



Permanent Representation
of the Federal Republic of Germany
to the Council of Europe
Strasbourg

Director of Democratic Participation
Mr. Matjaž Gruden
Directorate General of Democracy
Council of Europe
Strasbourg

Friederike Steglich
Chargée d'affaires a. i.

Strasbourg, 11 September 2024

Reply to **Alert No. 111/2024 concerning the media outlet Correctiv**, submitted to the Council of Europe Platform for the Protection of Journalism and Safety of Journalists

Dear Mr. Gruden,

I would like to share with you the German governments' comment on Alert No. 111/2024 concerning the media outlet Correctiv.

The decision of the Hamburg Regional Court of 26 February 2024 and the decision of the Hamburg Higher Regional Court of 26 March 2024 have, overall, strengthened the freedom of the press and of press reporting. As a result, the legitimacy of investigative reporting by Correctiv about the meeting in Potsdam was confirmed, and the organisation's reporting did not have to be amended as had initially been required during the legal proceedings.

The Federal Government places a high priority on protecting journalists and is strongly committed to combating hate speech and incitement, both online and offline. While it is up to the courts to decide whether specific content is against the law, freedom to express opinions should be respected and protected as long as it does not violate the law. This is especially true of statements of political opinion.

After its research had been published, four separate charges were brought against Correctiv related to threats or suspicion of committing an offence. The investigation by the public prosecutor's office is ongoing.

When it comes to journalistic due diligence, Germany's federal states, and specifically the state media authorities, are responsible for editorial/journalistic content in telemedia (online journalism), as described in section 19 of the Interstate Agreement on Media. Furthermore, the state media authorities can take legal action against specific content published on online platforms under the Interstate Agreement on the Protection of Minors.

As far as the Federal Government is aware, the state media authority of Berlin-Brandenburg (Medienanstalt Berlin-Brandenburg, mabb), which is responsible in this case, does not intend to order the deletion of and/or take legal action against the statements referred to in the alert as it considers these statements to constitute party political communication and not to violate the provisions of the Interstate Agreement on the Protection of Minors.

You may upload this reply to the Platform and share it with partner organisations.

Sincerely yours,

A handwritten signature in black ink, appearing to read "H. Stiglitz". The signature is written in a cursive style with a large initial "H" and a long, sweeping underline.