



KRRiT

KRAJOWA RADA
RADIOFONII I TELEWIZJI

Crisis situation of the public service media in Poland

The KRRiT team, edited by Dr Agnieszka Glapiak,
Deputy Chairperson of the KRRiT

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MEDIA UPHEAVAL IN POLAND

In 2023, an unprecedented event took place in the history of the Polish media. The government initiated the process of liquidating all public media companies in Poland: Telewizja Polska S.A. (TVP, Polish Public Television), Polskie Radio S.A. (PR, Polish Radio) and the 17 regional radio stations of the Polish Radio as well as the Polska Agencja Prasowa S.A. (PAP, Polish Press Agency). The only arguments for the liquidation of the companies were assessments of the quality of the programmes, made by the supporters of the ruling coalition. No documents or studies have emerged to justify the snuffing out of the public media.

The government has violated the provisions of the Polish Constitution, stemming from, for example, from Article 7, which states that ‘the organs of public authority shall act on the basis of, and within the limits of, the law’. Also relevant in this context is the provision of Article 87(1), which states that ‘the sources of universally binding law of the Republic of Poland shall be: the Constitution, statutes, ratified international agreements and regulations’.¹ Therefore, a resolution of the Sejm of the Republic of Poland cannot be treated as more important than statutory provisions. Meanwhile, the process of liquidating the media was carried out based on a resolution of the Sejm, not a law. The Broadcasting Act was ignored, and the change of management in companies was carried out without considering the Act on the National Media Council, whose competences include the selection of public media authorities.

The process of changing the management of the media companies was carried out by force, with the help of hired security guards and the police. TVP Info (TVP’s news channel) was switched off, and news and current affairs programmes on several Polish Television channels were suspended. Scheduled commercials were also not broadcast, resulting in huge financial losses for TVP. The takeover of public media by Donald Tusk’s government was carried out illegally with the use of force. For the first time since martial law, police appeared at the headquarters of Polish Television, Polish Radio and the Polish Press Agency. Media executives and employees were dismissed and suspended with immediate effect.

The National Broadcasting Council (KRRiT), according to Article 213 of the Polish Constitution, ‘shall safeguard the freedom of speech, the right to information as well as safeguard the public interest regarding radio broadcasting and television’. It is therefore responsible for media governance in Poland and is obliged to take measures to protect the public media from unlawful actions by politicians. It must also ensure the proper use of public funds derived from compulsory subscription fees for the ownership of a television or radio receiver (rtv subscription fee) from its citizens. The sole purpose of these funds is to fulfil the public service mission, i.e. to provide viewers with information, journalistic, cultural, educational, entertainment and sports programmes on public radio and television.

¹ Constitution of the Republic of Poland of 2 April 1997, Journal of Laws of 1997, No. 78, item 483, as amended <https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=wdu19970780483>

Immediately after the unlawful actions of the coalition government in December 2023, the KRRiT protested against the attack on the media, while in 2024 it took legal action to protect the subscription fee funds so that they would be allocated according to their purpose, i.e. for the purposes of serving the needs of the realisation of the public mission.

The illegal and forcible takeover of TVP, Polskie Radio (Polish Radio), 17 regional Polish Radio stations and the Polish Press Agency (PAP) in December 2023 by the ruling coalition led by Prime Minister Donald Tusk became a turning point in the history of the media in Poland.

With the changes in the public media, the entire media market in the country changed. It is worth noting that the mainstream media accepted violations of the law and freedom of speech. Most newsrooms tacitly agreed to restrict access to information when government representatives, headed by the Prime Minister denied accreditation to journalists from, for example, TV Republika, a private conservative station, for conferences and for access to emergency flood control centres. None of the mainstream media protested against the violation of civil rights by the obstructing of access to journalists' work.

From December 2023 onwards, most newsrooms in Poland did not focus on researching and producing their own content, but instead passionately focused on developing themes/topics given by ruling coalition politicians and for conducting 'witch hunts'.

The public media lost their former role. After the December coup, they became—*nomen omen*—media in liquidation and ceased to be considered as the fourth source of authority in the state. For a year, a number of media projects were put on hold, and many journalistic careers were broken. Viewership fell dramatically, affecting the financial health and image of the public media. Many viewers and radio listeners switched to other channels. The position previously held by the public media was taken over by its competitors.

At the same time, the liquidators carried out sham activities. In fact, it is impossible to reconcile two contradictory objectives - liquidation and the development of programming that fulfils a public service mission.

The creation of a new media order in Poland requires a constructive debate involving all experts and institutions interested in the strong position and development of free media. The discussion should begin with an analysis of the disastrous actions of politicians from the ruling coalition and the liquidators of public broadcasters. After this catastrophe, it will be difficult to restore the importance of public media in the future.

The publication entitled 'The crisis state of public media in Poland' is largely based on an earlier report edited by Dr Agnieszka Glapiak 'Calendar of liquidation of public media in Poland' (Part I and Part II). The report includes National Broadcasting Council (KRRiT) documents, quotes from media reports and social media posts documenting 12 months of the liquidation of public media in Poland.

CHAPTER I

The course of the attack on the public media

The takeover of the public media in December 2023 proceeded in an unlawful manner, both in the first phase, when the forcible seizure of public media buildings took place, and in the second phase, when the liquidation of media companies was announced.

On 20 December 2023, the government of Donald Tusk sent its appointees to forcibly take over the public media. The police allowed unknown persons to occupy the offices of the acting presidents of Polish Television, Polish Radio and the Polish Press Agency.

On the 'X' platform, Bartłomiej Sienkiewicz, Minister of Culture and National Heritage, who oversees the public media, announced that he was dismissing the existing boards of the media companies. However, this was an unauthorised entry, as, according to current Polish law, media company boards can only be dismissed by the National Media Council, and not by a minister, a member of the government.

Unknown security guards from outside companies appeared at public media buildings. There were clashes with staff and parliamentarians, who intervened with MPs. The usurpers immediately blocked the broadcasting of current news and current affairs programmes. On TVP, news programmes were replaced by TV series programming. Archival resources that were inconvenient for those in power began to be removed from websites.

Social media was full of information about the illegal actions of Minister Sienkiewicz and his people. Scans of notarial documents appeared, indicating the possibility that the minister had certified untruths in official documents on the basis of which changes were made to company boards. Screenshots of telephone conversations were shown indicating the existence of the so-called 'Entry' group, which was to prepare and carry out the illegal takeover of public media. It included politicians, journalists and lawyers.

At the end of December 2023, Minister Bartłomiej Sienkiewicz decided to put public media companies into liquidation (27 and 29 December). These actions were also unauthorised, as under Polish law media companies are treated exceptionally and cannot be liquidated. Illegal media managers were appointed as their liquidators and the registration courts—contrary to the ruling of the Constitutional Tribunal— began to legalise the liquidation processes.

Poland's public media companies have been in limbo ever since. They are clumsily trying to combine the liquidation processes they have initiated with the sham development of their programming offer and the fulfilment of their public mission.

The Broadcasting Act of 29 December 1992, Journal of Laws of 1993, No. 7, item 34.

Article 21(1) states:

'Public radio and television shall carry out their public service remit by providing, on terms laid down in this Act, to the entire society and the individual groups thereof, of diversified programme services and other services in the area of information, journalism, culture, entertainment, education and sports, which shall be pluralistic, impartial'.

Parliamentary resolution and the beginning of chaos

On 19 December 2023, the Sejm of the Republic of Poland, with the votes of the ruling coalition, adopted a resolution on the alleged 'restoration of the legal order and the impartiality and integrity of the public media and the PAP'. The motion was tabled by a group of MPs from the Civic Coalition, Poland 2050 *Trzecia Droga* (The Third Way), PSL-*Trzecia Droga* (The Third Way), and the Left.²

The illegal dismissal of public media authorities by the Minister of Culture and National Heritage

Late on 19 December 2023, the Minister of Culture and National Heritage, Bartłomiej Sienkiewicz dismissed the public media authorities and the Polish Press Agency. But a communiqué to this effect was not issued until the following day. It said: 'The Minister of Culture and National Heritage, as the body exercising the ownership rights of the State Treasury, which holds 100% of the shares in the companies, acting on the basis of the provisions of the Code of Commercial Companies, dismissed, on 19 December 2023, the existing Presidents of the Management Boards of Telewizja Polska S.A., Polskie Radio S.A. and Polska Agencja Prasowa S.A. as well as the Supervisory Boards of the above companies. The Minister appointed new supervisory boards and management boards of directors of the companies'.³

The Ministry's communiqué did not include the names of the persons appointed to the new supervisory boards and boards of directors of the companies.

Suspicion of false certification of official documents

The legality of Minister Bartłomiej Sienkiewicz's decisions was questioned by opposition MPs. They pointed out that untruths could have been certified in official documents, as it seems impossible that general meetings of companies could have been held in less than two hours, after which the minister signed the relevant minutes in a notary's office. On 25 December 2023, Paweł Jabłoński, an MP for the Law and Justice Party (PiS), wrote on his 'X' portal: 'In the 107 minutes that elapsed between the adoption of the Sejm's resolution, the shareholders' meetings of the three companies were to be held (at the headquarters of the Ministry of Culture and National Heritage), and then their minutes were to be drawn up elsewhere-with the signature of Minister Lt Col Sienkiewicz, which, according to the content of the notarial deed, was affixed at the notary's office.'⁴ ⁵ The MP pointed out that the Sejm adopted the resolution on 19 December 2023 at 10:13 p.m., leaving only 107 minutes until midnight on that day to complete the entire procedure. He also posted a scan on the 'X' portal, a scan of one of the notarial documents concerning the Polish Press Agency⁶ indicating the time when the Sejm adopted the resolution.⁷

² Resolution of the Sejm of the Republic of Poland of 19 December 2023 on the restoration of legal order and impartiality and reliability of public media and the Polish Press Agency, M.P. of 2023, item 1477
<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WMP20230001477>

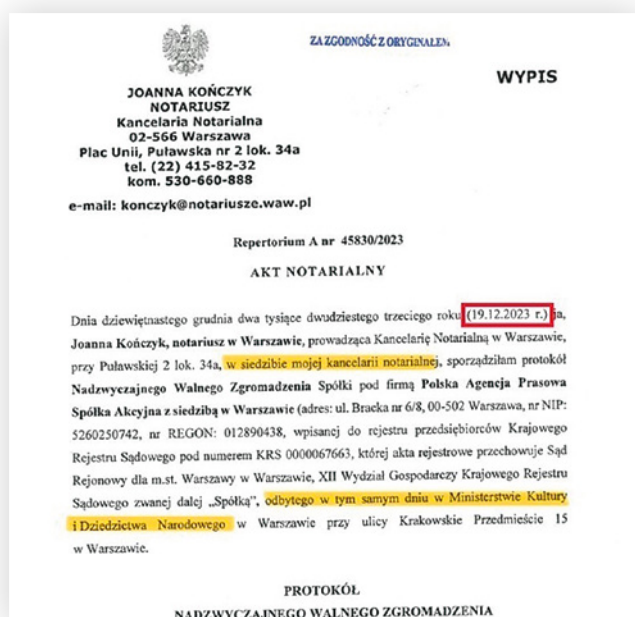
³ Minister of Culture and National Heritage dismissed public media authorities, 20 December 2023
<https://www.gov.pl/web/kultura/minister-kidn-odwolal-wladze-mediow-publicznych-i-pap>

⁴ Entry by Paweł Jabłoński@paweljablonski_ 'X', 25 December 2023
https://twitter.com/paweljablonski_/status/1739332972736545020

⁵ Jabłoński: untruths may have been certified. It is all about TVP and Sienkiewicz, gazetaprawna.pl, 26 December 2023, elaborated by: Grażyna Latos
<https://www.gazetaprawna.pl/wiadomosci/kraj/artykuly/9389466,jablonski-moglo-dojsc-do-poswiadczenia-nieprawdy-chodzi-o-tvp-i-sien.html>

⁶ Notarial deed for PAP. Paweł Jabłoński@paweljablonski_ 'X', 25 December 2023
https://twitter.com/paweljablonski_/status/1739332972736545020

⁷ Time of adoption of the parliamentary resolution. Paweł Jabłoński@paweljablonski_ 'X', 25 December 2023
https://twitter.com/paweljablonski_/status/1739332972736545020



Source 1. Notarial deed for the PAP General Assembly 'X', Paweł Jabłoński@paweljablonski_

Głosowanie nr 122 na 1. posiedzeniu Sejmu
dnia 19-12-2023 r. o godz. 22:13:27

Pkt. 45 Pierwsze czytanie poselskiego projektu uchwały w sprawie przywrócenia ładu prawnego oraz bezstronności i rzetelności mediów publicznych oraz Polskiej Agencji Prasowej (druk nr 117)

głosowanie nad całością projektu.

Wyniki indywidualne

Głosowało - 344 posłów Za - 244 Przeciw - 84 Wstrzymało się - 16 Nie głosowało - 116

Klub/Koło	Liczba czł.	Głosowało	Za	Przeciw	Wstrzymało się	Nie głosowało
PIS	191	82	-	82	-	109
KO	157	154	154	-	-	3
Polska2050-TD	33	33	33	-	-	-
PSL-TD	32	31	31	-	-	1
Lewica	26	26	26	-	-	-
Konfederacja	18	16	-	-	16	2
Kukiz15	3	2	-	2	-	1

Source 2. Results of the vote on the media resolution 'X', Paweł Jabłoński@paweljablonski_

In a subsequent post on the 'X' platform, Paweł Jabłoński explained why, in his opinion, 'there are serious suspicions of forgery of the notarial deeds with which the authority executes #SkokPOmedia'. He listed a number of acts that should have occurred between 10:13 p.m. and 11:59 p.m. on 19 December 2023.^{8 9}

Changes in defiance of the Constitutional Tribunal's decision

The changes in the governing bodies of media companies took place in defiance of a ruling by the Constitutional Tribunal (TK), which obliged the State Treasury to refrain from making changes in the governing bodies of public broadcasters. On 14 December 2023, the TK¹⁰ issued a security guaranteeing that until the ruling, i.e. 16 January 2024 (the date of the hearing set by the TK), no changes can be made in these boards. The coalition government ignored this order.

The TK's order¹¹ was issued at the request of a group of MPs, who requested an examination of the constitutionality of certain provisions of the Commercial Companies Code with regard to companies constituting public service broadcasters. In particular, the MPs drew attention to the unjustified application to public media companies of provisions enabling the General Assembly to dismiss members of the companies' boards inde-

⁸ Entry by Paweł Jabłoński@paweljablonski_ 'X', 26 December 2023
https://twitter.com/paweljablonski_/status/1739588121140879575

⁹ There has been a certification of untruths regarding public media? Paweł Jabłoński lists actions that should have been taken in just 107 minutes i.pl, News Editorial, 26 December 2023
<https://i.pl/doszlo-do-poswiadczenia-nieprawdy-ws-mediow-publicznych-pawel-jablonski-wymienia-dzialania-jakie-powinny-byc-podjete-w-zaledwie/ar/c14-18190625>

¹⁰ Application to public broadcasting entities of provisions enabling the liquidation of joint-stock companies and provisions enabling the General Assembly to dismiss or suspend a member of the management board by the TK, Ref. K 29/23
<https://trybunal.gov.pl/postepowanie-i-orzeczenia/wokanda/art/12592-stosowanie-dojednostek-publicznej-radiofonii-i-telewizji-przepisow-umozliwiajacych-likwidacje-spolekakcyjnych-oraz-przepisow-umozliwiajacych-odwołanie-lub-zawieszenie-w-czynnościach-przewalnego-zgromadzenie-członka-zarządu>

¹¹ Motion in the TK to allow public media to be sealed over, in Prawo.pl, Inga Stawicka, Grażyna J. Leśniak, 14 December 2023
<https://www.prawo.pl/biznes/wniosek-o-zbadanie-konstytucyjności-zmian-w-mediach-publicznych-w-tk,524444.html>

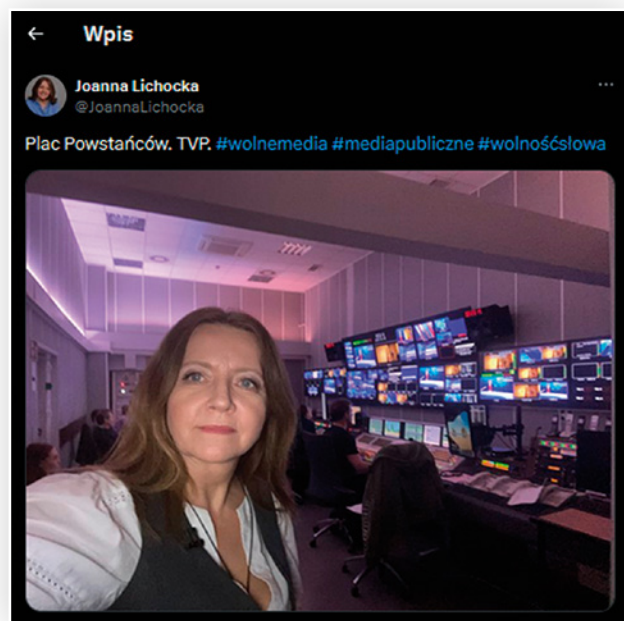
pendently. They pointed to the potential contradiction with the principle of a democratic rule of law, freedom of the press and freedom of expression.

Parliamentary intervention concerning the media crisis

On the evening of 19 December 2023, dozens of Law and Justice (PiS) MPs came to the TVP headquarters in Warsaw on Woronicza Street and Powstańców Warszawy Square to carry out their parliamentary duties in protest of the illegal changes. Among them were PiS President Jarosław Kaczyński, PiS Club leader Mariusz Błaszczak, former Prime Minister Mateusz Morawiecki and MP Joanna Lichocka, a member of the National Media Council.



Source 3. MPs and TVP journalists on 19 December 2023 at TAI headquarters at Powstańców Warszawy Square 'X', Marcin Horała@mhorala



Source 4. Joanna Lichocka MP on 19 December 2023 at the TAI headquarters at Powstańców Warszawy Square 'X', Joanna Lichocka@JoannaLichocka

Jarosław Kaczyński argued that 'this is in defence of democracy, because there is no democracy without media pluralism and without strong anti-government media'. He added that PiS defended citizens' rights to access information. 'Our opponents believe that a good citizen is an ill-informed citizen,'¹² he stressed.

The politicians continued to be on duty at the TVP over the following days.¹³

¹² Law and Justice politicians spent the night at the TVP headquarters. What happened after the vote? TVN24, pp/kg, 19 December 2023 <https://tvn24.pl/polska/politycy-pis-w-siedzibie-tvp-nieobecni-na-glosowaniu-w-sejmie-st7608331>

¹³ Entry by Jakub Bujnik@JakubBujnik 'X', Wirtualna Polska, 20 December 2023, 8:28 p.m. <https://x.com/JakubBujnik/status/1737555679597273488>

The annexation of Polish Television

On 20 December 2023, after 11:15 a.m., the TVP Info signal was switched off and the [tvp.info](https://www.tvp.info) website ceased to function. The TVP Info signal from TVP1 and the series *Korona królów* appeared on the air. This caused a huge commotion and confusion among viewers.¹⁴

At 11:45 a.m., Piotr Zemła appeared at the TVP headquarters in Woronicza Street, introducing himself as the new Chairman of the Supervisory Board of Polish Television, appointed by a decision of the Minister of Culture, who did not present any credentials.



Source 5. Piotr Zemła enters TVP headquarters and introduced himself as the new Chairman of the TVP Supervisory Board. Pictured are, from left, Law and Justice MP Marek Suski, TVP President Mateusz Matyszkowicz and Piotr Zemła. 'X', Sebastian Łukaszewicz@S_Lukaszewicz

At that time, there was a scuffle at the TVP headquarters at Woronicza Street, Law and Justice MP Joanna Borowiak was battered, and the police entered the building.¹⁵

The following day, the media reported that Piotr Zemła had become the new chairman of TVP's supervisory board. In turn, Tomasz Sygut became the new President of TVP, replacing Mateusz Matyszkowicz.¹⁶

¹⁴ A narrow circle decides on changes at TVP. 'Borys Budka is still there' Onet.pl, Magdalena Rigamonti, 21 December 2023 <https://www.onet.pl/informacje/onetwiadomosci/waskie-grono-decyduje-o-CHANGEch-w-tvp-posel-mowi-o-kulisach-rozmow/bmp75tl,79cfc278>

¹⁵ 20 December - Summary of the day. TVP, Polskie Radio and PAP without PiS. Kamiński and Wąsik without parliamentary mandates Oko.press, Anton Ambroziak, 20 December 2023, 23:03 p.m. <https://oko.press/na-zywo/dzien-na-zywo-najwazniejsze-informacje/20-grudnia-podsumowaniednia-tvp-polskie-radio-i-pap-bez-pis-kaminski-i-wasik-bez-mandatow>

¹⁶ Tomasz Sygut as President of TVP, Piotr Zemła as head of the Supervisory Board Wirtualnedia.pl, pp, 21 December 2023 <https://www.wirtualnedia.pl/artykul/tomasz-sygut-prezes-tvp-piotr-zemla-szef-radanadzorcza-zwolnienia-dziennikarze>

According to media reports, on 20 December 2023 at around 11:15 a.m., Przemysław Herburt, Director of TVP's Corporate Affairs Office, instructed Rafał Krawczyński, director of O/TV-Technologie, by telephone, to switch off the TVP Info signal in terrestrial broadcasting and online. At 11:18 a.m., the TVP Info signal was switched off and replaced by the TVP1 signal, and immediately afterwards functionaries from the Internal Security Agency (ABW) were let in and used for the unlawful actions of the illegal TVP authorities.

