[DE] Broadcasting Commission adopts key aspects of public service broadcasting reforms

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The *Rundfunkkommission* (Broadcasting Commission) of the 16 *Länder*, which are responsible for media regulation in Germany, adopted the key aspects of public service broadcasting reforms at a closed meeting in Bingen am Rhein on 25/26 January 2024.

The meeting was held a few days after the publication of a report by the *Zukunftsrat* (Future Council), an independent panel of experts set up by the *Länder* to consider the future development of public service broadcasting. The Future Council had been tasked with developing a long-term vision for the future of public service broadcasting and its acceptance beyond the current decade, as well as making recommendations for reform. The Broadcasting Commission believes the report's proposals will strengthen its efforts to forge ahead with fundamental reforms to public service broadcasting. Some of the Future Council's recommendations have already been implemented, in particular through the third and fourth state treaties amending the state media treaty.

At the meeting, it was highlighted once again that free and diverse media – private and public – are crucial for social coexistence and democracy. The *Länder* consider that public service broadcasters play a key role in providing factual information, culture, advice, education and entertainment, thereby stimulating social dialogue and illustrating the huge diversity of opinions, perspectives and everyday realities in Germany.

The *Länder* agree with the Future Council's conclusion that the services offered by public service broadcasters should be accepted, used and valued by licence fee payers. They believe that public acceptance is dependent on quality of service, as well as economical use of licence fee revenue. With a view to carrying out the necessary reforms to public service broadcasting, they agreed on four main spheres of action:

1. Confirmation of public service remit and offering. This will include a shift towards more digital and participatory on-demand formats through the reallocation of human and financial resources, as well as improved services for young people, educational skills development and media literacy activities. The regional remit of the *Arbeitsgemeinschaft der öffentlich-rechtlichen*

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Rundfunkanstalten der Bundesrepublik Deutschland (German Association of Public Service Broadcasters – ARD) will be made more visible. Fulfilment of the public service remit will become measurable through legally defined quality benchmarks and criteria, and will be regularly monitored. Public service sports reporting will reflect the full breadth of sport, even when there are no commercial marketing opportunities. Investment in sports rights will be proportionate to overall programming expenditure and take the situation of the private sports rights market into account. In addition, much greater emphasis will be placed on non-linear media, with linear special-interest channels either merged or closed down and an audit of radio and online services.

2. More efficient organisation and structures. The ARD, ZDF and Deutschlandradio will be obliged to work together. Multiple structures will need to be dismantled. As a first step, an independent, joint organisational entity involving the ARD, ZDF and Deutschlandradio will be set up to deal with technical matters and to develop and operate a joint technical platform. Within the ARD, efficient organisation will replace time-consuming coordination. Whether this should lead to the creation of an *ARD-Anstalt* (ARD umbrella authority), as proposed by the Future Council, was left open by the Broadcasting Commission's decision.

3. Good governance, management and supervisory structures. The *Länder* will strengthen elements of a shared management structure for the state media authorities, as recently established for Saarländische Rundfunk and Rundfunk Berlin-Brandenburg, with a particular focus on guaranteeing the public service remit. For management and leadership positions within public service broadcasting that are not covered by collective agreements, a remuneration system will be developed in line with the public sector salary structure.

4. Reform of the procedure for setting the broadcasting licence fee. The *Länder* also want to examine the procedure for setting the licence fee, taking the Future Council's proposals into account.

The *Länder* will ask the *Kommission zur Ermittlung des Finanzbedarfs der öffentlich-rechtlichen Anstalten* (Commission for Determining the Financial Requirements of Broadcasters – KEF) for a special report measuring the efficiency gains and savings potential of the proposals. They hope to present a new state treaty that includes these reforms in autumn 2024.

Beschluss der Rundfunkkommission

https://rundfunkkommission.rlp.de/fileadmin/rundfunkkommission/Dokumente/Beschluesse/RFK_25.-26-1-24_Eckpunkte_zur_Reform_des_oeffentlich-rechtlichen_Rundfunks.pdf

Broadcasting Commission decision

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Bericht des Zukunftsrates

https://rundfunkkommission.rlp.de/fileadmin/rundfunkkommission/Dokumente/Zukunftsrat/ZR_Bericht_18.1.2024.pdf

Future Council report

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