

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

Reporters Without Borders / Reporters sans frontières (RSF)

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://rsf.org/en>

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

612547127497-45

* 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

Julie

Surname

Email Address of the organisation

secretariat@rsf.org

* 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

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

Germany has made no further progress on advancing with the plan to create a legal basis for a freedom of information of the press as regards federal authorities. The federal and state Freedom of Information Acts (IFG) oblige authorities to release documents – something that state press laws do not do. However, not all federal states have an IFG yet. Instead, a paper from the coalition negotiations on the topic of “bureaucracy reduction” contained a proposal by the CDU/CSU to abolish the IFG. After Reporters Without Borders (RSF, <https://www.reporter-ohne-grenzen.de/artikel/pressemitteilungen/33/drohender-einschnitt-in-die-informationsfreiheit>) and almost 50 other NGOs protested against this in an open letter (<https://fragdenstaat.de/artikel/policy/2025/04/offentlicher-brief-an-saskia-esken-und-lars-klingsbeil/>), the coalition agreement now states that the IFG should be “reformed with added value for citizens and the administration.” However, no legislative initiatives are known to date.

Germany has also made no progress on taking forward the plan to adapt the tax-exempt status for non-profit organisations with a view to address the challenges which the currently applicable rules present for their operation in practice. This means that their recognition continues to depend heavily on the respective tax office and that there is no uniform legal certainty at the federal level. The coalition partners in the current legislative period agreed to promote journalism in their coalition agreement (Koalitionsvertrag, https://www.koalitionsvertrag2025.de/sites/www.koalitionsvertrag2025.de/files/koav_2025.pdf): tax certainty for non-profit

journalism. However, contrary to the coalition agreement, there are currently no plans to introduce tax breaks for non-profit journalism. The tax amendment law (Steueränderungsgesetz 2025, <https://www.recht.bund.de/bgbl/1/2025/363/VO.html>) passed in December 2025 does not contain such a provision. Instead of journalism, e-sports was included as a non-profit activity. There are no plans for further changes until the end of 2026 at the earliest.

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

Public broadcasting is a key pillar of media diversity in Germany. Unlike in most other countries, its independence from state influence is not complete, but it is largely guaranteed. With the exception of Deutsche Welle, it is not financed by taxes, but by a “broadcasting license fee” paid by all households. The amount of this fee is determined by an independent commission (KEF), but must be confirmed by the state parliaments. The latest increase calculated by the KEF has been suspended by the Conference of Minister Presidents of the German States. The background to this is the dispute over reforms aimed at making public service broadcasting more efficient and “leaner.” In 2024 the broadcasters filed a lawsuit with the Federal Constitutional Court against the suspension of the 58-cent-per-month increase in the license fee (to 18.94 euros), which has not yet been decided.

As a result, several federal states have put the adoption of the state treaties on reforms and the future financing of public broadcasting on hold until the constitutional complaint is withdrawn. The reform treaty (Reformstaatsvertrag, 7. MÄStV, <https://rundfunkkommission.rlp.de/rundfunkkommission-der-laender/reformstaatsvertrag>) was finally ratified by all state parliaments by November and entered into force on 1 December 2025.

The financing treaty (Finanzierungsstaatsvertrag, 8. MÄStV), however, was not ratified (https://redas.landtag.sachsen.de/redas/download?datei_id=43859). The federal states continue to block the due increase in the broadcasting license fee.

The far-right AfD party wants to abolish the broadcasting license fee altogether and replace it with voluntary subscription fees. In this case, the public broadcaster, severely weakened financially, would have to reduce its services to a fraction of what it currently offers. The basic service required and guaranteed by the Federal Constitutional Court for the democratic formation of opinion would no longer be possible.

