

2026 Rule of Law Report - targeted stakeholder consultation

Fields marked with * are mandatory.

Introduction

The annual Rule of Law Report lies at the centre of the Annual Rule of Law Cycle, which acts as a preventive tool, deepening multilateral dialogue and joint awareness of rule of law issues. So far, six editions of the Rule of Law Report have been published since 2020.

As every year, the Commission would like to invite the stakeholders to provide contributions to the 2026 Rule of Law Report. On the basis of these contributions and on-going developments, further targeted questions may be shared at a later stage of preparation of the 2026 Rule of Law Report, in particular in the context of country visits, or bilateral contacts.

The Commission invites stakeholders to provide contributions which include:

(1) developments and measures taken in relation to the recommendations in the 2025 report,
(2) developments related to topics covered in the 2025 country chapters, as well as any other new developments related to the rule of law.

The input should consist of a short summary, if possible in English, covering the areas referred to below. Legislation or other documents may be referenced with a link. Contributions should focus on significant developments since the last Rule of Law Report both as regards the legal framework and its implementation in practice.

This questionnaire also integrates the separate questionnaire on the single market from last year. In addition to these specific questions, respondents to the questionnaire are invited to consider the Single Market dimension, including any relevant cross-border issues, in all their answers.

Where questions of particular relevance under the single market dimension, this is indicated before the relevant question.

[1] Unless the information was already submitted in the input for the previous Rule of Law Reports.

Type of information to be included:

Under each of the four pillars, the replies should include references to the following types of information:

A) Legislative developments

- Newly adopted legislation
- legislative drafts currently discussed in Parliament
- legislative plans envisaged by the Government

B) Policy developments

- Implementation and enforcement of legislation
- evaluations, impact assessment, surveys
- white papers/strategies/actions plans/consultation processes
- follow-up to reports/recommendations of Council of Europe bodies or other international organisations
- important administrative measures
- generalised practices

C) Developments related to the judiciary / independent authorities

- important case law by national courts
- important decision/opinions from independent bodies/authorities
- state of play on terms, nominations and expired mandates for high-level positions (e.g. Supreme Court, Constitutional Court, Council for the Judiciary, Prosecutor General, heads of independent authorities included in the scope of the request for input[2])

D) Any other relevant developments

- National authorities are free to add any further information, which they deem relevant; however, this should be short and to the point.

Where relevant, please also indicate whether the developments reported are linked to the implementation of reforms and investments under the national Recovery Resilience Plan. To simplify your answers to the questionnaire, if there are no developments, it is sufficient to indicate this and the information covered in the contributions for the previous Rule of Law Reports does not need not be repeated.

[2] Such as: media regulatory authorities and bodies, national human rights institutions, equality bodies, ombudsman institutions, supreme audit institutions and, where they exist, transparency authorities.

* I am giving my contribution as

- ☐ Academic/research institution
- ☐ Business association
- ☒ Civil society organisation/NGO
- ☐ International organisation
- ☐ Judicial association or network
- ☐ Media organisation or association
- ☐ Public authority or network of public authorities
- ☐ Other

* Organisation name

250 character(s) maximum

European Centre for Press and Media Freedom (ECPMF)

Main Areas of Work

- ☐ Justice System
- ☐ Anti-corruption
- ☒ Media Pluralism and Freedom
- ☐ Checks and Balances
- ☐ Other

Please insert an URL towards your organisation's main online presence or describe your organisation briefly:

500 character(s) maximum

<https://www.ecpmf.eu/> is our organisations website, and we coordinate Media Freedom Rapid Response (MFRR), Consorcium of six major media freedom organisation working on improving safety for journalists accross the EU and candidate countries <https://www.mfrr.eu/>

Transparency register number

Check if your organisation is in the transparency register. It's a voluntary database for organisations seeking to influence EU decision-making

599305553155-16

* Country of origin

Please indicate the country of origin of your organisation

- ☐ Austria
- ☐ Belgium
- ☐ Bulgaria
- ☐ Croatia
- ☐ Cyprus
- ☐ Czechia
- ☐ Denmark
- ☐ Estonia
- ☐ Finland
- ☐ France
- ☒ Germany
- ☐ Greece
- ☐ Hungary
- ☐ Ireland
- ☐ Italy
- ☐ Latvia
- ☐ Lithuania
- ☐ Luxembourg
- ☐ Malta
- ☐ Netherlands
- ☐ Poland
- ☐ Portugal
- ☐ Romania
- ☐ Slovak Republic
- ☐ Slovenia
- ☐ Spain
- ☐ Sweden
- ☐ Other - please specify

First name

Ena

Surname

Bavcic

Email Address of the organisation

ena.bavcic@ecpmf.eu

* Publication of your contribution and privacy settings

You can choose whether you wish for your contribution to be published and whether you wish your details to be made public or to remain anonymous.

