[DE] Public Service Broadcasters Define Their Remit

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In a letter sent in mid-October 2002 to the President of the Rundfunkkommission (Broadcasting Commission) of the Länder and the Minister-President of Rheinland-Pfalz, the public service broadcasters - the Arbeitsgemeinschaft der öffentlich-rechtlichen Rundfunkanstalten in der Bundesrepublik Deutschland (Union of German Public Service Broadcasters - ARD), Zweite Deutsche Fernsehen (ZDF) and DeutschlandRadio (DLR) - explained how they understood their public service remit.

The reason for the letter was an amendment to the Rundfunkstaatsvertrag (Inter-State Agreement on Broadcasting - RStV), adopted in principle by the Minister-Presidents at the end of October last year. The amendment redefined the remit of public service broadcasters and referred to their own definitions of their role. These developments are related to the Amsterdam Protocol on public service broadcasting in the Member States and the ongoing competition law debate concerning the financing of public service broadcasting. According to the current draft of the relevant RStV provision, "public service broadcasting should promote the free individual and public formation of opinion by producing and transmitting radio and television programmes and media services with predominantly programme-related content" (Art.1).

It is also intended that the Inter-State Agreement should mention the definitions of the public service remit drawn up by the broadcasters themselves. The broadcasters' plans should be published in the official journals of the Länder and the broadcasters should produce a report every two years in which they describe their achievements and the main focuses of their future activities. This would enable the Länder to verify that the broadcasters are actually fulfilling their remit. For this reason, the regulations contained in Inter-State Agreements should be examined.

Not surprisingly, the public service broadcasters' draft definition of their remit conflicts in some places with the ideas developed by the Verband Privater Rundfunk und Telekommunikation (Private Broadcasting and Telecommunications Association - VPRT) in a letter addressed, also in mid-October, to the Minister-Presidents. In addition to different emphases regarding programme content, the letter mentions the recognition of transparency standards relating to the broadcasters' commercial activities. It calls for the alleged expansion of public

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service broadcasting to be slowed down and urges public service broadcasters to reduce the number of new media services they offer and, once the current fee arrangements expire in 2004, to cease generating income through advertising and sponsorship.

At their annual conference at the end of the month, the Minister-Presidents decided to instigate preparations for a discussion and resolution on the subject by the heads of the State and Senate Chancelleries at their meeting in December.

Schreiben der öffentlich-rechtlichen Sender an den Vorsitzsenden der Rundfunkkommission der Länder und den Ministerpräsidenten von Rheinland-Pfalz, Oktober 2002

Letter of the public service broadcasters to the President of the Broadcasting Commission of the Länder and the Minister-President of Rheinland- Pfalz, October 2002

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