Individual license fee payers have taken legal action against their obligation to pay for public broadcasting, but have always been dismissed by the courts. In October 2025, however, the Federal Administrative Court (<https://www.bverwg.de/pm/2025/80>) ruled that the broadcasting license fee could be unconstitutional if the broadcasters did not offer sufficiently balanced programming. However, this deficiency must relate to public service broadcasting as a whole. Previous individual lawsuits, on the other hand, have mostly focused on subjective assessments of individual series or broadcasters.

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

The procedures are laid down in the media laws of the Länder. None of them give the government the power to arbitrarily dismiss directors or heads of the collegiate body of a media regulatory authority.

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

5000 character(s) maximum

There is a press codex (<https://www.presserat.de/pressekodex.html>) that is widely accepted in the journalism sector. The press code was updated in March 2025: editorial offices must avoid conflicts of interest among their employees when reporting, or at least disclose them to their readers. According to the new guideline (<https://www.presserat.de/index.php/presse-nachrichten-details/redaktionen-muessen-interessenkonflikte-offenlegen.html>), personal relationships must also be strictly separated from journalistic activities, or at least disclosed if they could raise doubts about the independence of reporting.

In 2025, complaints received by the Press Council ranged from political and war reporting to articles on domestic German debates and protests. The Press Council reported 429 individual complaints (<https://www.presserat.de/presse-nachrichten-details/presserat-entscheidet-ueber-massenbeschwerde.html>) by mid-December.

If violations of this codex appear, the press council can approve of complaints and issue reprimands. A reprimand by the Press Council must be printed in the relevant medium. However, there is no possibility of sanctioning an editorial office if it refuses to do so. As the Press Council acts not as a legislative body but rather as a self-regulatory body, the Press Council can not in any way sanction violations of its codex.

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

In 2024, the German government spent a total of 88.662009 (<https://dserver.bundestag.de/btd/21/003/2100378.pdf>) euros for advertising and information campaigns.

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

The German Länder Media Treaties contain provisions safeguarding the independence of heads of management and governing boards both for private and public service broadcasting media. They also contain rules on obtaining broadcasting licences. While obtaining a broadcast licence is rather a formal requirement for media service providers, it comes with the obligation of respecting the rules of the Interstate Media Treaty (Medienstaatsvertrag). In December 2025, the sixth and seventh Media Amendment State Treaty (6. and 7. Medienänderungsstaatsvertrag, MÄStV) came into force. Amendments of the 6. MÄStV (https://rundfunkkommission.rlp.de/fileadmin/rundfunkkommission/Dokumente/6._MAESTV_Synopsen__StV_und_Begrueundung/6._MAESTV_Druckfassung.pdf) also included changes to the Interstate Media Treaty, extending, among other things, the power of the state media authorities to enforce measures to enable effective law enforcement in proceedings against providers based in other EU member states. The Reform State Treaty (7th MÄStV, <https://rundfunkkommission.rlp.de/rundfunkkommission-der-laender/reformstaatsvertrag>) includes a fundamental reform of public broadcasting, making ARD, ZDF, and Deutschlandradio more digital and streamlined. Among other things, the Reform State Treaty contains new regulations on the number of specialty channels and radio stations, press similarity, and cooperation between public broadcasters.

[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

Although the KEK (Commission for Determining Concentration in the Media Sector) provides an overview (<https://www.kek-online.de/medienkonzentration/programmveranstalter/beteiligungsuebersichten/>) of shareholding structures and a media ownership database (<https://www.kek-online.de/mediendatenbank/#/>), it does not yet include the information mentioned in the previous report.

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

Germany has made no progress with regards to the protection of journalists and their sources and communications against spyware concerning the implementation of safeguards foreseen in Art. 4 of the European Media Freedom Act. RSF therefore still suggests a comprehensive evaluation of all German security laws in order to determine whether or not they are in line with the ban on the use of spyware against media professionals enshrined in the EMFA.