On 20 December 2023, TVP1's *Wiadomości* (the *News*) was not broadcast on TVP1 at 12:00 p.m. On the other hand, Adrian Borecki of TVP Info appeared on the *Agribusiness* programme, which was broadcast live after 12:00 p.m. and confirmed that the *News* was supposed to start at 12:00 p.m. but was not aired. 'Well, I don't think this has happened before in Polish history. I think the Polish media have been taken over,' he said at the time. At this point, the programme was interrupted. *Teleexpress* was not broadcast at 5:00 p.m. and *Panorama* was taken off the air at 6:00 p.m. on TVP2.

Throughout the day, material from TVP1 was broadcast on TVP Info.

TVP3, on the other hand, did not broadcast popular local news and current affairs programmes.

At around 6:00 p.m., the series '*Reset*', which depicted the pro-Russian policies of the Civic Platform (PO) and Polish People's Party (PSL) coalition between 2007 and 2015, was removed from TVP's online platform.

Meanwhile, on TVP1 and TVP Info at 7:30 p.m., a statement from Marek Czyż, the new presenter, appeared instead of the leading TVP news programme *News*:

'From tomorrow *Wiadomości* (the *News*) will present you with a snapshot of the world and of the day. (...) Instead of a propaganda soup, we want to offer you 'pure water'. Not because it is noble, but because it does not carry any intrusive flavours. And I promise you this will start now. There will be no *News* today, but tomorrow [21 December - *editor's note*] we will bring you an informative programme from Polish Television. Reliably at 7:30 p.m'.^{17, 18, 19}

At 7:30 p.m., TV Republika (a private, conservative TV channel) broadcast from the TVP *News* (*Wiadomości*) studio, located on Powstańców Warszawy Square. In the studio, current TVP journalists Michał Rachoń, Michał Adamczyk and Marcin Tulicki were behind the presenter's desk. Michał Adamczyk, the programme's host, said: 'Forty-two years ago, when the communist authorities imposed martial law in Poland, the then very popular *Teleranek* addressed to children did not appear on the air of Polish Television. Today, on 20 December 2023, Poland's main news programme, *Wiadomości* (the *News*), did not appear. This was brought about today by an illegal decision of the parliamentary majority, which is trying to illegally take over television broadcasting'.²⁰

¹⁷ TVP 1 news, 20 December 2023 YouTube, 20 December 2023

<https://www.youtube.com/watch?v=jevB4hFhmrc>

¹⁸ An evening without TVP's 'News'. 'There have been some changes' money.pl, compiled by PBE, 20 December 2023

<https://www.money.pl/gospodarka/wieczor-bez-wiadomosci-tvp-zaszly-pewne-zmiany-6975808596691456a.html>

¹⁹ Password: '19:30.' Wikipedia.pl

<https://pl.wikipedia.org/wiki/19.30>

²⁰ An evening without TVP's the 'News' ('Wiadomości'). 'There have been some changes' Money.pl, compiled by PBE, 20 December 2023

<https://www.money.pl/gospodarka/wieczor-bez-wiadomosci-tvp-zaszly-pewne-zmiany-6975808596691456a.html>

The attack on Polish Radio (PR) and the Polish Press Agency (PAP)

On 20 December 2023, the President of Polskie Radio Agnieszka Kamińska published the following information on the 'X' platform: 'After the raid on my office by a large group of people referring to the decision of the Minister of Culture and National Heritage, I was forced to leave my office.'²¹ She denied that she had resigned. The head of the new management board of Polskie Radio was Paweł Majcher,²² former vice-president of PR in 2009-12 and, from February 2013 to September 2014, head of the political office and spokesman for Bartłomiej Sienkiewicz when he was Minister of Internal Affairs'.^{23, 24}

On 20 December 2023, there was also an attempt to seize power also at the Polish Press Agency. Marek Błoński, a nominee of Minister Bartłomiej Sienkiewicz, appeared at the company's headquarters and declared that he was the new president. Earlier, Law and Justice MPs had arrived at the PAP headquarters. Here, too, there were 'scenes of atrocities'.²⁵

Disclosure of the 'Entry' group

According to media reports, the attack on the public media was a planned action carried out by the so-called 'Entry' group. The Niezalezna.pl portal wrote: 'From the messages we have seen, it seems that their authors, including Bartłomiej Sienkiewicz's associates, were planning to detain or at least neutralise someone or something - probably people inside the building of the Polish Press Agency.'

One participant in the WhatsApp group called 'Entry' admitted: 'I know it smacks of martial law, but better the screams of 50 [people] than proof of the powerlessness of the authorities'.²⁶

The group included 'the new, illegitimate president of the Polish Press Agency (PAP) Marek Błoński, lawyer Sylwia Gregorczyk-Abram (co-founder of the 'Wolne Sądy' ('Free Courts') initiative), the new vice-president of Polskie Radio (formerly at TVN) Juliusz Kaszyński and Paweł Majcher, the new president of Polskie Radio (formerly former head of Minister Sienkiewicz's cabinet).'

²¹ Entry Agnieszka Kamińska@AgneseKaminska 'X', 20 December 2023, 2:13 p.m.
<https://twitter.com/AgneseKaminska/status/1737461196649881898>

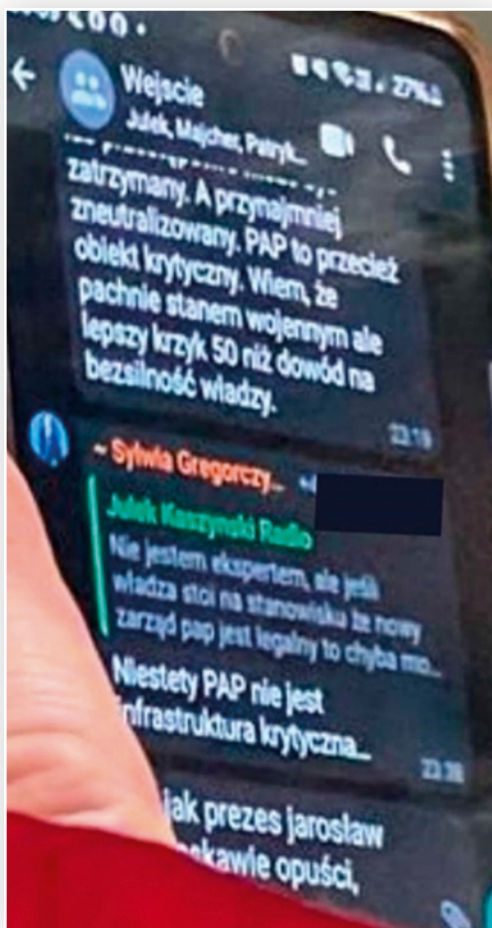
²² Entry by Mariusz Gierszewski@MariuszGierszewski X, 20 December 2023, 1:49 p.m.
<https://twitter.com/MariuszGierszewski/status/1737455243367956628>

²³ Agnieszka Kamińska: I did not sign my resignation from the post of President of the Polish Radio PAP, sma, 20 December 2023, 3:49 p.m.
<https://www.pap.pl/aktualnosci/agnieszka-kaminska-nie-podpisalam-swojej-dymisji-zestanowiska-prezes-polskiego-radia-0>

²⁴ Agnieszka Kamińska: I did not sign my resignation from the post of President of the Polish Radio elaborated. Adrian Borek, Gazetaprawna.pl, 20 December 2023, 3:50 p.m. <https://www.gazetaprawna.pl/wiadomosci/kraj/artykuly/9386513,agnieszka-kaminska-niepodpisalam-swojej-dymisji-ze-stanowiska-prezes.html>

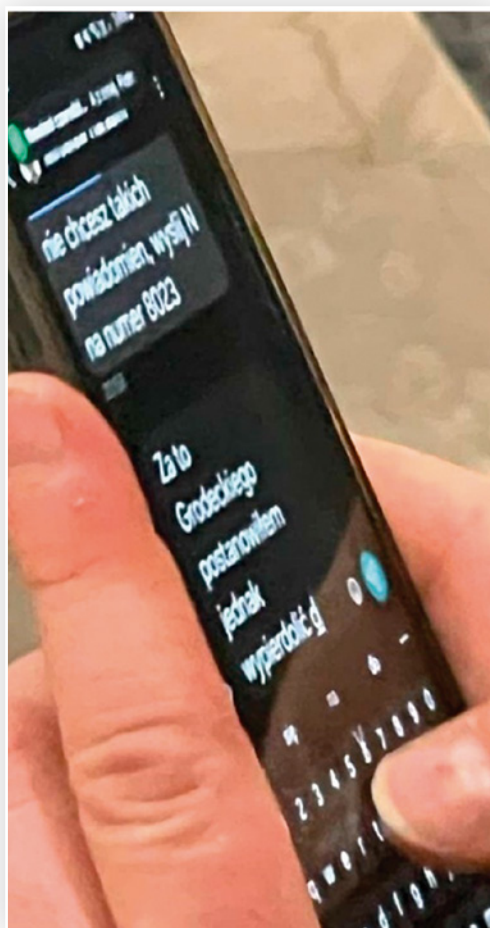
²⁵ 20 December - Summary of the day. TVP, Polskie Radio and PAP without PiS. Kamiński and Wąsik without mandates, oko.press.pl, Anton Ambroziak, 20 December 2023, 11:03 p.m.
<https://oko.press/na-zywo/dzien-na-zywo-najwazniejsze-informacje/20-grudnia-podsumowaniednia-tvp-polskie-radio-i-pap-bez-pis-kaminski-i-wasik-bez-mandatow>

²⁶ DISCLOSURE! The attack on PAP was planned by the 'Entry' group. It includes a well-known lawyer and Sienkiewicz's people Niezalezna.pl, Grzegorz Wierchołowski, 23 December 2023, 7:41 p.m.
<https://niezalezna.pl/media/ujawniamy-atak-na-pap-planowala-grupa-wejscie-naleza-do-nieznana-adwokat-i-ludzie-sienkiewicza/507415>



Source 6. View of correspondence that may indicate the 'Entry' group's plans to take over PAP

Niezależna.pl, Grzegorz Wierchołowski



Source 7. A view of correspondence that may indicate the 'Entry' group's plans to replace the authorities at the PAP

'X', Marcin Dobski@szachmad

New Chairman of Polish Television elected by the National Media Council

Following the resignation of the previous chairman of TVP Mateusz Matyszkowicz, on 26 December 2023, at an extraordinary meeting, the National Media Council (as the only institution with the power to elect the authorities of the public media) appointed Michał Adamczyk, the former director of the Television Information Agency (TAI), as the new Chairman of TVP. Adamczyk's main task was to restore corporate governance and put an end to actions that were detrimental to the company.^{27, 28}

Michał Adamczyk had been staying at the TVP headquarters at Powstańców Warszawy Square since 20 December, together with TAI executives Samuel Pereira and Marcin Tulicki. They left the TVP building on 13 January 2024.²⁹ This was due to the fact that they had no possibility to produce and broadcast programmes.

²⁷ Entry Joanna Lichocka@JoannaLichocka 'X', 26 December 2023, 5:46 p.m.

<https://x.com/JoannaLichocka/status/1739689081670455306>

²⁸ Michał Adamczyk as Chairman of TVP. Earlier he earned millions in 'Wiadomości' (the 'News') Money.pl, compiled by: KRO, 26 December 2023, 8:48 p.m.

<https://www.money.pl/gospodarka/michal-adamczyk-prezesem-tvp-wczesniej-zarobil-milionyw-wiadomosciach-6978021318793728a.html>

²⁹ Adamczyk left the TVP headquarters. End of the occupation, Businessinsider.com.pl, 13 January 2024, 12:59 p.m.

<https://businessinsider.com.pl/wiadomosci/adamczyk-opuscil-siedziba-tvp-koniec-okupacji/k5nhf8s>

National Media Law of 22 June 2016 J of L of 2016, Art. 2 (1)

The Council is a body that has the power to appoint and dismiss members of governing bodies of public radio and television broadcasting organisations and the Polish Press Agency, hereinafter referred to as the “Companies” and has competence in other matters laid down in the Act’.

Announcement of the liquidation of the Polish public media

On 27 December 2023, shortly before 6:00 p.m., an announcement was made on the ‘X’ profile of the Ministry of Culture and National Heritage, in which Minister Bartłomiej Sienkiewicz informed about the liquidation of the public media. ‘In connection with the decision of the President of the Republic of Poland to suspend financing of the public media, I have decided to put the companies Telewizja Polska S.A., Polskie Radio S.A. and Polska Agencja Prasowa S.A. into liquidation. In the current situation, this measure will make it possible to ensure the continued operation of these companies, to carry out the necessary restructuring in them and to prevent the dismissal of employees working in the aforementioned companies due to lack of funds’.³⁰ The entry included the sentence that the state of liquidation could be reversed at any time. According to media experts, this indicated that the state of liquidation was a sham.



Source 8. Ministry of Culture and National Heritage communiqué on putting TVP, Polskie Radio and PAP into liquidation
'X', Ministry of Culture and National Heritage@kultura_gov_pl

³⁰ Entry by the Ministry of Culture and National Heritage@kultura_gov_pl 'X', Communication from the Minister of Culture and National Heritage, 27 December 2023, 5:53 p.m.
https://x.com/kultura_gov_pl/status/1740053323594580019

Minister Bartłomiej Sienkiewicz's note 'on the withholding of public media funding' referred to the presidential veto of 23 December 2023³¹ against the supplementary budget bill for 2024, which allocated PLN 3 billion to public media. 'There can be no consent to this in view of the blatant violation of the Constitution and the principles of a democratic state of law. The public media must first be repaired in a fair and legal manner',³² the President said at the time.

Liquidation of regional Polish Radio stations

On 29 December 2023, shortly before 7:00 p.m., Minister Bartłomiej Sienkiewicz announced on the 'X' profile of the Ministry of Culture and National Heritage that he had decided to liquidate 17 regional public radio companies.³³



Source 9. Communiqué on the liquidation of 17 Polish Radio regional broadcasting companies
'X', Ministry of Culture and National Heritage@kultura_gov_en

Polish Radio's regional radio stations are separate companies – unlike TVP3's regional centres, which are part of one company TVP S.A. Polish Radio's local radio stations are: Radio Białystok, Radio Gdańsk, Radio Katowice, Radio Kielce, Radio Koszalin, Radio Kraków, Radio Lublin, Radio Łódź, Radio Olsztyn, Radio Opole, Radio Pomorze i Kujaw (based in Bydgoszcz), Radio Poznań, Radio Rzeszów, Radio dla Ciebie (based in Warsaw), Radio Szczecin, Radio Wrocław and Radio Zachód (based in Zielona Góra).

³¹ Entry by Andrzej Duda@AndrzejDuda 'X', 23 December 2023, 5:06 p.m.
<https://x.com/AndrzejDuda/status/1738591921361064010>

³² President Andrzej Duda announced the first veto for the changes in TVP. 'There can be no consent for this' Onet.pl, 23 December 2023, 5:09 p.m.
https://wiadomosci.onet.pl/kraj/prezydent-andrzej-duda-oglosil-pierwsze-weto-nie-moze-byc-na-to-zgody/we58fdy?utm_source=wiadomosci.onet.pl_viasg_wiadomosci&utm_medium=referral&utm_campaign=leo_automatic

³³ Entry Ministry of Culture and National Heritage@kultura_gov_pl MKiDN, 29 December 2023, 6:49 p.m.
https://twitter.com/kultura_gov_pl/status/1740792138928194015

Resumption of TVP Info broadcasting

Nine days after the forceful takeover of TVP, the 24-hour news channel TVP Info resumed broadcasting on Friday 29 December 2023 at 7:30 p.m.³⁴ However, a number of news programmes did not return to the airwaves, including 'Studio East' and 'Studio West'. These were programmes reporting on the situation i.a. in Ukraine, Belarus or Georgia, for example, as well as in the countries of the European Union.

Investigation into the overstepping of powers by the Minister of Culture and National Heritage

Law and Justice MP Krzysztof Szczucki posted on his 'X' profile that on 22 December 2023, that the District Prosecutor's Office in Warsaw opened an investigation against Bartłomiej Sienkiewicz. The purpose of the investigation is to determine whether the Minister of Culture exceeded his powers when he dismissed the existing and appointed the new management and supervisory boards of Telewizja Polska, Polskie Radio and the Polish Press Agency. The case of the violation of the physical integrity of MP Joanna Borowiak, who was beaten up at the TVP headquarters on 20 December 2023, will also be investigated.³⁵

On 5 January 2024, the media reported that the Warsaw District Prosecutor's Office had asked the police to secure recordings and documents from the Ministry of Culture and National Heritage. The aim is to verify whether Minister Bartłomiej Sienkiewicz attended the nightly general meetings of the three public media companies on 19 December 2023 and whether he was in the notary's office where he was supposed to sign the notarial deeds of these meetings.^{36, 37}

Notary charged in the 107 minutes case

On 25 January 2024, the District Prosecutor's Office in Warsaw announced that, as a result of an investigation into whether the Minister of Culture and National Heritage exceeded his powers in adopting resolutions on changes in the management boards of Telewizja Polska S.A., Polska Agencja Prasowa S.A. and Polskie Radio S.A., it had been decided to bring charges against the notary Joanna K.³⁸ She is alleged to have certified untruths in notarial deeds concerning changes to the management boards of the main public media outlets.

The findings indicate that the resolutions on the basis of which the changes in the management boards of the public media were made were not adopted at the place and at the time indicated therein.³⁹ This is

³⁴ TVP Info – Resumption of broadcast, 29 December 2023. Youtube.com, 29 December 2023, 7:30 p.m.
<https://www.youtube.com/watch?v=jX4N5nro-Lg>

³⁵ Entry by Krzysztof Szczucki@Krzyszczucki, 'X', 29 December 2023, 9:12 a.m.
<https://x.com/Krzyszczucki/status/1740647074855637370>

³⁶ Ziobro's prosecutors vs Minister Sienkiewicz. Secured recordings and documents, Tvn24.pl, 4 January 2024
<https://tvn24.pl/polska/media-publiczne-prokuratorzy-kontra-minister-bartlomiej-sienkiewicz-zabezpieczyli-dokumenty-i-monitoring-nieoficjalne-ustalenia-st7698556>

³⁷ Prosecutor's office secured documents and recordings in the investigation into Minister Sienkiewicz Gazeta Wyborcza, akw, 5 January 2024
<https://wyborcza.pl/7,75398,30564439,prokuratura-zabezpieczyli-dokumenty-i-nagrania-w-sledztwie-w.html>

³⁸ Prosecutor's office decided to charge a notary with changes in public media boards PAP.pl, authors: Marcin Jabłoński, Andrzej Klim, Marta Stańczyk, Ewa Wesołowska, 25 January 2024
<https://www.pap.pl/aktualnosci/prokuratura-zdecydowala-o-postawieniu-zarzutu-notariusz-ws-zmian-w-zarzadach-mediow>

³⁹ Prosecutor's office decides to charge a notary with making changes in public media boards PAP.pl, authors: Marcin Jabłoński, Andrzej Klim, Marta Stańczyk, Ewa Wesołowska, 25 January 2024
<https://www.pap.pl/aktualnosci/prokuratura-zdecydowala-o-postawieniu-zarzutu-notariusz-ws-zmian-w-zarzadach-mediow>

because it is difficult to carry out the procedure of approving the dismissal of the existing and the appointment of the new boards of the public media within 107 minutes (as mentioned earlier, that is how much time elapsed between the adoption of the resolution by the Sejm and midnight).

Dismissal of the director of Bielsat TV

On 1 March 2024, during a personal meeting, the liquidator of TVP S.A. Daniel Gorgosz, proposed to Agnieszka Romaszewska-Guzy, the director and founder of Bielsat TV, to terminate her contract by mutual agreement after 17 years of managing the channel.⁴⁰ He did not raise any objections to her work or to the current functioning of the station. The director did not accept the dismissal. A week later, on 18 March 2024, she was dismissed for disciplinary reasons.⁴¹

TVP World resumes broadcasting

After a break of almost three months, the 24-hour English-language news channel TVP World returned to the air on 1 March 2024. Michał Broniatowski, a former vice-president of the Russian news agency Interfax, was appointed director of TVP World. For many of the world's media stations, TVP World was an important source of information on the situation in Central and Eastern Europe, especially on Russian aggression against Ukraine, prior to 20 December.



⁴⁰ Agnieszka Romaszewska-Guzy dismissed from Bielsat, Belsat.eu, 12 March 2024
<https://belsat.eu/pl/news/12-03-2024-agnieszka-romaszewska-guzy-zwolniona-z-bielsatu>

⁴¹ Facebook, Agnieszka Romaszewska, 18 March 2024
<https://www.facebook.com/agnieszka.romaszewska>

CHAPTER II

Protests following the attack on public media in Poland

The unlawful and violent entry of unknown persons into the buildings of public media companies was met with firm protests from the public, opposition politicians, and some organisations and institutions. The President of the Republic of Poland, the National Broadcasting Council, the Constitutional Tribunal, the National Judiciary Council and the Association of Polish Journalists reacted strongly. A critical stance was presented by the Helsinki Foundation for Human Rights and the Ombudsman (RPO). However, the situation was completely ignored by Vera Jourova, Vice-President of the European Commission, who was in Poland at the time.

Anticipating that the ruling coalition would decide to implement criminal actions to take over the media, Law and Justice parliamentarians already on 19 December carried out parliamentary interventions in the buildings of public media companies, where they remained for the next few days. However, they could only watch passively as the police ignored their calls to stop the ‘strong men’—the extra security guards outside the media.

Poles gathered in front of radio and television buildings across the country to protest against the government’s actions. In January 2024, a demonstration of ‘Free Poles’ took place in front of the Sejm, with thousands of participants.



