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**COMMISSION STAFF WORKING DOCUMENT**

**2025 Rule of Law Report  
Country Chapter on the rule of law situation in Germany**

*Accompanying the document*

**Communication from the Commission to the European Parliament, the Council, the  
European Economic and Social Committee and the Committee of the Regions**

**2025 Rule of Law Report  
The rule of law situation in the European Union**

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## **ABSTRACT**

The level of perceived judicial independence in Germany continues to be high among both the general public and companies. A reform to strengthen the resilience of the Constitutional Court was adopted, enshrining certain safeguards for its functioning and independence in the Constitution. While some steps have been taken regarding the level of remuneration for judges and prosecutors, challenges related to recruitment to the judiciary persist. Digitalisation efforts in the judiciary continue, supported by a multi-annual investment programme, though their implementation in practice varies. New rules on the creation of specialised commercial courts have entered into force, aiming to provide more specialised and efficient proceedings for companies in high-value disputes. The justice system overall continues to perform efficiently and a new procedure to deal more efficiently with so-called ‘mass’ civil cases has been introduced.

The planned revision of Germany’s strategic anti-corruption framework and gift policy for the federal administration remains pending. The enforcement of recent legislative reforms increasing transparency and enhancing the prevention of corruption show effective results, including with regard to the lobbying register, post-employment rules (revolving doors), and whistleblower protection. Work to establish a fully-fledged legislative footprint is still to be advanced, particularly for the Federal Parliament, to further enhance transparency in an environment of strong industry interest representation. Some shortcomings remain in the enforcement of conflicts of interest rules for parliamentarians and Government officials as well as political party and campaign finance. Germany has modernised its public procurement rules, carrying the potential to increase transparency and ensure equal level playing field for businesses. Amendments to strengthen liability and sanctions of legal persons to fight foreign bribery more effectively had advanced but were not concluded before the end of the previous legislature. High-level corruption is addressed, and no systemic weaknesses have been identified.

The independently functioning media regulators assumed new enforcement responsibilities, while the reprimands of the self-regulatory body for print and online media reached a record level. Reforms to further strengthen the independent functioning of some public service broadcasters are progressing, while a decision not to increase the license fee triggered constitutional challenges. The business environment for media service providers remained overall stable, while plans to revise the media market concentration framework are progressing. The process to establish a right to information of the press as regards federal authorities has not advanced further, as work on a draft law came to a halt due to the early dissolution of Parliament. The overall protection framework for journalists is good but reports of physical and only attacks raise concern.

Consultation procedures vary in practice, with stakeholders, including from the business sector, noting instances of particularly short consultation periods. There have been no steps yet taken regarding the tax-exempt status of non-profit organisations, which continues to create obstacles in practice. Civil society organisations continue to face certain challenges in their operation, while a new strategy to better support voluntary engagement has been adopted and welcomed by civil society.

## **RECOMMENDATIONS**

Overall, concerning the recommendations in the 2024 Rule of Law Report, Germany has made:

- Some further progress on taking measures to ensure an adequate level of remuneration for judges and prosecutors, taking into account European standards on remuneration for the justice system.
- No further progress on further strengthening the ‘legislative footprint’ by disclosing all interest representatives’ inputs to legislation and by extending the scope to the parliamentary phase of the legislative procedure.
- Some further progress on strengthening the existing rules on revolving doors by increasing the length of cooling-off periods for federal ministers and federal parliamentary state secretaries.
- Limited progress on advancing with the plan to create a legal basis for a right to information of the press as regards federal authorities, taking into account European standards on access to official documents.
- 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, taking into account European standards on funding for civil society organisations.

On this basis, and considering other developments that took place in the period of reference, it is recommended to Germany to:

- Take measures to increase the resources of the judiciary and address recruitment challenges, taking into account European standards on resources for the justice system.
- Step up efforts to strengthen the ‘legislative footprint’ to provide a comprehensive public record to register lobbying input and to extend the scope to the parliamentary phase of the legislative procedure.
- Advance with creating a legal basis for a right to information of the press as regards federal authorities, taking into account European standards on access to official documents.
- Take steps to adapt the tax-exempt status for non-profit organisations with a view to address the challenges which the currently applicable rules present for the organisations’ operation in practice, taking into account European standards on funding for civil society organisations.

## I. JUSTICE SYSTEM<sup>1</sup>

### Independence

**The level of perceived judicial independence in Germany continues to be high among both the general public and companies.** Overall, 72% of the general population and 70% of companies perceive the level of independence of courts and judges to be ‘fairly or very good’ in 2025<sup>2</sup>. The perceived judicial independence among the general public remains at the same level as in 2024 (72%) although it has significantly decreased in comparison with 2021 (80%). The perceived judicial independence among companies has slightly increased in comparison with 2024 (69%), as well as with 2021 (68%).

**A reform to strengthen the resilience of the Constitutional Court was adopted, enshrining certain safeguards for its functioning and independence in the Constitution.** The Constitutional amendment adopted in December 2024 following extensive debates enshrines in the Constitution key features of the Constitutional Court, such as the number of judges and the length and non-renewable nature of their mandate. One consequence is that these rules can only be changed by a two-thirds majority, safeguarding the Court’s independence<sup>3</sup>. In addition, an anti-deadlock mechanism has been introduced in the law on the Constitutional Court, which foresees that in a situation where the Bundesrat or Bundestag would not manage to elect a new judge within three months after a proposal made by the Constitutional Court, the other chamber steps in<sup>4</sup>. Stakeholders welcome the reform as an important step to safeguard the independence of the Constitutional Court<sup>5</sup>. At the same time, they stress the importance of further steps for the overall resilience of the justice system beyond the Constitutional Court and welcomed on-going reflections<sup>6</sup>. Other projects related to strengthening judicial independence at federal level under the previous legislature<sup>7</sup>, notably the introduction of rules to ensure legal certainty and to increase transparency for instructions by Ministers of Justice to prosecutors in individual cases and enshrining the respect of constitutional values by lay judges, were ultimately not taken forward before the early dissolution of Parliament. At the level of the *Länder*, reflections on how to further strengthen the resilience and safeguard the independence of their justice systems are also on-going,

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<sup>1</sup> An overview of the institutional framework for all four pillars can be found [here](#) .

<sup>2</sup> Figures 50 and 52, 2025 EU Justice Scoreboard and Figures 49 and 51, 2023 EU Justice Scoreboard. The level of perceived judicial independence is categorised as follows: very low (below 30% of respondents perceive judicial independence as fairly good and very good); low (between 30-39%), average (between 40-59%), high (between 60-75%), very high (above 75%).

<sup>3</sup> Law amending the Fundamental Law (Article 93 and 94). German Government (2025), written input, pp. 4-5. 2024 Rule of Law Report, Germany, pp. 4-5. The Venice Commission has underlined the need to ensure both the independence of the judges of the Constitutional Court and to involve different state organs and political forces in the appointment process. Venice Commission (2004), para 18.

<sup>4</sup> If two months after the end of mandate/retirement of a judge, no successor has been elected, the Constitutional Court is asked to forward proposals for appointment. §7a, Law on the Constitutional Court.

<sup>5</sup> While the Bundesrat and stakeholders had proposed a requirement for specific approval by the Bundesrat for any future changes to the law on the Constitutional Court as an additional safeguard, this was not ultimately taken forward. Country visit Germany, EU Affairs Committee of the Conference of Justice Ministers, Federal Bar, Bar Association, Association of Judges.

<sup>6</sup> Country visit Germany, Association of Judges, Bar Association, Federal Supreme Court, Federal Bar, Federal Administrative Court. Civil society organisations (Gesellschaft für Freiheitsrechte (GFF), Bundesnetzwerk Bürgerschaftliches Engagement (BBE)) and the German Institute for Human Rights also shared this view.

<sup>7</sup> 2024 Rule of Law Report, Germany, pp. 5-6.

based on the joint Report of the Länder and Federal Ministry of Justice on ‘resilient rule of law’ of June 2024<sup>8</sup>.