Law enforcement agencies have virtually unlimited access to private smartphones and the data stored on them after confiscating a phone on the grounds under section 94 German Code of Criminal Procedure. In September 2023, police confiscated the phone of journalist Hendrik Torner in Bamberg after Torner documented public statements police officers made during a police action against three participants of a protest with a voice memo. They accessed and analyzed his cell phone using the software Cellebrite, compiling a comprehensive report of the entirety of his political activities unrelated to the specific criminal charge of violating the confidentiality of the spoken word under Section 201 of the Criminal Code. The phone was returned to Torner after the public

prosecutor's office dropped the case in August 2024.

The confiscation of the cell phone was confirmed by the Bamberg District Court. Torner filed an appeal against this decision at the Bamberg Regional Court in April 2025. At the end of June 2025, the regional court ruled that the confiscation of the cell phone had only been lawful for the first three months. The measures taken in the remaining eight months, until the public prosecutor's office dropped the case, were unlawful due to the lack of a criminal complaint – these included, for example, the police storing numerous private photos and evaluating the content of the data.

This practice is not unusual: Mobile phones are confiscated and analyzed every day for the purpose of law enforcement; however, states do not comprehensively gather statistics how often that is the case. While confiscation must generally be ordered by a court, the police themselves usually decide which data is subsequently accessed and analyzed. Once a cell phone is unlocked, all data stored on it is generally accessible to the authorities, especially highly personal and confidential information. The police can gain deep insights into the personality and core aspects of the private lives of those affected, without reference to the actual reason for the seizure, and use this information for other purposes. Fundamental trust in the protection of digital communications is undermined – whether in private, professional, or legally protected settings. This constitutes a serious infringement of the so-called fundamental IT right, which protects the confidentiality and integrity of information technology systems.

In a society based on the rule of law, the admissibility and scope of such a serious infringement of fundamental rights must be determined by the democratically legitimized legislature itself and limited to appropriate cases. Furthermore, legal safeguards are needed to prevent the collection or analysis of information from the inviolable core area of private life. However, there is currently no specific legal basis that meets these constitutional requirements. Moreover, there is a lack of prior judicial review that specifies the type, scope, and limits of data analysis in individual cases. Leaving the decision on the admissibility and extent of data analysis solely to the police and public prosecutor's office is incompatible with the rule of law and democratic principles.

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

5000 character(s) maximum

In 2025, RSF Germany documented an increased number of hints regarding attacks on journalists, the verified number (cases where RSF could document through witnesses or video evidence) will be published in early February 2026. RSF invests considerable effort in verification, interviewing victims, witnesses and – where possible – the police, and includes not only physical assaults on journalists and their equipment but also damage to editorial offices. The aim is to shed as much light as possible on the violence against media professionals, even though we are aware the real number is way higher than the number of verified cases we are able to document.

As in previous years, political gatherings – demonstrations, party conventions, protest actions – were the most dangerous environments for media workers. The majority of incidents originated in far-right milieus.

Journalists working on right-wing extremism continued to face a high level of hostility in 2025. During research in far-right environments they were repeatedly harassed, shoved, spat at, physically attacked or otherwise obstructed. Attacks are often coordinated or carried out from within larger groups. Local reporters are particularly exposed, as a joint study by the European Centre for Press and Media Freedom (ECPMF) and the publishers' association BDZV shows: in Saxony and Thuringia, around two-thirds of respondents report attacks, including threats of violence and death threats at their private addresses. A research project at TU Dresden likewise concludes that reporters covering far-right Monday protests in eastern Germany can only do so at considerable risk, often relying on escorts or visible police protection. Without this protection, the situation for reporters would be even more dangerous – and many journalists now only cover particularly critical far-right events with robust security concepts.

