of Information Commissioner is to ensure that public authorities comply with the FOIA. The main tasks of the Federal Commissioner are to:

- deal with complaints;
- conduct audits with and without specific cause;
- advise the Bundestag, the Federal Government and public bodies;
- produce recommendations to improve access to information;
- cooperate with other freedom of information commissioners at national, European and international level.

3. INTERNATIONAL AND EUROPEAN SITUATION

Sweden has by far the longest tradition of freedom of information. The country introduced a statutory regulation governing access to information on administrative procedures as long ago as 1766. The FOIA of the United States entered into force in 1967 and became the blueprint for legislation in many other countries. Today, free access to information on administrative procedures has generally been established as the international norm. Many countries have introduced regulations on free access to information – not only in the western world, but also in Asia, Africa and Central and South America.

These national regulations are founded on different administrative traditions and need to reflect the way the individual countries are structured. At their very core, however, they build on common ground – the general principle that citizens should have an unconditional right to access information and files without having to specify the grounds for such a request. They contain specific exemptions designed to protect certain public interests, personal data and trade or business secrets. Different boundaries are drawn between the rights of individuals to access information and the rights of the authorities to refuse access, although all laws provide for such distinctions. There are also procedural differences. The prescribed time frames, i.e. how much time the authorities have in which to answer FOI requests, range from a few days to several months. A number of countries (e.g. France and Canada) also have a designated freedom of information commissioner. In most cases – as in Germany or the UK – this role is performed by the data protection commissioner. In some countries (e.g. Sweden), there is a designated 'citizen ombudsperson'.

3.1. Access to European Union documents

Under Article 255 of the EC Treaty, EU citizens have a general right of access to the documents of the European Parliament, the European Council and the European Commission. This right is also enshrined in Article 42 of the Charter of Fundamental Rights of the European Union.

In 2001, Regulation No. 1049/2001 translated these fundamental rights into specific and legally enforceable rights of public access to European Parliament, Council and Commission documents. Complaints are handled by the European Ombudsman.

3.2. EU Environmental Information Directive

Much earlier, in 1990, the European Union adopted a Directive on the Freedom of Access to Information on the Environment. The directive guarantees all citizens of member states free access to environmental information. In 2003 the directive was adapted to the Aarhus Convention (see below).

The directive itself is not directly applicable in member states but must be transposed into legislation by national parliaments. It was implemented in Germany through environmental information acts at national and federal state level. As special laws, these acts take precedence over the provisions of the Freedom of Information Act. Germany's environmental information acts were a blueprint for subsequent freedom of information laws.

3.3. Aarhus Convention

On 25 June 1998 in the Danish city of Aarhus, representatives of 46 countries and the European Union signed the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters, usually known as the Aarhus Convention. The Convention guarantees certain rights concerning access to information, public participation and access to justice in relation to governmental decision-making processes that affect the local, national and transboundary environment.

Although the Convention is essentially limited to the environmental field, it provided the first comprehensive international set of rules on access to information held by public authorities. As well as regulating which information must be freely accessible, it stipulates that the procedures for obtaining access to that information must be transparent and comprehensible. Public authorities must make information easily accessible to everyone, without delay and without discrimination in respect of the nationality or other characteristics of the applicant.

4. CONFIDENTIALITY AND FREEDOM OF INFORMATION

Transparency and confidentiality are in a natural state of tension. All freedom of information laws contain provisions that stipulate which information should be freely accessible and which information should not be disclosed. The boundaries between transparency and confidentiality are drawn differently. The following explanations relate to the German Federal Freedom of Information Act, which provides for a large number of exemptions. Some of these exemptions overlap and cannot always be clearly delimited from others. In order not to jeopardise the basic objective of the law (i.e. free access to information), they need to be interpreted restrictively and with due regard for this underlying principle. Otherwise, the principle of free access to official files would be almost entirely compromised.

4.1. Protection of personal data

Data protection and freedom of information belong together. They are two sides of the same coin. In both areas, the law regulates the way information is handled and protects the fundamental rights guaranteed by constitutions.

