

**Question for written answer E-001629/2024
to the Commission**
Rule 144
Tomasz Froelich (ESN)

Subject: Removal of parliamentary scrutiny over domestic security service in Thuringia: a threat to the rule of law

Germany's *Bundesländer* are bound by their state constitutions to subject the regional offices for the protection of the constitution to scrutiny by parliamentary committees. Following the most recent state elections in Thuringia, however, the local parliamentary scrutiny committee has been disbanded. This comes on the back of pressure from the President of the Federal Office for the Protection of the Constitution, Thomas Haldenwang, who threatened to expel the Thuringians from the network of offices for the protection of the constitution if the Alternative für Deutschland party was given a seat on the scrutiny committee. Thuringia is now the first state to allow its constitutional protection office to operate without scrutiny¹.

The offices for the protection of the constitution act on the instruction and in accordance with the guidelines of the government. As a result, protecting the constitution is becoming synonymous with protecting the government and used as a pretext to silence the opposition², as with the introduction of new concepts such as 'unconstitutional efforts to delegitimise the State'. This enlargement of its scope is raising eyebrows among constitutional lawyers³.

1. Does the removal of parliamentary scrutiny over the constitutional protection office in Thuringia constitute a threat to the rule of law?
2. Why have the politicisation of the Office for the Protection of the Constitution and its competence creep been so far overlooked in rule of law reports?
3. Is the Commission aware of similar domestic security services in other Member States?

Submitted: 5.9.2024

¹ 'Parlament wird Verfassungsschutz nicht mehr kontrollieren' ['Parliament will no longer monitor constitutional protection office'], *Junge Freiheit*, 4 September 2024.

² Matthias Brodtkorb: *Gesinnungspolizei im Rechtsstaat? Der Verfassungsschutz als Erfüllungsgehilfe der Politik. Sechs Fallstudien.* [*Are the thought police operating in a state governed by the rule of law? Constitutional protection as a political tool. Six case studies.*] Springer: Zu Klampen Verlag, 2024.

³ Dietrich Murswiek, 'Verfassungsschutz: Wer delegitimiert hier wen?' ['Constitutional protection office: who is delegitimising whom here?'] *Legal Tribune Online*, 24 November 2022.