## Quality

**While some further progress has been made regarding the recommendation on the remuneration for judges and prosecutors, challenges related to recruitments in the judiciary persist<sup>9</sup>.** As in past years, in the *Länder* the most recent collective bargaining agreement for the civil service has been applied to the judiciary, while some *Länder* have foreseen additional one-time payments<sup>10</sup>. However, salaries of judges at the beginning of their career continue to be slightly below the average national gross salary<sup>11</sup>. Salary disparities between the *Länder* also continue to increase<sup>12</sup>. Stakeholders reiterate that additional measures to ensure adequate salaries are needed, as, in a context of upcoming retirement waves and decreasing numbers of law graduates, the judiciary faces a serious challenge to recruit qualified personnel and be competitive against private sector salaries<sup>13</sup>. The expenditure for the judiciary remains overall high in relation to GDP and the *Länder* have made additional efforts to create new posts<sup>14</sup>. However, in the prosecution the workload remains very high, with stakeholders estimating a need for around 2 000 additional posts for prosecutors nationwide. This impacts efficiency, as figures indicate that over 900 000 cases in the prosecution services remained open at the end of 2023<sup>15</sup>. Recruitment challenges have influenced a lowering of the required grade to become a judge or prosecutor in several *Länder*. The Constitutional Court is expected to rule in an upcoming case on salaries in

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<sup>8</sup> Conference of the Justice Ministers (2024). This includes reflections on the constitutional courts of the *Länder* (in Bayern, where a reform was enacted, and Berlin, Saarland and Schleswig-Holstein), on security checks before judges’ initial appointment (Sachsen-Anhalt, Hamburg and Schleswig-Holstein) or the functioning of judges’ election committees (in Hamburg, where a reform was enacted, and in Thüringen, where the re-appointment of the committee remains blocked). German Government (2025), written input, p. 5. Country visit Germany, EU Affairs Committee of the Conference of Justice Ministers and additional written input.

<sup>9</sup> The 2024 Rule of Law Report recommended Germany to “[t]ake measures to ensure an adequate level of remuneration for judges and prosecutors, taking into account European standards on remuneration for the justice system.”

<sup>10</sup> This notably includes a raise of 5.5% as of 1 February 2025, which is reported to be applied in all *Länder* except Hessen, where, after a first raise of 4.8 % as of 1 February 2025, the second raise of 5.5 % was postponed from August 2025 to December (in Berlin, a slightly higher raise of 5.9% is applied). Family bonuses have also been increased, in line with Constitutional Court case law. German Government (2025), written input, pp. 7-12 and EU Affairs Committee of the Justice Ministers (2025), pp. 21-23.

<sup>11</sup> Figure 25, 2025 EU Justice Scoreboard. The European Court of Justice has pointed out that it is appropriate to compare the average remuneration of judges to the average salary in that State. Judgment of the CJEU, joined Cases C-146/23 *Sąd Rejonowy w Białymstoku* and C-374/23 *Adoreikė*, para. 62. The German authorities consider a comparison of net salaries to be more appropriate. German Government (2025), written input, p. 3.

<sup>12</sup> The difference between the highest and lowest salary in the *Länder* (entry level grade for judges) amounts to 16% at the end of 2024, up from 12% the previous year. Association of Judges (2025b).

<sup>13</sup> Association of Judges, Bar Association, Civil Liberties Union for Europe (Liberties), Federal Bar (2025), written contributions, pp. 8-9, p. 12, p. 357, and p. 11, respectively. Country visit Germany, Association of Judges, Federal Bar, Bar Association. Association of Judges (2025a). The project [ZUKUNFTSGERICHTet](#) in Baden-Württemberg is an example of a participatory process identifying a variety of factors affecting the recruitment of talent and employee satisfaction in the judiciary. German Government (2025b), p. 2.

<sup>14</sup> Figure 34, 2025 EU Justice Scoreboard. German Government (2025), written input, pp. 8-12.

<sup>15</sup> Association of Judges (2025), written input, p. 8. This figure is around 25% higher than in 2021. Data from the *Länder* confirms a rise of open investigations of 19% in Baden-Württemberg, 23% in Niedersachsen and 20% in Sachsen (all compared to 2021). EU Affairs Committee of the Justice Ministers (2025), p. 13.

2025<sup>16</sup> According to European standards, judges' remuneration should be commensurate with their profession and responsibilities<sup>17</sup>. The coalition agreement of the new Government commits to a re-launch of the 'Pact for the Rule of Law', which would also include a strengthening of resources<sup>18</sup>. Taking into account certain efforts made at *Länder* level, there has been some further progress on this recommendation.

**Digitalisation efforts in the judiciary continue, supported by a multi-annual investment programme, though their implementation in practice varies.** The level of digitalisation of justice is overall good, with procedural rules allowing digital technology in courts in civil, commercial, and administrative cases in place, yet limited in criminal cases. Some gaps remain regarding digital solutions to conduct and follow court proceedings in civil, commercial and administrative cases, and in the availability of secure remote work for judges, prosecutors and court staff<sup>19</sup>. Under the digitalisation initiative for the justice system, since 2023 the funding of 32 projects by the Federal Government and the *Länder* amounting to EUR 180.4 million has been approved and implemented. The Federal Government and the *Länder* also plan to build a federal justice cloud to unify different judicial software applications, to be financed under the digitalisation initiative<sup>20</sup>. In July 2024, rules to further expand the possibility of video hearings in civil and specialised courts entered into force, though stakeholders report that their implementation varies regionally<sup>21</sup>. The much-debated proposal to introduce digital documentation of main proceedings in criminal cases has lapsed due to the early dissolution of Parliament<sup>22</sup>. The systematic introduction of electronic files by 1 January 2026 is progressing, though with regional divergences<sup>23</sup>. In January 2025, the final report of an expert commission on the future of civil procedures was published, proposing notably a joint e-Justice portal as the single access point for judicial information for the federal and *Länder* level, advisory services and the filing of claims and applications<sup>24</sup>. Overall, stakeholders point to a need for further significant investments to advance the digitalisation of justice, also in view of the notable regional disparities<sup>25</sup>. This commitment is included in the new coalition agreement<sup>26</sup>.

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<sup>16</sup> The German authorities note that when the Constitutional Court previously ruled salaries in individual cases to be insufficient, they have always been adjusted promptly. German Government (2025), written input, p. 3.

<sup>17</sup> Committee of Ministers (2010), para. 54 and 33. See also Judgment of the Court of Justice of the European Union, C-64/16, *Associação Sindical dos Juízes Portugueses*, para. 45.

<sup>18</sup> German Government (2025a), p. 63.

<sup>19</sup> Figures 42-50, 2025 EU Justice Scoreboard.

<sup>20</sup> German Government (2025), written input, pp. 15-16; Ministry of Justice (2025a), p. 5. Examples of projects include citizen-centred online services, the development of an online civil court procedure, the promotion of the use of artificial intelligence and the creation of further IT standards at federal and *Länder* level. The first operational version of the justice cloud is planned to be realised by the end of 2026. 2024 Rule of Law Report, Germany, pp. 9-10.

<sup>21</sup> Country visit Germany, Bar Association, Federal Bar. In July 2024, a new act on the further digitalisation of the judiciary also entered into force. German Government (2025), written input, p. 15.

<sup>22</sup> The Federal Bar and Bar Association strongly supported this proposal, while the *Länder* and Association of Judges expressed notable reservations; see 2024 Rule of Law Report, Germany, p. 10 for details.

<sup>23</sup> German Government (2025), written input, pp. 16-21; Association of Judges (2025), written input, p. 9; Bar Association (2025), written input, p. 10.

<sup>24</sup> Ministry of Justice (2025b). Other proposals include the introduction of a digital proceedings document for all statements of the parties, a uniform evidence register, and a central digital enforcement register.

<sup>25</sup> Association of Judges (2025), written input, pp. 9-10, Bar Association (2025), written input, p. 4, Federal Bar (2025), written input pp. 12-13. Country visit Germany, DIHK. The final report of the

**New rules on the creation of specialised commercial courts have entered into force, aiming to provide more specialised and efficient proceedings for companies in high-value disputes.** The federal law providing for the possibility to introduce specialised commercial courts and chambers entered into force on 1 April 2025<sup>27</sup>. So far, nine *Länder* have either already immediately introduced commercial courts and/or chambers or plan to do so in the near future. Stakeholders generally welcome this as improving specialisation and efficiency, though they note that the high threshold for the dispute value at the commercial courts limits their relevance for small and medium enterprises in practice<sup>28</sup>. The report on the future of the civil procedure includes suggestions to reform the chambers for commercial matters, which is supported by business stakeholders, while also proposing to generally support the further specialisation of judges and court chambers<sup>29</sup>. As regards alternative dispute resolution, the Federal Chamber of Industry and Commerce has established in December 2024 a court of arbitration, which, subject to a contractual agreement of the parties, offers an option for dispute resolution in national and international commercial matters<sup>30</sup>. Furthermore, there are 28 recognised consumer dispute resolution bodies in Germany<sup>31</sup>.