Position of the President of the Republic of Poland on the illegal take-over of the media

The President of the Republic of Poland, Andrzej Duda, sent his critical position on the Sejm's media resolution to the Speaker of the Sejm of the Republic of Poland Szymon Hołownia on 19 December 2023. He wrote that 'the announced changes in public broadcasting must respect democratic standards and be carried out in accordance with the rules laid down in the Constitution'.⁴²

On 20 December 2023, President Andrzej Duda sent a letter to Prime Minister Donald Tusk. In it he pointed out, among other things, that: 'Resolutions of the Sejm are not acts of universally binding law within the meaning of Article 87 of the Constitution. It is therefore incompatible with the Polish constitutional order to attempt to circumvent or break binding laws on the basis of parliamentary (Sejm) resolutions. A resolution of the Sejm does not have the legal force to constitute the basis for actions of state bodies with consequences for citizens. Such actions blatantly contradict the Constitution. (...) A possible change in the body entitled to appoint and dismiss the personal composition of the bodies of the public radio and television stations and the Polish Press Agency requires the intervention of the legislator and the adoption of appropriate regulations in accordance with the Constitution. Only then will any changes be legally possible'.⁴³

Communique of the Constitutional Tribunal (CT)

On 20 December 2023, the Constitutional Tribunal issued a communiqué, in which it recalled that 'the Constitutional Tribunal, by its decision of 14 December 2023, (ref. K 29/23), upheld the motion of a group of deputies by obliging the State Treasury, represented by the Minister authorised to exercise rights arising from shares in public broadcasting units, to:

- 1) refrain from taking any *de facto* or *de jure* actions aimed at liquidating or initiating the liquidation and dissolution of capital companies constituting public radio and television broadcasting units,
- 2) refrain from performing any *de facto* or *de jure* actions aimed at changing the management boards of the capital companies constituting the public radio and television broadcasting units until the Constitutional Tribunal issues a final ruling in the case file ref. K 29/23'.

The communiqué stressed that 'no public authority may question the validity and binding nature of the decisions of the Constitutional Tribunal. The decision of the Constitutional Tribunal of 14 December 2023, ref. K 29/23 is also binding on all courts including those deciding on making entries in the National Court Register'.⁴⁴

⁴² Letter to the Speaker of the Sejm regarding public media President.pl, 19 December 2023

<https://www.prezydent.pl/aktualnosci/wydarzenia/pismo-do-marszalka-sejmu-szymona-holowni-ws-mediow-publicznych,79004>

⁴³ Letter from the President of the Republic of Poland to the Prime Minister regarding public media President.pl, 20 December 2023

<https://www.prezydent.pl/aktualnosci/wydarzenia/pismo-prezydenta-rp-do-premiera-ws-mediow-publicznych,79065>

⁴⁴ CT communiqué, 20 December 2023

<https://trybunal.gov.pl/wiadomosci/uroczystosci-spotkania-wyklady/art/komunikat>

Appeal by the National Broadcasting Council (KRRiT) to PM Donald Tusk

On 22 December 2023, the KRRiT appealed to Prime Minister Donald Tusk to stop the escalation of unlawful actions taken by the Minister of Culture and National Heritage against public media. 'The effect of the actions of the Minister of Culture and National Heritage is to remove from the premises of Telewizja Polska S.A. and Polskie Radio S.A. as well as Polska Agencja Prasowa S.A. the legitimate managers of the entities and persons authorised by them to manage the assets of the companies. This creates a risk of losing control over the broadcasting systems that are strategic for the security of the state',⁴⁵ the KRRiT wrote.

Four KRRiT members signed the appeal: Maciej Świrski, Agnieszka Glapiak, Hanna Karp and Marzena Paczuska. Tadeusz Kowalski, a KRRiT member elected by the votes of the ruling coalition, did not sign.

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AN APPEAL of the National Broadcasting Council to Prime Minister Donald Tusk on stopping the escalation of unlawful actions of the Minister of Culture and National Heritage against the public media

22.12.2023

In accordance with Article 213(1) of the Constitution of the Republic of Poland, the National Broadcasting Council, defending freedom of expression, the right to information and the public interest in broadcasting, appeals to the Prime Minister of the Republic of Poland, Mr. Donald Tusk, to restore legal order and apply the applicable law in the selection of public media authorities.



The effect of the actions of the Minister of Culture and National Heritage is to remove from the premises of Telewizja Polska S.A., Polskie Radio S.A. and the Polish Press Agency S.A. the legitimate managers of the entities and the persons authorised by them to manage the assets of the entities. This entails the risk of losing control over broadcasting systems of strategic importance for the security of the State.

With the illegal switching off of the nationwide broadcasting signal of TVP Info, TVP World and TVP3, and the removal of news programs from the airwaves, the Polish public became a silent witness to the upheaval in the public media sector. In turn, the information reaching the public about the construction of the "new media order" by Donald Tusk's government solely on the basis of a resolution of the Parliament (*Sejm*) of the Republic of Poland of 19 December 2023, blatantly violates the existing regulations of the Media Law and causes deep concern among citizens. The public has been deprived of the right to information about the actions of the public authorities, in particular about the circumstances of the violent seizure of power in the structures of the public broadcasters, contrary to Article 61(1) of the Constitution of the Republic of Poland.

The National Broadcasting Council calls on Prime Minister Donald Tusk to stop the escalation of lawlessness in the Republic of Poland.

Maciej Świrski

The Chairman of the National Broadcasting Council

dr Agnieszka Głapiak

Vice-Chairman of the National Broadcasting Council,

dr hab. Hanna Karp

member of the National Broadcasting Council,

Marzena Paczuska

member of the National Broadcasting Council.

**Source 10. KRRIT's appeal to the Prime Minister
on the actions of the Minister of Culture
regarding public media**
Communiqué from the KRRIT

⁴⁵ Appeal of the KRRIT to the Prime Minister Donald Tusk on stopping the escalation of the unlawful actions taken by the Minister of Culture and National Heritage against public media public media KRRIT, 22 December 2023
<https://www.gov.pl/web/krrit-en/an-appeal-of-the-national-broadcasting-council-to-prime-minister-on-stopping-the-escalation-of-unlawful-actions-of-the-minister-of-culture-and-national-heritage-against-the-public-media>

Opposition of the National Broadcasting Council to the attack on the media

On 28 December 2023, the National Broadcasting Council (KRRiT), a constitutional body which, in accordance with Article 213 of the Constitution of the Republic of Poland, upholds freedom of expression, the right to information and the public interest in broadcasting, adopted a position in which it expressed its firm opposition to the attack on public media. 'The decision of the Government of the Republic of Poland was taken in violation of the provisions of the Broadcasting Act. Such action is also a gross violation of Article 7 of the Polish Constitution, which states that all public authorities in Poland are obliged to act only on the basis and within the limits of the law'.^{46, 47} The position was signed by four council members: Maciej Świrski, Agnieszka Glapiak, Hanna Karp and Marzena Paczuska. Tadeusz Kowalski did not sign.

The KRRiT Chairman, Maciej Świrski, has filed a complaint with the District Prosecutor's Office in Warsaw on suspicion of committing an offence against Telewizja Polska S.A., among others, in connection with the cancellation of the TVP Info programme.⁴⁸

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Position of the National Broadcasting Council of December 28, 2023, on the unlawful dissolution of public media companies and their liquidation

28.12.2023



The National Broadcasting Council expresses its firm opposition to the decision of the Minister of Culture and National Heritage of December 27, 2023, concerning the dissolution of strategic public media companies: *Telewizja Polska S.A.*, *Polskie Radio S.A.* and the *Polska Agencja Prasowa S.A.*, and the procedural initiation for their liquidation.

The Polish government's decision was taken in violation of the provisions of the Broadcasting Act. Such an action is also a blatant violation of Article 7 of the Polish Constitution, which states that all public authorities in Poland are obliged to act only on the basis and within the limits of the law.

The decision to liquidate the public media companies affects the entire system of democratic values in the country, depriving the public media of the possibility of fulfilling their public mission, and thereby restricting the public's access to information and cultural goods.

With his decision, the Minister of Culture and National Heritage has endangered the internal and external security of the state, as the broadcasting systems of public media companies are an actual element of the critical infrastructure of the Polish state.

The National Broadcasting Council calls on the Minister of Culture and National Heritage and all those carrying out his orders to stop violating the law, destroying civil liberties and depriving the public of access to information.

Maciej Świrski The Chairman of the National Broadcasting Council
dr Agnieszka Glapiak Vice-Chairman of the National Broadcasting Council
dr hab. Hanna Karp member of the National Broadcasting Council
Marzena Paczuska member of the National Broadcasting Council

Source 11. KRRiT's position on the dissolution of public media companies

A communique from the KRRiT website

⁴⁶ Position of the KRRiT of 28 December 2023 on the unlawful dissolution of public media companies and putting them into liquidation <https://www.gov.pl/web/krrit-en/position-of-the-national-broadcasting-council-of-december-28-2023-on-the-unlawful-dissolution-of-public-media-companies-and-their-liquidation>

⁴⁷ KRRiT expresses 'firm opposition' to the decision to liquidate TVP, Polskie Radio and PAP companies PAP, nI/, 28 December 2023 <https://www.pap.pl/aktualnosci/krrit-wyraz-a-stanowczy-sprzeciw-wobec-decyzji-o-likwidacji-spolek-tvp-polskiego-radia-i>

⁴⁸ TVP Info has stopped broadcasting. Head of the National Broadcasting Council: I filed a notice to the prosecutor's office mWirtualnemedi.pl, PAP - PP, 28 December 2023 <https://www.wirtualnemedi.pl/artykul/jak-odbierac-tvp-info-prokuratura-likwidacja-tvp-brak-emisja>

Position of the Ombudsman

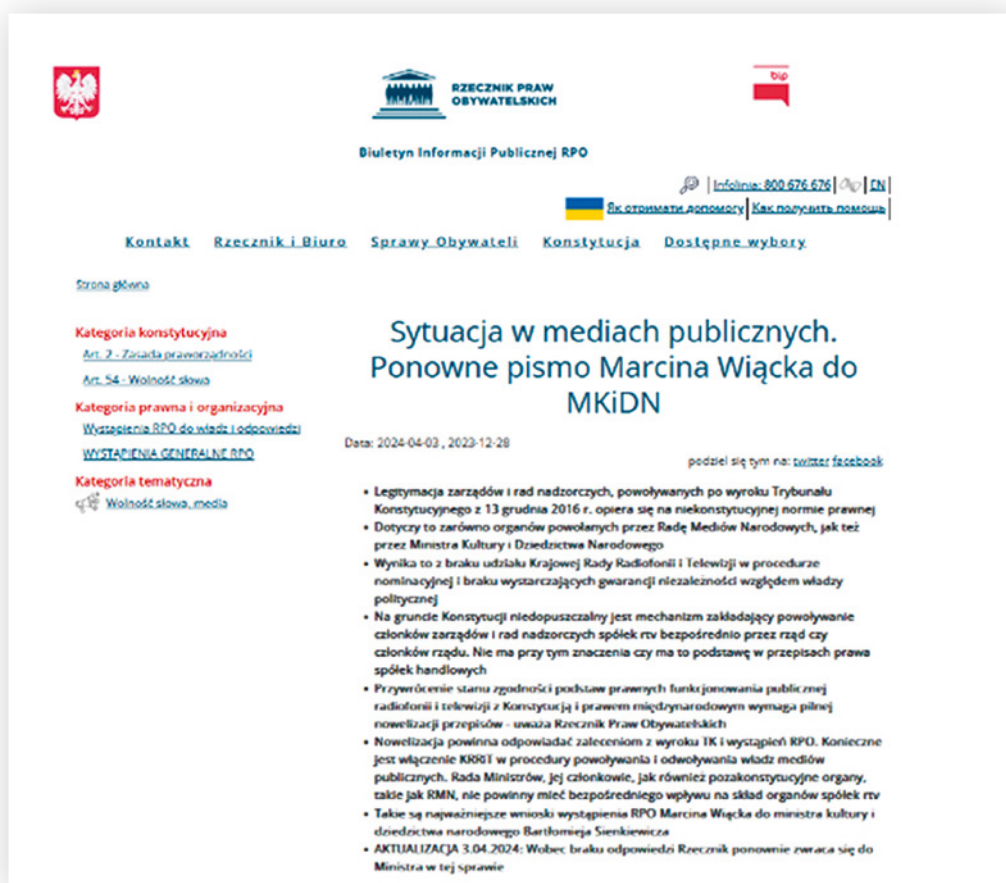
The illegality of the Minister of Culture and National Heritage's actions was also pointed out by Marcin Wiącek, the Ombudsman for Civil Rights (RPO): 'On the basis of the Constitution, a mechanism which provides for the direct appointment of members of the management and supervisory boards of public broadcasting companies directly by the Government or members of the Government (...) is inadmissible. From this point of view, it is irrelevant whether such an action finds a basis in the provisions of the Law on Commercial Companies (...)'. In the letter, the RPO stated: 'Dear Minister, in connection with the recent actions of your Minister against the bodies of the State Treasury companies 'Telewizja Polska - Spółka Akcyjna' and 'Polskie Radio - Spółka Akcyjna', I kindly request you to take the following position. (...) From the judgment of the Constitutional Tribunal (TK) ref. no. K 13/16 comes the conclusion that if the legislator decided on the principle, according to which public radio and television broadcasting operates in the form of State Treasury companies, it does not mean that these activities may be subject to all the rules of commercial companies' law. The application of the rules of the commercial companies' law must not result in the fact that the legitimacy of the bodies of the public service broadcasters be based on a direct decision by the executive. The procedure for appointing the members of the bodies of these companies should guarantee independence from the executive power and appropriate participation of the KRRiT as the body upholding the public interest in broadcasting. It follows from the judgment of the Constitutional Tribunal in case ref. no. K 13/16 that measures taken in accordance with the Commercial Companies Law should not at the same time have effects that are incompatible with constitutional norms'.⁴⁹



Source 12. Position of the Ombudsman (RPO) on the actions of the Minister of Culture regarding public media
Communique from the RPO website

⁴⁹ Situation in the public media. RPO Marcin Wiącek writes to the Minister of Culture and National Heritage. RPO Public Information Bulletin, 28 December 2023
<https://bip.brpo.gov.pl/pl/content/rpo-media-publiczne-sytuacja-potrzebna-nowelizacja-mkidn>

Minister Bartłomiej Sienkiewicz ignored the position of the Ombudsman and did not address it. Therefore, in a subsequent letter dated 3 April 2024, Marcin Wiącek again drew attention to the legal violations in the takeover of public media. He wrote, among other things: 'the situation in which the bodies of public broadcasting companies are appointed by a member of the government does not correspond to the standards of independence and pluralism of public media, resulting both from the Constitution of the Republic of Poland and from international law binding Poland. (...) it is unacceptable from the point of view of the Constitution to entrust competences that should belong to the KRRiT to a body 'affiliated, even if only to a small extent, with the government'.⁵⁰



Source 13. Second letter from the Ombudsman concerning the actions of the Minister of Culture with regard to public media
Communique on the Ombudsman's website

Resolution of the National Council of the Judiciary

The praesidium of the National Council of the Judiciary adopted a position on the resolution of the Sejm of 19 December 2023, based on which the MKiDN made changes to the public media authorities. The judges stressed that it undermines confidence in constitutional bodies, harms the legal order and triggers a conflict with the characteristics of a constitutional crisis. It constitutes an attack on the constitutional organs of the state unprecedented in the history of the Republic of Poland.⁵¹

⁵⁰ Situation in the public media. Renewed letter of Marcin Wiącek to the Ministry of Culture and National Heritage. RPO, 3 April 2024, 28 December 2023
<https://bip.brpo.gov.pl/pl/content/rpo-media-publiczne-sytuacja-potrzebna-nowelizacja-mkidn-ponowne>

⁵¹ Entry by the National Council of the Judiciary@KRS_RP 'X', 20 December 2023, 9:49 p.m.
https://x.com/KRS_RP/status/1737575952702447861

Protest of the Association of Polish Journalists (SDP)

The Association of Polish Journalists (SDP) has issued a protest against the government's behaviour towards the public media. The appeal says: 'These barbaric actions are an attack on freedom of speech and journalistic independence'. It also stressed that these actions are illegal and will result in criminal charges. The SDP called on those in power to immediately withdraw their actions, which are destroying democracy in Poland.^{52, 53}

In a further communiqué, the SDP condemned Minister Bartłomiej Sienkiewicz's liquidation of the public media in Poland. 'The minister's destructive action affects Polish media with a long history of existence—the 105-year-old Polish Press Agency, the 98-year-old Polish Radio and Polish Television, which has existed for more than 60 years. It exacerbates the chaos in the management of these companies, caused by Minister Sienkiewicz's previous actions, exposes them to now unpredictable financial losses and, above all, destroys their position on the media market in Poland and Europe'.⁵⁴



⁵² Protest of the SDP Main Board against the illegal takeover of public media and positions of SDP branches Sdp.pl, 20 December 2023
<https://sdp.pl/protest-zarzadu-glownego-sdp-przeciwko-bezprawnemu-przejeciu-mediowpublicznych-przez-rzad-donalda-tuska/>

⁵³ Protest of the Association of Polish Journalists! 'These barbaric actions are an attack on the on freedom of speech and journalistic independence' wPolityce.pl, 20 December 2023
<https://wpolityce.pl/media/675315-protest-sdp-to-zamach-na-wolnosc-slowa>

⁵⁴ Protest of the SDP Main Board against the put down of public media in Poland Sdp.pl, 28 December 2023
<https://sdp.pl/protest-zarzadu-glownego-sdp-przeciwko-postawieniu-w-stan-likwidacji-mediow-publicznych-w-polsce/>

Position of the Helsinki Foundation for Human Rights

The position of the Helsinki Foundation for Human Rights on the changes in the public media was also clear. 'According to the announcement of the Minister of Culture and National Heritage, the changes in the composition of the public media authorities were made based on the provisions of the Code of Commercial Companies. However, we note that the issue of appointing and dismissing the personal composition of the public media authorities is currently regulated in the Broadcasting Act and the Act on the Polish Press Agency'.⁵⁵

Maciej Nowicki, President of the Foundation, also pointed out that Minister Bartłomiej Sienkiewicz's claim that the decision on the staffing of public media governing bodies is within the competence of a member of the government (a minister exercising ownership rights of the State Treasury) raises serious doubts in light of constitutional and Council of Europe standards.

The screenshot displays the Helsinki Foundation for Human Rights website. The header includes the organization's logo and navigation links: 'Blog', 'WATCH DOCS', 'PUBLICATIONS', 'CONTACT', 'EN', and 'LATEST Q'. A secondary navigation bar contains 'About us', 'What we do', 'Legal aid', 'Library', and 'Support us'. The main content area features a 'Latest' section with a prominent article titled 'Position statement by the Helsinki Foundation for Human Rights on the changes in the public media', dated '22.12.2023 - Freedom of speech'. The article's image shows a hand holding a remote control against a blurred background of blue light spots. Below the image, the text begins with 'Warsaw, 22nd December 2023' and discusses the Foundation's concerns regarding the independence of public media in Poland, citing legal standards and the role of the State Treasury.

Warsaw, 22nd December 2023

How Polish Television, Polish Radio and the Polish Press Agency have operated up to now blatantly contradicts what public media should be in a democratic state ruled by law. Public television and radio broadcasters have violated their legal obligation to provide content characterised by pluralism, impartiality, balance and independence. These media have become a propaganda tool for the ruling camp, which has been confirmed in the context of the elections by the OSCE Office for Democratic Institutions and Human Rights Monitoring Missions, among others. Public television has also repeatedly broadcast material inciting hostility towards certain social groups, including hate speech of a xenophobic and homophobic nature. Those journalists employed by these media outlets who fulfil their professional duties with integrity have also been repeatedly harassed.

There is therefore no doubt that the public media needs to be urgently and thoroughly reformed.

We are aware that the political and legal conditions make such reforms very difficult.

However, we cannot but note that the way in which the changes in the public media have begun raises serious legal doubts.

According to a communiqué from the Minister of Culture and National Heritage, the changes in the composition of the public media authorities were made based on the provisions of the Commercial Companies Code. However, we note that the Broadcasting Act and the Polish Press Agency Act currently regulate the appointment and dismissal of members of public media bodies. The provisions regulating the respective powers of the National Media Council have not been directly reviewed by the Polish Constitutional Court, nor have they been scrutinised by national courts, the European Court of Human Rights or the Court of Justice of the European Union for their compatibility with international law or the Constitution. From the Constitutional Court's judgment of 13 December 2016 (case number K 13/16), it can be concluded that the legal framework of the powers of the National Media Council is also incompatible with the Constitution, as it completely removes the National Broadcasting Council's influence on the composition of the bodies that manage the activities of the public broadcasters. In the grounds of the judgment, the Constitutional Court states with regard to the National Media Council that: "the creation of a new public authority and the transfer of certain powers in the field of radio and television does not remove the legislator's obligation to introduce instruments that enable the National Broadcasting Council to fulfil its constitutionally defined tasks". However, the Constitutional Court ruled on the legal changes resulting from the Act of 20 December 2015 amending the Broadcasting Act, which transferred the powers to appoint the members of the public media bodies to the minister responsible for the State Treasury but preceded the establishment of the National Media Council.

Furthermore, the position that it is up to a government member (a minister who exercises the ownership rights of the State Treasury) to decide on the staffing of the public media bodies also raises serious doubts in light of constitutional standards. In its resolution of 13 December 1995 (case number W 6/95), the Constitutional Court stated that a key element of the principle of independence of public service broadcasting is the "independence of the public service media from governmental bodies". For this reason, the Court held that "a conclusion allowing the application of the Commercial Code and granting the general meetings of the public broadcasters the power to dismiss the members of the supervisory boards prematurely would also be incompatible with a systemic interpretation resulting from the general model of public broadcasting". The Court also stated that "the establishment of public service broadcasting organisations in the form of joint-stock companies must not, however, conceal their specific nature. The aforementioned axiological context, which results from the direct link between public service broadcasting and the realisation of freedom of expression and the right to information, does not allow public service broadcasters to be treated in the same way as other undertakings governed by commercial law, even if the legal form of their organisation is based on the same model".