- ☐ Anonymous - Only your type of respondent, country of origin and contribution will be published. Organisation name, URL, transparency register number, first name and surname given above will not be published. **To maintain anonymity, please refrain from mentioning the name of your organisation and any details from which your organisation can be identified in the rest of your contribution as we will not be able to guarantee anonymisation of these elements.**
- ☒ Public - Your personal details (name, organisation name, transparency register number, country of origin will be published with your contribution).
- ☐ No publication - Your contribution will not be published. Elements of your contribution may be referred to anonymously in documents produced by the Commission based on this consultation.

☒ I agree with the personal data protection provisions.

[Specific privacy statement targeted stakeholder consultation 2026 rule of law report.pdf](#)

Questions on horizontal developments

In this section, you are invited to provide information on general horizontal developments or trends, both positive and negative, covering all or several Member States. In particular, you could mention issues that are common to several Member States, as well as best practices identified in one Member State that could be replicated. Moreover, you could refer to your activities in the area of the four pillars and sub-topics (an overview of all sub-topics can be found below), and, if you represent a Network of national organisations, to the support you might have provided to one of your national members.

Overview topics for contribution

[List of topics for contribution.docx](#)

Please provide any relevant information on horizontal developments here

5000 character(s) maximum

Media Freedom Rapid Response - MFRR's flagship Mapping Media Freedom (MapMF), recorded 1481 press freedom violations affecting 2377 journalists and other media professionals during 2025 across the European Union member states and candidate countries. The rise in the number of alerts in 2024 and small discrepancies with the numbers in 2025 show that this has become a consistent trend. The main difference compared to 2024 lies in the severity of attacks, with 2025 marking four deaths of journalists, compared to one in 2024. Although three of these cases occurred in Ukraine and one in Turkey, they highlight that impunity remains high, as crimes against journalists and murders often remain unsolved for years.

According to MapMF data, government and public officials were responsible for approximately one in five (21%) of all recorded incidents in EU member states during 2025. This marks a sharp increase from 2021, when such officials were implicated in just 10% of incidents. The online environment remains the most common setting for attacks, with incidents steadily rising in recent years. In 2025, 23.5% of all recorded incidents in the EU occurred online, with spoofing, identity disguise, and deepfakes emerging as growing concerns. Intimidation and threats were the most frequent types of attacks, accounting for 19% of cases documented by the MFRR. Another alarming trend, which surged in 2024 and persisted through 2025, is the proliferation of foreign-agent laws inspired by Russian models. These laws have raised significant concern among media organisations, with repeated threats of adoption and troubling reports emerging across both EU member states and candidate countries. MapMF recorded 72 threats of foreign agent laws in 2025, with a rise of alerts in EU member states - 34 in 2024, escalating from 20 incidents in 2024. This legislation risks silencing and exiling independent media entirely. While Hungary and Slovakia have intensified their push for these laws, similar threats from political figures have been observed in other EU countries. The spread of foreign-agent laws reflects growing illiberal influences in Europe, and the EU must firmly oppose any such proposals.

These types of threats tap into already existing legal threats, such as Strategic Lawsuit Against Public Participation (SLAPP) and criminalisation of defamation, one of the largest and most powerful tools used to intimidate journalists and media outlets. The MFRR submission and the upcoming monitoring report aim to emphasise the importance of timely and robust transposition of the Anti-SLAPP Directive by highlighting concerning cases.

Elections and protests were among the most dangerous environments for journalists in 2025. MFRR has registered 110 election-related alerts throughout the year. In terms of protests, Serbia serves as a stark example, recording the highest number of alerts last year (208), which affected 358 journalists and media workers. In April, the MFRR organised an urgent mission to Serbia to draw attention to the challenges journalists face during protests. The incidents reported there are wide-ranging, including spyware abuse, raids on newsrooms, intimidation, violence, and media capture. While most of these incidents are not directly linked to protest coverage, Serbia's case illustrates how governments are intensifying their crackdown on independent journalism amid nationwide unrest.

Last, but not least, discriminated groups remain most vulnerable to different types of attacks. Recognising that many of them go unregistered due to a distrust in official institutions, it is important to emphasise that they contribute to a general sense of insecurity among independent journalists. Thus, gendered-based attacks remain a concern, with 56 gender-based attacks recorded in 2025, compared to 38 in 2024, and 16 attacks related to the sexual orientation of journalists or media workers. Journalists in exile are particularly vulnerable, and MFRR has started recording cases specifically related to them. With many cases still to map out MapMF has registered four such cases in 2025.

This text is part of ECPMF-led Media Freedom Rapid Response (MFRR) joint input to the Rule of Law Report, and is submitted by the following consortium members: European Centre for Press and Media Freedom, Article 19, European Federation of Journalists, Free Press Unlimited, International Press Institute, Osservatorio Balcani Caucaso Transeuropa.

