[DE] Regional Media Authorities Ban Religious and Political Advertising

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The Landesmedienanstalten (regional media authorities), which monitor private broadcasting in Germany, have recently dealt with two cases concerning the ban on religious and political advertising.

On 8 January 2002, the regional media authorities' Gemeinsame Stelle Werbung, Recht, Europa und Verwaltung (Joint Office for Advertising, Law, Europe and Administration) recommended that each of the regional media authorities, which are responsible for monitoring private broadcasters, should ban further broadcasts of advertisements for the book Kraft zum Leben ("Power for Living"), published by the American DeMoss Foundation. The DeMoss Foundation, which aims to promote Christian values, was giving copies of the book away free of charge on request and bought advertising slots from commercial broadcasters in order to promote the book.

According to para 7.8 of the Rundfunkstaatsvertrag (Inter-State Agreement on Broadcasting - RStV), advertising of a political, ideological or religious nature is not allowed. The ban applies to all radio and TV broadcasters. Under para. 42 of the RStV, broadcasts by the Protestant and Catholic Churches and the Jewish Community and election broadcasts for national elections are permitted. The regional media authorities informed the broadcasters under their control that they considered the advertisements unlawful. However, the broadcasters argued that this was neither political nor ideological advertising since the commercial only concerned the book itself. Nevertheless, all broadcasters ceased airing the advertisement on 11 January.

In a separate case, during their own productions in December 2001, several private broadcasters transmitted the message that the programme concerned would be jeopardised by the proposed amendment of the Urhebervertragsgesetz (Copyright Contract Act). The regional media authorities' Joint Office for Advertising, Law, Europe and Administration considered this message unacceptable on the grounds that it constituted political advertising. The relevant media authorities therefore urged the broadcasters to put an end to the practice. Neither the media authorities nor the broadcasters had to take a decision in the end because the message was only broadcast for a limited period of time.

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Pressemitteilung der Gemeinsamen Stelle Werbung der Landesmedienanstalten vom 8. Januar 2002

http://www.alm.de/gem_stellen/presse_wrev/pressemit/p080102.htm

Press release by the regional media authorities' Joint Office for Advertising, Law, Europe and Administration, 8 January 2002

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