## Efficiency

**The justice system overall continues to perform efficiently and a new procedure to deal more efficiently with so called ‘mass’ civil cases<sup>32</sup> has been introduced.** The disposition time in administrative cases at first instance continued to decrease (from 408 days in 2022 to 391 days in 2023), though it continued to increase for litigious civil and commercial cases at first instance (from 241 days in 2022 to 249 days in 2023). High clearance rates observed a decrease in both litigious civil and commercial cases (104% in 2022 to 97% in 2023) as well as administrative cases (114% to 109%)<sup>33</sup>. To deal with the phenomenon of ‘mass’ civil court cases, the possibility for the Federal Supreme Court to designate a case as a ‘leading decision’ in final appeal at stake was introduced in September 2024. The lower instance can suspend pending parallel proceedings if no substantial concerns are raised by one of the

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ZUKUNFTSGERICHTet project has also highlighted the potential of digitalisation to further increase efficiency and simplify communication. German Government (2025b), p. 3.

<sup>26</sup> German Government (2025a), p. 65.

<sup>27</sup> German Government (2025), written input, p. 25. 2024 Rule of Law Report, Germany, p. 11. Commercial Courts are specialised bodies at a higher or highest regional court. Only one such court can be created per Land. Commercial chambers can be created as specialised civil chambers at the regional courts. These bodies can conduct proceedings fully in English and provide for more flexible and efficient procedural arrangements.

<sup>28</sup> Country visit Germany, DIHK. Commercial courts are competent for disputes with a minimum value of EUR 500 000. There is no minimum threshold for disputes at the commercial chambers. These new commercial courts and chambers should be distinguished from long-standing chambers for commercial matters (*Kammern für Handelssachen*), which are distinct in both in their competence as well as composition, as they consist of one regular judge and two lay commercial judges. These are expert judges appointed by the chambers of industry and commerce. These chambers for commercial matters are notably responsible for disputes involving a claim arising from a mutual commercial transaction against a registered merchant/tradesperson, as regulated in the courts’ organisation law.

<sup>29</sup> Ministry of Justice (2025b), p. 4.

<sup>30</sup> See [www.schiedsgerichtshof.de](http://www.schiedsgerichtshof.de). Country visit Germany, DIHK.

<sup>31</sup> German Government (2025), written input, pp. 29-30.

<sup>32</sup> These are usually a large number of individual lawsuits, giving rise to the same key legal issues and asserting similar claims, such as following the so-called *Dieselsegate* scandal or relating to consumer disputes in insurance or bank contracts.

<sup>33</sup> Figures 6-7 and 10-11, 2025 EU Justice Scoreboard.

parties. The Federal Supreme Court has already applied this procedure in practice<sup>34</sup>. The introduction of the ‘leading decision’ constitutes one step towards a more efficient handling of mass civil cases<sup>35</sup>. The report on the future of the civil procedure included proposals on further efficiency measures, such as creating specialised chambers and adapted procedural rules to accelerate proceedings especially for complex litigation, but also for mass civil cases<sup>36</sup>.

## II. ANTI-CORRUPTION FRAMEWORK

**The perception among experts, citizens and business executives is that the level of corruption in the public sector remains relatively low.** In the 2024 Corruption Perceptions Index by Transparency International, Germany scores 75/100 and ranks 8<sup>th</sup> in the European Union and 15<sup>th</sup> globally<sup>37</sup>. This perception has deteriorated over the past five years<sup>38</sup>. The 2025 Special Eurobarometer on Corruption shows that 52% of respondents consider corruption widespread in their country (EU average 69%) and 13% of respondents feel personally affected by corruption in their daily lives (EU average 30%). As regards businesses, 47% of companies consider that corruption is widespread (EU average 63) and 14% consider that corruption is a problem when doing business (EU average 35%). Furthermore, 38% of respondents find that there are enough successful prosecutions to deter people from corrupt practices (EU average 36%), while 33% of companies believe that people and businesses caught for bribing a senior official are appropriately punished (EU average 33%)<sup>39</sup>.

**Revisions of Germany’s Federal strategic anti-corruption framework and of its gifts policy are still pending.** The revision of the 2003 ‘Federal Government Directive Concerning the Prevention of Corruption in the Federal Administration’ led by the Ministry of Interior, was originally expected to be finalised by the end of 2022 but has since seen several delays<sup>40</sup>. It is now planned to be finalised after the adoption of the proposed EU directive on combating corruption through criminal law to ensure alignment<sup>41</sup>. The revision of the 2004 rules on the prohibition to accept favours and gifts is also still ongoing with the original date of finalisation being postponed to the end of 2025<sup>42</sup>. The comprehensive 2023 report on integrity in the federal public administration was published in September 2024, including specific data on corruption suspicion and cases at federal level<sup>43</sup>.

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<sup>34</sup> Federal Supreme Court (2024), VI ZR 10/24.

<sup>35</sup> Stakeholders have highlighted the importance of addressing the challenge of mass cases more comprehensively. Association of Judges (2025), written input, p. 11.

<sup>36</sup> Ministry of Justice (2025b).

<sup>37</sup> The level of perceived corruption is categorised as follows: low (above 79); relatively low (between 79-60), relatively high (between 59-50), high (below 50).

<sup>38</sup> In 2020, the score was 80, while, in 2024, the score is 75. The score significantly increases/decreases when it changes more than five points; improves/deteriorates (changes between 4-5 points) and is relatively stable (changes from 1-3 points) in the last five years.

<sup>39</sup> Data from Special Eurobarometer 561 (2025) and Flash Eurobarometer 557 (2025).

<sup>40</sup> 2024 Rule of Law Report, Germany, pp. 13-14. The strategy is limited to corruption prevention. GRECO (2019b), p. 4, considers it a solid framework.

<sup>41</sup> Country visit Germany, Ministry of Justice/Ministry of Interior. UNCAC Review Report Germany, Cycle 2016-2021 (2020), p. 30, and UNCAC, Executive Summary, p. 3, encouraging a public consultation.

<sup>42</sup> Country visit Germany, Ministry of Interior. The revision, planned since 2021, aims to assess if legal certainty could be increased by more updated, harmonised rules, providing officials with practical examples.

<sup>43</sup> [Ministry of Interior](#) (2024).

**A broad legislative framework against corruption and a renewed commitment to address financial crime, including corruption, exist, while plans on corporate sanctions for foreign bribery had advanced before the early dissolution of Parliament.** Stakeholders welcomed the introduction in 2024 of a new criminal offence on unlawful influence peddling involving members of Parliament at Federal and State level, as well as German members of the European Parliament and parliamentary assemblies of international organisations<sup>44</sup>. To ensure coherence, stakeholders still suggest extending the scope of the new offence also to elected officials at the local level<sup>45</sup>. There is no general provision to criminalise unlawful influence peddling by other categories of public officials<sup>46</sup>. Corporate liability for criminal offences is rarely enforced in criminal prosecutions of foreign bribery<sup>47</sup>, and the Ministry of Justice had advanced work on a draft proposal to strengthen sanctions for criminally liable companies before the early dissolution of Parliament<sup>48</sup>. The new coalition agreement contains commitments to tackle financial crimes, while addressing gaps in the beneficial ownership transparency register<sup>49</sup>. In this context, stakeholders have identified a need for the systematic strengthening of Germany's financial investigation and law enforcement capacities on transnational financial flows to address, *inter alia*, increasing risks of strategic corruption<sup>50</sup>.

