

(English version)

**Question for written answer E-002952/25
to the Commission
René Aust (ESN), Mary Khan (ESN)
(17 July 2025)**

Subject: Surveillance of critical media professionals by the German constitutional protection authorities

According to media reports ⁽¹⁾, the Federal Office for the Protection of the Constitution (BfV) and a number of authorities in the *Länder* in Germany are currently monitoring well-known YouTubers, including political commentators and satirists, even though they are not inciting violence and are not affiliated with extremist organisations. The people concerned are said to be connected to a 'new right-wing media scene' that has allegedly been classified as 'of interest to the authorities responsible for the protection of the Constitution'. It is stated in the report that the criteria and methods the BfV uses to make such classifications are not transparent and are not subject to any effective judicial or parliamentary scrutiny, raising concerns about politically motivated censorship and the possible abuse of state power. A number of those involved have spoken publicly about the targeted discrediting of critics.

1. What is the Commission's view of the above practice in view of the fundamental values of democracy and the rule of law, in particular with regard to the freedom of speech and media pluralism?
2. Does the Commission see such measures as being consistent with EU law and the Charter of Fundamental Rights, in particular Articles 11 (Freedom of expression and information) and 41 (Right to good administration)?
3. Is the Commission aware of similar cases in other Member States where the intelligence services or security authorities are monitoring media figures or online content providers for dissenting political opinions, and if so, what was its assessment of those cases?

Submitted: 17.7.2025

**Answer given by Executive Vice-President Virkkunen on behalf of the European Commission
(3 September 2025)**

The Commission monitors the situation of media freedom and pluralism in all Member States, including Germany, in the framework of the annual Rule of Law Report cycle.

In the 2025 edition, Germany continues to be assessed as having a strong legal and institutional framework for safeguarding fundamental rights, including freedom of expression and the independence of public service media as well as media authorities.

Under its Article 51(1), the Charter of Fundamental Rights applies to Member States when they are implementing EU law. Where actions by the Member State's authorities do not involve the application of EU law, it is for Member States, including their judicial authorities, to ensure that fundamental rights are effectively respected and protected in accordance with their national law and international human rights obligations.

The European Media Freedom Act (EMFA), which only fully entered into application on 8 August 2025, includes important safeguards to strengthen media freedom and independence across the EU.

In particular, Article 4 EMFA, sets out safeguards against deploying spyware, reinforcing the protection for media freedom and integrity.

This means that journalists cannot in principle be spied on for doing their work and there can be no abuse of intrusive surveillance software to get access to their sources or communications.

The Commission remains committed to engaging with Member States to promote compliance with EU law, while respecting national competence in security matters.

¹ <https://jungefreiheit.de/politik/deutschland/2025/verfassungsschutz-nimmt-beliebte-youtube-stars-in-visier/>