

INPUT ON THE RULE OF LAW REPORT

Horizontal developments – focus on media freedom

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 drafted by ECPMF as a part of 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.

III. Media pluralism and media freedom

Transparency of media ownership and public availability of media ownership information, including on direct, indirect and beneficial owners

Several institutions and initiatives monitor media ownership and audience concentration in Germany. It is worth highlighting the Commission on Concentration in the Media (KEK), which monitors both factors.¹ 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.²

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.³ 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.

¹ [Medienkonzentrationsberichte | kek-online.de](https://www.kek-online.de)

² [Medienvielfaltsmonitor](#)

³ [Indicators | Media Ownership Monitor Germany](#)

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.⁴ 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.⁵

Another case worth highlighting that raised concerns for media concentration in the printing sector was the take-over 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.⁶ 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

Question

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

For 2025, the Mapping Media Freedom (MapMF) project has documented 127 violations of press freedom in Germany affecting 178 media workers or related entities.⁷ The MapMF data shows that journalists were most commonly attacked in the context of reporting on

⁴ https://www.mfediaforeurope.com/binary/documentRepository/39/Press%20release%20-%20Publication%20of%20Announcement%20pursuant%20to%20Article%2023%20Paragraph%201%20Sentence%201%20No.%203%20Wp%C3%83%C2%9CG_2447.pdf

⁵ [dju warnt vor Medienkonzentration - M - Menschen Machen Medien \(ver.di\)](https://www.dju.de/de/Presse/Menschen-Machen-Medien)

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https://www.bundeskartellamt.de/SharedDocs/Meldung/DE/Pressemitteilungen/2025/30_06_2025_Medienholding_Neue_Pressegesellschaft.html?nn=52004

⁷ <https://www.mapmf.org/explorer?f.year=2025&f.country=Germany&show=list>

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.⁸

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.⁹ 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.¹⁰

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.¹¹ 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.¹²

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.¹³

⁸ [Police Obstruction of Journalists at Pro-Palestinian Protests in Berlin](#)

⁹ [Kodex für Medienhäuser zum Schutz von Journalist*innen](#)

¹⁰ [HateAid wird Trusted Flagger — HateAid](#)

¹¹ [Neues BND-Gesetz soll Agenten ins digitale Zeitalter bringen - Politik - SZ.de](#)

¹² <https://www.djv.de/news/pressemitteilungen/press-detail/redaktionsgeheimnis-in-gefahr/>

¹³ [Demo dokumentiert – Handy ausgelesen: GFF geht mit einem Journalisten vor das Bundesverfassungsgericht - GFF – Gesellschaft für Freiheitsrechte e.V.](#)

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

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 assemblies¹⁴, 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).¹⁵

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.¹⁶

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).¹⁷

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

¹⁴ <https://www.parlament-berlin.de/media/download/3646>

¹⁵ <https://www.mapmf.org/explorer?f.year=2025&f.country=Germany&show=list>

¹⁶ Patrick Peltz und Alina Haynert, *Feindbild Journalist: In 9: Pressefreiheit Im Spannungsfeld Gesellschaftlicher Krisen* (Europäisches Zentrum für Presse und Medienfreiheit, 2025).

¹⁷ <https://www.mapmf.org/explorer?f.year=2025&f.country=Germany&show=list>

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.¹⁸

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.¹⁹

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 the 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)

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.²⁰ 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.²¹ 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.

¹⁸ Patrick Peltz and Yann P. M. Rees, "Not Censored, But Silenced: Evidence from Local Journalists in German Far-Right Strongholds," *Journalism Practice*, January 4, 2026, 1–20, <https://doi.org/10.1080/17512786.2025.2610820>.

¹⁹ <https://www.reporter-ohne-grenzen.de/artikel/pressemitteilungen/4161/7-jahre-verschlepptes-strafverfahren-nach-neonazi-angriff-auf-journalisten-in-fretterode>

²⁰ [Lex FragDenStaat: Union will Informationsfreiheitsgesetz abschaffen](#)

²¹ Koalitionsvertrag, p. 59. Siehe: [Koalitionsvertrag von CDU, CSU und SPD](#).

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.²²

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.²³

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

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.^{24 25}

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

²² [Freedom of Information in Europe: Challenges Journalists Face in Accessing Government Data](#)

²³ [Wie Ministerien Informationen verschweigen: Drei Maßnahmen für eine Revolution der Akten](#)

²⁴ <https://www.lto.de/recht/nachrichten/n/lq-hamburg-carsten-janz-berufung-pressefreiheit-353d-stgb>

²⁵ <https://www.sueddeutsche.de/medien/urteil-zitierfehler-hamburg-lux.AgnqYBcFvGAX5PYz9KHdaF>

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.²⁶

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.²⁷ 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.²⁸

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.²⁹ 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.³⁰

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.

²⁶ https://www.bundesverfassungsgericht.de/SharedDocs/Entscheidungen/DE/2025/11/rk20251103_1_bvr025924.html

²⁷ https://www.bmjv.de/SharedDocs/Gesetzgebungsverfahren/DE/2025_Anti-SLAPP.html?nn=110490

²⁸ <https://verfassungsblog.de/anti-slapp-gesetz/>

²⁹ https://www.bmjv.de/SharedDocs/Gesetzgebungsverfahren/DE/2025_Anti-SLAPP.html?nn=110490

³⁰ <https://www.lto.de/recht/nachrichten/n/bundesregierung-anti-slapp-richtlinie-umstrittene-einschuechterungsklagen-hubig-bmjv>