**The German criminal justice system provides an effective response in the fight against corruption.** The treatment of corruption at the level of investigation, prosecution or final adjudication is effective, including as regards high-level corruption cases and no systemic weaknesses have been identified by stakeholders<sup>51</sup>. No corruption cases or challenges in the cooperation between the German authorities and the EPPO on corruption-related investigations have been reported<sup>52</sup>. After four years of investigations, proceedings started in Germany on bribery charges in the 'Azerbaijan affair', involving former members of Parliament. The level of human and financial resources as well as high specialisation for corruption cases within the police, the financial intelligence unit, the prosecution service, and courts are found to be overall sufficient to carry out their tasks effectively<sup>53</sup>. The 2024 Situation Report by the Federal Criminal Police illustrates in a robust annual analysis recent

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<sup>44</sup> LobbyControl (2024b). 2024 Rule of Law Report, Germany, p. 14. Art. 108(f) Criminal Code, complementing 108(e), which criminalises bribery involving members of Parliaments. It closes criminal liability gaps as Art. 108(e) only applies to bribes paid in return for an act in the exercise of the mandate. Commercial conduct of members of Parliament is not prohibited, as it is for public officials (Art. 108(e)).

<sup>45</sup> Country visit Germany, Transparency International.

<sup>46</sup> The Federal Court of Justice called to regulate this gap in its decision StB 7-9/22. GRECO requested Germany to consider a stand-alone trading in influence offence. GRECO, (2019a), recommendation ix. Similarly, UNODC, Country Review Report (2017), p. 55.

<sup>47</sup> Federal Criminal Police Office (2024), p. 5, there were two cases in 2023 relating to Art. 335a Criminal Code and more cases of foreign corporate corruption relating to Art. 299 Criminal Code. OECD (2021): Enforcement targets primarily natural persons committing economic crimes, while corporate liability is rarely enforced. Companies are liable for corruption committed by their representatives under the more generic Act on Regulatory Offences with a fine of up to EUR 10 million and profit confiscation possibilities.

<sup>48</sup> Country visit Germany, Ministry of Justice. There is no reference in the Government's coalition agreement.

<sup>49</sup> German Government (2025a), pp. 48-49.

<sup>50</sup> Transparency International (2025a), pp. 4-5. On 18 December 2024, Germany also adopted a new law on the digitalisation of the financial markets amending money laundering laws.

<sup>51</sup> Country visit Germany, Prosecution Service/ Federal Police/ Transparency International.

<sup>52</sup> EPPO Annual Report 2024 (2025), pp. 32-33, noting the highest number of reports by private parties (719) to the EPPO of all participating countries. EPPO (2025), written input.

<sup>53</sup> Country visit Germany, Ministry of Interior, Federal Criminal Police, Prosecution Service.

trends, developments and statistics on corruption and Germany's efforts to repress it<sup>54</sup>. The health sector is identified as the most affected sector by corruption crimes, while the business and particularly the construction sector are the preferred targets for corruption. The detected financial damage caused by corruption has notably increased compared to the previous year<sup>55</sup>. Of those who have been found to have accepted a bribe, 57.4% have been public officials.

**The new mandatory Lobbying Register Act is effectively enforced in practice, providing for more transparency in the decision-making process.** On 31 March 2025, the German Federal Parliament published its first report on the maintenance of the electronic, machine-readable Lobbying Register, which was created in 2022 and is mandatory for all interest representatives, with certain actors exempted from the obligations, mostly for constitutional reasons<sup>56</sup>. The Registry will prepare such a report every two years from now on<sup>57</sup>. With more than 6 000 interest representative entries by mid-2025, the lobbying register is further expanding<sup>58</sup>. The Parliament Administration is monitoring and verifying all published data content to ensure correctness and consistency, while also taking third parties' compliance monitoring into account. For the first time, sanctioning proceedings were launched<sup>59</sup>. Stakeholders view this initiative largely positively providing for more transparency in Germany's environment of strong industry interest representation<sup>60</sup>. Work is underway to link the Lobbying Register to the future joint digital legislative portal for the Government and Parliament, as previously reported<sup>61</sup>, and should be finalised by 2027.

**There has been no further progress regarding the introduction of a comprehensive public record to register lobbying input on law-making ('legislative footprint')**<sup>62</sup>. The Federal Government had introduced an executive footprint requiring Federal Ministries since June 2024 to disclose the influence of lobbyists on legislative drafts<sup>63</sup>. Lobbying input that

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<sup>54</sup> For 2023, 3 841 police-registered corruption cases (i.e. 6.7% increase compared to 2022). Federal Criminal Police Office (2024), Situation Report - Corruption 2023. The data is not broken down by the 16 *Länder*, which could help identify regional discrepancies and areas for particular attention.

<sup>55</sup> *Ibid.*, by approximately 111.1% amounting to EUR 57 million in 202.

<sup>56</sup> German Federal Parliament (2025), Lobbyregister Report, covers the period 1 January 2022 to 31 December 2024. For details of the March 2024 reform, see 2024 Rule of Law Report, p. 16. Stakeholders flag persisting shortcomings of broad exemptions for churches, employer and trade unions and the lack of real-time reporting of lobby meetings. Country visit Germany, LobbyControl, Transparency International.

<sup>57</sup> The next report will be published in March 2027.

<sup>58</sup> Country visit Germany, Parliament Administration.

<sup>59</sup> By June 2025, 25 proceedings for administrative offences had been initiated for non-registration. 6 proceedings have already been completed and the fines as administrative sanctions have been paid. German Government (2025), written input, p. 20. Administrative fines can be imposed of up to EUR 50 000. In addition, an audit procedure regarding a significant infringement of the Code of Conduct was carried out and the appropriate sanction for the violation was imposed.

<sup>60</sup> Country visit, LobbyControl, Transparency International. Note however also GRECO (2024), recommendation (i), paras. 9-16, pp. 3-4, for 'the transparency of the parliamentary process be further improved, e.g. by introducing rules for members of Parliament on how to interact with lobbyists and other third parties seeking to influence the parliamentary process.'

<sup>61</sup> 2024 EU Rule of Law report, pp. 16-17. See also below, p. 12.

<sup>62</sup> The 2024 Rule of Law Report recommended to Germany to 'further strengthen the 'legislative footprint' by disclosing all interest representatives' inputs to legislation and by extending the scope to the parliamentary phase of the legislative procedure'.

<sup>63</sup> With approx. 80-90% of the legislative drafts prepared by the Government, the majority of proposals are thus covered by the new rules as laid down in the Joint Rules of Procedure of the Federal Ministries. GRECO concluded in 2025 that with the Government executive footprint recommendation iv is met, Country visit Germany, Ministry of Justice.. Abgeordnetenwatch (22 June 2023); LobbyControl (2024c).

contributes to a significant extent or led to changes of the core aspects of the legislative must be disclosed. Although largely welcomed by stakeholders, the changes do not yet encompass reporting obligations on in-person meetings between lobbyists and officials nor the disclosure of all written contributions<sup>64</sup>. No rules or guidelines exist for members of Parliament to attach a ‘legislative footprint’ to reports or legislation, including a list that would demonstrate the range of outside expertise and opinions received<sup>65</sup>. Stakeholders called for a comprehensive federal transparency law<sup>66</sup>. The Federal Government, the *Länder*, and the Federal Parliament continue to work on the digitalisation of the law-making process, envisaging a publicly available joint, digitalised portal for the legislative process, for which several steps are still planned but now planned to be finalised by 2027<sup>67</sup>. The creation of such a joint digital legislative portal for Government and Parliament could present an opportunity to include a fully-fledged legislative footprint<sup>68</sup>. Against this background, there has been no further progress on the recommendation.

**Some further progress has been made regarding stricter post-employment rules for high-level officials, with new obligations to declare post-employments showing results in practice<sup>69</sup>.** Following the new lobbying register requirements to disclose interest representatives’ current or previous roles as public and elected officials (revolving doors) – which stakeholders largely welcomed<sup>70</sup> – a total of 668 (of the 27 144 registered lobbyists) declared to have held such roles in the past five years<sup>71</sup>. As previously reported, the disclosure obligation for former political officials and high-ranking civil servants who had been granted security clearance extends since 1 April 2024 to all gainful post-employment activities and to a period of seven years following their service<sup>72</sup>. At the same time the cooling-off periods for state secretaries and director generals had been extended to five to seven years (from previously three to five years)<sup>73</sup>. For federal ministers and federal parliamentary state secretaries, the cooling-off periods remains unchanged at 12-18 months, which the Government justifies with the shorter period of their office, while at the same time allowing for case-by-case decisions in practice taking into consideration the public interest and the constitutionally guaranteed freedom of occupation<sup>74</sup>. While the systematic

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<sup>64</sup> Civil Liberties Union for Europe (2025a), p. 353. LobbyControl (6 March 2024), indicating that it is in the public interest to disclose also those lobbyists’ arguments that have been found not to have influenced the respective draft law.

