

**Question for written answer E-000861/2024
to the Commission**

Rule 138

Christine Anderson (ID)

Subject: Compatibility of Germany's Democracy Promotion Act with Union law in view of potential constitutional concerns

Germany is in the process of bringing in a 'Democracy Promotion Act'¹ designed to establish additional tools for promoting democracy. There are considerable concerns, however, as regards the act's constitutionality² and whether or not it runs counter to the EU's core values. The criticism centres around potential government overreach and the creation of structures that threaten to curtail the freedom and independence of civil society in breach of the principles of freedom, democracy and the rule of law enshrined in Article 2 of the Treaty on European Union (TEU)³.

1. What is the Commission's assessment of the compatibility of Germany's Democracy Promotion Act with the EU Treaties, particularly in view of the reservations raised by the Bundestag's parliamentary research service concerning its potential unconstitutionality and violations of the EU's core values laid down in Article 2 TEU?
2. Does it consider there to be a risk that the Democracy Promotion Act would quieten or silence opposition voices and critical civil society representatives? How does this square with the principles of freedom of expression and democratic pluralism enshrined in the EU Treaties?

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¹ <https://dserver.bundestag.de/btd/20/058/2005823.pdf>

² <https://www.bundestag.de/resource/blob/992270/3e37bd044f8fe7840bca05e5a0326edd/WD-3-019-24-pdf.pdf>

³ https://www.europarl.europa.eu/erpl-app-public/factsheets/pdf/en/FTU_4.1.2.pdf