The Universal Declaration of Human Rights, the International Covenant on Civil Rights and the European Convention on Human Rights guarantee the protection of privacy. The Charter of Fundamental Rights of the European Union establishes rights to the protection of personal data. In Germany, the Federal Constitutional Court has clarified in a number of judgments that the state must respect the fundamental right of every citizen to self-determination with regard to information. In principle, we must all be able to decide for ourselves who should have access to our personal data.

On the other hand, transparency and freedom of information are constitutive elements of democratic societies. Governments are elected by the people or by temporary parliaments. The effectiveness of democratic control always presupposes that it is possible to understand who took the decisions, what the motives were for those decisions and on what legal basis they were taken.

For this reason, transparency and data protection must be balanced. The German Freedom of Information Act stipulates that access to personal data may be granted only if the applicant's interest in that information outweighs the legitimate interest of the third party in denying access or if the individual concerned has consented. Personal data of a sensitive nature may be transmitted only if the data subject has expressly consented. In general, it is not possible to access information that is subject to special professional secrecy. By contrast, as a general principle, the name and function of officials, consultants and experts who have participated in a particular procedure must be disclosed.

In the debate on the Freedom of Information Act it was expected that there would be many conflicts between the right of access to information and the need to protect certain data. Based on subsequent experience, however, this has not been the case. The number of FOI requests rejected on data protection grounds has been minimal.

4.2. Trade and business secrets

The handling of data that constitute a trade or business secret is of considerable practical importance. In the course of their work, public authorities often receive information from companies. This applies in particular to supervisory authorities dealing with tax and trade matters. In other fields, companies are obliged to pass on such information to public authorities for licensing purposes. Those companies may have an interest in ensuring that this information is not made public, especially if concerns violations of the law or other practices that could cast them in a bad light. They may fear that the disclosure of such information would inflict economic damage in their dealings with competitors or customers.

On the other hand, there is often a great deal of public interest in finding out whether companies comply with the rules. The media and the wider public are keen to know how public authorities deal with corporate violations. In addition, many citizens want to know the conditions and prices government agencies negotiate with companies, for example when awarding contracts and purchasing or selling public property.

The Federal Freedom of Information Act provides strong protection for business and trade secrets. Such data may be disclosed only in exceptional cases, in particular if the company concerned has given its consent. The crux of the matter is often the question of establishing which information is to be classified as a business or trade secret. The Freedom of Information Act does not provide its own definition of these terms; nor does it offer a negative definition of which information is not to be classified as a trade or business secret. However, the courts have determined that information about violations of the law does not generally warrant protection. Based on such a ruling, for example, the authorities had to disclose data on a company that had filled significantly less liquid than stated into its beverage containers. In another case, the Federal Banking Supervisory Authority had to release data that it had obtained while implementing a package of support measures for the banking industry.

Meanwhile, some German Länder have amended their freedom of information laws in such a way that information on the sale or privatisation of public energy and water supply

companies can no longer be kept secret given the overriding public interest in that information. Other EU states generally provide for such a 'public interest test' even in cases where the protection of personal data is at stake.

Over ten years since the Federal FOIA came into force, it is clear from reports produced by the Freedom of Information Commissioners over this period that business and trade secrecy remains one of the most difficult areas when applying the right of access to information.

4.3. Public and national security

There is also potential for conflict in the handling of information relating to internal or external security. The intelligence services do not fall within the scope of the Freedom of Information Act.

The exemptions provided for in the Freedom of Information Act refer to the 'government's justified interest' in keeping certain information and documents secret. The entitlement to access information does not apply 'where the information is subject to an obligation to observe secrecy or confidentiality by virtue of a statutory regulation or the general administrative regulation on the material and organisational protection of classified information, or where the information is subject to professional or special official secrecy'.

Access to information can be denied if disclosure could endanger public security or adversely affect any of the following:

- international relations;
- military and other security-critical interests;
- Internal or external security interests.

