

**Report by Germany on the measures taken to implement
the “Recommendation concerning the Promotion and Use
of Multilingualism and Universal Access to Cyberspace”**

Development of multilingual content and systems

(1) Please furnish detailed information explaining what measures have been taken to alleviate language barriers. This information should also cover whether any support has been given to capacity-building for the production of local and indigenous content on the internet.

(2) Please describe the measures taken for formulating appropriate national policies on the issues of language survival in cyberspace.

Questions 1 and 2:

In Germany the languages of the national minorities (Danes, Frisians, Sorbs, Sinti and Roma) are protected by the Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages. The latter also covers the regional language Low German (Niederdeutsch). The members of the national minorities and speakers of Low German use cyberspace content in the official language (German). The national minorities' institutions also use their own languages on the Internet, wherever these exist in written form. Support for these institutions and their academic establishments by the federation and the regions (Länder) helps promote such use.

Example: German National Library

The German National Library is working on the multilingual retrieval of and access to digital and analogue content in library holdings. This work is being done in cooperation with additional German and European partners. The German project is named CrissCross, the European work is being undertaken in connection with TEL, The European Library. CrissCross was successfully completed in 2010. The aim of the project was to improve and facilitate accessibility to heterogeneously indexed documents for library users searching in library catalogues, taking modern search methods into consideration. In order to achieve this, the topical headings contained in the German Subject Headings Authority File (SWD) were mapped to notations of the Dewey Decimal Classification (DDC), or rather its German version DDC

Deutsch. In addition, equivalences to the controlled indexing vocabularies SWD, LCSH (Library of Congress Subject Headings), and RAMEAU (Répertoire d'autorité-matière encyclopédique et alphabétique unifié) were established, based on the work of the MACS project. The result is a thesaurus-based and user-friendly research vocabulary ideally suited for further research especially in the context of the semantic web. The project's output is published as linked data and may be used free of charge.

Facilitating access to networks and services

(3) Please report on national efforts to recognize and support universal access to the Internet as well as to promote access to the Internet as a service of public interest.

(4) Please describe what mechanisms have been established at the local and national levels to facilitate universal access to the Internet through affordable telecommunications and Internet costs.

Questions 3 and 4:

The Internet can be accessed anywhere in Germany. Commercial Internet access is complemented by a range of public Internet access points. Competition and adequate regulation ensure affordable telecommunications and Internet costs. The deployment of broadband access is increasing very rapidly, but so far the current level of use does not meet the "majority of consumers" criterion for Universal Service. By 2010, almost 70% of the German population and almost all companies in Germany were making use of the Internet. The Federal Government, the Länder and local authorities are running various programmes and initiatives to enhance private and commercial use of the Internet. By 2014 the Federal Government aims to ensure that three quarters of German households have high-speed broadband connections to the Internet. At the individual level there is a focus on specific groups, especially young people, women, the elderly and the disabled. There are specific Internet portals for these groups, as well as nationwide public-private partnerships.

(5) Please indicate the measures taken for encouraging the development of information strategies and models that facilitate community access and support cooperation on ICT among public service institutions.

Having the appropriate technical infrastructure is a basic requirement for the transmission of information. The expansion of broadband networks is one of the key aims in this context. In

view of the rapidly growing demand in this field, the Federal Government has taken a whole array of measures in order to achieve almost universal broadband Internet access as soon as possible.

Thanks to the Federal Government's Broadband Strategy, 98.5% of all households had basic broadband access with speeds of at least 1 Mbit/s by the end of 2010. To close some of the remaining gaps ("white spots"), measures to guarantee basic provision are being taken in cooperation with the Länder and the industry. The Federal Government's declared aim is to make high-speed access (≥ 50 Mbit/s) available to all households by 2018. Ancillary measures include the following:

- The proposed amendments to the Telecommunications Act will make it easier to collect the data needed for the infrastructure atlas.
- The Next Generation Access Forum established by the Federal Ministry of Economics will collect proposals for improving interoperability, as well as for open access and cooperation models.
- Studies were launched to identify suitable financing models for the expansion of high-speed networks in rural areas (e.g. private-public partnerships, low-interest loans, subsidies, individual contributions).

