

[DE] KJM Demands Fine Against "DSDS"

IRIS 2008-5:1/10

*Nicole Spoerhase-Eisel
Institute of European Media Law (EMR), Saarbrücken/Brussels*

At its meeting on 19 February 2008, the *Kommission für Jugendmedienschutz der Landesmedienanstalten* (Commission for Protection of Youth in the Media - KJM) demanded that a fine of EUR 100,000 be imposed upon RTL's TV programme "*Deutschland sucht den Superstar*" ("DSDS") because of repeated infringements of youth protection rules in accordance with Art. 16 no. 8 in connection with Art. 24 para. 3 of the *Jugendmedienschutz-Staatsvertrags* (Inter-State Agreement on Protection of Youth in the Media - JMStV; see IRIS 2002-9: 15) in connection with Articles 35 ff. of the *Gesetz über Ordnungswidrigkeiten* (Act on Breaches of Administrative Regulations - OWiG).

According to the KJM, daytime repeats broadcast on 26 January, 27 January, 2 February and 3 February 2008 were likely to harm the development of children under 12. It thought that the degrading nature of the jury procedure and the editing of the casting sessions on "DSDS" deliberately made a laughing stock of the candidates in front of millions of viewers. The KJM also criticised RTL for failing, despite repeated requests, to have the programme evaluated by the *Freiwillige Selbstkontrolle Fernsehen* (television self-regulatory body - FSF) before broadcasting it. The broadcaster is legally entitled to a hearing, and the extent of the fine cannot be finally established until after this hearing. RTL was also urged to ensure that the disputed clips were removed from Internet platforms.

Pressemitteilung (5/2008) der KJM vom 19. Februar 2008

http://www.kjm-online.de/public/kjm/index.php?news_id=114&show_1=59,53&z=3&action=show_details

KJM press release (5/2008), 19 February 2008