The argument that a representative of the government has the power to dismiss and appoint members of the bodies that manage the activities of public service broadcasters also raises doubts in the light of the Council of Europe standards. According to Recommendation No. R (86) 19 of the Committee of Ministers to member states on the guarantee of the independence of public service broadcasting, the rules for the appointment of members of these bodies must be sufficiently transparent and defined in such a way which avoids placing the bodies at risk of political or other interference. In 2016, Council of Europe Commissioner for Human Rights Nils Muurman noted that "Placing public service media under direct government control by giving the latter the power to appoint and dismiss the members of the supervisory and management boards of public service television and radio contradicts Council of Europe standards which notably require that public service media remain independent of political or economic interference"^[1].

For these reasons, it is necessary to begin work immediately on the introduction of a framework for constitutional legal order in the area of public service media.

On behalf of the Helsinki Foundation for Human Rights,
Maciej Nowicki
President of the Board

Source 14. Critical position of the Helsinki Foundation for Human Rights on changes in public media
Message from the Helsinki Foundation for Human Rights

⁵⁵ Position paper of the Helsinki Foundation for Human Rights on changes in the public media, 22 December 2023
<https://hfhr.pl/en/news/statement-changes-in-the-public-media>

Manifestations by Poles in defence of the media

On the evening of 20 December 2023, Poles gathered in front of TVP's branches across Poland and in front of its headquarters in Warsaw to protest against the attack on public media.

Several dozen people gathered outside the headquarters of the Białystok branch of public television.⁵⁶ Several hundred people gathered outside the headquarters of the Lublin branch. Several dozen demonstrators protested in front of the TVP3 Kielce building. There were also numerous demonstrations in Łódź, Bydgoszcz and Warsaw.⁵⁷

The protests in front of the headquarters of the public media were renewed every day. For the longest time, until mid-January 2024, protesters gathered in front of the TVP building at Powstańców Warszawy Square in Warsaw.

Intervention attempt with EU Commissioner Věra Jourová

During her visit to Poland, European Commission Vice President Vera Jourova was handed a letter by Law and Justice (PiS) MPs, including former speaker Elżbieta Witek, Head of the PiS Club Mariusz Błaszczak, Antoni Macierewicz, Szymon Szykowski vel Sęk and Rafał Bochenek, regarding the illegal takeover of public media in Poland. 'Věra Jourová stressed that the European Commission's position has always been that public media in all countries should function well, independently and transparently, and that each country should give them the space to do so. (...) In response to Law and Justice politicians, Jourova said that she could not declare anything on the subject at the moment'.⁵⁸



⁵⁶ Protest at the gate of TVP Białystok. In the lead a commentator of TVP Info and MP Andruszkiewicz, Wyborcza.pl, Maciej Chołódowski, 20 December 2023, 5:31 p.m.

<https://bialystok.wyborcza.pl/bialystok/7,35241,30528922,protest-w-bramie-telewizji-bialystokna-czele-komentatorka.html>

⁵⁷ Not only in Warsaw. Protests also in other cities, people chanted [LIVE RELATION] WP, K. Strzelińska, M. Zubel, 20 December 2023, 10:47 p.m.

<https://wiadomosci.wp.pl/goraco-w-sejmie-po-glosowaniu-ws-tvp-w-srode-wznowienieposiedzenia-relacja-na-zywo-6975724851682240l>

⁵⁸ Law and Justice MPs with a request to the deputy head of the European Commission. They handed her a document on public media Polsatnews.pl, Aleksandra Kozyra / PAP / Polsatnews.pl, 20 December 2023, 9:20 p.m.

<https://www.polsatnews.pl/wiadomosc/2023-12-20/poslowie-pis-zwrocili-sie-do-wiceszefowejke-przekazali-jej-dokument-ws-mediow-publicznych/>

Meeting between President Andrzej Duda and members of the National Broadcasting Council

A meeting between President Andrzej Duda and members of the National Broadcasting Council - Maciej Świrski, Agnieszka Glapiak, Hanna Karp, Marzena Paczuska and Tadeusz Kowalski - took place in the Presidential Palace on 29 December. During the talks, they discussed the situation of public media and criticised its illegal takeover by the ruling coalition.



Source 15. KRRiI members meeting with President Andrzej Duda
'X', Grażyna Ignaczak-Bandych@GIBandych

The Constitution of the Republic of Poland of 2 April 1997 J of L of 1997,
No. 78, item 483, as amended.

Article 7.

The bodies of public authority shall function on the basis of and within the limits of the law.

Article 87 (1)

The sources of universally binding law of the Republic of Poland shall be the Constitution, statutes, ratified international agreements and regulations.

Notification of European institutions on the liquidation of public media in Poland

The National Broadcasting Council sent a letter to the European Audiovisual Media Regulators Group (ERGA), stating that ‘the Polish government’s decision to put public media companies into liquidation is unlawful and undermines freedom of expression, fundamental European values, fundamental rights, civil liberties, the right to diversity, media pluralism and the rule of law. Public media in Poland operate on the basis of laws and in accordance with the legal regulations in force, which do not provide for the possibility of their liquidation. The Minister of Culture’s decision is an action to the detriment of public media companies, the destruction of their market position and of Poland’s cultural heritage’.⁵⁹ Four members of the Council signed the letter: Maciej Świrski, Agnieszka Glapiak, Hanna Karp and Marzena Paczuska. Tadeusz Kowalski did not sign.

The National Broadcasting Council

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Powrót

KRRiT information sent to the European Audiovisual Media Services Regulators Group (ERGA) in connection with the unlawful liquidation of public media companies

28.12.2023



The Polish regulator of the audiovisual market - the National Broadcasting Council (KRRiT) - informs that after the unsuccessful illegal attempt to establish the management boards of public service media companies in Poland, the next step of the Minister of Culture and National Heritage was the decision of 27 December 2023 to put into liquidation: Telewizja Polska S.A., Polskie Radio S.A. and Polska Agencja Prasowa S.A.

The Polish government's decision to put public service media companies into liquidation is illegal and undermines freedom of expression, fundamental European values, fundamental rights, civil liberties, the right to diversity, media pluralism and the rule of law. Polish public service media operate on the basis of laws and according to the Polish legal framework, which do not provide for the possibility to put them into liquidation. The decision of the Minister of Culture and National Heritage is an action to the detriment of public service media companies, the destruction of their market position and the destruction of Poland's cultural heritage.

Furthermore, the Polish public service media are a source of information for foreign audiences about the situation on the eastern border of the European Union, particularly after Russia's aggression against Ukraine.

According to the law, the Minister of Culture and National Heritage, who performs ownership functions, cannot put public service media companies into liquidation, because according to *lex specialis* - the Broadcasting Act and the Act on the National Media Council, he has no authority to do so. His action has the character of an unauthorised extension of competences and is a direct violation of the principle of legalism applicable in the Republic of Poland under Article 7 of the Polish Constitution.

On 27 December 2023, the Chairman of the National Broadcasting Council (KRRiT) submitted a notification to the prosecutor's office on the suspicion of committing a crime to the detriment of the company Telewizja Polska S.A., *inter alia*, in connection with the discontinuation of broadcasting the TVP INFO programme service.

The KRRiT is informing about the occurring events because its drastic and unprecedented nature violates media landscape in Poland and the European Union. We believe that such actions are unacceptable in a democratic state under the state of law and violate the principles of the rule of law which guide the European Union.

Maciej Świrski The Chairman of the National Broadcasting Council

dr Agnieszka Glapiak Vice-Chairman of the National Broadcasting Council

dr hab. Hanna Karp member of the National Broadcasting Council

Marzena Paczuska member of the National Broadcasting Council

Source 16. Communiqué from the KRRiT to the European Audiovisual Media Services Regulators Group (ERGA) on the liquidation of public media companies
Communication from the KRRiT

⁵⁹ Information from KRRiT sent to the European Audiovisual Media Services Regulators Group (ERGA) regarding the illegal liquidation of public media companies, KRRiT, 28 December 2023
<https://www.gov.pl/web/krrit-en/krrit-information-sent-to-the-european-audiovisual-media-services-regulators-group-erga-in-connection-with-the-unlawful-liquidation-of-public-media-companies>

Further protests outside TVP headquarters in Warsaw

On 31 December 2023, several hundred people gathered in front of the headquarters of the Television News Agency (TAI) at Powstańców Warszawy Square in Warsaw to take part in a demonstration in defence of free media, organised by the *Gazeta Polska* Clubs. As reported by the *wPolityce.pl* portal, the rally began with the broadcast at 8:00 p.m. of President Andrzej Duda's New Year's address. 'For the first time in post-1989 free Poland, an attempt was made to take over the public media by force. The TV signal of some channels was switched off and news programmes were stopped. Finally, TVP, Polish Radio and the Polish Press Agency were put into liquidation. I want to make it clear - those in power can reform the public media, but they must do so in accordance with the law',⁶⁰ said the President of the Republic of Poland in his speech.

The New Year's Eve demonstration in front of TVP at Powstańców Warszawy Square ended after midnight.



Source 17. Demonstration on 31 December 2023 in front of the TVP headquarters on Powstańców Warszawy Square
'X', Piotr Semka@PiotrSemka



Source 18. Demonstration on 31 December 2023 in front of the TVP headquarters on Powstańców Warszawy Square
'X', Marek Surmacz@MarekSurmacz



Source 19. Demonstration on 31 December 2023 in front of the TVP headquarters on Powstańców Warszawy Square
'X', Jakub Augustyn Maciejewski@Maciejewski

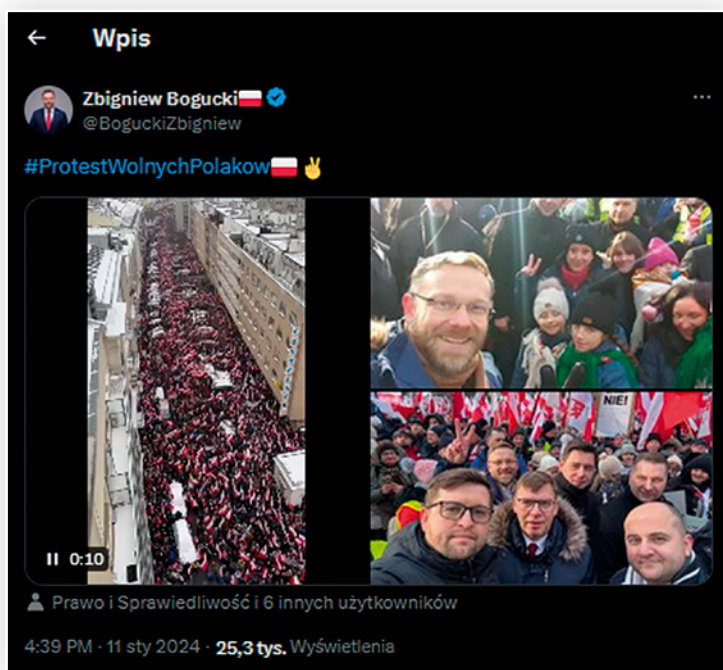
⁶⁰ New Year's Eve demonstration in defence of freedom of speech in front of TVP on Powstańców Warszawy Square! Chanting and white-red flags
[Wpolityce.pl](https://wpolityce.pl), [olnk/X/wpolityce.pl/PAP](https://wpolityce.pl/olnk/X/wpolityce.pl/PAP), 31 December 2023
<https://wpolityce.pl/media/676590-sylwestrowa-manifestacja-przed-tvp-na-placu-powstancow>

Defence of regional Polish radio stations

On 1 January 2024, the existing chairmen of regional public radio companies issued a statement. It read: 'On 29 December 2023, the Minister of Culture and National Heritage, Bartłomiej Sienkiewicz, has decided to liquidate 17 Polish Radio regional broadcasting companies. With a one-sentence entry, communicated on the 'X' platform, he decided on the further fate of media with a long tradition, often dating back almost a hundred years, with teams of dedicated journalists who are not only chroniclers of the life of their regions, but also important centres for the promotion of local culture and artists, important for the preservation of the regional identity of the inhabitants of the Republic of Poland. This decision, quite apart from the style in which it is communicated, is incompatible with the current legislation and the Constitution of the Republic of Poland'.⁶¹ The statement was signed by 14 chairmen of regional Polish Radio stations. Representatives of three radio stations, Radio Katowice, Radio Opole and Radio Wrocław, did not sign.

The 'Protest of Free Poles'

On 11 January 2024, a 'Protest of Free Poles' organised by the Law and Justice party took place in front of the Sejm. The organisers reported that almost 300,000 demonstrators took part, while the Warsaw authorities, led by the vice-president of Civic Platform, gave figures of 35,000 people. The protest moved from the Sejm to the Prime Minister's Office, where it ended.^{62, 63, 64} Some demonstrators went to the TVP headquarters on Powstańców Warszawy Square and protested in defence of public media until the early hours of the morning.



Source 20. Rally and demonstration under the banner of the 'Protest Free Poles' on 11 January 2024 'X', Zbigniew Bogucki@BoguckiZbigniew

⁶¹ Auditorium 17 statement: regional public radio media should not be held hostage to another installment of the political dispute Prk.24.pl, 2 January 2024, 9:35 a.m.

⁶² 'Protest of Free Poles' passed through the streets of Warsaw. Law and Justice march on 11 January, Polsatnews.pl, 11 January 2024

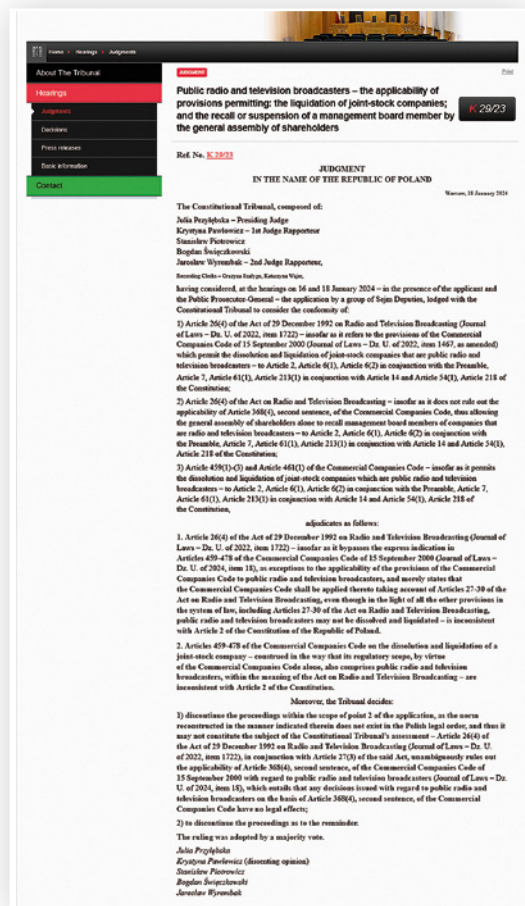
⁶³ Law and Justice March. A success? Yes, but not a new opening Wyborcza.pl, Wojciech Czuchnowski, 12 January 2024

⁶⁴ The success of the 'Protest of Free Poles'. SEE what the huge march of Poles in Warsaw looked like. VIDEO and PHOTOS wPolityce.pl, 11 January 2024

⁶⁵ https://wpolityce.pl/polityka/677984-zobacz-jak-wygladal-ogromny-marsz-polakow-w-warszawie

Constitutional Court ruling on the unconstitutional media take-over

On 18 January 2024, the Constitutional Tribunal ruled in a judgment (Ref. No. K 29/23) that the Broadcasting Act does not allow the application of the Commercial Companies Code to the liquidation of public broadcasting companies. It also ruled that Articles 459 to 478 of the Commercial Companies Code on the dissolution and liquidation of a joint-stock company are incompatible with Article 2 of the Constitution in so far as they applied to public television and radio broadcasting.⁶⁵



Source 21. Constitutional Tribunal ruling that the Broadcasting Act does not allow the application of the regulations of the Commercial Companies Code to the liquidation of public broadcasting companies
A communique from the website of the Constitutional Tribunal

'In fact, no provision of the Broadcasting Law explicitly allows for the possibility of liquidation and dissolution of public broadcasting companies';⁶⁶ said Julia Przyłębska, Chairperson of the Constitutional Tribunal. On the other hand, Jarosław Wyrembak, the second judge-reporter, pointed out that it is unlawful for the General Assembly (of the Minister of Culture and National Heritage) to dismiss management boards of public media, as this is the exclusive competence of the National Media Council, specified in Article 27 of the Broadcasting Law.

The Chairperson of the Constitutional Tribunal informed that the verdict is final and subject to immediate publication in the Journal of Laws without any mentions or additions. The Ministry of Culture and National Heritage did not recognise the judgment of the Constitutional Tribunal and it was not issued (published) in the Journal of Laws (*Dziennik Ustaw*).

⁶⁵ The application to public broadcasting entities of provisions allowing for the liquidation of joint-stock companies and provisions allowing for the dismissal or suspension by the general meeting of a member of the management board. Ref. no. K 29/23. Judgment of the Constitutional Tribunal, 18 January 2024 <https://trybunal.gov.pl/en/hearings/judgments/art/12594-stosowanie-do-jednostek-publicznej-radiofonii-i-telewizji-przepisow-umozliwiajacych-likwidacje-spolek-akcyjnych-oraz-przepisow-umozliwiajacych-odwolanie-lub-zawieszenie-w-czynnosciach-przez-walne-zgromadzenie-czlonka-zarzadu>

⁶⁶ There is a judgment of the Constitutional Tribunal in the TVP case. In the body's composition, a 'double' judge Businessinsider.com.pl, Jolanta Ojczyk, 18 January 2024 <https://businessinsider.com.pl/prawo/firma/jest-wyrok-trybunalu-konstytucyjnego-w-sprawie-tvp-w-skladzie-sedzia-dubler/276chdm>

CHAPTER III

The National Broadcasting Council responds to the media crisis

The National Broadcasting Council, as a constitutional body which, according to Article 213 of the Constitution, safeguards the media order in Poland, strongly protested against the illegal and forceful takeover of public media companies. Members of the KRRiT, in addition to Tadeusz Kowalski, who is associated with the current coalition government in power, announced, among other things, that:

- the dismissal of the management and supervisory boards of public media companies took place in gross violation of the law;
- a report has been filed with the prosecutor's office on suspicion of committing a crime to the detriment of Telewizja Polska S.A. in connection with, inter alia, the suspension of the TVP INFO programme;
- an appeal was made to Prime Minister Donald Tusk to stop the escalation of illegal actions against public media;
- a position paper was adopted expressing strong opposition to the attack on public media;
- a letter was sent to the European Audiovisual Regulators Group (ERGA), informing them that the Polish government's decision to put public media companies into liquidation is illegal and infringes on freedom of expression;
- accepted the invitation of President Andrzej Duda, with whom the situation in the public media was jointly discussed and the illegal liquidation of TVP, PR and PAP were criticised.

Subsequently, in view of the situation of legal uncertainty following the attack on the media, the National Broadcasting Council adopted two resolutions:

- 10 January 2024, which guaranteed the protection of public funds from the rtv subscription fee against their unlawful use by unauthorised persons;⁶⁷
- 7 February 2024, which indicated a legal path for public broadcasters to receive the subscription fees despite the fact that the companies were in liquidation.⁶⁸

The rtv subscription fee funds were systematically transferred by the KRRiT to the companies whose liquidators had been recognised by the court or to court deposits pending final entries of the companies' authorities in the relevant court registers.