Examples: At a far-right rally under the banner "Für Recht und Ordnung" at Berlin's Ostkreuz station on 22/03 /2025, Spiegel TV reporter Thomas Heise was injured in the face. On 9 April, he was attacked again in front of

the Berlin Regional Court, when a young neo-Nazi lunged into his camera and had to be restrained by bystanders. On 17/05/2025, Dominik Lenze, who reports among others for Der Tagesspiegel, covered a neo-Nazi gathering in Herford. Participants repeatedly harassed him to prevent his filming and eventually pushed him so hard that he fell to the ground and his camera broke. On 10/08/2025, neo-Nazis from Bautzen attacked two journalists at Berlin's Ostkreuz station with punches and kicks: the reporters had previously photographed them at the CSD in Bautzen.

While most attacks originate from the far right, RSF also received reports of assaults and threatening situations linked to parts of the far left. A widely discussed incident occurred on 29 November in Gießen, where BILD deputy editor-in-chief Paul Ronzheimer was massively harassed while filming a protest against the foundation of a new AfD youth organisation. He later described how more and more demonstrators encircled his team, shouting "Nazis raus." As they tried to leave, hundreds of demonstrators allegedly followed them along the street with aggressive chants until the police ultimately escorted the crew out of the crowd for safety reasons. At the same time, the journalists' union DJV Hessen documented several instances in which police officers obstructed reporting by journalists from epd and taz.

In several situations, law enforcement itself became part of the problem. At the AfD federal party conference in Riesa on 11/01/2025, mass protests took place and police appeared, at times, overwhelmed. Observers reported massive police violence against protesters and journalists, including reporters being pushed to the ground, knocked over from behind while conducting interviews and hit with pepper spray.

On Palestine-solidarity demonstrations in particular, some reporters complained of disproportionately long identity checks and exclusion orders, and of being pushed back too far from the core of events. The polarised context of Gaza-related protests further complicated law-enforcement's task. Reporters and observers on these demonstrations also pointed to aggressive interactions with police but also aggression from protestors against reporters from certain German media platforms (e.g. from Axel Springer). Based on available video material, RSF concludes that in some cases escalations and rough treatment of camera teams could have been avoided had police engaged in prior dialogue with known observers and reporters. RSF therefore reiterates its call for both sides to agree on clear, jointly accepted rules. It would be a crucial step forward if the Conference of Interior Ministers on the one hand and the German Press Council and journalists' organisations on the other finally agreed on the long-planned revision of their joint behavioural guidelines for media and police.

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

No progress has been made neither on creating a legal basis for a right to information of the press as regards federal authorities, nor expanding the existing Freedom of Information Act ("Informationsfreiheitsgesetz"), for the general public, into a Transparency Act ("Transparenzgesetz"). To the contrary, when negotiating the government program for the next legislative period the working group on modernising the state of the CDU suggested abolishing the existing FOI Act. Following public outrage, the government coalition agreed to reform the existing law to the "benefit of the citizens" but has yet to propose concrete measures.

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

The No-SLAPP-Anlaufstelle, a civil society contact point for SLAPP victims, was established in 2024. In 2025 the contact point reported 48 support requests from individual journalists, environmental activists and other civil society stakeholders that have been intimidated by legal threats. In 30 of these cases, the contact point's internal assessment is that they are SLAPPs. Latest figures to compare with the assessment on SLAPP-cases by the Coalition against SLAPPs in Europe (CASE) are not available.

The financing plan was adjusted by the No-SLAPP-Anlaufstelle at the beginning of 2025 to ensure that funding would last until June 2026. However, it will very likely expire without further government funding, as there is uncertainty regarding the responsibilities of the ministries.

In Germany, most cases of abusive lawsuits fail because the legal system in Germany is secure enough that journalists win. One example of this is the CORRECTIV case. Ulrich Vosgerau and Gernot Mörig sued against individual formulations in the CORRECTIV investigation "Geheimplan gegen Deutschland." (<https://correctiv.org/aktuelles/neue-rechte/2024/01/10/geheimplan-remigration-vertreibung-afd-rechtsextreme-november-treffen/>). In December 2025, the Hamburg Regional Court (<https://justiz.hamburg.de/gerichte/oberlandesgericht/gerichtspressestelle/landgericht-hamburg-klagen-gegen-correctiv-berichterstattung-abgewiesen--1129938>) dismissed the lawsuits against CORRECTIV in their entirety.

