

CMFE

COMMUNITY MEDIA FORUM EUROPE

**An den Medienrat der Sächsischen Landesanstalt
für privaten Rundfunk und neue Medien (SLM)
Prof. Kurt-Ulrich Mayer (President of the Medienrat)
And
An den Chef der Staatskanzlei
Herrn Staatsminister Dr. Johannes Beermann**

Germany

Date: November 18, 2009

**Subject: CMFE supports the three Saxon Free Radios Stations in
Germany**

Dear Mr Mayer,

Community Media are non-profit organizations promoting the freedom of speech, the democratic participation in all aspects of their operations and contribute to a plural media landscape. They are initiatives empowering the civil society, especially the minorities or other groups absent in the mainstream media. The community media sector is internationally recognized as a third media sector, next to the public and commercial media sector.

The Community Media Forum Europe (CMFE) is a gathering of policy experts, non-governmental organizations and national community media federations that, since 2004, supports the participation of the Community Media sector in policy debate and decision making at the European and national level.

CMFE received information on the situation of the three free local non-commercial radio stations:

The situation of „coloRadio“ (Dresden), „Radio T“ (Chemnitz) and „Radio Blau“ (Leipzig) is currently extremely precarious. At the moment, they are broadcasting a 49 hours a week „window program“ on the frequencies of „Apollo Radio“. The „Sächsische Gemeinschaftsprogramm GmbH & Co KG“, the operating company behind „Apollo Radio“, is currently financing the audio transmission costs for these three community radio stations.

On 13th of October 2009 the „Sächsische Gemeinschaftsprogramm GmbH & Co KG“ informed them that the current cooperation agreement for financing the audio transmission costs will be terminated on the 31st of December 2009. If this termination becomes real, it would mean the end of the FM broadcasting of all free radio stations in Saxonia, because all three stations, run by volunteers, have no other financial sources to pay for the audio transmission costs.

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The underlying financial model in Saxony is singular in Germany and also quite unique in Europe. „Apollo Radio“ agreed to the cooperation contract in order to receive a license for running a program that is backed by several other commercial media companies. This made it possible for them to close off the advertising market. Such an urge to close off the market now seems no longer prevalent, because the Sächsische Landesmedienanstalt (SLM, Saxon licensing authority) is not willing to allocate any new licenses as they are planning to abrogate FM broadcasting by 2015 altogether. Thus, there is no more reason for „Apollo Radio“ to broadcast any longer.

The Bundesverband Freier Radios (Association of Free Radios in Germany) approved a letter of request to the Saxon licensing authority (SLM) demanding it to finance the three community radio stations. In addition, the Bundesverband Freier Radios is asking for a legal commitment to promote non-commercial local radio stations as a third sector of radio broadcasting in Saxony.

This letter was handed to the SLM by a member of the BFR board on the 26th of October 2009 during a meeting of the SLM board. Representatives of the three free radio stations and the member of the BFR board called the SLM's attentions to the extremely precarious situation. So far, the SLM is portraying its own role as a mediator between „Apollo Radio“ and the three community radio stations and has announced that they are hoping for a renewal of the terminated cooperation agreement. Furthermore, the SLM is referring to the current legal regulation, which they interpret as not allowing them to finance community radios themselves.

The three Saxon radio stations are sceptical about aiming for a renewed cooperation agreement, because there is no obvious motivation for „Apollo Radio“ to further finance them. At the moment, the three Saxon radio stations are happy to receive enormous support from their listeners as well as protagonists of each city's cultural scene. In addition, the community radio stations are currently holding talks with many different representatives of media politics, in order to change the legal regulations for the acknowledgement and promotion of community radios in Saxony. Even if the SLM is currently hiding behind their interpretation of the Saxon media law, we are demanding them to ensure the existence of community radio stations, which have been broadcasting for more than 10 years now.

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European developments

The CMFE has been working in collaboration with European institutions to raise the profile of community media across Europe and, in recent documents, the social value of the sector has been reaffirmed by the *Declaration of the Committee of Ministers on the role of community media in the promotion of the social cohesion and the intercultural dialogue*¹, adopted by the Council of Europe on 11 February 2009, and the *Resolution of 25 September 2008 of the European Parliament on Community Media in Europe (2008/2011 (INI))*².

The Declaration of the Council of Europe, among other things, stresses its Members States about the desirability of:

“recognising the social value of community media and examining the possibility of committing funds at national, regional and local level to support the sector, directly and indirectly, while duly taking into account competition aspects (point iv.a)”

The Resolution calls on Member States “to support community media more actively in order to ensure media pluralism” (17) and “stresses the role that may be played by local, regional and national authorities in supporting and promoting community media by providing suitable infrastructure” (18).

CMFE request support for the Saxonian Community Radio sector

Concerning the case in Saxony, we would like to draw the decision makers’ attention to the fact that recognition for the Community Media in Saxony is insufficient according to the recent European policy documents.

The Community Media Forum Europe (CMFE) therefore:

- REQUEST for the short term to work towards a renewal of the existing situation in where financial support for the three community radio’s is guaranteed in a contract with the commercial stations;
- REQUESTS next to establish special financial support procedures according to the specificities of the Community Media sector instead of obliging them to stay dependent of commercial media;

¹ <https://wcd.coe.int/ViewDoc.jsp?id=1409919>

² <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P6-TA-2008-0459&language=EN>

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- REQUESTS to the Saxon Licensing Authority and other relevant authorities to advance in the Third Media Sector recognition watching over the European harmonization through the implementation of guidelines as the *Resolution of 25 of September of 2008 of the European Parliament on Community Media in Europe* (2008/2011 (INI)), which invites the EU Member States to recognize and to support this sector.

- SUPPORTS the demand of the Bundesverband Freier Radios to financial support for the three Saxon free radio stations and the request for a legal commitment to promote non-commercial radio stations as a third sector of radio broadcasting in Saxony.

CMFE strongly recommends that the responsible Saxonian authorities, referring to the mentioned Declaration of the Council of Europe and the Resolution of the European Parliament, supports Community Media initiatives in Saxon. We ask for a serious commitment to support the sustainability and development of community radio and its continuing delivery of social and economic benefit. CMFE offers any help with expertise and welcomes feedback to this letter.

Sincerely,



Pieter de Wit
President CMFE
Tel: + 31 24 3550559
Mobile: + 31 6 34150581

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