⁶⁷ Resolution of the KRRiT No. 8/2024 of 10 January 2024 on the postponement of the deadlines for the implementation of the schedule of 18.10.2023 established on the basis of the KRRiT Resolution No. 194/2023 of 13 September 2023

<https://www.gov.pl/web/krrit/uchwala-w-sprawie-przesuniecia-terminow-realizacji-harmonogramu-podzielic-srodkow-z-wplywow-z-oplat-abonamentowych>

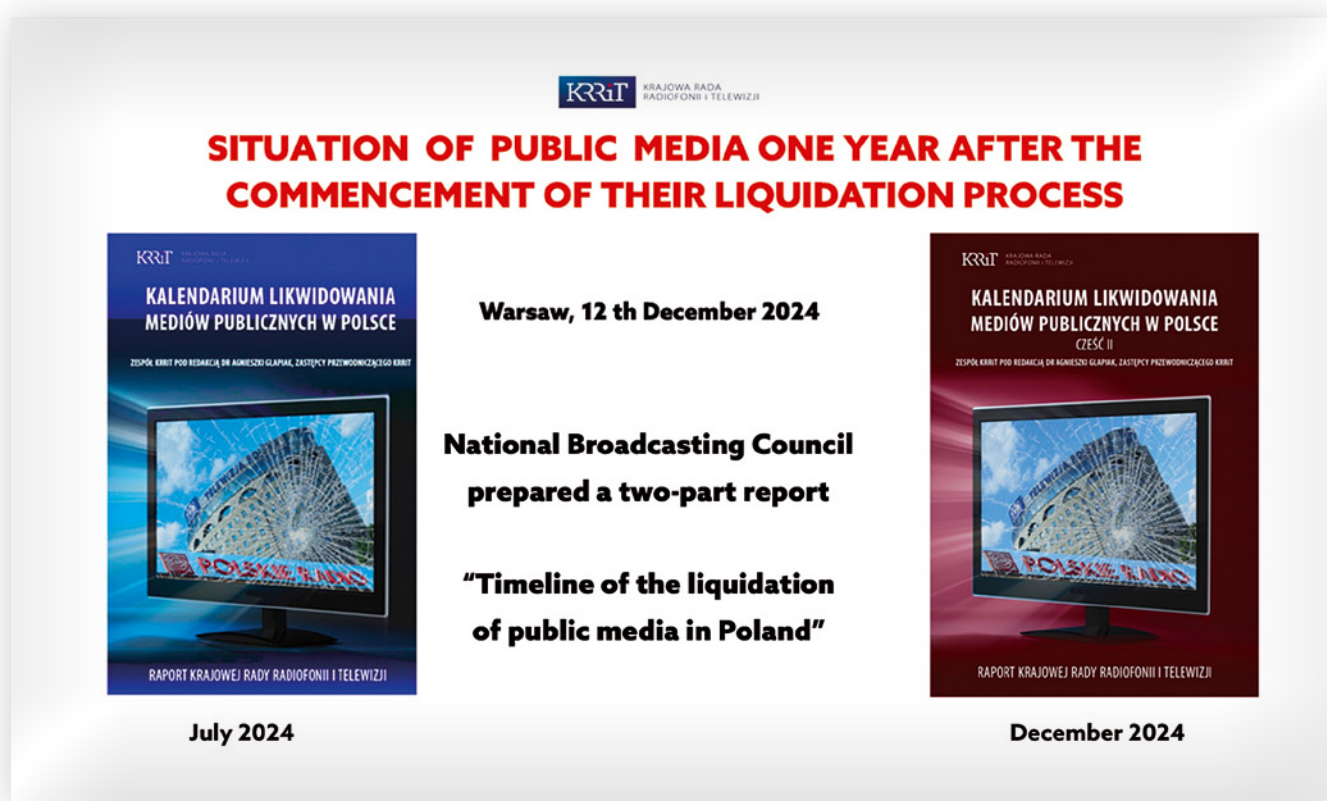
⁶⁸ Resolution of the KRRiT No. 40/2024 of 7 February 2024 on the use of revenues from subscription fees for the fulfilment of the public mission in the year
<https://www.gov.pl/web/krrit/uchwala-krrit-w-sprawie-wykorzystania-wplywow-z-oplat-abonamentowych-na-realizacje-misji-publicznej-w-roku-2024>

Despite this, the liquidators launched a concerted media campaign criticising the KRRiT Council for allegedly blocking the payment of rtv subscription fees, and Civic Coalition MPs filed a notice of suspicion of criminal offences by KRRiT council members with the prosecutor's office, and initiated proceedings to bring KRRiT Chairman Maciej Świrski before the State Tribunal.

The KRRiT issued a two-part publication *'Timeline of the liquidation of public media in Poland'*, which charts the course of events related to the liquidation of the public media in Poland.⁶⁹

The report was compiled based on KRRiT documents, media reports and social media posts. It describes in detail, day by day, the period from 19 December 2023—at which time the Sejm of the Republic of Poland passed a resolution on changes to the public media—until 28 November 2024, i.e. until the KRRiT's subsequent request to the Minister of Culture and National Heritage to complete the liquidation process and ensure stable funding for the public media.

An experts' debate was organised during which there was a discussion on the condition of the media in the Poland.



Source 22. The National Broadcasting Council (KRRiT)

At the same time, the Council carried out its statutory tasks. On 13 May 2024, it adopted the 'Report of the National Broadcasting Council on its activities in 2023' and the 'Information on basic problems of broadcasting'. On 8 August 2024, President Andrzej Duda approved the 'Report of the National Broadcasting Council for 2023', thus extending the term of the National Broadcasting Council for another year.

⁶⁹ Under the link <https://www.gov.pl/web/krrit/analizy-raporty-i-prezentacje> after expanding the 2024 tab you will find both parts of the calendar

First reactions of the National Broadcasting Council to the illegal media take-over

On 20 December 2023, the Chairman of the National Broadcasting Council issued a statement regarding the unlawful actions of the Minister of Culture and National Heritage, in which he stated that the dismissal of management boards and supervisory boards of public media by the Minister of Culture is a gross violation of the law.

On 22 December 2023, the National Broadcasting Council (KRRiT) appealed to Prime Minister Donald Tusk to stop the escalation of unlawful actions taken by the Minister of Culture and National Heritage against the public media.⁷⁰

On 23 December 2023, the Chairman of the National Broadcasting Council (KRRiT) Mr Maciej Świrski filed a notice of suspicion of committing an offence to the detriment of Telewizja Polska S.A. in connection with, among other things, the cancellation of the TVP Info programme to the Regional Prosecutor's Office in Warsaw.

On 28 December 2023, the National Broadcasting Council issued a statement expressing its firm opposition to the attack on the public media.^{71, 72}

On the same day, the National Broadcasting Council also sent a letter to the European Regulators Group for Audiovisual Media Services (ERGA), stating that the Polish government's decision to put public media companies into liquidation is unlawful and violates freedom of expression, fundamental European values, fundamental rights, civil liberties, the right to diversity, media pluralism and the rule of law.⁷³

Also on 28 December 2023, members of the National Broadcasting Council were received by President Andrzej Duda at the Presidential Palace. The topic of discussion was the situation in the public media sector.

Resolution on changing the schedule for the payment of subscription fees to public media outlets

On 10 January 2024, the National Broadcasting Council adopted a resolution on postponing the dates of the schedule of rtv subscription fee payments to public media from 11 and 22 January to 12 February 2024.

⁷⁰ KRRiT's appeal to Prime Minister Donald Tusk to stop the escalation of unlawful actions taken by the Minister of Culture and National Heritage against the KRRiT public media, 22 December 2023

<https://www.gov.pl/web/krrit/apel-krrit-do-premiera-rzadu-donalda-tuska-w-sprawiezatrzmania-eskalacji-bezprawia-w-rzeczypospolitej>

⁷¹ Position of the KRRiT of 28 December 2023 on the unlawful dissolution of public media companies and placing them in liquidation

<https://www.gov.pl/web/krrit/stanowiska-krrit2>

⁷² The KRRiT expresses 'firm opposition' to the decision to liquidate TVP, Polskie Radio and PAP companies PAP, nl /, 28 December 2023

<https://www.pap.pl/aktualnosci/krrit-wyraz-a-stanowczy-sprzeciw-wobec-decyzji-o-likwidacji-spolek-tvp-polskiego-radia-i>

⁷³ KRRiT information sent to the European Audiovisual Media Services Regulators Group (ERGA)

<https://www.gov.pl/web/krrit/informacja-krrit-wyslana-do-europejskiej-grupy-regulatorow-audiowizualnych-uslug-medialnych-erga-w-zwiazku-z-bezprawna-likwidacja-spolek-mediow-publicznych>

Paragraph 1. 2. of the resolution states that there will be a 'mechanism for the payment of funds from the proceeds of subscription fees to public radio and television broadcasting units placed in liquidation, confirmed by a legally binding decision of a registration court, with the exclusive purpose of using these funds for the fulfilment of the tasks of the public mission performed as part of the liquidation process'.⁷⁴

The members of the National Broadcasting Council (KRRiT) stressed that the adoption of the resolution was necessary in view of the situation of legal uncertainty that had arisen, and that it resulted from concern for the public interest. The resolution guarantees the protection of public funds coming from rtv (radio and television) subscription fees against their illegal use by unauthorised persons.

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Resolution of the National Broadcasting Council on postponement of the schedule of distribution of funds from subscription fee revenues

📅 10.01.2024

The KRRiT has passed a resolution to postpone the implementation dates of the schedule of 18.10.2023, instead set pursuant to KRRiT Resolution No. 194/2023 of 13.09.2023.



The National Broadcasting Council decides to divide the funds from revenues from subscription fees in 2024 in accordance with the resolution of the National Broadcasting Council No. 194/2023 of 13 September 2023 and the Schedule of 18 October 2023 – the date for transferring revenues from subscription fees from the KRRiT bank account to public radio and television companies in 2024, with the following amendments.

On the basis of art. 9 sec. 1 of the Act of 29 December 1992 on Radio and Television Broadcasting and in connection with art. 8 sec. 1-3 of the Act of 21 April 2005 on Subscription Fees, in view of the legal chaos that has arisen in public radio and television broadcasting entities caused by the decisions of the Minister of Culture and National Heritage; including those of 27 December 2023 and 29 December 2023, and taken in gross violation of the law, on the dissolution of public media companies, placing them in liquidation, dismissing their bodies and appointing liquidators, the National Broadcasting Council

decides:

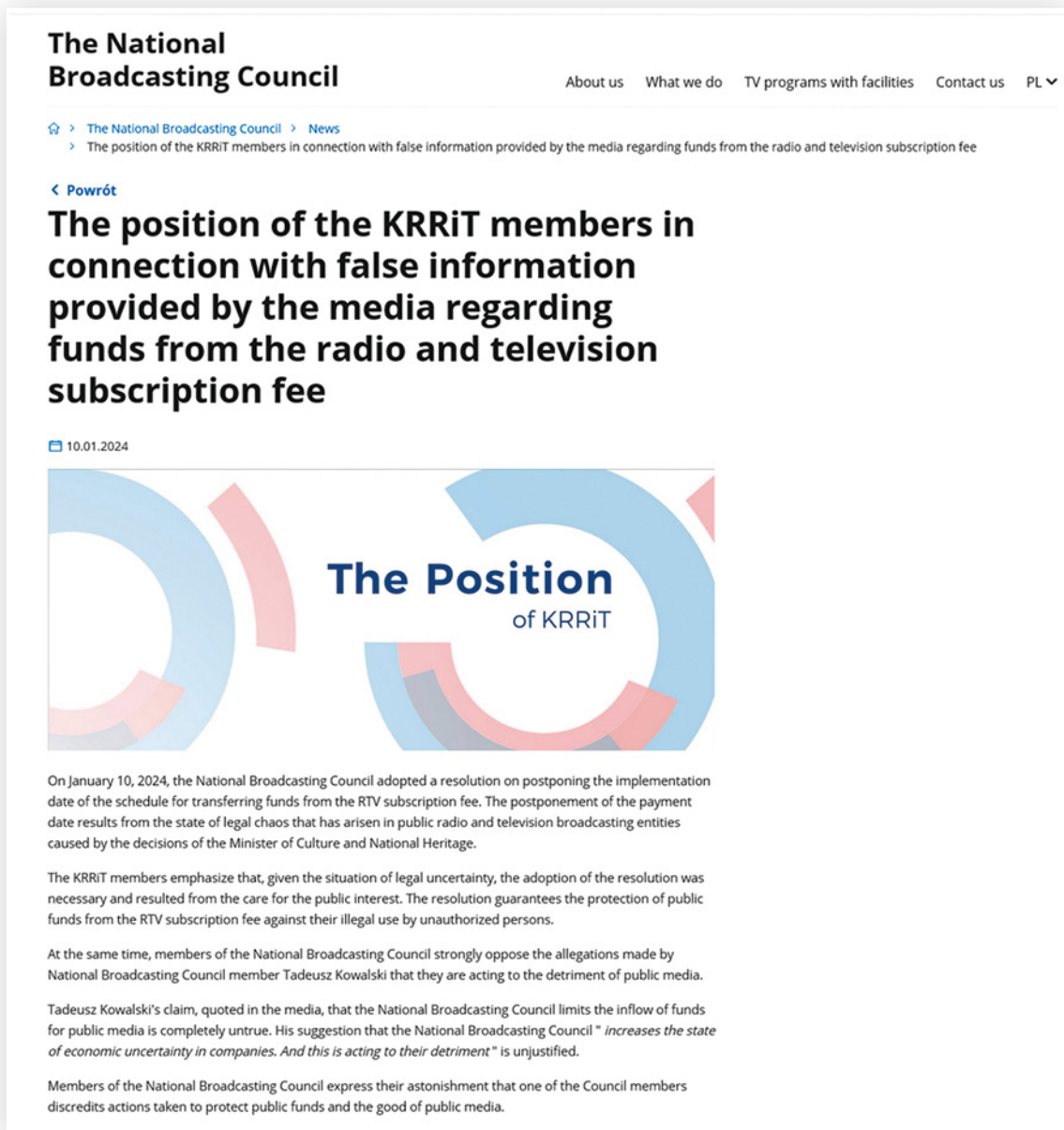
1. Postponing the deadline for the payment of subscription fee revenues in 2024 specified in the schedule of 18 October 2023 – the deadline for transferring subscription fee revenues from the KRRiT bank account to public radio and television companies in 2024, issued on the basis of resolution of the National Broadcasting Council No. 194/2023 of 13 September 2023:
 - a. from 11 January 2024 to 12 February 2024
 - b. from 22 January 2024 to 12 February 2024
2. Prepare a mechanism for paying out funds from subscription fees to public radio and television broadcasting entities placed in liquidation confirmed by a final decision of the registry court, with the exclusive use of these funds for the implementation of public mission tasks performed as part of the liquidation process.

Maciej Świrski Chairman of the National Broadcasting Council
Dr. Agnieszka Głapiak Deputy Chairman of the National Broadcasting Council
dr hab. Hanna Karp prof. AKSiM Member of the National Broadcasting Council
Marzena Paczuska Member of the National Broadcasting Council

Source 23. Resolution of the KRRiT guaranteeing the protection of public funds stemming from the rtv subscription fee
Communique from the KRRiT website

⁷⁴ KRRiT resolution no. 8/2024 of 10 January 2024 on the postponement of the dates of implementation of the schedule of 18.10.2023 established pursuant to Resolution of the KRRiT ref. no. 194/2023 of 13 September 2023
<https://www.gov.pl/web/krrit-en/resolution-of-the-national-broadcasting-council-on-postponing-of-the-schedule-of-distribution-of-funds-from-subscription-fees-revenues>

On the same day, KRRiT members: Maciej Świrski, Agnieszka Glapiak, Hanna Karp and Marzena Paczuska took a stand against untrue allegations spread by KRRiT member Tadeusz Kowalski. These included statements made by Tadeusz Kowalski and quoted by PAP.pl⁷⁵ and TVN24.pl.⁷⁶ The KRRiT's adopted position states: 'Tadeusz Kowalski's claim, quoted in the media, that the KRRiT is limiting the flow of funds to the public media is completely untrue. His assertion that the KRRiT is increasing the state of economic uncertainty in the companies, and that this is to their detriment, is not legitimate. The members of the KRRiT are astonished that a member of the Council would deny measures taken to protect public funds and the welfare of public media'.⁷⁷



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The position of the KRRiT members in connection with false information provided by the media regarding funds from the radio and television subscription fee

10.01.2024

The Position of KRRiT

On January 10, 2024, the National Broadcasting Council adopted a resolution on postponing the implementation date of the schedule for transferring funds from the RTV subscription fee. The postponement of the payment date results from the state of legal chaos that has arisen in public radio and television broadcasting entities caused by the decisions of the Minister of Culture and National Heritage.

The KRRiT members emphasize that, given the situation of legal uncertainty, the adoption of the resolution was necessary and resulted from the care for the public interest. The resolution guarantees the protection of public funds from the RTV subscription fee against their illegal use by unauthorized persons.

At the same time, members of the National Broadcasting Council strongly oppose the allegations made by National Broadcasting Council member Tadeusz Kowalski that they are acting to the detriment of public media.

Tadeusz Kowalski's claim, quoted in the media, that the National Broadcasting Council limits the inflow of funds for public media is completely untrue. His suggestion that the National Broadcasting Council "increases the state of economic uncertainty in companies. And this is acting to their detriment" is unjustified.

Members of the National Broadcasting Council express their astonishment that one of the Council members discredits actions taken to protect public funds and the good of public media.

Source 24. The position of four KRRiT members regarding the false allegations spread by KRRiT member Tadeusz Kowalski
Communique from the KRRiT website

⁷⁵ Reallocation of subscription fee payments to public media. KRRiT decision PAP.pl, Michał Szukała, 10 January 2024

<https://www.pap.pl/aktualnosci/przesuniecie-wyplat-z-wplywow-abonamentowych-dla-mediow-publicznych-decyzja-krrit>

⁷⁶ Transfers to the media will occur later. Świrski's Council's decision 'deepens the state of uncertainty', TVN24.pl, 10 January 2024

<https://tvn24.pl/biznes/z-kraju/media-przelewy-dla-mediow-beda-pozniej-decyzja-krrit-swirskiego-poglebia-stan-niepewnosci-st7717167>

⁷⁷ National Broadcasting Council, KRRiT position, 10 January 2024

<https://www.gov.pl/web/krrit-en/the-position-of-the-krrit-members-in-connection-with-false-information-provided-by-the-media-regarding-funds-from-the-radio-and-television-subscription-fee>

Resolution of the National Broadcasting Council(KRRiT) on rtv subscription fees for the fulfilment of the public mission

On 7 February 2024, the National Broadcasting Council (KRRiT) adopted a resolution indicating a legal way for public broadcasters to receive subscription fee funds despite the fact that the companies are in liquidation.

The Chairman of the KRRiT, Maciej Świrski, empowered by the members of the KRRiT, took steps to establish and verify, on the basis of Article 10 (2) of the Broadcasting Act, whether a public broadcasting unit in liquidation is fulfilling its public mission, what funds are spent on it and what exactly they are spent on, and whether this coincides with the programme and financial plans. It was pointed out that the monthly declarations submitted by the companies in liquidation will be the basis for the disbursement of the subscription fee funds by the KRRiT, which is in the interest of the public media and the citizens. These funds could not be paid to the company in liquidation without the adopted resolution.

Furthermore, the resolution obliged the Chairman of the KRRiT to transfer the funds from the proceeds of the subscription fees to each of the companies to the deposit accounts held by the Minister of Finance maintained for the courts having jurisdiction over each of the companies. It was provided that the persons entitled to represent the company could withdraw the deposited sums from these accounts at their request and following a court decision. The National Broadcasting Council in §1 of the resolution wrote: 'To authorise the Chairman of the National Broadcasting Council to immediately draw up a new schedule for the payment of funds from rtv subscription fee revenues, in view of the obsolescence of the projections of subscription fee revenues made in October 2023 caused by the unprecedented actions of the Minister of Culture and National Heritage towards public media companies, the introduction of chaos and related anxiety of persons paying the rtv subscription fee manifested by reduced receipts from subscription fee income in the month of January 2024 in relation to the planned receipts'.⁷⁸

Attack on KRRiT by Civic Platform MPs

On 21 March 2024, Civic Platform MPs Bogdan Zdrojewski and Piotr Adamowicz filed a complaint with the National Prosecutor's Office in Warsaw, alleging that the KRRiT chairman and members had committed crimes. The MPs accused the KRRiT members of failing to transfer subscription fee revenues to the public media.⁷⁹ The KRRiT categorically denies these allegations and set out the conditions for the payment of these funds.

Motion for the State Tribunal against the Chairman of the KRRiT Maciej Świrski

On 9 May 2024, Minister Bartłomiej Sienkiewicz announced that a motion had been submitted to the Sejm to bring Maciej Świrski, Chairman of the National Broadcasting Council, before the State Tribunal. 'It is not up to the National Broadcasting Council and not up to Świrski to judge who rules or does not rule in the public media. He is supposed to give money to the public media. He is not doing this and that is a violation of the law. The second issue is Świrski's policy towards non-state, private media, which have been - to put

⁷⁸ Resolution of the National Broadcasting Council (KRRiT) No. 40/2024 of 7 February 2024 on the use of revenues from subscription fees for the fulfilment of the public mission in 2024

<https://www.gov.pl/web/krrit/uchwala-krrit-w-sprawie-wykorzystania-wplywow-z-oplat-abonamentowych-na-realizacje-misji-publicznej-w-roku-2024>

⁷⁹ Bogdan Zdrojewski entry in Facebook, 22 March 2024

<https://facebook.com/100043835034142/posts/960871602050665/?mibextid=WC7FNe>

it mildly - treated as hostile by the Law and Justice party',⁸⁰ Bartłomiej Sienkiewicz said at a press conference. In this context, he pointed to TVN and TOK FM. As the third accusation against Maciej Świrski, he mentioned 'failure to carry out statistical activities', which according to Minister Sienkiewicz, the KRRiT Chairman was obliged to do.

KRRiT members' statement on the motion to bring the KRRiT Chairman before the State Tribunal

The KRRiT members have expressed their strong opposition to the announcement by Bartłomiej Sienkiewicz, Minister of Culture and National Heritage, to bring Maciej Świrski, Chairman of the National Broadcasting Council, before the State Tribunal.

'We consider this to be an unprecedented attempt to intimidate a constitutional body and to exert pressure in order to obtain regulations favourable to the executive power,'⁸¹ said the KRRiT in a statement. In accordance with Article 213 of the Constitution of the Republic of Poland, the National Broadcasting Council safeguards freedom of expression, the right to information and the public interest in broadcasting. All decisions of the KRRiT are made in accordance with the law'.

The screenshot shows the website of The National Broadcasting Council. The header includes the council's name and navigation links: 'About us', 'What we do', 'TV programs with facilities', 'Contact us', and a language dropdown set to 'PL'. The breadcrumb trail reads: 'The National Broadcasting Council > News > The Announcement of the National Broadcasting Council's members'. The main heading is 'The Announcement of the National Broadcasting Council's members', dated '09.05.2024'. The text of the statement reads: 'Members of the National Broadcasting Council express their strong opposition to the announcement by Bartłomiej Sienkiewicz, Minister of Culture and National Heritage, to bring Maciej Świrski, Chairman of the National Broadcasting Council, before the State Tribunal'. Below this is a graphic with the text 'The announcement of KRRiT' and a quote: 'We perceive this as an unprecedented attempt to intimidate a constitutional body and to exert pressure in order to obtain decisions favourable to the executive power.' This is followed by a paragraph stating that the council safeguards freedom of speech and that all decisions are made in accordance with applicable law. At the bottom, the signatories are listed: Maciej Świrski (Chairman), Agnieszka Glapiak (Deputy Chairwoman), Hanna Karp (Member), and Marzena Paczuska (Member).

