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Answer given by Executive Vice-President Virkkunen
on behalf of the European Commission
(16.4.2025)

The Commission is not in a position to comment on or assess the requests for user data issued by German authorities or by the authorities of any other Member State on the basis of the applicable Union law or national law in compliance with Union law. It is for Member States to ensure compliance with the relevant legislation, including on privacy and protection of personal data.

As to the Digital Services Act (DSA)¹, Article 10 DSA sets certain minimum conditions related to orders to provide specific information about one or more specific individual recipients of the service. The transmission of an order fulfilling the minimum conditions gives rise to the obligation on providers to inform the relevant authorities about the effect given to those orders. Article 10 DSA further requires providers to inform the recipient of the service concerned of the order received and the effect given to it. Such information provided to the recipient of the service shall include a statement of reasons and the possibilities for redress that exist.

The legal basis to issue such an order to provide information is Union law or national law in compliance with Union law.

The Commission is constantly monitoring the implementation of the DSA, including any possible infringements thereof. The Commission is at present not in possession of any information regarding any conflicts between the national framework in question and the DSA.

¹ Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services and amending Directive 2000/31/EC (Digital Services Act), OJ L 277, 27.10.2022, p. 1.