Questions for contribution

Under each pillar, you are invited to provide information on measures taken to implement the recommendations addressed to the Member State in the 2025 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter of the 2025 Rule of Law Report and any other significant developments since January 2025 and up to the date of submission[3]. Please always include a link to and reference relevant legislation/documents (in the national language and/or where available, in English). **Significant developments** can include challenges, positive developments and best practices, covering both legislative developments or implementation and practices.

Information provided in reply to the first question under each pillar, related to the follow-up to the recommendations, does not need to be repeated in subsequent parts of the questionnaire, but can be cross-referenced in the subsequent questions, where relevant. All other questions are not limited to the recommendations, but as in previous years, cover the entire scope of the Report.

[3] Unless already covered in the input for the previous Rule of Law Reports.

Member State/enlargement country covered in contribution [only one choice possible]

If you wish to submit information concerning several Member States/enlargement countries, please fill in the questionnaire separately for each country. There is no limit to the number of contributions submitted by a single participant.

- ☐ Albania
- ☐ Austria
- ☐ Belgium
- ☐ Bulgaria
- ☐ Croatia
- ☐ Cyprus
- ☐ Czechia
- ☐ Denmark
- ☐ Estonia
- ☐ Finland
- ☐ France
- ☒ Germany
- ☐ Greece
- ☐ Hungary

- ☐ Ireland
- ☐ Italy
- ☐ Latvia
- ☐ Lithuania
- ☐ Luxembourg
- ☐ Malta
- ☐ Montenegro
- ☐ Netherlands
- ☐ North Macedonia
- ☐ Poland
- ☐ Portugal
- ☐ Romania
- ☐ Serbia
- ☐ Slovakia
- ☐ Slovenia
- ☐ Spain
- ☐ Sweden

I. Justice System

Please provide information on measures taken to follow-up on the recommendations received in the 2025 Report regarding the justice system (if applicable)

5000 character(s) maximum

A. Independence

Appointment and selection of judges, prosecutors and court presidents (incl. judicial review)

(The reference to 'judges' concerns judges at all level and types of courts as well as judges at constitutional courts)

5000 character(s) maximum

Irremovability of judges, including transfers, (incl. as part of judicial map reform), dismissal and retirement regime of judges, court presidents and prosecutors (incl. judicial review)

5000 character(s) maximum

Promotion of judges and prosecutors (incl. judicial review)

5000 character(s) maximum

Allocation of cases in courts

5000 character(s) maximum

Independence (including composition and nomination and dismissal of its members), and powers of the body tasked with safeguarding the independence of the judiciary (e. g. Council for the Judiciary)

5000 character(s) maximum

Accountability of judges and prosecutors, including disciplinary regime and bodies and ethical rules, judicial immunity and criminal/civil (where applicable) liability of judges (incl. judicial review)

5000 character(s) maximum

Independence/autonomy of the prosecution service

5000 character(s) maximum

Independence of the Bar (chamber/association of lawyers) and of lawyers

5000 character(s) maximum

Significant developments capable of affecting the perception that the general public has of the independence of the judiciary

5000 character(s) maximum

B. Quality of justice

(Under this topic, you are not required to give statistical information but should provide input on the type of information outlined in the introduction)

[single market relevance] Accessibility of courts (e.g. court/legal fees, legal aid, language)

5000 character(s) maximum

Resources of the judiciary (human/financial/material), remuneration/bonuses/rewards for judges and prosecutors, including observed changes (significant and targeted increase or decrease over the past year)

(Material resources refer e.g. to court buildings and other facilities. Financial resources include salaries of staff in courts and prosecution offices.)

5000 character(s) maximum

[single market relevance] Training of justice professionals (including judges, prosecutors, lawyers, court staff, clerks/trainees)

5000 character(s) maximum

Digitalisation (e.g. use of digital technology, including electronic communication and AI tools, within the justice system and with court users, procedural rules, access to judgments online)

5000 character(s) maximum

Use of assessment tools and standards (e.g. ICT systems, including AI-based systems, for case management, court statistics and their transparency, monitoring, evaluation, surveys among court users or legal professionals)

5000 character(s) maximum

Geographical distribution and number of courts/jurisdictions (“judicial map”) and their specialisation, in particular specific courts or chambers within courts to deal with fraud and corruption cases.

5000 character(s) maximum

[single market relevance] Specialisation (of judges/specific courts/chambers within courts) and training for the judiciary to deal with commercial cases, as well as alternative dispute resolution mechanisms and mediation as regards commercial cases.