The authorities are not required to disclose information that could endanger public safety and security. This applies, for example, to criminal investigations by law enforcement agencies. This exemption is designed to prevent the risk of criminals gaining detailed knowledge of how the enforcement agencies are proceeding and what exactly they know. Equally, unrestricted access to information relating to external relations and military affairs could harm the foreign policy interests of the Federal Republic of Germany. Here, too, the law makes certain exceptions.

How these exceptions are dealt with in practice is very important. In a number of cases, petitioners had requested access to information classified as secret, confidential or restricted. Many of these applications were rejected even though the information had been classified many years previously and it was not clear why it still needed to be kept secret at the time the application was filed. However, some of the requested documents were released after checks were performed to determine whether the original classification was still justified.

4.4. Protection of ongoing court proceedings and investigations

Other areas of government activity, in particular those public authorities whose role is to supervise trade, competition and the financial sector, also require protection. The same is true of regulatory authorities. The right of access to information held by these public bodies is limited or excluded in cases where releasing that information could prevent them from properly carrying out their control tasks.

The handling of requests for access to information about ongoing decision-making processes is particularly controversial. The Federal Freedom of Information Act allows public bodies to refuse FOI requests if the disclosure of certain information could adversely affect the conduct of ongoing legal or administrative proceedings. However, the courts have interpreted this exception very restrictively. Information must be released even if doing so could undermine the authority's chances of success in a judicial proceeding. An authority may refuse access to the information requested only in cases where the actual proceedings are at risk.

5. HISTORICAL BACKGROUND

In the 18th and 19th centuries, the idea was born that transparency is necessary in order to limit the use of power and, above all, to prevent the abuse of such power. The concepts of freedom of the press, freedom of opinion and freedom of information all date back to this era. The state should not hold a monopoly on information. The systemic exclusion of the people from state information is incompatible with modern ideas of democracy and participation. 'Publicity is justly commended as a remedy for social and industrial diseases. Sunlight is said to be the best of disinfectants …', said the famous American lawyer Louis D. Brandeis more than 100 years ago, referring to the practices of public bodies and their vulnerability to nepotism and corruption.[1]

5.1. West German debate on access to information

Germany's Basic Law guarantees freedom of the press and freedom of expression, including the right of the media to obtain information from the government on request. Although the idea of a general right of access to government information for all citizens was alien to the German legal tradition, the orientation of the former Federal Republic towards the West influenced the legal debate in this part of Germany. It was not surprising, therefore, that the 1967 Freedom of Information Act in the US helped to shape the German debate on transparency. Pressure to introduce corresponding legislation in Germany came primarily from civil society, albeit with the support of some politicians from the opposition parties. Even so, the proponents of such a law were never able to obtain a majority in Parliament. For this reason, the former West German government remained by and large a closed entity which only released information if it was in its own interest to do so.

5.2. Peaceful revolution in East Germany

The decisive impulse for the introduction of a freedom of information act finally came from the peaceful revolution in the former GDR. East German opposition groups had experienced for themselves the negative consequences of the state knowing everything about its citizens and, conversely, of citizens being excluded from any important information.

At the end of 1989, opponents of the regime started to attac buildings of the Stasi, the state security service of the former GDR. On 15 January 1990 the Stasi Central was occupied. There was outrage when citizens learned to what extent the government had spied on them and how much information it had accumulated. An important consequence of these findings was that in future it would be necessary to put a stop to this kind of information imbalance. All the main political forces in East Germany agreed on this and demanded that legal precautions be taken during the reunification of Germany in order to guarantee the transparency of government activities.

The Stasi Files Act passed by the German Bundestag after reunification in 1991 provided the required transparency in respect of the files held by the now dissolved GDR Stasi. This legislation was essentially the first German Freedom of Information Act. The aim of this law was and remains both to give victims of the Stasi access to those files which contained information about them and to offer academics, journalists and other representatives of the public an insight into how the Stasi worked.

5.3. Legislation after 1990

The draft constitution drawn up by the Central Round Table on behalf of the GDR parliament provided for a right of access to information. After reunification, however, the proposal for a fundamental right of access to information held by state authorities did not find the majority required to amend the German Basic Law. The only federal state to incorporate such a provision into its constitution was Brandenburg in 1992: 'In accordance with the law, everyone has the right to inspect files and other official documents of the authorities and administrative bodies of the Land and of the municipalities, provided that there are no overriding public or private interests to the contrary.'