Maximum use of the greater access to information and services made possible by digitization must, in the Federal Government's view, also be made in the public sector. This will not only enhance freedom of information for the citizens, but also improve their means of participation in political communication processes. For this reason, the Federal Government has over the past years significantly stepped up its efforts to expand eGovernment. In accordance with the eGovernment 2.0 programme launched in 2006, the quality of online content will be systematically improved, new forms of cooperation with businesses developed and key identification and communication options made available online. The Federal Ministries are supporting the eGovernment 2.0 work programme with their own specialized projects. Of these, the measures to design secure identification and binding communication processes for eGovernment and eBusiness are of far-reaching importance. By creating secure locations on the Internet and introducing secure identification processes, the aim is to increase user acceptance of eGovernment. New information strategies are also being pursued in other policy fields. To name but a few, these include the Action Plan Green IT, the Initiative Cloud Computing, as well as projects on eInclusion and eParticipation.

(6) What efforts have been made in order to encourage Internet service providers to consider provision of concessionary rates for Internet access in public service institutions?

This is not something that is subject to regulation, and so no rules have been laid down. The agencies introducing eGovernment services are free to conclude special agreements with service providers.

Development of public domain content

(7) Please explain the legal and administrative measures adopted to give effect to the provisions of this part of the Recommendation:

a) Recognizing and enacting the right of universal online access to public and government-held records;

The Freedom of Information Act entered into force on 1 January 2006. This law introduced a right of access to information held by federal agencies. To have access to the designated information, the requester has to apply to the certain agency. There is no requirement that you have to be affected – legally or factually – by the information concerned. Everyone is entitled to see the information. Concerning legally specified reasons, a request of access to information may also be denied. These reasons are e.g. national interests, governmental decision making, protection of personal data or protection of intellectual property.

The searching of documents is usually granted of access to the paper-based files. It is also possible to provide the requester with copies of the requested files. An online access is due to the paper-based work of the federal agencies not always feasible.

By improving access to information, the Freedom of Information Act is intended to enhance citizen participation and guarantee greater transparency in state action. The Federal Ministry of the Interior announced an Open Data/Open Government Strategy at the beginning of December 2010.

b) Identifying and promoting repositories of information and knowledge in the public domain and making them accessible by all; and

In order to make a serious advance in the digital interconnectivity of cultural and academic institutions in Germany, the Federation, Länder and local authorities have jointly launched the German Digital Library (Deutsche Digitale Bibliothek, DDB). The digital content from over

30,000 cultural and academic institutions will be linked in the DDB incrementally and will be made accessible to the public via a national website. It will include digital copies of works of all kinds (books, pictures, archive materials, scores, music, films, 3D images of sculptures and monuments), primarily those in the public domain, held by libraries, archives, museums and academic institutions. The content will also be integrated in EUROPEANA (the European digital library). Once the basic functionality of the DDB has been developed and implemented, state-of-the-art knowledge management tools, such as those developed under the 200 million euro Theseus research project launched by the Federal Minister of Economics and Technology, will be used to find the digital objects and ensure that they can be easily searched for. Semantic searches should be possible in both texts and multimedia content such as pictures and film sequences. Virtual tours of museums and 3D views of sculptures and monuments will also be available. Above all, it will be possible to create links at the click of a mouse between thematically-related content from different institutions.

c) Promoting and facilitating ICT literacy, including popularizing and building trust in ICT implementation and use.

The Federal Government considers the promotion of media competence to be a core task of its media, youth, family and education policy and accordingly runs a large number of pertinent projects. In addition to knowing how to use the modern communication technologies, it is also important for users to understand the content and be able to assess its quality and source, and to be able to interact themselves. One project worth particular mention is the “Netz für Kinder” (Network for Children – www.fragFINN.de), sponsored by the Federal Government Commissioner for Culture and the Media and the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth. This includes a secure space in which children aged eight to 12 can surf the net as well as quality content for children. The “Schulen ans Netz” (Schools Online) association sponsored by the Federal Ministry of Education and Research, provides educational content and so supplements the Government’s primary task of ensuring that all schools in Germany have Internet access. Other media-skills projects with a focus on the Internet that receive support from the Federation include “SCHAU HIN! Was Deine Kinder machen” (Look what your children are doing!), the children’s search engine “Blinde Kuh”, the media-education project “Jugend Online”. The aims of these projects and further details are set out in section D.IV.2 of the Federal Government’s 2008 Media and Communications Report.