5000 character(s) maximum

C. Efficiency of the justice system

(Under this topic, you are not required to give statistical information but should provide input on the type of information outlined in the introduction)

[single market relevance] Developments related to efforts to improve the efficiency of the justice system (e.g. as regards length of proceedings, to address backlogs)

5000 character(s) maximum

Any other developments related to the justice system - please specify

5000 character(s) maximum

II. Anti-Corruption Framework

Where previous specific reports, published in the framework of the review under the UN Convention against Corruption, of GRECO, and of the OECD address the issues below, please make a reference to the points you wish to bring to the Commission's attention in these documents, indicating any relevant updates, changes or measures introduced that have occurred since these documents were published.

Please provide information on measures taken to follow-up on the recommendations received in the 2025 Report regarding the anti-corruption framework (if applicable):

5000 character(s) maximum

A. The institutional framework capacity to fight against corruption (prevention and investigation / prosecution)

List any **changes** as regards relevant authorities (e.g. national agencies, bodies) in charge of prevention, detection, investigation and prosecution of corruption and the resources allocated to each of these authorities (the human, financial, legal, and technical/specialised resources as relevant), including the cooperation among domestic and with foreign authorities. Indicate any relevant measures taken to effectively and timely cooperate with OLAF and EPPO

5000 character(s) maximum

Safeguards for the functional independence of the authorities tasked with the prevention and detection of corruption

5000 character(s) maximum

Information on the implementation of measures foreseen in the strategic anti-corruption framework (if applicable). If available, please provide relevant objectives and indicators

5000 character(s) maximum

B. Prevention

Measures to enhance integrity in the public sector in particular as regards high-level officials (including as regards incompatibility rules, revolving doors, codes of conduct, ethics)

5000 character(s) maximum

Measures to enhance general transparency of public decision-making (including rules on lobbying, asset and interest disclosure rules, gifts policy, transparency of political party, financing)

5000 character(s) maximum

Measures to prevent conflicts of interest in the public sector. Please specify the features and scope of their application (e.g. categories of officials concerned, types of checks and corrective measures depending on the category of officials concerned)

5000 character(s) maximum

--> For the three previous points, **please also provide information and figures on their application/enforcement if available to you**, such as number of detected breaches/irregularities of the various rules in place and the follow-up given (investigations, sanctions, etc.)

Measures to ensure whistleblower protection and encourage reporting of corruption, including their application (i.e. number of reports received, and the follow-up given)

5000 character(s) maximum

[single market relevance] Specific measures to enhance transparency, integrity and accountability in sectors with high risks of corruption, with a view to monitor and prevent corruption and conflict of interests, and where applicable measures to prevent and address corruption committed by organised crime groups.

- *Such high-risk sectors could include: public procurement, including construction, transport/infrastructure, defence, cohesion, agriculture, environment, healthcare, investor residence schemes, large-scale investments of national interest and the spending of EU funds, urban planning.*
- *In particular, measures to mitigate high risks of corruption in the area of public procurement, such as enhancing transparency and oversight (for example through digital technologies) and promoting fair competition and accountability in public procurement (e.g. targeted actions to address the high share of single bids) and measures to guarantee the effective and independent functioning of the public procurement review bodies.*

5000 character(s) maximum

[single market relevance] Measures for the prevention of corruption in relation to the issuing of official permits (e.g. related to environment, energy, service provision and various types of construction)

5000 character(s) maximum

C. Repression

The legal framework on the criminalisation and sanctions for corruption and related offences, including foreign bribery

5000 character(s) maximum

Official data on the number of investigations, prosecutions, final judgments and the application of sanctions for corruption offences (differentiated by offence if possible). Please indicate whether the cases: involve legal persons; are related to the implementation of EU or national funds; involve high level corruption. Please indicate which data is publicly available and how policy-making is informed by the data

5000 character(s) maximum

Potential obstacles identified in law or in practice to the investigation and prosecution of high-level and complex corruption cases (e.g. political immunity regulation, procedural rules, statute of limitations, cross-border cooperation, pardoning)

5000 character(s) maximum

Information on effectiveness of criminal and non-criminal measures and of sanctions (e.g. recovery measures and administrative sanctions) on both public and private offenders

5000 character(s) maximum

Any other developments related to the anti-corruption framework - please specify

5000 character(s) maximum

III. Media pluralism and media freedom

Please provide information on measures taken to follow-up on the recommendations received in the 2025 Report regarding media pluralism and media freedom (if applicable)

5000 character(s) maximum

A. Media authorities and bodies

(Cf. Article 30 of Directive 2018/1808)

Measures taken to ensure the independence, enforcement powers and adequacy of resources (financial, human and technical) of media regulatory authorities and bodies

5000 character(s) maximum

Conditions and procedures for the appointment and dismissal of the head / members of the collegiate body of media regulatory authorities and bodies

5000 character(s) maximum

Existence and functions of media councils or other self-regulatory bodies

5000 character(s) maximum

B. Safeguards against government or political interference and transparency and concentration of media ownership

[single market relevance] Measures taken to ensure the fair and transparent allocation of state advertising

5000 character(s) maximum

Safeguards against state / political interference, in particular:

