[DE] Rhineland-Palatinate Prime Minister Planning Application to Check Constitutionality of ZDF State Treaty

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The Rhineland-Palatinate Prime Minister Kurt Beck is planning to file an application with the Bundesverfassungsgericht (Federal Constitutional Court - BVerfG) to check the constitutionality of the ZDF-Staatsvertrag (ZDF State Treaty).

Beck announced his intention to file his application after the Land Prime Ministers' failure to agree on a reform of the ZDF State Treaty at their Berlin conference on 25 March 2010.

The background to this is the refusal in November 2009 by the ZDF Board, which is dominated by the German conservatives (CDU/CSU) to renew the contract of the former ZDF editor-in-chief Nikolaus Brender. This led to a discussion on political influence in the ZDF's supervisory bodies and, in particular, on whether the composition of those bodies complies with the principle that public service broadcasting should be free from state influence.

In Beck's opinion, associations and institutions should be allowed to appoint their ZDF representatives without requiring the Land Prime Ministers' approval. However, those individuals should not hold a full-time or part-time office closely associated with the state. The proportion of state representatives among the delegates of the parties and the Federation should be reduced, cutting the size of the ZDF-Fernsehrat (Television Board) from 77 to 69 members.

The ZDF Television Board currently comprises one representative from each of the 16 Länder, three representatives of the Federation, twelve representatives of the political parties, two representatives of the Evangelical Church, two representatives of the Catholic Church, one representative of the Central Council of Jews and a further 41 representatives of social groups (including trades union, employers' associations and representatives of industry, nature protection organisations and the worlds of sports, arts and culture).

In addition, the membership of the ZDF-Verwaltungsrat (ZDF Administrative Board) should be increased so that there would no longer be a blocking minority. The Administrative Board currently has 14 members, five of them representatives of the Länder and one representing the Federation. The other eight are chosen by

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the Television Board and may not belong either to a government or any other legislative body.

ZDF-Staatsvertrag vom 31. August 1991, in der Fassung des Zwölften Staatsvertrags zur Änderung rundfunkrechtlicher Staatsverträge (Zwölfter Rundfunkänderungsstaatsvertrag) in Kraft seit 1. Juni 2009

http://unternehmen.zdf.de/uploads/media/zdf-staatsvertrag_neu.pdf

ZDF State Treaty of 31 August 1991, in the version of the 12th Inter-State Agreement Amending Inter-State Broadcasting Agreements, in force since 1 June 2009

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