Nevertheless, legal costs arise during the process and in some cases, the weaker party may not be able to appeal to the next instance or to a higher court due to lack of financial resources.

The draft bill to implement the EU Anti-SLAPP Directive falls short of expected standards. The No SLAPP Alliance Germany (No SLAPP Bündnis Deutschland) is particularly critical (<https://www.reporter-ohne-grenzen.de/artikel/pressemitteilungen/4169/gesetzentwurf-gegen-einschuechterungsklagen-greift-zu-kurz-aktuelle-falle-zeigen-dringenden-nachbesserungsbedarf>) of the restriction to cross-border cases, the lack of regulation in the extrajudicial sphere, and the inadequate sanction mechanisms. According to the alliance, current cases show that the draft would not offer effective protection to victims of strategic intimidation. The alliance is calling for the scope of application to be extended to national cases, for the extrajudicial sphere to be regulated, for effective sanctions to be introduced, and for advisory structures to be legally secured.

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

5000 character(s) maximum

US tech companies now account for half (43,9 %, <https://diemediaagenturen.de/pressemitteilungen/werbemarkt-umsaetze-uebersteigen-2025-erstmal-30-mrd-euro/>) of total net advertising revenues in Germany. Moving images and barely informative texts dominate consumption and thus also advertising space on the internet. Media concentration control in Germany has not kept pace with this development, as it only assesses market shares of television and print media. The KEK does publish warning reports (https://www.kek-online.de/fileadmin/user_upload/KEK/Publikationen/Gutachten/Meinungsmacht_im_Internet_ALM51_web_2018.pdf) on the dominance of US corporations in the German media market. However, the European Union has the main powers to regulate the internet. The Digital Services Act (DSA) and the European Media Freedom Act (EMFA) are attempts to gain control over these corporations. Yet, these corporations still take advantage of their privilege as mere "service providers" and lack responsibility for the content they distribute. In reality, they hold the power over online information access and distribution. By using algorithms, some of which are designed with political intentions, they determine what content is displayed to whom and how it is prioritized.

—

Germany is ranked 11 out of 180 countries in the 2025 Press Freedom Index. (<https://rsf.org/en/country/germany>)

To counteract the continuing decline in media diversity, RSF is calling for clear tax recognition of non-profit journalism in non-profit law – a demand that has so far been pursued with little political ambition. In order to guarantee sustainable and continued freedom of the press in the digital age, platform-independent journalism funding must be implemented with a focus on a publication's contribution to journalistic diversity, whereby the

funds must primarily benefit editorial work.

Important projects must be consistently implemented in German legislation. EU regulations such as the European Media Freedom Act (EMFA), the Digital Services Act (DSA), and the Anti-SLAPP Directive must be applied consistently and democratically. The new government must resume the legislative project against digital violence, which the traffic light coalition government failed to implement.

More urgently than ever, the EU faces the task of enforcing its new regulations for very large digital platforms and protecting against hate speech and disinformation in Europe. The best remedy for propaganda is independent information. RSF therefore calls for structural support for exile journalism and improved protection for exiled journalists against attacks from their home countries (transnational repression).

Independent journalism is a pillar of democracy and must be comprehensively protected. This includes source protection and protection from surveillance. Projects such as IP data retention, the expansion of state Trojans, the use of biometric identification procedures and databases, or the breaking of encryption jeopardize confidential communication between media professionals and their sources. At the same time, journalists' ability to gather information and conduct research must not be curtailed. The Freedom of Information Act (Informationsfreiheitsgesetz, IGF) should not be weakened but rather converted into a nationwide transparency law.

<https://www.reporter-ohne-grenzen.de/artikel/pressemitteilungen/37/ubergriffe-auf-journalisten-verdoppelt>

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

Contact