- safeguards to ensure editorial independence of media (private and public)
- specific safeguards for the independence of heads of management and members of the governing boards of public service media (e.g. related to appointment, dismissal), safeguards for their financial and operational independence (e.g. related to reporting obligations and the allocation of resources) and safeguards for plurality of information and opinions
- **[single market relevance]** information on specific legal provisions and procedures applying to media service providers, including as regards granting /renewal/termination of licenses, company operation, capital entry requirements, concentration and corporate governance

5000 character(s) maximum

[single market relevance] Transparency of media ownership and public availability of media ownership information, including on direct, indirect and beneficial owners

5000 character(s) maximum

There are several institutions and initiatives that monitor media ownership and audience concentration in Germany. It is worth highlighting the Commission on Concentration in the Media (KEK), which monitors both

factors. The Media Pluralism Monitor ('Medienvielfaltsmonitor') similarly offers a continuously updated overview of the market share of various media providers for the TV, radio, print, and online market.

The Media Ownership Monitor (MOM) is one of the most accessible tools to give insights into questions of transparency and media ownership in the country. In the 2026 MOM report, transparency of media ownership in Germany is assessed at 'medium risk'. The report indicates a lack of active publication about ownership details, as well as limited publically available data on the subject. Upon active outreach to major stakeholders, only very few media companies provided details about ownership. The MOM also assesses media audience concentration, as well as media market concentration, at 'high risk'. Specifically the television market, which remains the primary media in Germany, is dominated with 75% by Public Broadcasters, ProSiebenSat1 (Berlusconi Family and Renata Kellnerova) and RTL Group.

On 4 September 2025, the Italian media group MediaForEurope (MFE) officially announced its purchase of 75.6% of the private broadcaster ProSiebenSat.1 Media SE further highlighting concerns for media concentration – but also independence – in Germany. MFE is now effectively in charge of editorial decisions at Germany's second-largest provider of TV and streaming services. Among the channels affected are ProSieben, Sat.1 and Kabel Eins. The MFE group was originally founded by former Italian head of state Silvio Berlusconi and is now run by his son, Pier Silvio Berlusconi. Lars Hansen, co-chairman of the German Journalists' Union (dju), warned that international investors are primarily motivated by financial gain. According to Hansen, there is a risk that employees and programme diversity will be sidelined, and that MFE could push the political agenda of international financial investors.

Another case worth highlighting that raised concerns for media concentration in the printing sector was the takeover of a number of regional newspapers by the media and publishing group Neue Pressegesellschaft (NPG) from Südwestdeutsche Medienholding (SWMH), including the Stuttgarter Zeitung, Stuttgarter Nachrichten, the Eßlinger Zeitung and the Schwarzwälder Bote. NPG, which already owned the Südwest Presse, thereby came to control large shares of regional newspapers in the south-western state of Baden-Württemberg. In a press release on the merger, Andreas Mundt, president of the Cartel Office, expressed concerns, noting that in particular the takeover of the Schwarzwälder Bote had made NPG the most dominant publisher of regional newspapers in parts of Baden-Württemberg. However, according to Mundt, the Cartel Office had to approve the merger because NPG had circumvented competition law by selling off a smaller regional publication prior to the deal. For print media, the MOM 2025 assesses the risk for concentration at 63.54%. The report highlights that especially regional newspaper diversity is at risk of high concentration.

C. Framework for journalists' protection, transparency and access to documents

Rules and practices guaranteeing journalists' independence and safety, including as regards protection of journalistic sources and communications, referring also, if applicable, to follow-up given to alerts lodged with the Council of Europe's Platform to promote the protection of journalism and safety of journalists

5000 character(s) maximum

For 2025, the Mapping Media Freedom (MapMF) project has documented 127 violations of press freedom in Germany affecting 178 media workers or related entities. The MapMF data shows that journalists were most commonly attacked in the context of reporting on demonstrations and protests. With 48 documented cases for 2025, private individuals in the form of protest participants or organisers, were the most common source for attacks. In 21 incidents, police were identified as the attackers. While it remains difficult in the monitoring to distinguish between legitimate police action and unjust interference, the MFRR highlighted two cases of police

interference against media workers documenting pro-Palestinian protests in Germany as concerning developments.

Attacks online are were the second most common context where journalists were attacked, including attempts to discredit, threaten or intimidate in 31 documented cases. Monitoring these cases is particularly challenging, and the majority of instances go unreported. There is a lack of protection in regards to hate speech and digital harassment of journalists in Germany from the side of the government. The primary initiative to protect journalists from online hate speech remains the civil-society led initiative Schutzkodex. A positive development is the designation of the non-profit organisation HateAid as a Trusted Flagger by the German government in June 2025. As a Trusted Flagger under the Digital Service Act, HateAid helps to combat digital violence – also against journalists.