Source 25. Statement by KRRiT Members on the motion to bring the KRRiT Chairman before the State Tribunal
Communique from the KRRiT website

The statement was signed by: Maciej Świrski, Agnieszka Glapiak, Hanna Karp, Marzena Paczuska. Tadeusz Kowalski, who is associated with the current government, did not sign.

⁸⁰ There is a motion to the State Tribunal against KRRiT Chairman Maciej Świrski, Press.co.uk, MNIE, 9 May 2024, 12:04 p.m.
<https://www.press.pl/tresc/81729,jest-wniosek-o-trybunal-stanu-dla-przewodniczacego-krrit-macieja-swirskiego>

⁸¹ Declaration by members of the National Broadcasting Council (KRRiT), 9 May 2024
<https://www.gov.pl/web/krrit-en/the-announcement-of-the-national-broadcasting-council-members>

The KRRiT Annual Report for 2023

On 13 May 2024, the National Broadcasting Council adopted the 'Report of the National Broadcasting Council on its activities in 2023', and the 'Information on basic problems of broadcasting'. The documents⁸² were signed by: Maciej Świrski, Agnieszka Glapiak, Hanna Karp, Marzena Paczuska. Tadeusz Kowalski did not sign.

Part 1 of the 'Information on basic problems of broadcasting' was devoted to the problems of public media in 2023. 'At present, the most important and fundamental problem of public broadcasting in our country is the unclear situation of public media companies, which was caused by the actions of the Minister of Culture and National Heritage. First, because it is difficult to imagine that the fulfilment of the public mission with the money from the rtv subscription fees can be combined with the process of liquidation, which implies the closure of media companies,' wrote KRRiT. The actions of Donald Tusk's government towards the public media in Poland have destabilised the existing media system and thus the foundations of the democratic system in our country, where the media fulfil the very important role of the fourth estate. It is the position of the National Broadcasting Council that the attempted takeover of the public media has taken place:

- against the law,
- for political purposes,
- without presenting a vision for the future of the media,
- with repression of media workers,
- causing huge financial losses,
- to the detriment of the entire media market, as the private media have made huge profits at the expense of the public media,
- with the weakening of the country's position and defence.

Radio action aimed at the National Broadcasting Council

On 27 May 2024, public radio stations in Poland launched a joint media action criticising the National Broadcasting Council for alleged payment blocking of subscription fees for radio and television.^{83, 84}



⁸² Report and Information on Activities in 2023, Communique from the KRRiT, 24 May 2024

<https://www.gov.pl/web/krrit/sprawozdanie-i-informacja-z-dzialalnosci-w-2023-roku>

⁸³ Campaign by 17 Polish Radio regional broadcasters. They inform about the lack of money from the KRRiT PAP.pl, Anna Kruszyńska, 27 May 2024

<https://www.pap.pl/aktualnosci/kampania-17-rozglosni-regionalnych-polskiego-radia-informuja-o-braku-pieniedzy-z-krrit>

⁸⁴ KRRiT blocks subscription fee money. Polskie Radio joins the action of regional radio stations Polskieradio.pl, IAR/dad, 28 May 2024

<https://www.polskieradio.pl/399/7979/Artykul/3384383,krrit-blokuje-pieniadze-z-abonamentu-polskie-radio-dolacza-do-akcji-rozglosni-regionalnych>

The KRRiT calls for an end to fake news

KRRiT members have objected to the dissemination of false information about rtv subscription fees by regional public radio stations in liquidation.

On 30 May 2024, the KRRiT explained in a communiqué that: 'The government of Donald Tusk is responsible for the difficult financial situation and the legal chaos in the public media in a situation of an ongoing war on the eastern border. It took an unlawful decision to liquidate the public media in violation of the constitution and laws. The National Broadcasting Council is not blocking the money from the subscription fees. The money is deposited with the courts in the accounts of the Ministry of Finance. The liquidators of the regional radio stations and Polskie Radio S.A. can take it voluntarily at their request.

The regional radio stations have not been deprived of the money they need to operate. They live on advertising, sponsorship, grants and their own publications. Subscription fee funds are only a supplement to the broadcasting costs and are only used to fulfil the public service mission. The members of the KRRiT therefore call on the liquidators to stop harming the broadcasters and listeners and to disburse the funds from the court deposits themselves'⁸⁵.

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> The National Broadcasting Council (KRRiT) calls for an end to the spread of fake news on the airwaves of 17 regional Polskie Radio (Polish radio) stations.

< Powrót

The National Broadcasting Council (KRRiT) calls for an end to the spread of fake news on the airwaves of 17 regional Polskie Radio (Polish radio) stations.

📅 30.05.2024

Members of the National Broadcasting Council express their strong opposition to the dissemination of manipulated information by regional public radio stations, which misleads the public.



The difficult financial situation and legal chaos in the public media, in a situation with an ongoing war on the eastern border, is the responsibility of Donald Tusk's government, which has decided to liquidate the public media in an unlawful manner that violates the constitution and laws.

The National Council does not block money from the subscription fees

The money is deposited in the accounts of the Ministry of Finance. The liquidators of the regional radio stations and *Polskie Radio S.A.* may withdraw it voluntarily at their own request.

Regional radio stations have not been deprived of money for their operations

They live on advertising, sponsorship, grants and their own publications. The subscription fee is only a supplement to the broadcasting costs, which are used exclusively to fulfil the public service mission.

Therefore, the members of the National Broadcasting Council appeal to the liquidators to stop harming the radio stations and listeners and to pay out the funds from the court deposits themselves.

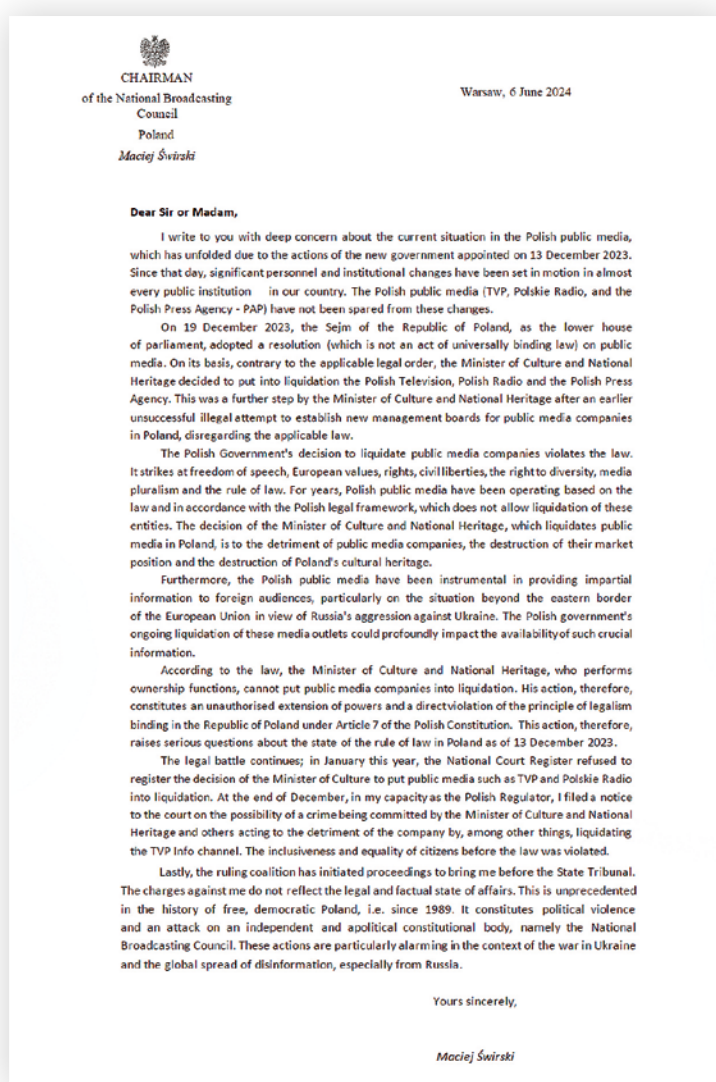
Source 26. Communiqué from the KRRiT offices dated 30 May 2024

⁸⁵ KRRiT calls for an end to the dissemination of fake news on the airwaves of the 17 regional Polish Radio stations. Communiqué from the KRRiT, 30 May 2024

<https://www.gov.pl/web/krrit-en/the-national-broadcasting-council-krrit-calls-for-an-end-to-the-spread-of-fake-news-on-the-airwaves-of-17-regional-polskie-radio-polish-radio-stations>

The KRRiT reports on the situation of the media in Poland at an international conference

The Chairman of the National Broadcasting Council (KRRiT) Maciej Świrski, stated on 6 June 2024 at the 59th Conference of the European Platform of Regulatory Authorities (EPRA) in Rotterdam that the Polish government's decision to liquidate public media companies is a violation of the law.⁸⁶ It strikes at freedom of expression, European values, rights, civil liberties, the right to diversity, media pluralism and the rule of law.' Maciej Świrski pointed out that Polish law does not provide for the possibility of liquidating these entities, and the decision of the Minister of Culture and National Heritage liquidating public media is an action to their detriment, destroying their market position and destroying the cultural heritage of Poland⁸⁷ In the opinion of the KRRiT chairman, the motion to bring him before the State Tribunal is a situation without precedent in the history of free, democratic Poland, i.e. since 1989; it is an act of political violence as well as an attack on an independent and apolitical constitutional body, which is the National Broadcasting Council.



Source 27. 6 June 2024 communique of the National Broadcasting Council (KRRiT)

⁸⁶ KRRiT@KRRiT_ 'X' entry, 6 June 2024, 1:27 p.m.

https://x.com/KRRiT_/status/17986781675545109_33?ref_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1798679434251387301%7Ctwgr%5Ef4598be39e7229_86d9ef073d46beb1ef6983f734%7Ctwcon%5Es3_&ref_url=https%3A%2F%2Fwww.wirtualnemedi.pl%2Fartykul%2Fmaciej-swirski-przewodniczacy-krrit-trybunal-stanu-krytykuje-rzad

⁸⁷ KRRiT chairman criticises government at European conference. 'Violation of the law on public media' Wirtualnemedi.pl, tw/pap, 6 June 2024 <https://www.wirtualnemedi.pl/artykul/maciej-swirski-przewodniczacy-krrit-trybunal-stanu-krytykuje-rzad>

Presentation of the KRRiT Annual Report for 2023 to the Senate

On 26 June 2024, Maciej Świrski, Chairman of the KRRiT, presented to the Senate the 'KRRiT Annual Report for 2023' and the 'Information on Basic Problems of Broadcasting in 2023'.⁸⁸

Among other things, he pointed out that in 2023 the main problems of public media in Poland will be:

1. The unprecedented legal crisis:
 - The decisions of the Minister of Culture and National Heritage to dissolve strategic public media companies, such as Telewizja Polska S.A., Polskie Radio S.A. and Polska Agencja Prasowa S.A., and attempts to liquidate them, violated the foundations of a democratic state, threatening freedom of expression and the internal and external security of the country. In fact, the constitution is no longer in force in Poland and the executive branch of government seems to think it can do anything. The government's actions to take over the public media were carried out in violation of the law, without a clear vision for the future of the media and with repression of media workers.
2. A management and organisational crisis in Polish Television:
 - As a result of the forcible seizure of control over the public media, the previous presidents were dismissed and new ones were appointed, resulting in management and organisational chaos, the interruption of programme broadcasting and a decline in viewing figures, and subsequent colossal financial losses.
3. Problems with the implementation of the public mission by TVP:
 - Sudden changes and interruption of programmes led to a failure to fulfil the public mission, which included a lack of access to current regional information, news and current affairs programmes. The government's actions also resulted in the collapse of the market position of the public media.
4. Insufficient funding of public media:
 - The public media faced the problem of unstable and insufficient financing of the public mission, which resulted from the legislation regulating the subscription fees, which did not ensure the universality of the collection of this fee, which in turn was and is the result of imprudent statements made by Prime Minister Donald Tusk back in the time of his previous premiership.
5. Repression of media employees:
 - During the takeover of the media, hundreds of people were deprived of their jobs and salaries. Very many journalists were harassed, which affected their morale and professional stability.
6. Gigantic financial losses:
 - The chaos created by the Minister's decision led to the interruption, cancellation or suspension of production of many programmes, resulting in financial losses and loss of advertising revenue.

⁸⁸ Speech by the Chairman of the National Broadcasting Council, Maciej Świrski, delivered before the Senate of the Republic of Poland. XIth term, on 26 June 2024, KRRiT, communique
<https://www.gov.pl/web/krrit/przemowienie-przewodniczacego-krrit-macieja-swirskiego-wygloszone-przed-senatem-rp-xi-kadencji-w-dniu-26062024>

7. Weakening of the country's position and defence:

- Problems in the public media have weakened Poland's position in Europe and the world, as well as the country's internal and external security.

8. Crisis of confidence in the media:

- Changes and repression of journalists have resulted in a crisis of confidence in the content published in the public media, an exodus of viewers and radio listeners and a decline in the image of the media.

9. Increase in fake news and disinformation:

- Problems with countering disinformation and the rise of fake news in the electronic media sector, which had a negative effect on the social life and trust in the media.

The senators accused the KRRiT of 'persecuting' broadcasters with unfair penalties. The Chairman of the National Broadcasting Council disagreed with these allegations. He stressed that they were rather instructive in nature and not as severe as is often reported in the media.

Rejection of the KRRiT report by the Senate

The resolution adopted by the Senators stated: 'The Senate of the Republic of Poland, pursuant to Article 12(3) of the Broadcasting Act of 29 December 1992 (Journal of Laws 2022, item 1722 and 2024, item 96), rejects the report of the National Broadcasting Council on its activities in 2023, on the grounds of:

- 1) Failure to fulfil the constitutional duty to uphold freedom of expression, the right to information and the public interest in broadcasting.
- 2) The politicisation and failure to take measures to restore pluralism, eliminate propaganda, manipulation and disinformation in public broadcasting.
- 3) Failure to respond to violations of the law by TVP Info and Radio Szczecin.
- 4) The delay in renewing concessions, in particular for TVN Style and TOK FM'.⁸⁹

Fifty-three senators voted to reject the 'Report of the National Broadcasting Council on its activities in 2023' together with the 'Information on basic problems of broadcasting in 2023', 30 voted against and one senator abstained.

The KRRiT's appeal to reverse the liquidation of public service broadcasts

On 1 July 2024, the KRRiT once again appealed for the liquidation process of the public service broadcasters to be immediately stopped by a decision by the General Assembly of Shareholders, thus restoring legal order in accordance with the Broadcasting Act. This is particularly justified in the current process of agreeing the Charters of Obligations for 2025-2029 submitted by the public media companies. The Charter of Obligations is a multi-annual plan of a company in which the manner of fulfilling the public service mission and the detailed scope of tasks and responsibilities resulting from this mission are defined, together with an indication of the manner of financing.⁹⁰

⁸⁹ Resolution of the Senate of the Republic of Poland of 26 June 2024 on the report of the National Broadcasting Council. M.P. 2024, item 550 <https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WMP20240000550>

⁹⁰ KRRiT assessed the reports of public media companies on the fulfilment of the public mission in 2023 Communication of the KRRiT, 1 July 2024 <https://www.gov.pl/web/krrit/krrit-dokonal-a-oceny-sprawozdan-spoliek-mediow-publicznych-z-realizacji-misji-publicznej-w-2023-roku>

Article 21a. Broadcasting Law of 29 December 1992 - Charter of Obligations

Charter of Obligations - a document that defines the manner of fulfilling the public service mission and the detailed scope of duties resulting from this mission, together with an indication of the manner of financing, for the following 5 years. The Charter of Obligations is established by an agreement concluded between a public radio and television broadcaster and the Chairman of the National Council on the basis of a decision of the KRRiT. KRRiT debate summarising the state of the public media

Presentation of the report on the KRRiT's activities for 2023 to the Sejm

On 26 July 2024, the Chairman of the National Broadcasting Council presented to the Sejm of the Republic of Poland the annual 'Report on the activities of the KRRiT in 2023' together with 'Information on the basic problems of broadcasting that occurred in 2023'.⁹¹ Maciej Świrski recalled that the KRRiT is a constitutional body of state control and legal protection, whose task is to ensure the independence of the media from external influences, especially from the government.

'In a democratic state, there can be no question of the authorities exerting pressure on the media or giving them instructions on how to present or giving them instructions on how to present problems and phenomena. Nor can there be any question of exerting pressure on the regulator. Only fully independent media can effectively play a watchdog role vis-à-vis the authorities and assist the public by providing full, objective and reliable information'⁹² said the KRRiT chairman. He highlighted some of the key issues affecting the media in Poland. 'The media play a key role in shaping public opinion and awareness. However, the main problem of the audiovisual media market, and even more so of the electronic media market, is technological change, which is also causing a change in the nature of the media, especially the news media. (...) The problem of the media present in Poland is their method of financing. At present, the main source of revenue is the publication of advertisements, which in a market controlled by oligopolies results in informal censorship on the one hand or boycotts of politically incorrect media on the other.'

'In addition to extended obligations for online communications, the issue of the use of artificial intelligence in social communications should also be addressed immediately. Some of the artificial intelligence systems pose particular risks of manipulation. (...) In 2023, some media, journalists, politicians were a source of disinformation, especially when they falsely accused Poland of a lack of democracy and violation of freedom of speech, comparing our country to authoritarian systems,' the KRRiT chairman pointed out.

Giving details of the KRRiT's activities in 2023, he presented, among other things, a summary of decisions disciplining media outlets in Poland. 'The Chairman of the KRRiT issued 69 decisions imposing fines totalling over PLN 2 million, of which 37 fines related to various aspects of advertising and sponsorship activities, 13 fines related to the protection of minors from content harmful to their development, 4 fines were imposed for broadcasting vulgarity in violation of the Polish Language Protection Act, 9 fines were im-

⁹¹ Report and Information on activities in 2023, KRRiT, 24 May 2024

<https://www.gov.pl/web/krrit/sprawozdanie-i-informacja-z-dzialalnosci-w-2023-roku>

⁹² Speech by the Chairman of the National Broadcasting Council (KRRiT) Maciej Świrski, delivered in the Sejm of the Republic of Poland on 26 July 2024, KRRiT, 26 July 2024

<https://www.gov.pl/web/krrit/przemowienie-przewodniczacego-krrit-macieja-swirskiego-wygloszone-w-sejmie-rp-26-lipca-2024-r>

sed for failure to respect facilities for the disabled, 2 fines were imposed for the presence of hate speech in broadcasts, and 1 fine was imposed for broadcasting pornographic content’.

Furter, he added: ‘The consequence of the actions of the Minister of Culture is to create a legal crisis for the public media, which threatens their existence, because the liquidation process, contrary to the decision of the Constitutional Tribunal, is based on the Commercial Companies Code and must end with the termination of the activities of the liquidated entity. Otherwise, we are dealing with sham activities, i.e. making a mockery of the law and circumventing it in order to obtain specific benefits for the people involved in this procedure. From the statements made by representatives of the executive, it appears that this is exactly the case’.

Maciej Świrski spoke about the legal problems currently facing a large part of the public media in Poland currently has to face. ‘Faced with the chaos caused at the end of 2023 by the decisions of Minister Sienkiewicz, at the beginning of 2024 the National Broadcasting Council passed resolutions to postpone the schedule for the transfer of funds from the rtv subscription fee at the same time indicating to public broadcasters the legal path for them to receive the subscription fee funds despite the state of liquidation of the companies. The KRRiT has decided that the subscription fees will be placed in a court deposit until the liquidation process of the companies is legally confirmed by the court. The allegation that the KRRiT is withholding funds from the subscription fee is therefore untrue. The withdrawal of funds from the deposit by authorised persons is possible upon submission of appropriate declarations’, he stressed.

Parliament rejects the KRRiT report on its activities in 2023

The resolution of 26 July 2024 states: ‘The Sejm of the Republic of Poland rejects the report of the National Broadcasting Council on its activities in 2023 due to:

- 1) Tolerating the systematic violation by the public media of Article 21 of the Broadcasting Act of 29 December 1992, including the obligation to provide information and journalism characterised by “pluralism, impartiality, balance and independence”;
- 2) Tolerating a state of affairs in which active politicians take key decisions on personnel matters through the National Media Council and defending this state of affairs after the appointment of the new government;
- 3) The absence in the report of an in-depth analysis of the neglect of the functioning of the public media;
- 4) Failure to present a long-term strategy of action for the National Broadcasting Council;
- 5) Unequal treatment of broadcasters by the National Broadcasting Council;
- 6) The unjustified length of reconcession proceedings;
- 7) The speech of the Chairman of the National Broadcasting Council at the 19th plenary meeting of the ERGA Group (European Audiovisual Media Services Regulators Group) held on 29 June 2023⁹³.

93 Resolution of the Sejm of the Republic of Poland of 26 July 2024 on the Report of the National Broadcasting Council on its activities in 2023. M.P. 2024 item 738.
<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WMP20240000738>

The KRRiT's critical stance on the EC's report

In a letter dated 29 July 2024 to the Vice-President of the European Commission, Vera Jourova, the KRRiT objected to the biased theses contained in the European Commission's Report on the rule of law and the omission of the role of the National Broadcasting Council in the report.⁹⁴ According to the KRRiT, the document is 'biased and distorts reality'.

The critical position of the majority of the KRRiT's members on the current situation in the public media in Poland is well known and has been repeatedly communicated both on the KRRiT website and in international forums – the EPRA and ERGA.

