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Journalist and media associations:

a) Anti-corruption framework

- What are your views on the current main anti-corruption efforts and systemic challenges in the prevention of corruption since July 2023, e.g. on lobbying, conflicts of interest, asset declarations, whistleblower protection, political party finance, public procurement (see 2023 EU Rule of Law report recommendations)?

In my opinion, the previous government fought corruption very intensively, and the Central Anticorruption Bureau performed its task very responsibly and correctly. The announcements of its liquidation are extremely disturbing.

- What are your views on the current main anti-corruption efforts and systemic challenges in the repression of corruption since July 2023 (including institutional and operational effectiveness of investigations/prosecutions/convictions, impunity clauses, etc.)?

I am not an expert in this field, so I will refrain from answering

b) Media freedom

For additional context – in the 2023 Rule of Law Report, the Commission made the following recommendations to Poland as regards media aspects:

- Ensure that fair, transparent and non-discriminatory procedures are adhered to for the granting of operating licences to media outlets.
- Strengthen the rules and mechanisms to enhance the independent governance and editorial independence of public service media taking into account European standards on public service media.
- How would you assess the functioning and independence of the Polish media regulator (KRRiT)?

The Polish media regulator operates in a professional manner, independent of political authorities. Currently, he is guarding the law regarding the radio and television system because the current government is brutally destroying this system and breaking media law.

- *Could you elaborate on relevant developments related to the situation of the media in Poland and the challenges that the media sector is facing? How would you assess the level of media pluralism and independence in Poland?*

Never in history after 1989 have we had such a striking example of interference by the Minister of Culture and National Heritage, i.e. a politician, a representative of the executive power, in the sphere of media independence. There has never been such a drastic form of takeover of public media

- *How would you assess the recent developments related to the Polish public service media? How would you assess the reporting by the public service media following the management*

changes? Which aspects should be covered by the potential overhaul of the rules on the public service media.

I represent the Association of Polish Journalists, the largest, oldest and most active organization of journalists in Poland. The assessment of what the current government of Donald Tusk is introducing in the public media is extremely negative. This is an absolute violation of the principle of freedom of speech and freedom of the press. The destruction has been going on for two months and includes:

1. illegal dismissal of the public media authorities by the Minister of Culture and National Heritage Bartłomiej Sienkiewicz

2. illegal appointment of new public media authorities. The court refused to enter them in the register because there was no legal basis

3. unlawful intrusion into the premises of public media - TVP and PR, unlawful shutdown of TVP INFO, TVP WORLD transmitters

4. illegal deactivation of the tvpinfo.pl website

5. The government took these illegal actions based on the resolution of the Sejm of December 19. 23 and pursuant to the Commercial Companies Code. According to the law in force in Poland, changes in public media can only be introduced on the basis of an ACT adopted by the Sejm and the Senate and signed by the President of the Republic of Poland.

6. Putting all public media in Poland into liquidation - the Polish Press Agency, which is already 105 years old, the Polish Radio, which is 98 years old, and the Polish Television, which is 62 years old. 17 regional Polish Radio stations were also put into liquidation

7. Hundreds of people in radio and television were put out of work. Their number is difficult to estimate because most of them were not employed under an employment contract, but were so-called a freelance collaborator or provided media services as a company. These people lost their source of income overnight

8. during the 2 months of operation of public media, their audience decreased dramatically - The audience of this antenna (the so-called +4 indicator, i.e. the number of all viewers over 4 years of age) decreased from 4.43% in January 2023 to 1.52% in January 2024, which means a dramatic drop in the number of viewers by over 65% (from an average of approximately 300,000 viewers in February 2023 to approximately 78,000 in February 2024). The TVP INFO station is not among the 20 most watched television stations in Poland, and was previously even among the top 10. This has strengthened the very commercial competition of public television, especially TVN, which is the government's media base. These data come from the main telemetric measurement of the terrestrial television audience conducted in Poland by Nielsen.

9. The censorship of content is taking place - the new TVP authorities have removed from the Internet in the last 2 months alone nearly 5.5 million programs and articles published on the tvp.pl and tvpinfo.pl websites. This is a drastic violation of the principle of freedom of speech. It is not known what happened to these materials and why such a decision was made. There were many valuable historical, social and political programs. , some even from 2008.

10. The ministers of the current government do not allow journalists from private media presenting the positions of the current opposition to their press conferences, especially TV Republika, which is not allowed to their conferences by the Minister of Culture and National Heritage and the

Minister of Justice. Representatives of this government baselessly and extremely negatively speak about this station. Yet they are obliged to treat all legal media equally.

11. The government and its media base are trying to intimidate advertisers of right-wing media - media that support the government publish articles with a list of advertisers who dare to publish advertisements in opposition media. The government has already withdrawn all advertisements for state-owned companies from right-wing media. This violates the principle of free competition, which is the basic principle on which every democratic state is based.

- In your opinion, what would be the impact of the upcoming European Media Freedom Act on the Polish media ecosystem?

In my opinion, it is difficult to predict today what the impact of the Media Freedom Act will be on the Polish media ecosystem, but the establishment of another institution to control the media by European Union institutions is very disturbing. Practice shows that behind noble slogans there are completely different contents. Some provisions of the EMFA are contrary to the protection of press freedom and ignore well-established national legal frameworks and constitutionally protected rules of conduct; this also applies to a provision that interferes with the internal functioning and operation of media companies.

- Do you consider that Poland has taken sufficient actions to implement the 2020 Recommendation on safety of journalists? Does the Press law provide effective safeguards for the editorial independence of journalists? How would you assess the level of aggression towards journalists, in particular online? Since 2023 Rule of Law Report, have you noted any serious cases of digital attacks towards journalists?

Yes, we have recorded a serious attack by internet hackers on the website of the Press Freedom Monitoring Center of the Association of Polish Journalists. The attack on cmwp.sdp.pl occurred on October 31 after 3 a.m. The CMWP SDP IT system registered 173 million attempts to access the Center's website within 18 hours. They came from many countries, from different parts of the world: Russia, China, Mexico, Singapore, Indonesia, and in recent hours also from Poland. It was a hacker attack aimed at completely paralyzing the website cmwp.sdp.pl. Fortunately, thanks to appropriate security measures, this was not achieved. Already on October 31, before noon, the CMWP SDP website was available to most users, and on November 1, all its functionalities were restored.

- Has there been any progress regarding the development or fostering of self-regulatory journalistic standards and ethics since 2023 Rule of Law Report?

The Association of Polish Journalists has established a new Council - the Consultative Council of the Press Freedom Monitoring Center, which will give opinions and review activities regarding violations of the principle of press freedom in Poland. The Council consists of representatives of all the largest editorial offices in Poland independent of the current government.

- How would you assess the level of transparency in the allocation of state advertising in Poland? Do you consider there is enough data to monitor trends in the allocation of such advertising?

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which is the basic principle on which every democratic state is based. The new government has already removed almost all advertisements of state-owned companies from the media, which today represent a point of view other than the government's. The media base of this government regularly attacks even potential commercial advertisers of these media. This is not a free media market.

- How would you assess the level of transparency of media ownership in Poland?
- Would you like to highlight any other relevant development within the scope of the Rule of Law report?

That's all I would like to say today. Thank you for the invitation.