A development that might pose a risk in regards to the protection of journalistic sources is a pending draft law concerning an extension of competencies of the Federal Intelligence Service (BND). The draft law was attained by German outlets NDR, WDR and Süddeutsche Zeitung. According to the report published in January 2026, the BND would be able to legally monitor and spy on all electronic communications between Germany and abroad that are transmitted via one of the world's largest data centres, the DE-CIX located in Frankfurt. One of the passages also threatens the confidentiality of foreign journalists' sources. The German Journalists' Association has already spoken out and highlighted the draft law as a significant risk to journalists' sources and press freedom more broadly.

The case of journalist Hendrik Torner raised concerns about data surveillance by the German police. Torner's phone was confiscated on 6. September 2023 by police, while the journalist was documenting police action during protests of the so-called Last Generation movement. In this context, the police confiscated the journalist's phone. The German chapter of Reporters Without Borders could later prove in a forensic analysis that the police had accessed Torner's private data. Reporters Without Borders and the Gesellschaft Für Freiheitsrechte now support Torner in a constitutional complaint, which is still pending. This case sets a concerning precedent and poses a direct threat to the private data of the journalist, as well as raising concerns in regards to the protection of whistleblowers and the protection of sources.

Law enforcement capacity, including during protests and demonstrations, to ensure journalists' safety and to investigate attacks on journalists

5000 character(s) maximum

In 2025, law enforcement authorities at federal and state level continued to take measures to ensure the safety of journalists, including during protests and demonstrations. Police training on press law and media freedom continued, and cooperation formats between police forces and media representatives existed in several states, although not necessarily in a continuous or coherent manner. Overall, the level of protection afforded to journalists during demonstrations varied significantly across the states. While some states have developed specific media protection concepts in recent years and apply them in certain high-risk protest situations (for example Saxony), others lack comparable frameworks or apply them only inconsistently. In this context, Berlin represents a specific case, as its Assembly Freedom Act explicitly tasks the competent authorities with ensuring the free reporting of the media during assemblies, a statutory safeguard that is not reflected in the same explicit manner in other state assembly laws. Stakeholders nevertheless reported that, despite ongoing training efforts, instances of interference with journalistic work by police officers continued to occur in practice, particularly in dynamic or large-scale demonstration settings (see country data for Germany on MapMF).

At the same time, journalists and journalists' organizations reported persisting challenges related to personal safety and data protection. According to stakeholders, not all local authorities were willing or consistent in granting requests to restrict access to journalists' personal data in the population register (Melderegister) in

situations involving threats or harassment. Journalists also reported that they sometimes refrained from filing criminal complaints after threats or attacks, as the administrative burden and duration of proceedings were perceived as disproportionate to the likelihood of effective investigation and prosecution. In addition, journalists raised concerns that in the context of criminal proceedings, private home addresses and personal data may become known to opposing parties through access to case files. In cases involving extremist actors, this raised fears that such information could be disseminated further within hostile networks, increasing risks of intimidation and self-censorship.

Stakeholders also reported cases in which law enforcement authorities did not sufficiently take into account the press freedom dimension of certain incidents. In particular, attacks directed at journalists' private homes or property were in some cases assessed primarily as ordinary property damage or public order offences, without explicitly recognizing their potential link to journalistic activity. Physical and online attacks on journalists remain concerning (see country data for Germany on MapMF).

Research on local journalism in regions with strong far-right mobilization, particularly in eastern Germany, indicates that journalists are constrained less by formal censorship than by sustained hostility, intimidation and everyday pressure. This environment negatively affects reporting on sensitive topics and undermines journalists' sense of safety, especially at the local level. These pressures are further amplified by structural economic constraints and staff reductions in local newsrooms.

As regards investigations, criminal offences against journalists continued to be pursued under the applicable legal framework. Stakeholders nevertheless pointed to uneven follow-up and prosecution rates, as well as difficulties in identifying perpetrators, particularly in cases occurring during large-scale demonstrations. At the same time, stakeholders welcomed the resumption of proceedings in the Fretterode case, which they considered an important signal for accountability in serious attacks against journalists.

Overall, while Germany maintains adequate law enforcement capacity and a solid legal framework to protect journalists, stakeholders continued in 2025 to call for more consistent protection standards across state levels, improved handling of journalists' personal data in threat situations, clearer recognition of the press freedom dimension of attacks, and effective investigations to ensure accountability and deterrence.

Access to information and public documents by public at large and journalists (incl. transparency authorities where they exist, procedures, costs/fees, timeframes, administrative/judicial review of decisions, execution of decisions by public authorities, possible obstacles related to the classification of information)

5000 character(s) maximum

During the coalition negotiations in early spring 2025, the federal Freedom of Information (FOI) law has come under significant pressure. The transparency watchdog and investigative outlet FragDenStaat leaked the draft of a working group paper that aimed to abolish the FOI law in its current form. The initiative was reportedly spearheaded by Philipp Amthor, a politician of the Christian Democratic Union (CDU) party. In 2021, FragDenStaat and the non-profit Abgeordnetenwatch contributed to revelations that Amthor used his personal ties to lobby for an IT company within the CDU-led Ministry for Economic Affairs.

