



Media relations
P.O. Box, 9023 St. Gallen

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Media Release

regarding judgment A-929/2024 of 23 January 2025

The radio broadcasting licence for Graubünden and Glarus goes to Südostschweiz Radio AG

The Federal Administrative Court finds that Radio Alpin Grischa AG does not satisfy the licence requirements and awards the licence for the “Southeast Switzerland – Glarus” coverage area to Südostschweiz Radio AG for the period until 2034.

In early 2023, the Federal Office of Communications (OFCOM) put 38 radio and TV licences out to tender for the period 2025 to 2034. On 11 January 2024, the Federal Department of the Environment, Transport, Energy and Communications (DETEC) awarded Roger Schawinski and Stefan Bühler, acting as Radio Alpin AG (in formation) and represented by PubliReno GmbH, a radio licence starting in 2025 for the “Southeast Switzerland – Glarus” coverage area. The licence includes the broadcasting of a local commercial radio programme service and is valid for the cantons of Graubünden, Glarus and St. Gallen (Sarganserland and Werdenberg). DETEC took the view that both candidates would satisfy the licensing requirements. On 12 February 2024, Südostschweiz Radio AG lodged an appeal against this ruling with the Federal Administrative Court (FAC).

During the appeals proceedings, Radio Alpin AG (in formation) was established as Radio Alpin Grischa AG.

Licensing requirements

The Federal Act on Radio and Television provides that a licence may be awarded if the candidate guarantees among other things that it complies with the working conditions of the industry and, in particular, the obligations and conditions associated with the licence. The minimum ratio between trained and trainee programme-makers is both part of the working conditions of the industry and among the obligations of the model licence. The model licence specifies that the programme service must be structured to a large extent by trained and qualified staff in order to satisfy the requirements of quality journalism. This implies that shortcomings indirectly affect the quality of the radio programme service.

Violation of licensing requirements results in exclusion

The parties agreed that, based on the licence application, Radio Alpin Grischa AG would not meet the minimum ratio of trained to trainee programme-makers. However, Südostschweiz Radio AG took issue with the fact that DETEC did not exclude Radio Alpin Grischa AG from the licensing procedure.

FAC agrees with the position of Südostschweiz Radio AG. If the minimum ratio is not satisfied, the licensing requirements are not met. Against this backdrop and with due regard to procurement law practice, the exclusion of Radio Alpin Grischa AG is proportionate. The Court partially upholds the appeal and awards the radio licence for Graubünden and Glarus to the existing licensee, Südostschweiz Radio AG, until 2034. The appeal is dismissed insofar as it relates to the fees of the first instance proceedings.

This judgment is final and may not be appealed to the Federal Supreme Court.

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About the Federal Administrative Court

Located in St. Gallen, the Federal Administrative Court (FAC) was established in 2007. With its staff of 394 employees (333.5 FTE) and its 77 judges (69.5 FTE) it is the largest federal court in Switzerland. The Federal Administrative Court has jurisdiction to hear appeals against decisions rendered by Swiss federal administrative authorities. In specific matters, the FAC may grant review on decisions rendered by cantonal authorities. Recourse actions are also reviewed by the Court. The FAC is composed of six divisions. It renders an average of 6,500 judgments every year.