In the following years, freedom of information acts were passed in a number of federal states. Brandenburg was the first to adopt such legislation in March 1998, and this served to intensify the debate in the rest of the country.

The long road to the enactment of the Federal Freedom of Information Act finally came to an end in September 2005, although not all the wishes of FOI advocates were fulfilled. After a passionate debate, the Act was passed by the German Bundestag and came into force in 2006.

[1] Louis D. Brandeis, Other People's Money – and How the Bankers Use It, Harper's Weekly, No. 20, 1913

6. FROM ACCESS ON REQUEST TO PROACTIVE TRANSPARENCY

Today, there is a growing worldwide debate about how to use the advances in electronic information processing to improve the transparency of government activity (open government). The active provision of information by public authorities (open data) is of central importance in this context. It offers numerous advantages over the traditional method of providing information only on request.

It is often less complicated for administrations to inform the public directly than to prepare the information for individual applicants. There is a considerable effort involved in evaluating whether data may be released or whether a statutory exception is justified. When designing information systems, this workload can be reduced by specifying at very early stage which data may be published ('openness by design'). A further reduction in expenditure can be achieved if data suitable for publication are not merely published on request but made available from the outset in online registers ('openness by default').

This proactive approach represents a quantum leap for the transparency of government activities. The opening of state data pools also creates economic opportunities. Companies can use publicly accessible data to develop new business models and optimise existing solutions. This presupposes, however, that the data are made available not only as electronic one-to-one copies of manually created files (for instance in PDF format) but also in machine-readable form.

If we now wish to enhance this right of access to information, the central challenge is to ensure that the electronic procedures involved are barrier-free and uncomplicated. Accordingly, various laws now oblige government agencies to actively make existing information available and to facilitate access. At federal state level, some freedom of information acts have been amended in recent years to impose obligations of this kind.

6.1. The Hamburg Transparency Act

The Hamburg Transparency Act of 2012 provides the clearest example of this paradigm shift towards the active provision of information. However, the initiative for the Transparency Act did not come from the federal state parliament (known in German as the *Bürgerschaft*, i.e. citizenry) but from civil society. Various non-governmental organisations (NGOs), above all the local branches of Transparency International, More Democracy and the Chaos Computer Club, joined forces in a Transparency Creates Trust initiative to make the city's administration more transparent. Earlier still, in 2010, amendments to Berlin's Freedom of Information Act obliged the administration to publish certain information proactively. Here, too, it was a popular initiative – launched following the refusal of the local administration to release documents on the privatisation of the municipal water utilities – that brought about a change in the law. The transparency initiative in Hamburg also drew on the work of the Hamburg Future Council (a local association focused on sustainability), which had long advocated greater transparency in environmentally sensitive projects and in the field of public procurement.

Supporters of the initiative regarded Hamburg's existing 2006 Freedom of Information Act as inadequate. By way of example, they cited the Elbphilharmonie (the new Hamburg concert hall) project, which the Senate had promised would be a 'cost-neutral' cultural institution, but which subsequently cost more and more taxpayers' money. They also argued that transparency in public administration makes manipulation and corruption more difficult. For the Chaos Computer Club, the free provision of digital data was particularly important. It took the view that data should be made available not only as pdf documents but also in machine-readable form (open data). More Democracy contended that greater transparency could facilitate and enhance citizen participation. They benefited from the far-reaching legal provisions on citizen participation (direct democracy) which had been established in Hamburg in the 1990s and which More Democracy itself had been instrumental in shaping. These NGOs saw the new Transparency Act as an important step forward – going beyond the right of citizens to access information and imposing a duty on the administration to provide it.