Following the leak and a significant media echo, the phrase aimed at abolishing the FOI law was removed from the final coalition contract. Instead, the contract now aims at an unspecified 'reform' of the law, citing the need to ease administrative processes. This rather vague formulation against the backdrop of the above mentioned attempt to abolish standing FOI regulations is a concerning development. It suggests resistance against the right to access to information on the side of the majority CDU party, and represents a break with efforts of the

previous government to introduce a comprehensive transparency law.

Existing FOI legislations remain weak in comparison to other European countries. It is made up of a patchwork of laws on the national and state level of varying quality. At the state level, only 14 out of 16 'Bundesländer' have individual FOI laws. Additional laws grant access to environmental ('Umweltinformationsgesetz') and consumer information ('Verbraucherinformationsgesetz'), but have yet to be successfully integrated into a broader, national FOI law. In practice, citizens trying to access government information are frequently presented with resistance and scepticism on the side of authorities. A potential fee of up to 500 Euros to cover administrative costs, and requests rejected on the basis of "trade secrets" were highlighted as further obstacles to access information in an MFRR report on the state of FOI for journalists.

Another obstacle concerns a frequent failure to file digital communications in order to make them accessible to information requests. This specifically concerns digital communications like chats, SMS or e-mail. . In the past, important and far-reaching political decisions have been taken via digital communications which were lost as a consequence of failed archivation.

Lawsuits (incl. SLAPPs - strategic lawsuits against public participation) and convictions against journalists (incl. defamation cases) and measures taken to safeguard against manifestly unfounded and abusive lawsuits

5000 character(s) maximum

In 2025, there were no known cases of journalists in Germany being criminally convicted solely for the content of their journalistic reporting. At the same time, journalists occasionally face criminal proceedings, penalties and investigative measures linked to their professional activities, which raised concerns among media freedom stakeholders.

In March 2025, an appellate court confirmed a criminal fine against a journalist who had been initially convicted in 2024 for quoting verbatim from a court decision in a pending case under Section 353d of the Criminal Code. According to the reporting, the quotation concerned a limited excerpt from a judicial decision and formed part of investigative journalism that contributed to revealing alleged procedural misconduct by the public prosecution service in a matter of public interest. The court nevertheless upheld the conviction, stressing the strict wording of Section 353d, which prohibits the publication of official documents from ongoing criminal proceedings irrespective of intent or public interest considerations. Journalists' organizations and press freedom advocates criticized the judgment as formalistic and disproportionate, arguing that it illustrates how the provision may interfere with the media's watchdog role and have a chilling effect on court reporting and investigative journalism, in particular where alleged misconduct by public authorities is concerned.

In addition, in 2025 the Federal Constitutional Court ruled that the search of the home of a journalist and the seizure of journalistic material in the so-called Radio Dreyeckland case were unconstitutional. The measures had been ordered in connection with a journalistic contribution that included a hyperlink, and the Court found that the search violated freedom of the press and broadcasting, notably due to the lack of sufficient suspicion and the disproportionate nature of the interference. Stakeholders considered the judgment an important clarification strengthening the protection of journalists against intrusive investigative measures.

As regards strategic lawsuits against public participation (SLAPPs), 2025 was marked by significant but contested legislative developments in Germany. At the beginning of the year, a first public draft law aimed at implementing the EU Anti-SLAPP Directive was published. The draft proposed procedural safeguards against manifestly unfounded and abusive lawsuits, including early dismissal mechanisms and cost-related protections. However, the proposal was criticised by journalists' organisations, civil society and legal experts for its narrow

scope, high thresholds for application and limited practical effectiveness, particularly with regard to access to early dismissal and the protection of defendants in practice.

Shortly before the end of 2025, a revised draft was adopted by the Federal Cabinet. Stakeholders noted that the Cabinet draft partly fell short of the earlier proposal. In particular, the scope of application was further restricted, as the draft focused primarily on cross-border cases, while SLAPP-type lawsuits occurring entirely within Germany were largely excluded from the specific safeguards foreseen under the law. Journalists' organizations and civil society actors criticized this limitation, arguing that it does not reflect the reality of legal pressure against journalists in Germany.

As of now, the legislative process is ongoing. As the draft had been adopted by the Federal Cabinet and reflected agreement among the coalition parties, its adoption by the Bundestag appears likely. Stakeholders continued to call for a more comprehensive and journalist-centered approach, in particular the inclusion of domestic SLAPP cases and more effective procedural safeguards.

