[DE] Agreement between Federal States (Länder) on the Südwestrundfunk

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In Mannheim on 15 April 1997 the Minister Presidents of Rhineland-Palatinate and Baden-Württemberg provisionally agreed on behalf of their Länder the Agreement between the Federal States on the Südwestrundfunk (SWR).

This new public-law broadcasting station, which will be available through one broadcaster in each Land (Baden-Württemberg and Rhineland-Palatinate), combine the two existing stations Süddeutscher Rundfunk (SDR) and Südwestfunk (SWF).

The preamble to the Agreement between the Länder explains that this rearrangement of broadcasting in south-western Germany is also intended to give the new SWR more weight within the group of public-law stations in Germany (ARD). SWR's programmes are to constitute its contribution to the implementation of a united Europe and the development of close ties with adjacent neighbouring regions in Europe; at the same time the creation of two broadcasters in the Länder means that they will have to take into account demand for programmes of specific interest to the Land or the region. SWR's income from broadcasting licence fees and the number of its employees make it the second largest station in the ARD after Westdeutscher Rundfunk (WDR); it will have offices in Baden-Baden, Mainz and Stuttgart, while its management and administration will be located in Stuttgart. The merger of the two stations, which after agreement by the Länders' parliaments should take effect on 1 January 1998, resolves the consequences of the different post-war occupation zones, as the territorial coverage of SWF and SDR corresponds not to the later borders between the Länder, but to the French and American occupation areas. The duplicate and multiple coverage this produced in some areas should now end, with the associated expectation of better overall provision for the population in both Länder . In addition, the Länder are expecting to make big savings in the long term through this dismantling of duplicated structures as a result of the merger.

SWR's statutory broadcasting council will comprise 51 members from Baden-Württemberg and 23 members from Rhineland-Palatinate; the ratio on the administrative board will be 11 to 4 members. Decisions will normally require a simple majority, although for example approval of the statute and the budget will require not only the majority of votes of the statutory members but also at least

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half the votes of the representatives of each separate Land (Section 1, par. 2(2) and Section 18, par. 3(3) in connection with Section 15, par. 3(2), Section 23, par. 4(3) in connection with Section 21, par. 2(2) of the Agreement).

Following the formal conclusion of negotiations between the Länder , marked by their provisional agreement, the date for signing the Agreement between the Länder was given as 31 May 1997. The provisions of the Agreement concerning the number and distribution of the channels to be provided (two radio stations in each Land, a further two joint radio stations and one television channel in each Land, with combined cover of up to 70% programme share) are however already under discussion from the constitutional point of view; as a result, the procedure for parliamentary approval in the Länder has had to be postponed.

Staatsvertrag über den Südwestrundfunk, paraphiert am 15. April 1997 in Mannheim

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