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German court orders X to hand over election data in legal blow to Musk's platform

Researchers win a legal battle against the platform formerly known as Twitter, securing crucial access to social media data to probe potential election interference.

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The case adds to mounting tensions between European regulators and Musk's social media platform over its rolling back of content moderation and refusal to accede to data access demands. | Kevin Lamarque/ Pool via Getty Images

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BY [CHRIS LUNDAY](#) AND [ELIZA GKRIITS](#)

BERLIN — A German court handed Elon Musk's X a legal defeat, ruling that the platform must immediately provide researchers with access to data on politically related content ahead of the country's Feb. 23 election.

The court decision, seen by POLITICO, was issued Thursday and marks one of the first major judicial tests of the European Union's [Digital Services Act](#) (DSA), raising fresh questions about X's compliance with European regulations ahead of Germany's federal election.

The lawsuit, [brought earlier this week](#) by Democracy Reporting International (DRI) and the Society for Civil Rights (GFF), accused X of blocking efforts to track potential election interference by not granting them access to key engagement data — including likes, shares and visibility metrics — that other platforms made available to researchers.

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Social media platforms, including X, are already getting [European Commission scrutiny](#) over alleged failures to mitigate risks around election interference. Russia was accused of interfering in Romania's annulled presidential election late last year, via a TikTok campaign that boosted a pro-Kremlin candidate.

The case adds to mounting tensions between European regulators and Musk's social media platform over its rolling back of content moderation and refusal to accede to data access demands. The DSA, which came into force in 2022, requires large platforms to grant researchers access to data to study systemic risks. The Commission already accused X in July last year of breaching the DSA for not meeting requirements around researcher data access. It also quizzed Meta last year over its decision to shut down research tool CrowdTangle.

The Berlin Regional Court sided with the plaintiffs, issuing an urgent injunction that forces X to provide real-time access to the requested data via its online interface until Feb. 25. The ruling also orders X to pay legal costs and imposes a €6,000 procedural fine, setting a precedent for how European courts may enforce transparency obligations under the DSA.

X did not immediately respond to POLITICO's request for comment.

The digital space is not a lawless zone, and I trust that X will now quickly comply," said Michael Meyer-Resende, executive director of DRI, adding that the platform's refusal to cooperate had "forced" legal action.

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The Berlin ruling is one of the first major tests of the DSA's research access provision (Article 40), which was designed to enable research on social media and support the regulation's implementation.

TikTok and Meta provided DRI with access to data based on a very similar application, the nonprofit told POLITICO earlier this week.

"The decision is a huge success for research freedom and democracy," said Simone Ruf, deputy director of GFF's Center for User Rights. "We have fought for access to vital research data and are now blocking attempts to manipulate elections."

With just over two weeks to go before election day, the question now is whether X will comply with the ruling or attempt to delay through legal appeals.

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