(8) Please also provide information on whether open-access solutions and online accessibility of public domain information were advanced and how.

See answer to question 7.

Reaffirming the equitable balance between the interests of rights-holders and the public interest

(9) Please indicate what action has your Government taken in order to update the national copyright legislation and its adaptation to cyberspace. Please indicate also how was considered the possibility of encouraging rights-holders and the lawful beneficiaries of limitations and exceptions to copyright and related rights protection to ensure that such limitations and exceptions are applied.

On January 1st, 2008 the Second Act to Regulate Copyright Law in the Information Society entered into force. It makes up the so-called "Second Basket" of amendments to copyright law. With this Second Basket - building on the first amending legislation, the so called "First Basket" dating from the year 2003 - copyright law has been further adapted to the digital age and new technical potentialities. The Second Basket implements optional elements of the Directive 2001/29/EC of the European Parliament and of the Council on the harmonisation of certain aspects of copyright and related rights in the information society and addresses other issues of the information society as well. The legislation strikes a fair balance between authors' interests in safeguarding and exploiting their intellectual property and the interests of the appliances industry, consumers and scientists in using the works created. This legislation is a successful and important contribution to modernising Germany in the information society. Already the so called "First Basket" adapted the limitations to copyright and related rights protection to the requirements of the information society. In order to ensure that such limitations are applied in practice when the right holder use so called technical protection measures, the law encourages agreements between associations of right holders and associations of beneficiaries of limitations with regard to the standards for the use of the protected content (Article 95b para. 2 Copyright Law). Furthermore, the law provides for labeling obligations where works and other protected subject matter are protected by technical protection measures (Article 95d Copyright Law).

At present, the Federal Government is preparing the next copyright law reform, the so called “Third Basket” with which the German Copyright Law will be adapted further to the challenges of cyberspace.

(10) What are the actions planned in your country to give consideration to the development of technological innovations and to their potential impact on access to information?

The Federal Government supports innovations which facilitate access to the Internet for everyone. It promotes research into new technologies to make the Internet available nationwide with adequate connectivity and broadband range. Projects within the “Information and Communications Technologies 2020” research programme deal with optical broadband Internet access, providing rural areas with mobile telephony technologies, and expanding the technological capacities of the central networks, to name but a few examples. Providing fair access to information also involves ensuring information security. Measures must be introduced to ensure that the users’ data cannot be spied on and misused. The Federal Government has therefore made IT security a research priority and is funding this to the tune of approximately 30 million euro per year. Information equity, that is the question of what data is publicly available and what data must be protected and how, is a central issue in Germany’s dialogue on the Internet of the future. The aim of this process is first of all to discuss the societal targets in a public debate and then to promote innovations which can help achieve greater information equity.

Final comments

(11) What efforts has your Government made to establish a system of continuing monitoring of the implementation of the decisions taken at the World Summit on the Information Society and what time-related goals and benchmarks has your Government set in this respect?

The Federal Government has been broadening and improving its high-level national eStrategy since 1996. Therefore, almost all of the goals and benchmarks adopted through the Geneva and Tunis processes have already been covered by its domestic information society policy. Taking into account, as appropriate, the demands of the private sector, as well as those of civil society, domestic policy formulation and implementation follow the multi-stakeholder model which has also been a key element of the WSIS process. The implementation of individual ICT action plans is carefully monitored and usually assessed at the same high political level

that initially adopted the policy. Within this well-established and widely accepted framework, the Federal Government does not provide any additional, WSIS-specific monitoring system.

(12) What are, according to your Government, the main issues and new challenges that need to be further addressed for promoting multilingualism and universal access to cyberspace? Please provide a brief description in your final comments.

Even now, the Internet provides a platform for multilingual communication and access to information in various languages which is unequalled by any other medium. This potential is to be enhanced yet further with the DDB. The DDB project will make use of search technologies and tools which will facilitate links with existing foreign-language content.

The Broadband Strategy will also help us move ever closer to fulfilling our goal of country-wide Internet coverage. Legislation guaranteeing Internet access as a universal service does not seem necessary.

In view of the fact that communication in cyberspace presupposes a high degree of uniformity in written language, increased thought will in the future have to be given to the standardization of written language.