The National Broadcasting Council


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> The European Commission's report on the rule of law in Poland is biased, partial and distorts reality - Letter from the President of the National Broadcasting Council (KRRiT) to the Vice-President of the European Commission, Ms Vera Jourová

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The European Commission's report on the rule of law in Poland is biased, partial and distorts reality - Letter from the President of the National Broadcasting Council (KRRiT) to the Vice-President of the European Commission, Ms Vera Jourová


29.07.2024



Part III of the report, entitled 'Media Pluralism and Media Freedom', ignores the facts and the opinion of the constitutional regulator of the media market in Poland, repeatedly expressed by its chairman, Mr Maciej Świrski.

The report's theses are based on the one-sided statements of NGOs and the 'Media Pluralism Monitor' report, but do not take into account the position of the National Council (KRRiT).

Materiały

 [Letter from the Chairman of the KRRiT to the Vice_president of the European Commission Vera Jurova](#)
Letter_from_the_Chairman_of_the_KRRiT_to_the_Vice_president_of_the_European_Commission_Vera_Jurova.pdf
0.59MB

Source 28. Communiqué from the KRRiT of 29 July 2024

⁹⁴ The report of the European Commission on the rule of law in Poland is biased, tendentious and distorts reality - letter of the Chairman of the National Broadcasting Council to the Vice-President of the European Commission Vera Jourova, 29 July 2024
<https://www.gov.pl/web/krrit-en/the-european-commissions-report-on-the-rule-of-law-in-poland-is-biased-partial-and-distorts-reality-letter-from-the-president-of-the-national-broadcasting-council-krrit-to-the-vice-president-of-the-european-commission-ms-vera-jourov>

President Andrzej Duda's acceptance of the KRRiT report for 2023

On 8 August 2024, the President of the Republic of Poland accepted the KRRiT report for 2023. 'Pursuant to Article 12(5) of the Broadcasting Act of 29 December 1992, the President of the Republic of Poland has not confirmed the expiry of the term of office of the National Broadcasting Council',^{95, 96} according to a communiqué from the Office of the President of the Republic of Poland. This means in effect that the Council will continue in its current composition for another year.



Source 29. 'X', Chancellery of the President@prezydent.pl

⁹⁵ Entry by Chancellery of the President@prezydentpl X, 8 August 2024, 5:05 p.m.
https://x.com/prezydentpl/status/1821563452667711564?ref_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1821563452667711564%7Ctwgr%5Ecacf3cc2a8f4182587d712045bcdab02393d3755%7Ctwcon%5Es1_&ref_url=https%3A%2F%2Fpul-sembed.eu%2Fp2em%2FAF-FuDe-F%2F

⁹⁶ Communiqué on the term of office of the National Broadcasting Council Chairman.pl, 8 August 2024
<https://www.prezydent.pl/aktualnosci/wydarzenia/komunikatw-sprawie-kadencji-krajowej-rady-radiofonii-i-telewizji,90018>

The KRRiT objects to being left out of government audiovisual policy-making

The National Broadcasting Council (KRRiT) has issued a communiqué strongly protesting against the current executive's disregard of the KRRiT's constitutional and statutory role as an independent regulatory body with jurisdiction over audiovisual media services and video sharing platforms.

The KRRiT recalled that:

- "Chapter IX of the Constitution of the Republic of Poland makes it clear that the National Broadcasting Council is among the organs of state control and law protection, and Article 213(1) contained in this chapter states: "The National Broadcasting Council shall guard the freedom of speech, the right to information and the public interest in broadcasting";
- Article 6(2) of the Broadcasting Act indicates that: "The tasks of the National Council include in particular:
1) to design, in consultation with the Prime Minister, the directions of state policy in the field of broadcasting".

The document gives examples of how the KRRiT is ignored by the government:

- 'the lack of cooperation so far on the part of Prime Minister Donald Tusk with the KRRiT in shaping the directions of state policy concerning, inter alia: the implementation into the Polish legal order of EU legal acts concerning the media market or the prevention and combating of disinformation, including the prevention of the co-shaping of public opinion by persons under the influence of the services of a foreign state (letter of the Chairman of the KRRiT of 13 August this year);
- the failure of the National Council to participate in the preparation by the Ministry of Culture and National Heritage, which is subordinate to the Prime Minister, of a document entitled 'European Act on Freedom of the Media a concept for implementation in the Polish legal system';
- consistent disregard by the Ministry of Digitalisation of letters and positions of the National Council on the demand to include the National Council as one of the competent bodies for the implementation of the Digital Services Act (DSA) in Poland;
- failure to consider the KRRiT's long-standing experience and expertise in the field of public media, especially in the context of the subsidies recently granted to it from the state budget',⁹⁷ according to the KRRiT's position.

The KRRiT's renewed call for the legal status of public media to be restored

On 26 September 2024, the National Broadcasting Council again asked the Minister of Culture and National Heritage to confirm whether the liquidation of the media would continue or be withdrawn. Will the legal status of the companies envisaged by the Broadcasting Act in 2025 be restored?⁹⁸

⁹⁷ Position of the National Broadcasting Council of 17 September 2024 on the current Polish government's disregard of the KRRiT's constitutional and statutory role as an independent regulator of audiovisual media KRRiT, 20 September 2024
<https://www.gov.pl/web/krrit/stanowisko-krajowej-rady-radiofonii-i-telewizji-z-17-wrzesnia-2024-r-w-sprawie-pomijania-przez-obecny-rzad-rp-konstytucyjnej-i-ustawowej-roli-krrit-jako-niezaleznego-regulatora-mediow-audiovizualnych>

⁹⁸ The KRRiT has asked the Minister of Culture and National Heritage to define the legal situation of public media in 2025 KRRiT, 26 September 2024
<https://www.gov.pl/web/krrit/krrit-zwrocila-sie-do-ministra-kultury-i-dziedzictwa-narodowego-o-okreslenie-sytuacji-prawnej-mediow-publicznych-w-2025-roku>

The KRRiT has expressed serious doubts about the possibility of transferring subscription funds to companies in liquidation in 2025. In the National Council's view, the fulfilment of the public broadcasting unit's public mission referred to in Article 21(1) of the Broadcasting Act precludes the liquidation of such a company under the provisions of the Commercial Companies Code.

Position of the Constitutional Tribunal with regard to bringing the head of the KRRiT before the State Tribunal

On 3 October 2024, the Constitutional Tribunal issued a precautionary order, obliging the Sejm and the Constitutional Responsibility Committee to 'refrain from performing any factual or legal actions related to the submitted preliminary motion to bring the member of the National Broadcasting Council Maciej Świrski before the State Tribunal'.

'The Constitutional Tribunal (...) decides pursuant to Article 36 of the Act of 30 November 2016 on the organisation and procedure of proceedings before the Constitutional Tribunal (Journal of Laws of 2019, item 2393) in connection with Article 755 of the Act of 17 November 1964. - Code of Civil Procedure (Journal of Laws of 2023, item 1550, as amended) to secure the motion of a group of MPs by obliging 1) the Speaker of the Sejm, 2) the Deputy Speakers of the Sejm, 3) the Chairman of the Constitutional Accountability Committee, 4) the Deputy Chairmen of the Constitutional Accountability Committee, 5) the Constitutional Accountability Committee, 6) other bodies of the Sejm, 7) as well as persons acting on their authority – to refrain from any factual or legal actions connected with the preliminary motion to bring the Chairman of the National Broadcasting Council before the State Tribunal, until the Constitutional Tribunal has rendered its judgment concluding the proceedings in the case ref.no. K 24/24,' reads the decision of the Constitutional Tribunal.⁹⁹

The KRRiT informs European regulators about the liquidation of public media in Poland

During the European Platform of Regulatory Authorities (EPRA) conference held in Cyprus on 23-25 October 2024, Maciej Świrski described the actions of the ruling coalition in Poland towards the public media and plans to bring the Chairman of the KRRiT before the State Tribunal.

'In recent months, I have consistently refused to subordinate the National Broadcasting Council to the executive branch of government, whose actions clearly violate media law and the Polish Constitution, which guarantees freedom of the press and the independence of regulatory bodies. I could not allow the KRRiT to become a tool of government propaganda, threatening media pluralism and freedom of expression',¹⁰⁰ said Maciej Świrski.

The KRRiT chairman said that the motion to bring him before the State Tribunal was unfounded and aimed at intimidating and weakening the independence of the National Broadcasting Council.

⁹⁹ K 24/24. holding a member of the National Broadcasting Council liable before the State Tribunal, TK, 4 October 2024

<https://trybunal.gov.pl/sprawy-w-trybunale/art/pociagniecie-czlonka-krajowej-rady-radiofonii-i-telewizji-do-odpowiedzialnosci-przed-trybunalem-stanu>

¹⁰⁰ Entry by Maciej Świrski@Maciej_Swirski 'X', 24 October 2024, 5:05 p.m.

https://x.com/Maciej_Swirski/status/1849467381401125295?ref_src=twsrc%5Egoogle%7Ctwcamp%5Eserp%7Ctwgr%5Etweet

The KRRiT's rejection of the Charters of Obligations of the public media

In a resolution dated 13 November 2024, the KRRiT considered that the Charters of Obligations for the coming five years stand in contradiction to the objectives of the liquidation process of public media companies and do not provide a guarantee that the plans contained in them could be financed.¹⁰¹

Telewizja Polska (Polish Television) in liquidation, Polskie Radio in liquidation and regional radio stations in liquidation will have to operate on the basis of the previous Charters of Obligations.

All members of the KRRiT voted in favour of refusing to accept the Charters of Duty: Maciej Świrski, Agnieszka Glapiak, Hanna Karp, Marzena Paczuska and Tadeusz Kowalski.

Article 21a. Broadcasting Law of 29 December 1992 - Charter of Obligations

Charter of Obligations - a document that defines the manner of fulfilling the public service mission and the detailed scope of duties resulting from this mission, together with an indication of the manner of financing, for the following 5 years. The Charter of Obligations is established by an agreement concluded between a public radio and television broadcaster and the Chairman of the National Council on the basis of a decision of the KRRiT. KRRiT debate summarising the state of the public media

KRRiT debate summarising the state of the public media

On 12 December 2024, at the KRRiT's headquarters, a debate took place entitled 'The state of public media one year after the start of their liquidation'.¹⁰² A presentation also took place of the second part of the report edited by the deputy chairman of the KRRiT, Dr Agnieszka Glapiak, titled. 'Timeline of the liquidation of public media in Poland'. Part I of the report was published in July 2024.



Source 30. The KRRiT debate of 12 December 2024


¹⁰¹ The KRRiT unanimously refused to authorise Chairman Maciej Świrski to conclude an agreement on the establishment of the Charter of Obligations of the public media for 2025-2029 KRRiT, 13 November 2024

<https://www.gov.pl/web/krrit/krrit-jednoglosnie-odmowila-upowaznienia-przewodniczacego-macieja-swirskiego-do-zawarcia-porozumienia-w-sprawie-ustalenia-kart-powinnosci-mediow-publicznych-na-lata-2025-2029>


¹⁰² Exactly one year ago, on 20 December 2023, the TVP Info signal was switched off. The process of liquidation of public media has begun - KRRiT Debate, KRRiT communiqué, 20 December 2024

<https://www.gov.pl/web/krrit/dokladnie-rok-temu-20122023-r-wylaczono-sygnal-tvp-info-rozpoczal-sie-proces-likwidacji-mediow-publicznych>

The publication documents in detail the activities aimed at liquidating the public media. It chronologically describes, day by day, the takeover of Telewizja Polska, Polskie Radio and the regional radio stations of Polskie Radio by the Minister of Culture and National Heritage and the actions of the liquidators. The document describes, among other things, the efforts made by the KRRiT and other constitutional bodies, as well as MPs and senators of the Republic of Poland and media professionals to defend public broadcasting. The report is based on KRRiT documents, media releases and social media posts.



SITUATION OF PUBLIC MEDIA ONE YEAR AFTER THE COMMENCEMENT OF THEIR LIQUIDATION PROCESS

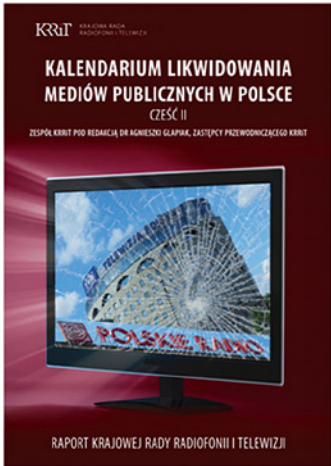


July 2024

Warsaw, 12 th December 2024

**National Broadcasting Council
prepared a two-part report**

**“Timeline of the liquidation
of public media in Poland”**



December 2024

Source 31. Slide from the debate presenting two parts of the ‘Timeline of the liquidation of public media in Poland’.

The report is available on the KRRiT website.¹⁰³

¹⁰³ Under the link <https://www.gov.pl/web/krrit/analizy-raporty-i-prezentacje> after expanding the 2024 tab you will find both parts of the calendar

CHAPTER IV

Financing of the public media

In December 2023, the public media were put into liquidation. However, it is ostensible, as no steps have been taken to indicate that these companies will be closed down. The media continue to survive on state subsidies, rtv subscription fees and advertising. Overall – the budgets of all public media companies have not changed radically in 2024.

The only permanent item in the budgets of the public media are the payments from the rtv subscription fees, because these are divided by the KRRiT for each coming year for each of the companies. Money from the state budget, on the other hand, depends on the will of those in power, while advertising revenues result from the activities of the companies and are derived from the market situation.

In 2024, the National Broadcasting Council transferred a total of PLN 620 million from the revenues of subscription fees, i.e. mandatory payments for owning a television or radio receiver (rtv user fees), to the accounts or court deposits of the public media companies.

The largest amount was transferred to Polish Television (Telewizja Polska) - PLN 316.2 million, and to the Polish Radio - PLN 151.9 million, with the remaining money divided among 17 regional radio stations in the following amounts:

- Radio Białystok SA - PLN 9.45 million,
- Radio PiK SA in Bydgoszcz - PLN 8.82 million,
- Radio Gdańsk SA - PLN 9.28 million,
- Radio Katowice SA - PLN 9.93 million,
- Radio Kielce SA - PLN 8.63 million,
- Radio Koszalin SA - PLN 8.70 million,
- Radio Kraków SA - PLN 9.35 million,
- Radio Lublin SA - PLN 8.39 million,
- Radio Łódź SA - PLN 8.61 million,
- Radio Olsztyn SA - PLN 8.47 million,
- Radio Opole SA - PLN 9.02 million,
- Radio Poznań SA - PLN 9.67 million,
- Polskie Radio Rzeszów SA - PLN 8.64 million,
- PR Szczecin SA - PLN 9.22 million,
- Radio dla Ciebie SA in Warsaw - PLN 9.33 million,
- Radio Wrocław SA - PLN 8.67 million,
- Radio Zachód SA in Zielona Góra - PLN 7.74 million.

The KRRiT paid out the money to the companies on a regular basis, with the proviso that the liquidators had to get their legal situation in order (they had to be registered and legalised in the National Court Register (KRS)). Otherwise, the money was transferred to court deposits.

Furthermore, the KRRiT also provided additional funds due to the floods that occurred in Poland. This was a surplus of more than PLN 22 million from the 2022 rtv subscription fees.

The media received over PLN 2 billion 341 million in state support in 2024, of which Telewizja Polska received PLN 1.851 billion. Polskie Radio received PLN 285.2 million and 17 regional radio stations received PLN 205.6 million.¹⁰⁴ The state funds were paid to the media companies in many tranches of various amounts.

As for advertising revenues, press reports indicate that they were much lower than in previous years. For example, the Press.pl portal¹⁰⁵ wrote that in 2024 Polskie Radio in liquidation earned a third less from advertising and sponsorship than in the previous year.

As of the end of December 2024, the government had not provided any information on the money earmarked for public media in the state budget for 2025. On the other hand, the media also receive funds from earmarked reserves. However, it is not known how much of this they will receive in 2025. It should be noted that only the National Broadcasting Council has estimated that revenue from the subscription fee will amount to PLN 605 million in 2025.



¹⁰⁴ The public media received PLN 2.341 billion from the state budget in 2024. Data from the Ministry of Culture and National Heritage, 14 January 2025

https://press.pl/tresc/85473,mkidn_-2_341-mld-zl-na-media-publiczne-z-budzetu-panstwa-w-2024-roku

¹⁰⁵ Polish Radio's advertising and sponsorship revenues could be a third lower than a year ago, 22 October 2024

<https://www.press.pl/tresc/84162,przychody-polskiego-radia-z-reklamy-i-sponsoringu-moga%C2%A0byc-o-1-3-nizsze-niz-rok-temu>

TVP's losses after the forced take-over – a PLN 33 million loss in 5 days

'PLN 33 million in the red. Such was the loss by Telewizja Polska recorded at the end of last year, after the then Minister of Culture Bartłomiej Sienkiewicz announced his decision to put TVP into liquidation,'¹⁰⁶ wrote Wirtualnapolska.pl on 18 July 2024. TVP's published financial statements for 2023 show that from 1 January to 26 December 2023, TVP recorded a net profit of PLN 298 million on revenues of PLN 4.42 billion. In contrast, from 27 December to 31 December 2023, it incurred a loss of PLN 33.4 million.

TVP noted in the report that with the company going into liquidation, its ability to use other external means of financing, such as lines of credit or bond issues, was significantly reduced.

The financial statements of the public media for the whole of 2024 will be known in June 2025, after they have been approved by the Ministry of Culture and National Heritage. Only after the publication of these data will it be possible to assess the total amount of losses incurred by the public media as a result of the liquidation process.

Payment tranches from the KRRiT to public media companies

The National Broadcasting Council (KRRiT) regularly transferred money from subscription fees to media companies. According to the KRRiT disbursement schedule, which was amended at the beginning of 2024, funds from rtv subscription fee revenues for public media companies were transferred to court deposits. On the other hand, in the case of an authorised entry in the KRS on the opening of the company's liquidation, the money was transferred to the accounts of these companies.

Disbursement of funds by the KRRiT for flood-related broadcasts

Due to the flooding that occurred in Poland on 17 September 2024, the National Broadcasting Council decided to accelerate the payment of the October tranche of subscription fee funds to all companies in a total of PLN 46.2 million in the following amounts:

- Telewizja Polska SA - PLN 23.56 million,
- Polskie Radio SA - PLN 11.32 million,
- Radio Białystok SA - PLN 0.70 million,
- Radio PiK SA in Bydgoszcz - PLN 0.66 million,
- Radio Gdańsk SA - PLN 0.69 million,
- Radio Katowice SA - PLN 0.74 million,
- Radio Kielce SA - PLN 0.64 million,
- Radio Koszalin SA - PLN 0.65 million,
- Radio Kraków SA - PLN 0.70 million,
- Radio Lublin SA - PLN 0.63 million,
- Radio Łódź SA - PLN 0.64 million,
- Radio Olsztyn SA - PLN 0.63 million,
- Radio Opole SA - PLN 0.67 million,
- Radio Poznań SA - PLN 0.72 million,

¹⁰⁶ Dismal results of TVP. Multi-million loss for 5 days Wirtualnapolska.pl, Sylwester Ruszkiewicz, 18 July 2024
<https://wiadomosci.wp.pl/fatalne-wyniki-tvp-wielomilionowa-strata-przez-5-dni-7050464920452000a>

Polskie Radio Rzeszów SA - PLN 0.64 million,
PR Radio Szczecin SA - PLN 0.69 million,
Radio dla Ciebie SA in Warsaw - PLN 0.69 million,
Radio Wrocław SA - PLN 0.65 million,
Radio Zachód SA in Zielona Góra - PLN 0.58 million.

In addition, it transferred more than PLN 22.25 million from the 2022 surplus. It decided to allocate 51 per cent of this sum to Telewizja Polska (PLN 11.34 million), which was obliged to transfer 70 per cent of the funds to the regional TV stations. The remaining 49 per cent went to the account of *Polskie Radio* (PLN 5.45 million) and the regional radio stations (PLN 5.45 million). The following were transferred to the individual radio stations:

Radio Białystok SA - PLN 0.34 million,
Radio PiK SA in Bydgoszcz - PLN 0.32 million,
Radio Gdańsk SA - PLN 0.33 million,
Radio Katowice SA - PLN 0.36 million,
Radio Kielce SA - PLN 0.31 million,
Radio Koszalin SA - PLN 0.31 million,
Radio Kraków SA - PLN 0.34 million,
Radio Lublin SA - PLN 0.30 million,
Radio Łódź SA - PLN 0.31 million,
Radio Olsztyn SA - PLN 0.30 million,
Radio Opole SA - PLN 0.32 million,
Radio Poznań SA - PLN 0.35 million,
Polskie Radio Rzeszów SA - PLN 0.31 million,
PR Szczecin SA - PLN 0.33 million,
Radio dla Ciebie SA in Warsaw - PLN 0.33 million,
Radio Wrocław SA - PLN 0.31 million,
Radio Zachód SA in Zielona Góra - PLN 0.28 million.

The National Broadcasting Council has allocated subscription fee funds for 2025 as follows

On 30 September 2024, the KRRiT adopted in a resolution¹⁰⁷ forecasting the revenue from subscription fees for 2025 and divided up the funds. The Council obliged the media to report on the subject of the use of funds for the public mission on pain of suspension of the subscription fee payments.

The communiqué read in part: 'The KRRiT has adopted a forecast of subscription fee revenues for 2025 in the amount of PLN 605 million. According to the subscription fee system currently in force and has made the following distribution of funds:

Telewizja Polska S.A. - 51 per cent of revenues, i.e. no more than PLN 308 million 444 thousand;
Polskie Radio S.A. - 24.5 per cent of revenues, i.e. no more than PLN 148 million 298 thousand;
Regional radio companies - 24.5 per cent of revenues, i.e. no more than PLN 148 million 258 thousand'.
At the same time, the National Broadcasting Council once again called on the Minister of Culture and National Heritage to restore the legal status of public media.