<sup>65</sup> Statements made in the context of public hearings of experts are published, cf. Section 70 of the Rules of Procedure of the German Federal Parliament. For lobbyists, there is an obligation to provide their lobbying inputs in the lobby register, which is however not connected to the legislative outputs or ongoing work. GRECO (2024), para. 9-16, concluding that recommendation (i) has been satisfactorily addressed by the reform. The German approach of disclosing the content and objective of lobbying is recognised as a ‘more effective’ alternative to the transparency of all individual contacts’.

<sup>66</sup> Transparency International (2024).

<sup>67</sup> Country visit Germany, Parliament Administration.

<sup>68</sup> Its introduction was planned for end-2024, then end-2025, see 2024 Rule of Law Report, Germany, p. 17.

<sup>69</sup> The 2024 Rule of Law Report recommended to ‘strengthen the existing rules on revolving doors by increasing the length of cooling-off periods for federal ministers and federal parliamentary state secretaries’.

<sup>70</sup> Country visit Germany, LobbyControl, Transparency International, GFF.

<sup>71</sup> Since 1 March 2024, including the publication of any membership or function in the Federal Parliament or Government. German Government (2025), written input, p. 4. Abgeordnetenwatch (7 March 2025).

<sup>72</sup> Section 105 of the Law on Federal Public Officials. New employment is to be declared one month ahead of the new activity’s start. The activity can be prohibited for a period of one month and, in case of non-compliance, considered a disciplinary offence.

<sup>73</sup> Country visit Germany, Ministry of Justice.

<sup>74</sup> German Government (2025), written input, p. 4. Abgeordnetenwatch (7 March 2025).

enforcement of these cooling-off rules faces some challenges which will need to be monitored in the future<sup>75</sup>, there has been some progress on the recommendation regarding the reporting of post-employments in practice.

**New conflict of interest disclosure obligations for members of the Parliament entered into force, while oversight and enforcement in practice continues to constitute challenges.** The amendments that entered into force on 30 December 2024 also concern rules covering potential conflicts of interest<sup>76</sup>. They extend to disclosures of conflicts of interest in parliamentary committees but still not to *ad hoc* disclosures in plenary debates when a conflict between specific private interests emerges in relation to a matter under discussion<sup>77</sup>. Only remunerated secondary jobs of members of the Parliament and certain shareholding in companies that could provide for a financial conflict of interest fall under the reporting obligations, while substantial investments in companies may fall outside the scope, if the shareholding does not exceed the current threshold of five per cent<sup>78</sup>. There is also still no requirement to disclose the actual time spent on the remunerated secondary job<sup>79</sup>. Systematic oversight and enforcement remain an obstacle in practice with several cases of non-compliance having raised public attention, as previously reported<sup>80</sup>. Asset disclosure rules for top executives remain limited in terms of oversight and transparency<sup>81</sup> and do not extend to liabilities and significant assets, such as shareholdings in private enterprises below the current threshold<sup>82</sup>. For members of the Federal Parliament assets and financial interests are only subject to notification in the context of their parliamentary committee work. The deliberations of an evaluation report of the Parliament’s Council of Elders is still pending<sup>83</sup>. Given the Parliament Administration’s limited mandate to investigate and subordination to the Presidium of the Parliament, stakeholders continue to remark the lack of a fully independent oversight body to investigate breaches<sup>84</sup>.

**Germany plans to evaluate its legislation on whistleblower protection.** The Act for the Better Protection of Whistleblower protection law encompasses, among others, breaches

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<sup>75</sup> For a list of revolving door cases, see Lobbypedia (2025). LobbyControl (2024a), pp. 36-37, calling for an effective control mechanism, as there are currently no consequences in practice for the failure to report a new employment or to comply with a decision on a cooling-off period. Similarly, GRECO (2025), 5<sup>th</sup> Evaluation Round, recommendation vii.

<sup>76</sup> Law amending the law on members of Parliament (30 December 2024).

<sup>77</sup> GRECO (2021), p. 4. Similarly, ministers and parliamentary state secretaries are not yet under any unequivocal obligation to disclose potential conflict of interests on an ad hoc basis, see GRECO (2023), recommendation vi, pp. 8-9. Art. 49 of the Member of the Bundestag Act.

<sup>78</sup> Abgeordnetenwatch (2024).

<sup>79</sup> 2024 Rule of Law Report, Germany, pp. 18-19.

<sup>80</sup> 2024 Rule of Law Report, Germany, p. 19. For data on the number of initiated investigations, breaches, sanctions applied and amounts paid to the Federal budget in the last electoral term, see the Report of the President of the German Bundestag (2025). LobbyControl (2024a); GRECO (2024), recommendation (iv), paras. 21-27, pp. 5-6, recognising the staff increase in the Parliament Administration assigned to the lobby register monitoring.

<sup>81</sup> Country visit Germany, Ministry of Justice/ Ministry of Interior. The related GRECO recommendation (viii) has not been implemented, GRECO (2024), pp. 12-13.

<sup>82</sup> Members of the Parliament are obliged to disclose shareholdings above five percent in private corporations or partnerships, with certain exceptions. See Art. 45(2)(6), 45(3) Member of the Bundestag Act.

<sup>83</sup> 2024 Rule of Law Report, Germany, p. 19, reported since 2021. Parts may become public upon deliberations by the parliamentary committee. Country visit Germany, Parliament Administration. GRECO (2022) accepted the extensive internal review carried out in 2021-2022 to meet its recommendation (iii).

<sup>84</sup> Country visit, Germany, LobbyControl, Transparency International. GRECO (2022), p. 9.

related to all types of corruption crimes without the need of a link to the EU budget<sup>85</sup>. Several reporting offices exist at the Federal Government level, including in anti-corruption units<sup>86</sup>. The Federal Office for Justice, which administers the central external reporting channel, has published its first annual report in 2024<sup>87</sup>. The second annual report is expected in the near future. In practice, stakeholders consider the legal framework essential to supporting whistleblower reports to uncover large-scale corruption, economic crimes, and other wrongdoings<sup>88</sup>. The Act for the Better Protection of Whistleblowers was planned to be evaluated by external evaluators two years after its entry into force in July 2023. Since the corresponding budgets have not been available, the evaluation is planned to take place shortly after the adoption of the 2025 Federal budget<sup>89</sup>.

**New political party obligations enhance transparency, although other weaknesses persist in party and campaign finance.** The new rules regulating party sponsoring and hidden party campaign finance at federal and *Länder* level contribute to increasing transparency in party financing in practice<sup>90</sup>. Since 1 January 2025, political parties are required to add to their accountability reports a specific report on sponsoring<sup>91</sup>. Any advertising measure in support of a political party that exceeds usual forms of free speech without the knowledge or consent of the respective political party is prohibited. Party approved advertising is now considered a donation income to the party to which the regular donation regulations apply<sup>92</sup>. The new rules have been welcomed by stakeholders, although they note that party and campaign donations are not capped<sup>93</sup>. The collection and channelling of party donations through foundations that are not organised as non-for-profits presented another challenge in the recent federal elections, risking circumventing transparency rules<sup>94</sup>. Other challenges in practice relate to the inaccessible format of the publicly available data and the significant time lapse until the reporting of party income, which make outside monitoring more difficult<sup>95</sup>. The Parliament Administration has requested additional human resources, including for oversight on party and campaign finance<sup>96</sup>. However, it still lacks investigative powers, with stakeholders proposing the establishment of an independent control body<sup>97</sup>.

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<sup>85</sup> Apart from all crimes also misdemeanours are covered in as much as they concern important legal interests.  
<sup>86</sup> The Federal Office for Justice, the *‘Bundesanstalt für Finanzdienstleistung’* and the *‘Bundeskartellamt’* provide reporting channels at federal level.  
<sup>87</sup> Federal Office for Justice (2024). Of 410 reports, more than 90 cases were transferred to prosecution service and ca. 160 to other authorities. Whistleblowers can report to internal or external channels. Going public is last resort, except for imminent danger or risk of losing evidence.  
<sup>88</sup> Whistleblowers helped to unveil major scandals, such as the Cum-Ex, Wirecard and tax leaks. 2024 Rule of Law Report, Germany, p. 21.  
<sup>89</sup> Netzpolitik (2025).  
<sup>90</sup> Among others, donation reporting requirements were lowered from EUR 50 000 to 35 000.  
<sup>91</sup> Section 24 (8a) PartG.  
<sup>92</sup> Tweets and a live interview of a foreign public figure publicly streamed at a party convention are currently examined as to whether they constitute commercialised advertising and thus illegal foreign donations. Country visit, Parliament Administration.  
<sup>93</sup> Transparency International (2025a).  
<sup>94</sup> Country visit Germany, GFF.  
<sup>95</sup> Country visit Germany, LobbyControl, Transparency International. LobbyControl (2023). Transparency International (2023). The 2021 party accountability reports were published in 2023.  
<sup>96</sup> In addition to the four administrative lawyers. Country visit Germany, Parliament Administration.  
<sup>97</sup> It does not have access to donors’ tax information for data verification. UNCAC Country Review Report Germany, Review cycle 2016-2021, p. 67. Transparency International (2023).