Any other developments related to media pluralism and freedom - please specify

5000 character(s) maximum

IV. Other institutional issues related to checks and balances

Please provide information on measures taken to follow-up on the recommendations received in the 2025 Report regarding the system of checks and balances (if applicable)

5000 character(s) maximum

A. The process for preparing, enacting and implementing laws

[single market relevance] Framework, policy and use of impact assessments and evidence based policy-making, stakeholders'*/public consultations (including rules and practices on the transparent participation of civil society to policy development and decision-making processes), and transparency and quality of the legislative process in the preparatory, the parliamentary and implementation phase (including guidance on how to implement legislation)

* This includes also the consultation of social partners

5000 character(s) maximum

[single market relevance] Rules and use of fast-track procedures and emergency procedures (for example, the percentage of decisions adopted through emergency /urgent procedure compared to the total number of adopted decisions)

5000 character(s) maximum

[single market relevance] Safeguards to ensure legal certainty, the stability of the legal framework and non-discrimination.

5000 character(s) maximum

Rules and application of states of emergency (or analogous regimes), including judicial review and parliamentary oversight

5000 character(s) maximum

Regime for constitutional review of laws

5000 character(s) maximum

B. Independent authorities

Independence, resources, capacity and powers (including effective access to relevant data) of national human rights institutions ('NHRIs'), of ombudsman institutions if different from NHRIs, of equality bodies if different from NHRIs and of supreme audit institutions

(Cf. the website of the European Court of Auditors: <https://www.eca.europa.eu/en/Pages/SupremeAuditInstitutions.aspx#>)

5000 character(s) maximum

Statistics/reports concerning the follow-up to recommendations by National Human Rights Institutions, ombudsman institutions, equality bodies and supreme audit institutions in the past year

5000 character(s) maximum

[single market relevance] Safeguards to ensure the effective independence of supervisory and regulatory authorities with a direct impact on economic operators such as national economic oversight, enforcement and competition authorities

C. Accessibility and judicial review of administrative decisions

[single market relevance] Transparency of administrative decisions and sanctions (incl. their publication and rules on collection of related data) and respect of the good administration principle (including the obligation of the administration to give reasons for decisions)

5000 character(s) maximum

[single market relevance] Judicial review of administrative decisions: short description of the general regime (in particular competent court, scope, suspensive effect, interim measures, and any applicable specific rules or derogations from the general regime of judicial review)

5000 character(s) maximum

[single market relevance] Safeguards (other than judicial review) regarding decisions or inaction of administrative authorities, including remedies (e.g. administrative review)

5000 character(s) maximum

[single market relevance] Rules and practices related to the application by all courts, including constitutional jurisdictions, of the preliminary ruling procedure (Art. 267 TFEU)

5000 character(s) maximum

[single market relevance] Implementation of final judgments by the public administration and State institutions and follow-up given to supranational judgments, including decisions from the European Court of Human Rights, as well as available remedies in case of non-implementation

5000 character(s) maximum

Oversight, including by courts, of the use of intrusive surveillance software by national authorities

5000 character(s) maximum

D. The enabling framework for civil society

Measures regarding the framework for civil society organisations and human rights defenders (e.g. legal framework and its application in practice incl. registration, transparency and dissolution rules)

5000 character(s) maximum

Rules and practices having an impact on the effective operation and safety of civil society organisations and human rights defenders. This includes measures to protect them from attacks – verbal, physical or on-line –, intimidation, legal threats incl. SLAPPs, negative narratives or smear campaigns, measures capable of affecting the public perception of civil society organisations, etc. It also includes measures to monitor threats or attacks and dedicated support services, as well as available remedies

5000 character(s) maximum

Organisation of financial support for civil society organisations and human rights defenders (e.g. framework to ensure access to funding, and for financial viability, taxation/incentive/donation systems, measures to ensure a fair distribution of funding)

5000 character(s) maximum

E. Initiatives to foster a rule of law culture

If there have been developments related to initiatives to foster a rule of law culture, please specify, which (e.g. debates in national parliaments on the rule of law, public information campaigns on rule of law issues, contributions from civil society, education initiatives, etc.)

5000 character(s) maximum

Any other developments related to the system of checks and balances - please specify

5000 character(s) maximum

Cross-pillar elements: cross-border rule of law issues related to the Single Market

If there are any significant challenges concerning the Single Market you have been facing in a cross-border context relating to any of the four pillars of the report, including for example issues with market access and the conditions for economic activities, that you would like to highlight, please do so here.

Given the cross-cutting nature of this question, it is included as a separate section in the questionnaire. Information collected under this question will however be integrated under the relevant existing pillar(s) of the Report.

5000 character(s) maximum

Supporting document upload

If you would like to submit any supporting document(s) to your contribution, please upload your file(s) here

6e6490c3-e5e3-433d-b836-f2d2c0906d13/Rule_of_Law_Report_ECPMF_-_MFRR_contribution.pdf

Contact

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