The initiative's proponents tried to establish a transparency act by means of popular legislation. As the first stage of this process, they launched a popular and hugely successful initiative in autumn 2011. In just a few weeks, they gathered well over the required 10,000 signatures from citizens entitled to vote. On this basis, they petitioned for a referendum as the second stage of the popular legislative procedure. After discussions between all those involved a joint press conference of all the parliamentary groups represented in the Hamburg Parliament and the popular initiative was held on 12 June 2012. It was announced that the law would be passed by all the parliamentary groups in two readings on the next day. The initiative's supporters then cancelled their petition for a referendum, which would have required at least 62,000 signatures. As promised, the state parliament adopted the new law unanimously.

The Hamburg Transparency Act obliges the administration to actively ensure the transparency of its activities. To this end , it imposes wide-ranging obligations on the administration to actively disclose information while also maintaining the existing obligation to provide information on request. The administration is legally obliged to publish certain items of information that are expressly specified in the Transparency Act, for

example geographical data and public plans (especially those concerning land-use). All subsidies granted to companies must be made public. Finally, companies in public ownership or which are fulfilling public tasks on behalf of the municipality (service providers, utilities) must disclose key data including details of the remuneration of senior managers. By specifying precisely which information must be disclosed and published, the Hamburg legislature has also met the broad demands of the open data community. The resulting law goes further than any other comparable regulation in Germany.

One of the key mechanisms established by the Hamburg Transparency Act is a central, publicly accessible information register. The authorities are obliged to publish certain information as full texts. To this end, an electronic transparency portal was set up to make this municipal data available in a machine-readable format for download. The use of open formats and free licences allows citizens to use the data provided in conjunction with new apps and other information services. Minutes of public meetings, budgets and file directories must all be published, and users can now access administrative regulations that were previously treated as confidential. The authorities are obliged to publish contracts with companies where there is a public interest.

Data on health, housing, culture, sport, administration and social issues must also be made available. One special database helps parents find suitable childcare, while another helps people who need care, and their families, find outpatient care services and nursing homes.

At the same time, the Act restricts the scope of those exemptions which had previously been used by the authorities to justify refusing access to information, for example on the grounds of trade and business secrecy. Requests to disclose business-related information may be refused only if there is a 'legitimate interest' in maintaining secrecy. Companies are obliged to specify their trade and business secrets and to justify their interest in secrecy. The law's explanatory memorandum clarifies that illegal practices cannot constitute trade secrets and therefore are not eligible for protection. While there may be an understandable interest in secrecy, this does not necessarily mean that publication can be avoided. Even in the case of a business secret, information must be made available if the public interest in disclosure outweighs the interest in secrecy (public interest test).

The Hamburg Transparency Act was reviewed by a team of experts five years after it acquired legal force. The corresponding report was issued in 2017 and was largely positive. The Hamburg authorities had provided 100,000 documents and files online. The online service had been accessed more than one million times every month – an impressive total given the city's population of just under two million. The report concluded that the transparency created by the Act had increased confidence in politics and the administration and improved political participation.