**A new public procurement law was adopted to modernise public procurement, carrying the potential to increase transparency and ensure an equal level playing field for businesses.** Businesses' attitudes towards corruption in the EU show that 18% of companies in Germany (EU average 25%) think that corruption has prevented them from winning a public tender or a public procurement contract in practice in the last three years. 53% of businesses perceive the level of independence of the Federal Cartel Office as very or fairly good when it is reviewing public procurement cases<sup>98</sup>. The Single Market and Competitiveness Scoreboard on access to public procurement in Germany reports 24% of single bids for 2023 (EU average 29%). The legislative transformation package to simplify, digitalise and speed up public procurement procedures was adopted on 27 November 2024. The initiative was overall welcomed by stakeholders and businesses as having the potential to increase transparency and thus to prevent corruption in public contracting in support of an equal level playing field for businesses<sup>99</sup>.

### **III. MEDIA PLURALISM AND MEDIA FREEDOM**

**The independently functioning media regulators assumed new enforcement responsibilities.** The independent operation of the 14 media regulators remained ensured, with stakeholders reporting that they continue to function well<sup>100</sup>. The funding framework for State Media Authorities in Germany is transparent and predictable, ensuring compliance with regulations<sup>101</sup>. The 5<sup>th</sup> Interstate Media Amendment Treaty entered into force in October 2024 and aims, in particular, to adjust the media regulatory framework to the obligations of the Digital Services Act and the corresponding national law. With the amendment, the media regulatory authorities assumed some new enforcement responsibilities deriving from the Digital Services Act<sup>102</sup>. The media regulators reported that the new responsibilities resulted in an increase of the workload<sup>103</sup>.

**Self-regulation of the media is well established, with reprimands reaching a record level as the number of complaints treated had also increased.** The German Press Council, the self-regulatory body for press and online media, is widely accepted in the print and online media sectors. In 2024, the number of complaints on press publications it received further increased to 2 215 (compared to 1 850 in 2023). Many complaints continue to be related to either violations of the journalistic due diligence or violations of the protection of privacy as defined in the Press Code. The number of non-binding public reprimands issued by the Press Council also increased to 86 in 2024, reaching a record level<sup>104</sup>. The Press Code was amended to further strengthen editorial independence by reinforcing existing rules concerning conflicts of interest. According to the rules, editorial teams should as much as possible avoid conflicts of interest in reporting or, at a minimum, disclose them to the audience. The

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<sup>98</sup> Figure 59, 2025 EU Justice Scoreboard.

<sup>99</sup> DIHK (2024), p. 12, as business representation, stressing that simple and accessible digital proceedings in the interaction with authorities are seen as highly important for businesses, reducing burden and costs and as such also facilitating cross-border commercial activities. Coalition agreement (2025), pp. 64-65. Further amendments are envisaged to harmonise procurement thresholds and to provide for higher direct award ceilings, Coalition agreement (2025), pp. 64-65.

<sup>100</sup> Country visit Germany, Association of Private Media, Joint Office of the Media Authorities.

<sup>101</sup> 2025 Media Pluralism Report (MPM), country report for Germany, p. 16-17.

<sup>102</sup> German Government (2025), written input, p. 57.

<sup>103</sup> Country visit Germany, Joint Office of the Media Authorities.

<sup>104</sup> Country visit Germany, Press Council.

reinforced rules also apply to personal relationships or interdependencies, insofar as these may give rise to doubts as to the necessary independence of reporting<sup>105</sup>.

**Reforms to further strengthen the independent functioning of some public service broadcasters are progressing, while a decision not to increase the license fee triggered constitutional challenges.** The independence of the public service broadcasters remains ensured. The Media Pluralism Monitor (MPM) 2025 confirms that the independence of public service media is at low risk<sup>106</sup>. The *Länder* signed the Interstate Reform Treaty in March 2025, which will enter into force in December 2025, subject to the ratification by all *Länder* parliaments. It aims to reduce costs for public service broadcasters and to increase their acceptance among citizens. The Treaty also further strengthens the independent functioning of some public service broadcasters by establishing collegial management bodies, and by reinforcing the dismissal and appointment procedures of members of the management bodies in line with the requirements of the European Media Freedom Act (EMFA) to ensure editorial independence and transparent governance. A further supervisory body (Media Council) will be established to monitor the public service remit of all public service broadcasters, operating alongside the existing supervisory bodies and consisting of six independent experts. A license fee remains the main source of funding for the public service broadcasters. The *Länder* presented a draft proposal (Interstate Broadcasting Financing Amendment Treaty) to adjust the funding procedure from 2027. Below certain thresholds, the funding would be automatically adjusted in line with the recommendation of the independent expert commission (KEF), unless respective quorums of opposing *Länder* are reached<sup>107</sup>. For the period until 2027, the *Länder* decided to not follow the recommendation of the KEF to increase the license fee by 3.2%<sup>108</sup> from the beginning of 2025<sup>109</sup>. In response, two public service broadcasters filed constitutional complaints, arguing that the non-adjustment of the contribution puts the fulfilment of the public service remit at risk. Also other stakeholders criticised the non-adjustment of funding<sup>110</sup>. The *Länder* considered that an adjustment of the fee is not necessary due to financial reserves of the public service broadcasters the amount of which covers the additional financial requirements for two years<sup>111</sup>. The Constitutional Court is assessing the admissibility and merits of the complaint.

**The business environment for media service providers remained overall stable, while plans to revise the media market concentration framework are progressing.** Stakeholders reported no significant changes to the legal framework governing business environment of media service providers<sup>112</sup>. Access to ownership information of television,

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<sup>105</sup> Country visit Germany, Newspaper Publishers and Digitalpublishers Association, Press Council and Union of Journalists.

<sup>106</sup> 2025 Media Pluralism Report, country report for Germany, pp. 29.

<sup>107</sup> German Government and ZDF (2025), written inputs, pp. 58-61 and pp. 14f., respectively; Country visit Germany, Joint Office of the Media Authorities, Ministry of State for Culture and Media and *Länder* media units.

<sup>108</sup> From EUR 18.36 to 18.94, Country visit Germany, Ministry of State for Culture and Media and *Länder* media units.

<sup>109</sup> The recommendation is part of a three-step process to determine the funding for the public service broadcasters, with the *Länder* having a limited margin to deviate from the recommendation. 2024 Rule of Law Report, Germany, p. 23.

<sup>110</sup> Country visit Germany, Association of Journalists and Union of Journalists.

<sup>111</sup> Country visit Germany, ARD, Ministry of State for Culture and Media, *Länder* media units and ZDF.

<sup>112</sup> Country visit Germany, Association of Private Media and Newspaper Publishers and Digitalpublishers Association.

radio, press, and online media remained ensured via a public database<sup>113</sup>. The allocation of state advertising is still considered not to be problematic. However, stakeholders criticised a lack of level playing field between the media sector and online platforms and expressed concerns about the continued shift in advertising spending from the media sector to online platforms<sup>114</sup>. The discussions on revising the media concentration framework are progressing, although any revision will not take place before 2026<sup>115</sup>.

