[NL] Media Authority's Ultimatum to Muslim Organisations: Cooperate or Lose Air Time

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Six months remain for two bickering Dutch Muslim organisations with broadcasting ambitions to reach some form of compromise. Failing to do so will constitute a "serious risk" of losing their air time altogether. The *Commissariaat voor de Media* (Media Authority) issued the ultimatum stating that the lack of cooperation is incomprehensible in light of the fact that no change is necessary in terms of content. The *Contactorgaan Moslims en Overheid* (Contact Body Muslims and Government) and the *Nederlandse Moslim Raad* (Dutch Muslim Council) have refused to operate under the same flag since the air-time on the publicly owned networks was initially granted. Previous warnings have been ignored. In January the *Raad van State* (Council of State), the highest administrative Court, ruled against the Media Authority for not following its own policy rules, which state that air time granted on the basis of Article 39f of the *Mediawet* (Media Act) is to be awarded to a single organisation that which is most representative of the particular religion.

According to this ruling the organisation that represents the most Muslims is not necessarily the most representative. The Council of State held that a Muslim broadcaster should represent Sunni, Shi'a and Alevi Muslims. The Alevis have a Turkish background and are not recognised as Muslims in large parts of the Arabic-speaking world. The controversy between Shi'a and Sunni Muslims is notorious. Under Dutch administrative law, a regulatory body such as the Media Authority is only allowed to make adequately motivated exceptions on issued policy rules in light of pressing unforeseen events. Lack of cooperation between Muslim organisations does not meet these conditions according to the Council.

Article 39f of the Media Act gives the Media Authority the authority to grant air-time to representative religious organisations. One of the main goals of the Media Act is to ensure a diverse media landscape that reflects a balanced picture of society, allowing for different views pertaining to society, culture, religion and belief. The Muslim applicants were initially granted the air-time under the express condition that they would jointly set up a private foundation. When negotiations failed, an exception was made and the broadcasting time for Islam was split. Humanist and Christian organisations took the Media Authority and the Muslim broadcasters to court claiming that, amongst other things, the organisations were not representative, and contesting the fact that there are 1 million Muslims in the Netherlands. The Media Authority's decision in the form of an ultimatum is an

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attempt to abide by the judicial decision.

Raad van State, 10/01/2007

http://zoeken.rechtspraak.nl/detailpage.aspx?ljn=AZ5851

Judgment by the Council of State of 10 January 2007

Commissariaat verplicht moslimorganisaties tot samenwerking

http://www.cvdm.nl/content.jsp?objectid=877

"*Media Authority Forces Muslim organisations to cooperate*", *press release of 19 April 2007*

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