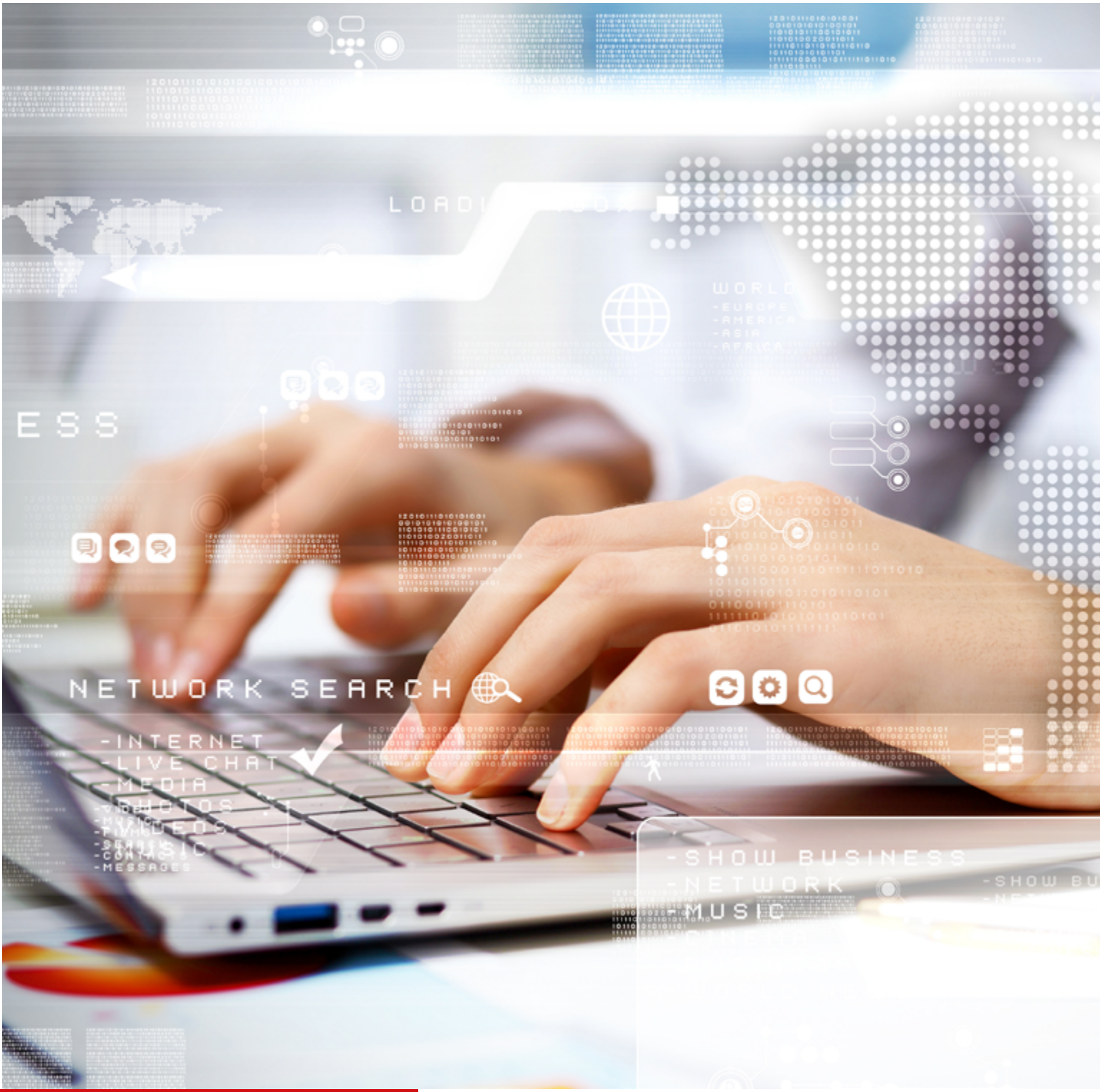
7. OUTLOOK

While Germany and other countries have made considerable progress towards greater freedom of information, there is still room for improvement. There are still a few blank areas on the broader map of free access to information. Where there is no such legal entitlement, it is vital that we fill the gap in legislation as a matter of urgency. Also, the right to access government information should be incorporated into constitutions as a fundamental right.

The right of access to information on request provided by the first generation of freedom of information laws should be complemented by wide-ranging transparency obligations. In this context, the obligation on public authorities and other public institutions to actively provide information online is of central importance.

Transparency in the private sector also needs to be improved given the increasing influence of large international, data-driven companies and the growing amount of data available to them.

Last but not least, both the public and private sectors face the major challenge of improving transparency in electronic decision-making processes (i.e. the transparent use of algorithms and artificial intelligence). In this context, the underlying data and the key functions and decision-making parameters must be disclosed.



Deutsche Gesellschaft für
Internationale Zusammenarbeit (GIZ) GmbH

Registered offices
Bonn and Eschborn

Friedrich-Ebert-Allee 36 + 40
53113 Bonn, Germany
T +49 228 44 60-0
F +49 228 44 60-17 66

Dag-Hammarskjöld-Weg 1 – 5
65760 Eschborn, Germany
T +49 61 96 79-0
F +49 61 96 79-11 15

E info@giz.de
I www.giz.de

On behalf of

Federal Ministry
for Economic Cooperation
and Development