**There has been limited progress on the recommendation to establish a right to information of the press as regards federal authorities since work on the draft law came to a halt with the early dissolution of Parliament<sup>116</sup>.** Some stakeholders continue to highlight gaps in the legal framework regarding the access to information from federal authorities<sup>117</sup>. A legislative proposal establishing a right to information of the press from federal authorities had been under internal preparation, with a draft law expected to be submitted to Parliament in January 2025. However, the work on the draft law was interrupted by the early parliamentary elections<sup>118</sup>. Whether the new Government will continue the work on the draft law is unknown. The right of the press to access information remains guaranteed at regional level in the press laws of all *Länder*, and at federal level based on the Constitution<sup>119</sup>. In November 2024, the Federal Administrative Court ruled that the constitutional right to access to information at federal level also applies to online media<sup>120</sup>. Stakeholders welcomed the ruling as it clarifies the rights of online media, while the federal authorities highlighted that it only confirms the existing practise of handling requests from online media<sup>121</sup>. Overall, limited progress has been made on the recommendation.

**The overall protection framework for journalists is good but reports of physical and online attacks raise concern.** The 2025 MPM continues to confirm an overall low risk for its indicator on the journalistic profession, standards, and protection, but underlines increasing concerns related, in particular, as regards attacks on journalists, both physical and online<sup>122</sup>. The Council of Europe Platform to promote the protection of journalism and safety of journalists issued seven new alerts concerning Germany<sup>123</sup>. The Mapping Media Freedom platform recorded 151 alerts related to media freedom<sup>124</sup>. The alerts relate mainly to cases of attacks or threats against journalists and online harassment. Police statistics for 2024 indicate a total of 423 registered criminal offences in the broad category ‘media’, which is an increase

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<sup>113</sup> 2024 Rule of Law Report, Germany, p. 22.

<sup>114</sup> Country visit Germany, Association of Journalists, Association of Private Media and Newspaper Publishers and Digitalpublishers Association.

<sup>115</sup> Country visit Germany, Ministry of State for Culture and Media and *Länder* media units.

<sup>116</sup> The 2024 Rule of Law Report recommended to Germany to “[a]dvance with the plan to create a legal basis for a right to information of the press as regards federal authorities, taking into account European standards on access to official documents.”

<sup>117</sup> Reports Without Borders, written input, pp. 11f.; Country visit Germany, Association of Journalists and Association of Private Media. However, other stakeholders reported that the current legal framework poses no significant challenge to the work of the media. Country visit Germany, Newspaper Publishers and Digitalpublishers Association and ZDF.

<sup>118</sup> German Government (2025), written input, pp. 56f.

<sup>119</sup> 2024 Rule of Law Report, Germany, p. 23.

<sup>120</sup> Decision of Federal Administrative Court, BVerwG 10 A 5.23.

<sup>121</sup> Country visit Germany, Association of Journalists, Ministry of State for Culture and Media, Press Council, and Union of Journalists.

<sup>122</sup> 2025 Media Pluralism Report, country report for Germany, p. 16.

<sup>123</sup> Council of Europe Safety of Journalist Platform (2025). Germany replied to all seven of them.

<sup>124</sup> Mapping Media Freedom (2025).

of approximately 42.4% (compared to 297 offences in 2023)<sup>125</sup>. According to a report, most physical attacks against journalists took place during the coverage of demonstrations<sup>126</sup>. Similarly, stakeholders raised concerns that the situation regarding the safety of journalists appears to deteriorate<sup>127</sup>. The public authorities at federal and *Länder* level continue to take measures to ensure journalists' safety, including by promoting exchanges between the police and the media, or by providing trainings on press law to the Federal Police and Federal Criminal Police Office officers. Since March 2024, the Government has co-financed a civil society helpline that offers psycho-social support to journalists, an initiative which was welcomed by stakeholders<sup>128</sup>. Discussions between stakeholders and public authorities to update the principles on conduct for the media and the police stalled<sup>129</sup>. Strategic lawsuits against public participation (SLAPPs) targeting journalists remain generally not a concern for the media sector<sup>130</sup>. However, the findings of a study show that three out of four intimidation attempts to prevent public participation, notably through SLAPPs, are directed against media professionals<sup>131</sup>. Preparations are underway to allow for data on SLAPP cases to be collected<sup>132</sup>. Stakeholders welcomed that the Government started providing financial support to a civil society contact point for the protection of journalistic work against SLAPPs. It offers information and counselling for individuals affected by SLAPPs and raises public awareness of the issue through outreach measures<sup>133</sup>. Stakeholders continued to call for changes to the prohibition of verbatim publication of official documents in criminal proceedings, arguing that this prohibition could restrict reporting and constitutes an unjustified limitation on the freedom of the press, however the authorities consider this necessary to safeguard the confidentiality of the proceedings<sup>134</sup>.

#### **IV. OTHER INSTITUTIONAL ISSUES RELATED TO CHECKS AND BALANCES**

**Consultation procedures continue to vary in practice, with stakeholders, including from the business sector, noting instances of particularly short consultation periods.** The recommended consultation period for draft laws at the federal level is four weeks<sup>135</sup>. However, stakeholders note that the duration of consultations in practice varies between Ministries and can sometimes amount to only a few days also on complex and technical

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<sup>125</sup> These 423 cases include 44 cases of violent offences, Reply of the Federal German Interior Ministry (Letter No ÖSII3.53006/6#32).

<sup>126</sup> For example, Reporters Without Borders reported a significant increase of physical attacks against journalists in 2024, with 75 verified physical attacks. Out of these, 38 took place during demonstrations on the Israeli-Palestinian conflict. Reporters Without Borders (2025).

<sup>127</sup> Country visit Germany, BBE, Newspaper Publishers, and Digitalpublishers Association and Union of Journalists.

<sup>128</sup> Country visit Germany, Newspaper Publishers and Digitalpublishers Association and Ministry of State for Culture and Media.

<sup>129</sup> Reporters Without Borders, written input, p. 15.

<sup>130</sup> Country visit Germany, Association of Private Media, Newspaper Publishers and Digitalpublishers Association and ZDF; Reporters Without Borders (2025), written input, pp. 16f.

<sup>131</sup> The findings are based on a non-representative survey. Otto Brenner Stiftung (2025); Country visit Germany, Association of Journalists, Union of Journalists and GFF.

<sup>132</sup> Country visit Germany, Federal Ministry of Justice and Consumer Protection.

<sup>133</sup> Country visit Germany, Union of Journalists and Ministry of State for Culture and Media.

<sup>134</sup> The prohibition of verbatim publication concerns documents before they have been discussed in a public hearing or the proceedings have been concluded. Country visit Germany, Association of Journalists, Newspaper Publishers and Digitalpublishers Association, Ministry of State for Culture and Media, and GFF; ZDF (2025), written input, p. 15.

<sup>135</sup> 2024 Rule of Law Report, Germany, p. 26.

proposals, as also pointed out by business stakeholders<sup>136</sup>. A 2024 study based on data provided by the respective Ministries showed that between 2017 and 2023, in two thirds of proposals, the consultation period was below four weeks<sup>137</sup>. As regards parliamentary hearings, the German Institute for Human Rights points out that there has been no follow-up yet to the recommendation by the GANHRI Sub-Committee for Accreditation to formalise the institute's participation therein<sup>138</sup>.

**Over half of the companies surveyed in Germany express confidence in the effectiveness of investment protection.** 58% of companies are very or fairly confident that investments are protected by law and courts<sup>139</sup>. As regards authorities relevant for economic operators 56% perceive the level of independence of the Federal Cartel Office as very or fairly good when it is deciding in competition matters<sup>140</sup>. A number of judicial mechanisms are in place at the level of the Federal Administrative Court to ensure the implementation of administrative court judgments, which include the possibility to quash administrative decisions for continued non-compliance with court's instructions. However, these mechanisms do not include the use of direct enforcement measures or the possibility to award direct or consequential damages or compensation<sup>141</sup>. A joint proposal from the Federal Government and the Länder to improve enforcement of administrative court decisions against non-compliant public authorities has not been pursued further yet<sup>142</sup>.

**On 1 January 2025, Germany had 9 leading judgments of the European Court of Human Rights pending implementation, an increase of 1 compared to the previous year<sup>143</sup>.** At that time, Germany's rate of leading judgments from the past 10 years 10 years that had been implemented was at 71% (compared to 67% in 2024; 29% remained pending), and the average time that the judgments had been pending implementation was 3 years and 8 months (compared to 4 years in 2024)<sup>144</sup>. The oldest leading judgment, pending implementation for 7 years, concerns a violation of the right to respect for private life on account of the inspection of the applicant lawyer's professional bank account by the public prosecution office for a period of over two years in the context of criminal investigations against his client<sup>145</sup>. As regards the respect of payment deadlines, on 31 December 2024 there

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<sup>136</sup> Liberties (2025), written input, p. 368-369; Federal Bar (2025), written input, p. 23, Bar Association (2025), written input, p. 21. As also confirmed by the DIHK, Allianz für Rechtssicherheit and BBE in the Country visit Germany.

