[DE] Agreement between Federal States on the SWR Signed with One Amendment

IRIS 1997-6:1/17

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On 31 May 1997 the Minister-Presidents of the German Länder (Federal States) Baden-Württemberg and Rhineland-Palatinate signed the Agreement agreed in principle amongst them in mid-April on the new Südwestrundfunk (see IRIS 1997-5: 14). In doing so, they agreed to an amendment to the draft of the Agreement. Now all radio stations (i.e. whether they offer regional or specifically local programmes) in the future SWR must make provision for "regional and Land - specific windows". The decision on windows reflects the future organisation's desire to create group identity extending beyond each separate Land.

In recent weeks there has been some criticism, inter alia from the administrations of SWF (Südwestfunk) and SDR (Süddeutscher Rundfunk). The main criticisms concern the possibility of damage to station autonomy and the not inconsiderable degree of State power in the supervisory bodies of the future organisation.

The Agreement stipulates that the 74 members of the SWR broadcasting council should include a total of 12 representatives of Land parliaments and 4 government representatives from Baden-Württemberg and RhinelandPalatinate. The 15 members of the SWR administrative board should include four representatives of the Länder' s parliaments and 3 government representatives. It is suspected to some extent that this will continue to safeguard a distance between the State government and the broadcasting.

Under constitutional law the SWR Agreement could also be a problem in connection with the development guarantee on programmes, as detailed rules are already set out in the Agreement on the number of future radio stations and their structure. On the other hand, the Agreements between the Federal States for ZDF and Deutschlandradio , for instance, contain similar provisions on the number of stations or descriptions of content. The Minister-Presidents held the negotiated convention to be generally constitutional and not open to attack. The Agreement should enter into force on 1 January 1998. It is anticipated that after a foundation and transitional stage lasting nine months the SDR/SWF tandem will be transferred to the new organisation; thus the date of 1 October 1998 is being put forward as the date of SWR beginning broadcasting. However, the Agreement still has to go through the Länder' s procedure for adopting legislation to permit the Agreement (see IRIS 1997-5: 14).

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http://www.stk.rpl.de/presse/pre_aktuell.html

Agreement between Federal States on the Südwestrundfunk, 31 May 1997

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