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ARD and ZDF Response to the Call for Comments on the Draft RSPG Proposal for the Process for EU Assistance in Bilateral Negotiations with third Countries and between EU Countries

ARD and ZDF represent the Public Service Broadcasters in Germany using extensively the broadcasting bands for the terrestrial distribution of their radio and television programmes.

ARD and ZDF welcome the opportunity to present their comments on the proposals of the RSPG.

We appreciate the willingness of the RSPG to support bilateral negotiations and negotiations with third countries in cross-border coordination, however for the following reasons we have some concerns relating to the RSPG proposals.

The involvement of additional participants in cross-border negotiations, be it political representatives of the European Union or representatives of member states which are not directly involved, will inevitably make the coordination processes more complex. Because of the increase in the number of positions to be reconciled, the procedure is prone to becoming more time-consuming and less effective.

In line with the principle of subsidiarity we recommend as a general rule to rely exclusively on the ability of competent representatives of the EU Member States and third countries directly affected to run bilateral negotiations on their own. All neighbouring countries of the EU are members of the CEPT. Therefore, in our opinion CEPT is the appropriate and sufficient framework for the development of the technical background for negotiations with third countries.

With regard to negotiations with third countries, intervention on a high political level should only be considered in case of exceptional difficulties.

The RSPG forum seems to be a good framework to discuss and develop solutions when one or several Member States have difficulties in cross-border coordination or from harmful interference with another EU country and when Member States ask for such.

We do not think that there is a need for changes of the regulatory procedures of cross-border coordination. So far all problems could be solved at the end of the day within the existing procedural framework.

For further questions please contact:

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