<sup>137</sup> Frag den Staat (2024).

<sup>138</sup> Global Alliance of National Human Rights Institutions (2023), p. 12. German Institute for Human Rights (DIMR) (2025), written input, p. 3.

<sup>139</sup> Figure 54, 2025 EU Justice Scoreboard. Only 18% and 15% of the surveyed investors respectively perceive the frequent changes in legislation or concerns about the quality of the law-making process, and the quality, efficiency or independence of justice, respectively, as a reason for the lack of confidence in investment protection.

<sup>140</sup> Figure 50, 2025 EU Justice Scoreboard.

<sup>141</sup> Figure 49, 2025 EU Justice Scoreboard. The data presented reflects exclusively the mechanisms in place at the level of the highest administrative jurisdictions; the same or other mechanisms may be in place at lower instance administrative courts.

<sup>142</sup> Report of the Bund-Länder Working Group "Resilient Rule of Law" (2024), pp. 50-52.

<sup>143</sup> For an explanation of the supervision process, see the [website](#) of the Council of Europe.

<sup>144</sup> All figures calculated by the European Implementation Network (EIN) and based on the number of cases that are considered pending at the annual cut-off date of 1 January 2025. EIN (2025), written input, p. 4.

<sup>145</sup> Judgment of the ECtHR, 73607/13, *Sommer v. Germany*, pending implementation since 2017.

was no case awaiting confirmation of payments (compared to 1 in 2023)<sup>146</sup>. On 16 June 2025, the number of leading judgments pending implementation had decreased to 7<sup>147</sup>.

**There has been no progress yet on the recommendation to adapt the tax-exempt status of non-profit organisations, which continues to create obstacles in practice**<sup>148</sup>. An attempt to clarify the actual legal situation regarding the understanding of ‘occasional political activity’ permissible for non-profit organisations was not taken forward under the previous legislature<sup>149</sup>. Civil society organisations (CSOs) therefore face the same obstacles as previously reported, notably the uncertainty as to what type of political activity unrelated to the non-profit purpose of their organisation is permissible, the limited catalogue of grounds for non-profit status and limitations on the use of ‘political means’ to achieve the organisation’s stated purpose. This situation continues to impact the operating space for CSOs in practice, and can create a chilling effect, as CSOs can be targeted by being reported upon to the tax authorities for alleged non-compliance with their non-profit status<sup>150</sup>. The coalition agreement commits to simplifying the law for non-profit organisations, though it is not clear yet whether this would address the specific challenges identified in the recommendation<sup>151</sup>. Therefore, there has been no progress yet on the recommendation.

**Civil society organisations continue to face some challenges to their operations, while a new strategy to better support voluntary engagement was adopted and welcomed by civil society.** Civic space continues to be considered as ‘narrowed’<sup>152</sup>. Concerns related to the application of bans or other restrictions of protests and policing practices persist, as recently highlighted by the Council of Europe Commissioner of Human Rights<sup>153</sup>, with a number of these measures subject to judicial review<sup>154</sup>. Assembly laws of certain *Länder* continue to be subject to judicial review, while a new assembly law in Sachsen was criticised for potentially curbing freedom of assembly<sup>155</sup>. As regards access to funding for CSOs, the programme

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<sup>146</sup> Council of Europe (2025), p. 156.

<sup>147</sup> Data according to the online database of the Council of Europe (HUDOC).

<sup>148</sup> The 2024 Rule of Law Report recommended Germany to “[t]ake 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, taking into account European standards on funding for civil society organisations.”

<sup>149</sup> This provision, which already exists at the level of an administrative decree, was set to be included in the Taxation Development Law but was not retained in the finally adopted version. Liberties (2025), written input, pp. 373-374. 2024 Rule of Law Report, Germany, pp. 28-29.

<sup>150</sup> See Allianz Rechtssicherheit für politische Willensbildung (2025), an alliance of over 200 German CSOs, for a summary of suggested improvements to the current system. Liberties (2025), written input, pp. 373-374, DIMR (2025), written input, pp. 7-8. Civil Society Europe (CSE) (2025), written input, p. 7.

<sup>151</sup> German Government (2025a), p. 47.

<sup>152</sup> Rating given by Civicus, Germany. Ratings are on a five-category scale defined as: open, narrowed, obstructed, repressed, and closed.

<sup>153</sup> The letter expresses concerns in relation to restrictions of freedom of expression and of peaceful assembly of persons protesting in the context of the conflict in Gaza. Council of Europe Commissioner of Human Rights (2025). See also further on this European Legal Support Centre (2025), documenting 766 incidents of repression in this context in Germany since 2019.

<sup>154</sup> Liberties (2025), written input, pp. 374-376; DIMR (2025), written input, pp. 5-6; CSE (2025), written input, pp. 5-7. CIVICUS (2024). See also German Institute for Human Rights (2024), pp. 15-17, on protest bans and their impact. 2024 Rule of Law Report, Germany, pp. 29-30. For example, in one case, the use of so-called ‘pain grips’ by police to remove peaceful protestors has been found to be unlawful by a first instance court. Gesellschaft für Freiheitsrechte (2025a).

<sup>155</sup> DIMR (2025), written input, p. 6. The constitutional challenge against the assembly law of Nordrhein-Westfalen remains pending. In March 2025 the Hessen assembly law was largely upheld as constitutional. Judgment of the Hessen Constitutional Court, P.St. 2920, P.St. 2931.

“*Demokratie Leben!*” has been extended. The proposal for a federal ‘democracy support law’ was not adopted under the previous legislature<sup>156</sup>. Some stakeholders report that CSOs working on issues perceived as contentious face increasing challenges<sup>157</sup> and CSOs welcomed the clear stance by the Government as regards their right to the freedom of assembly and to be politically active<sup>158</sup>. CSOs also positively assess the federal strategy for voluntary engagement adopted in December 2024 following an extensive stakeholder consultation process, while noting the need for adequate resources and monitoring<sup>159</sup>. The strategy provides a framework to facilitate and support voluntary engagement, focussing among others on addressing structural challenges for engagement and supporting the digital transformation of civil society.

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<sup>156</sup> CSE (2025), written input, pp. 8-9.

<sup>157</sup> Liberties (2025), written input, p. 372.

<sup>158</sup> German Government (2025b). Country visit Germany, Allianz für Rechtssicherheit, BBE, GFF.

<sup>159</sup> Ministry for Family Affairs, Senior Citizens, Women and Youth (2024); Country visit Germany, BBE.

## Annex I: List of sources in alphabetical order\*

\* The list of contributions received in the context of the consultation for the 2025 Rule of Law report can be found at [https://commission.europa.eu/publications/2025-rule-law-report-targeted-stakeholder-consultation\\_en](https://commission.europa.eu/publications/2025-rule-law-report-targeted-stakeholder-consultation_en).

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## Annex II: Country visit to Germany

The Commission services held virtual meetings in March and April 2025 with:

- Allianz Rechtssicherheit
- Association of Private Media
- ARD
- Bündnis Bürgerschaftliches Engagement
- Committee for EU Affairs of the Conference of the Justice Ministers
- Court of Audit
- Federal Administrative Court
- Federal Bar
- Federal Constitutional Court
- Federal Criminal Police
- Federal Supreme Court
- German Association of Journalists
- German Bar Association
- German Chamber of Industry and Commerce
- German Institute for Human Rights
- German Judges Association
- German Union of Journalists
- Gesellschaft für Freiheitsrechte
- Joint Office of the Media Authorities and Media Authorities of the Länder
- Lobbycontrol Germany
- Minister of the Interior
- Ministry of Justice
- Ministry of State for Culture and Media and *Länder* media units
- Parliament Administration
- Press Council
- Prosecution Service
- Transparency International Germany
- ZDF

\* The Commission also met the following organisations in a number of horizontal meetings:

- Amnesty International
- Araminta
- Civil Liberties Union for Europe
- Civil Society Europe
- European Civic Forum
- European Partnership for Democracy
- European Youth Forum,
- International Commission of Jurists
- International Federation for Human Rights (FIDH)
- JEF Europe

- Philea – Philanthropy Europe Association.
- Transparency International