[DE] Breakthrough in discussions on ZDF agreement

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At the Conference of Minister-Presidents held in Brandenburg on 26 March 2015, the draft 17th Inter-State Broadcasting Agreement amending the ZDF Inter-State Agreement was adopted. It was signed at the following Conference of 18 June 2015.

Article 19a of the draft contains new rules on the guarantee of independence from government, including provisions on avoiding conflicts of interest for governing body members (para. 1). The draft also prevents Television Council members serving as members of the Board of Directors (para. 2) and contains a list of people who are not permitted to join the Television Council (para. 3). These particularly include members of the European Parliament, European Commission, German Parliament, Federal Government and Land governments.

Article 21 of the draft contains new rules on the composition of the Television Council. The number of members has been reduced from 77 to 60, and the number of Federal Government representatives from 3 to 2. In addition, the Land governments will review the composition of the Television Council after three terms of office.

Under the newly added Article 22(5), the Television Council will meet in public, unless there are exceptional circumstances.

The Board of Directors will be reduced from 14 to 12 members under Article 24.

The amendment implements the ruling of the Bundesverfassungsgericht (Federal Constitutional Court) of 25 March 2014 (BvF 1/11; 1 BvF 4/11), in which the ZDF Inter-State Agreement and, in particular, the composition of the governing bodies, was found to be in breach of the rules on independence from government. The Länder were ordered to adopt new regulations in line with the Constitution by 30 June 2015. The Constitutional Court ruled after legal proceedings were brought by the Government of Rhineland-Palatinate and the Senate of the Hanseatic City of Hamburg.

Siebzehnter Staatsvertrag zur Änderung rundfunkrechtlicher Staatsverträge

17th Inter-State Agreement amending Inter-State Broadcasting Agreements

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