¹⁰⁷ After many hours of discussion, the KRRiT decided on the manner of distribution of subscription fee revenues in 2025. KRRiT, 30 September 2024
<https://www.gov.pl/web/krrit/po-wielogodzinnej-dyskusji-krrit-zdecydowala-o-sposobie-podzialu-wplywow-z-oplat-abonamentowych-w-2025-roku>

CHAPTER V

Problems with the mission and viewership of the public media

The unprecedented and illegal takeover of the public media has had serious consequences. It provoked a negative reaction from the public, which resulted in a decline in the number of viewers and listeners.

The losses were particularly severe for TVP. In the first days after the media coup, when certain programmes were not broadcast, Polish Television's audience fell dramatically - by up to 80 per cent compared to the same period the previous year. The losses could not be made up during the year. TVP Info was watched by an average of 75 per cent fewer viewers than in 2023.

TVP's main news programme *19:30*, which replaced *Wiadomości* (the *News*) after 21 December 2023, lost viewers significantly. In 2024, *19:30* averaged between 700,000 and over a million viewers less than the *News*. The news programmes *Teleexpress* and *Panorama* also experienced large year-on-year declines in viewers, in the hundreds of thousands.

The declines in Telewizja Polska's viewing figures in liquidation have affected the company's financial health and reduced its position in favour of its competitors.

Public media in Poland are obliged to produce and broadcast programmes that fulfil the public mission, going beyond commercial interests. This is regulated, among other things, by the Charters of Obligations, which are adopted by the National Broadcasting Council.

Following the government's assault on the media, there have been problems with the fulfilment of the public service mission, particularly by TVP, but similar reservations can also be made about public radio companies and the Polish Press Agency.

In addition, the public media were not objective, as they regularly took on the role of spokesperson for the government and the ruling coalition. They agitated in a propagandistic way and imposed one view of reality on the viewers without presenting other opinions.



TVP's problems in fulfilling its mission

The legal basis for the fulfilment of the public service mission is the Broadcasting Act, the Act on Subscription Fees, the Charter of Obligations and the Programme and Financial Plan. These documents precisely define the costs of fulfilment and sources of financing of the public mission. According to the Charter of Obligations, TVP distributes 39 programmes, including: TVP Info, TVP World, TVP Polonia, regional programmes and the common band TVP3 Regionalna.

The KRRiT's monitoring shows that TVP has not fulfilled its public mission to the full extent. As of 20 December 2023, no programmes were broadcast by: TVP Info, TVP3 Regionalna and programmes created by the 16 Regional Centres of the Polish Television and TVP World. In addition, TVP did not provide viewers with main news and current affairs programmes and services such as online services, as well as fixed offers on the TVP GO and VOD app.¹⁰⁸

Media bias at TVP – KRRiT report

On 22 April 2024, the National Broadcasting Council (KRRiT) published a report on the implementation of the public service mission of TVP in liquidation, which shows that TVP omitted information that was inconvenient for the ruling coalition.

The avoidance of information inconvenient to the ruling coalition, sparse and one-sided coverage on the forced takeover of public media and doubts about the legality of the authorities' actions in this sphere, factual errors and technical slip-ups - these are the main conclusions of the monitoring of the main news service of the public television - *19:30*. The analysis showed that, compared to the news programmes of competing TV stations - TVN's *Fakty*, Polsat's *Wydarzenia*, TV Republika's *Dzisiaj*, the *19:30* news service avoided reporting on the takeover of public media by Donald Tusk's government, and there were no images illustrating the forcible manner and timing of the taking over of the buildings of Polish Television, the Polish Radio and the Polish Press Agency. There was also no coverage of the public protests in defence of the public media. The material did not include statements by constitutionalists, the position of the Helsinki Foundation for Human Rights, the KRRiT and the Chairman of the KRRiT, who criticised the manner of the violent takeover of the public media.

The monitoring also showed that the *19:30* news service either did not report or very laconically mentioned other topics inconvenient for the authorities, including the demonstrations outside the prisons where opposition MPs Mariusz Kamiński and Maciej Wąsik were held and who were earlier detained at the Presidential Palace. This was reported by the other TV stations. The subject of the journalistic investigation of former Senate Speaker Tomasz Grodzki of the Civic Platform, suspected of corruption when he was a hospital director, was omitted. There was also a failure in covering topics that were uncomfortable for the authorities, such as the agricultural protests across the country, the circumstances of the arrest and inhumane treatment of Father Michał Olszewski and two former Ministry of Justice officials, the case of Russian spy Pavel Rubtsov *aka* Pablo Gonzalez and his partner, a Polish journalist. Criticism of the government's action during the floods in south-west Poland was also omitted.

¹⁰⁸ The degree to which TVP fulfils its public mission after 20 December 2023, as well as the loss of viewership of TVP programmes and advertising market shares from 20 December 2023 to 31 January 2024.
<https://www.gov.pl/web/krrit/stopien-realizacji-misji-publicznej-przez-tvp-po-20-grudnia-2023-r-oraz-straty-ogladalnosci-programow-tvp-i-udzialow-w-rynku-reklam-od-20122023-r-do-31012024-r>

TVP's omission of information - Demagog report

A similar lack of objectivity was noted by the non-governmental organisation (NGO) Demagog in a report published on 17 February 2024 on TVP news programmes that were broadcast in January 2024. The authors of the report looked at all the January editions of the TVP programme titled *19:30* and compared it with editions of TVN's *Fakty (Facts)* and Polsat's *Wydarzenia (Events)*.

'The criticism of President Andrzej Duda, omission of information unfavourable to Donald Tusk's government and a greater interest in foreign affairs than the competition.' And also: 'memes with Duda and criticism of the CPK'¹⁰⁹ were the main conclusions of the Demagog's report on the lack of impartiality of the *19:30* broadcasts.

Here are some other examples: 'On 11, 12, 19 and 21 January, viewers of *19:30* were not informed that demonstrations in support of Law and Justice politicians were taking place in front of the prisons where Kamiński and Wąsik were being held. Both competing stations reported this information on the above-mentioned days,' the report stated.

The authors of the report also noted that on 11 January the 'Protests of Free Poles', organised by the Law and Justice party took place in Warsaw. Demonstrators marched in defence of freedom of speech, media and democracy. *19:30* only reported the turnout at the demonstration organised by Law and Justice in favour of Warsaw's local authorities, estimated at 35,000 people. Rival programmes also quoted attendance figures from the organisers stating there were 300,000 demonstrators.

'On 19 January, the *19:30* news programme did not report that the opposition had filed a motion for the dismissal of Justice Minister Adam Bodnar. The matter was most fully presented by *Wydarzenia (Events)*, but the information also appeared in *Fakty (Facts)*', the report noted.



¹⁰⁹ Omission of information, memes with Duda and criticism of CPK. We check the new TVP, Demagog.org.pl, 17 February 2024
https://demagog.org.pl/analizy_i_raporty/pomijanie-informacji-memy-z-duda-i-krytyka-cpk-sprawdzamy-nowe-tvp/

On 26 January, Law and Justice announced that the party's politicians would be travelling around Poland in a special campaign to inform the public about the unlawful actions of the ruling coalition. 'The current authorities promised 100 specific actions they would take, and the truth is that the Polish Constitution is being violated, the law is being broken, state institutions, including the prosecutor's office, are being taken over – by force – and the public media have also been taken over in the same way,' the Law and Justice party announced. The main opposition party's action was covered that day by *Fakty* and *Wydarzenia* but the 19:30 programme remained silent, stated the authors of the Demagog Report.

Favouritism on TVP of ruling coalition politicians – another report by Demagog

Nine out of ten politicians on *Pytanie dnia* (*Question of the Day* - a TVP programme) represent the ruling coalition, writes Demagog in its report on the participation of politicians in the main journalistic programmes of Polish public media in May 2024.

Łukasz Grzesiczak, author of the report, noted: 'We recall that in the coalition agreement signed on 10 November 2023, the leaders of the Civic Coalition, the Third Way and the New Left declared: "We will repair and depoliticise the public media" (p. 8). So, this time we decided to check which parties' representatives are invited, among others, to the *Question of the Day*, a programme which, as we read on the TVP website, offers "commentary on material presented in the main news programme". (...) The subject of Demagog's interest was selected journalistic programmes broadcast in the public media: *Question of the Day* on TVP1 and on TVP Info, *Morning Guest* on TVP Info and the programme *Bez Uników* hosted by Renata Grochal on Radio Three. The experts also reviewed some journalistic programmes on private media: *Fakty po Faktach* on TVN 24, *Polsat's Guest of Events*, *Radio Zet's Guest*, *Radio ZET's Afternoon Guest*, *RMF's Morning Conversation* and *RMF's Afternoon Conversation*.¹¹⁰

The author of the report pointed out that: 'The ruling party was most strongly supported by the *Question of the Day* programme on TVP, which gave almost 90 per cent of its airtime to politicians representing the government coalition'.

Udział przedstawicieli koalicji rządzącej i opozycji* w programach (maj 2024)		
	Koalicja rządząca	Opozycja
Pytanie Dnia (TVP)	89,47 proc.	10,53 proc.
Gość Poranka (TVP)	85 proc.	15 proc.
Bez Uników (PR3)	68,75 proc.	31,25 proc.
Fakty po Faktach (TVN)	85,71 proc.	14,29 proc.
Gość Wydarzeń (Polsat)	48,72 proc.	51,28 proc.
Gość Radia ZET	58,82 proc.	41,18 proc.
Popołudniowy Gość Radia ZET	70,59 proc.	29,41 proc.
Poranna Rozmowa w RMF FM	53,33 proc.	46,67 proc.
Popołudniowa Rozmowa w RMF FM	72,73 proc.	27,27 proc.

*Do koalicji rządzącej zaliczyliśmy przedstawicieli Koalicji Obywatelskiej, Trzeciej Drogi i Lewicy. Do opozycji zaliczyliśmy przedstawicieli Prawa i Sprawiedliwości, Kancelarii Prezydenta RP i Konfederacji.
Źródło: opracowanie własne Demagog.org.pl na podstawie monitoringu programów publicystycznych w maju 2024 roku

DEMAGOG

Source 32. Table (1) from Demagog.org.pl

¹¹⁰ 'Pure water' without women and with the dominance of the Civic Coalition. Who are the journalistic programmes inviting? Demagog.org.pl, Łukasz Grzesiczak, 6 June 2024
https://demagog.org.pl/analizy_i_raporty/czysta-woda-bez-kobiet-i-z-dominacja-koalicji-obywatelskiej-kogo-zapraszaja-programy-publicystyczne/

The Demagog also looked at the proportions of men and women invited. In this case, the gender of all guests was considered, not just that of politicians.

Udział kobiet i mężczyzn w programach (maj 2024)		
	Kobiety	Mężczyźni
Pytanie Dnia (TVP)	0 proc.	100 proc.
Gość Poranka (TVP)	29,27 proc.	70,73 proc.
Bez Uników (PR3)	29,17 proc.	70,83 proc.
Fakty po Faktach (TVN)	27,37 proc.	72,63 proc.
Gość Wydarzeń (Polsat)	17,31 proc.	82,69 proc.
Gość Radia ZET	16,67 proc.	83,33 proc.
Popołudniowy Gość Radia ZET	16,67 proc.	83,33 proc.
Poranna Rozmowa w RMF FM	38,89 proc.	61,11 proc.
Popołudniowa Rozmowa w RMF FM	46,67 proc.	53,33 proc.

Źródło: opracowanie własne Demagoga.org.pl na podstawie monitoringu programów publicystycznych w maju 2024 roku

DEMAGOG

Source 33. Table (2) from the Demagog.org.pl website

‘In summary - how did TVP compare with other media? Marek Czyż promised an end to propaganda in the public media, and Justyna Dobrosz-Oracz announced that she would invite ‘all guests, from different sides’. In fact, in May, *Rozmowa dnia*, the most important publicist programme on public television co-hosted by them, gave almost 90 per cent of its airtime to politicians of the ruling camp, and only just over 10 per cent, to opposition politicians’. It also noted that ‘although women make up the majority of Polish society - there are 107 women for every 100 men (p. 4), and almost 30 per cent of the Sejm deputies are women - no women were invited to the *Questions of the Day* studio during the entire month’, according to the report, which was discussed by various media outlets, including Gazeta.pl¹¹¹ and Wirtualnemedi.pl¹¹². This information was confirmed by the National Broadcasting Council in a report summarising the presence of politicians in the public media in all of 2024.

As much as 84 % of TVP’s time is allocated to the ruling coalition - KRRiT report

In the period January-December 2024, the total time of political parties in the programmes of Telewizja Polska amounted to 743 hours 2 minutes.

The time of the parties belonging to the ruling coalition was 623 hrs and 33 mins, or 84 per cent.

On the other hand, the time of the opposition parties amounted to 119 hours and 29 minutes, or 16 per cent.

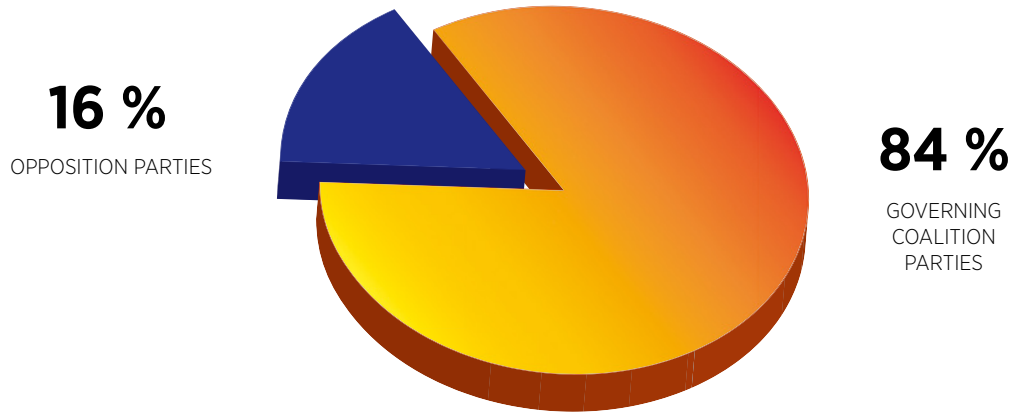
¹¹¹ TVP programmes were analysed. We know which politicians were hosted most often, Gazeta.pl, Julia Panicz, 6 June 2024

<https://wiadomosci.gazeta.pl/wiadomosci/7,114883,31036770,przeanalizowano-programy-tvp-wiemy-ktorych-politykow-goszczono.html>

¹¹² Journalistic witing in the media: the government coalition dominates on TVP, in Mazurek and Polsat every second guest from PiS Wirtualnemedi.pl, 7 June 2024

<https://www.wirtualnemedi.pl/artykul/publicystyka-w-mediach-tvp-bez-kobiet-u-mazurka-co-drugi-gosc-z-pis>

**Percentage breakdown of the presence on TVP airwaves of
of parties forming the government and opposition parties**



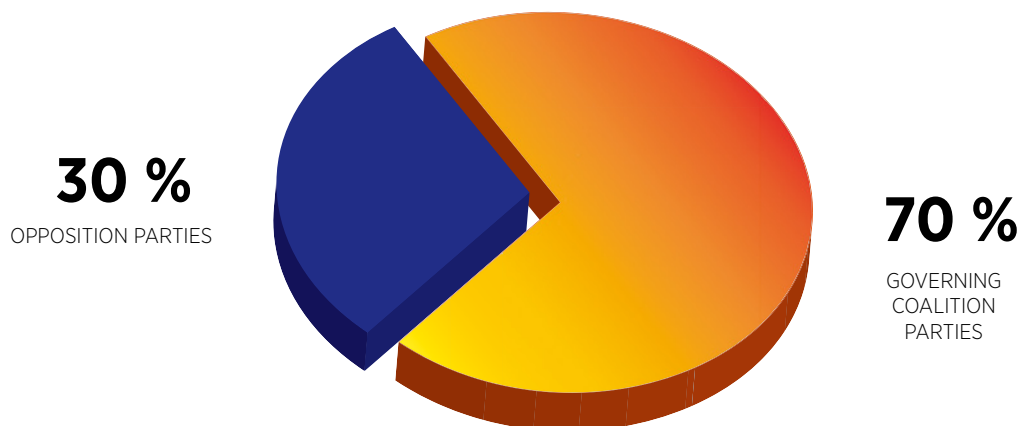
Up to 70 % of Polskie Radio's airtime is allocated to the ruling coalition - KRRiT report

In the period from January-December 2024, the total time spent by political parties on Polskie Radio programmes amounted to 298 hrs and 27 minutes.

The time spent by the parties of the ruling coalition was 208 hrs and 50 minutes, or 70 per cent.

By contrast, the time of opposition parties amounted to 89 hrs and 37 minutes, or 30 per cent.

**Percentage breakdown of the presence of
of government and opposition parties on Polish Radio**



Polish Radio's regional radio stations' share of political parties' presence in January-December 2024:

Polskie Radio Zachód

devoted 74 per cent of its time to the ruling coalition and 26 per cent to opposition parties.

Polskie Radio Łódź

devoted 70 per cent of its time to the ruling coalition and 30 per cent to the opposition parties.

Polskie Radio Koszalin

devoted 68 per cent of its time to the ruling coalition and 32 per cent to the opposition parties.

Polskie Radio Olsztyn

devoted 68 per cent of its time to the ruling coalition and 32 per cent to the opposition parties.

Polskie Radio Wrocław

devoted 67 per cent of its time to the ruling coalition and 33 per cent to the opposition parties.

Polskie Radio dla Ciebie

devoted 67 per cent of its time to the ruling coalition and 33 per cent to the opposition parties.

Polskie Radio Kraków

devoted 66 per cent of its time to the ruling coalition and 34 per cent to the opposition parties.

Polskie Radio Szczecin

devoted 64 per cent of its time to the ruling coalition and 36 per cent to the opposition parties.

Polskie Radio Kielce

devoted 64 per cent of its time to the ruling coalition and 36 per cent to the opposition parties.

Polskie Radio Gdańsk

devoted 63 per cent of its time to the ruling coalition and 37 per cent to the opposition parties.

Polskie Radio Katowice

devoted 62 per cent of its time to the ruling coalition and 38 per cent to the opposition parties.

Polskie Radio Rzeszów

devoted 60 per cent of its time to the ruling coalition and 40 per cent to the opposition parties.

Polskie Radio Pomorze i Kujaw

devoted 60 per cent of its time to the ruling coalition and 40 per cent to the opposition parties.

Polskie Radio Poznań

devoted 60 per cent of its time to the governing coalition and 40 per cent to the opposition parties.

Polskie Radio Opole

devoted 59 per cent of its time to the ruling coalition and 41 per cent to the opposition parties.

Polskie Radio Lublin

devoted 58 per cent of its time to the ruling coalition and 42 per cent to the opposition parties.

Polskie Radio Białystok

devoted 54 per cent of its time to the ruling coalition and 46 per cent to the opposition parties.

Dramatic drop in viewership - impact of liquidation

On 20 December 2002, the TVP Info signal was switched off. On the same day, the most important news programmes on other Polish television stations were not broadcast. This unprecedented event in the history of democratic Poland had a negative impact on the ratings of TVP's news and current affairs programmes, including *19:30*. The following months did not bring any improvement in the situation and public television is still not regaining viewers and is losing market share. In comparison with 2023, the leading channels and

programmes of Telewizja Polska in liquidation recorded a significant drop in viewers. The illegal liquidation process of public media in Poland has caused irreparable financial, organisational and image losses.

According to AGB Nielsen Media Research, an international research company specialising in telemetric studies of TV audiences, 'TVP's leading news channel *19:30* has lost between 30 and over 40 per cent of its audience, depending on the month. The drama of the situation is even better illustrated by the audience figures - in January 2024, the *19:30* service had almost 800,000 fewer viewers than the *News*. In February and March, it had around 950,000 fewer viewers, and in November and December it had more than a million fewer viewers than the *News* in the comparable period.

WIADOMOŚCI (the News) vs 19:30

AMR - NUMBER OF VIEWERS				
JANUARY	2023	2024	CHANGE	CHANGE %
	2 651 235	1 901 986	-749 249	-28%
FEBRUARY	2023	2024	CHANGE	CHANGE %
	2 650 514	1 676 460	-974 054	-37%
MARCH	2023	2024	CHANGE	CHANGE %
	2 574 233	1 618 900	-955 333	-37%
APRIL	2023	2024	CHANGE	CHANGE %
	2 233 013	1 466 506	-766 507	-34%
MAY	2023	2024	CHANGE	CHANGE %
	2 085 194	1 318 412	-766 782	-37%
JUNE	2023	2024	CHANGE	CHANGE %
	2 050 415	1 268 112	-782 303	-38%
JULY	2023	2024	CHANGE	CHANGE %
	2 014 336	1 158 523	-855 813	-42%
AUGUST	2023	2024	CHANGE	CHANGE %
	2 100 115	1 265 793	-834 322	-40%
SEPTEMBER	2023	2024	CHANGE	CHANGE %
	2 335 797	1 619 410	-716 387	-31%
OCTOBER	2023	2024	CHANGE	CHANGE %
	2 780 680	1 593 546	-1 187 134	-43%
NOVEMBER	2023	2024	CHANGE	CHANGE %
	2 698 492	1 583 929	-1 114 563	-41%
DECEMBER	2023	2024	CHANGE	CHANGE %
	2 866 537	1 605 863	-1 260 674	-44%

Source 34. Compiled by the KRRiT Bureau on the basis of AGB Nielsen Media Research. Data refers to broadcasts of *WIADOMOŚCI (the News)* and *19.30* together on air: TVP 1, TVP Info, TVP Polonia.

PANORAMA

TVP2's main news service, broadcast for years at 6:00 p.m., disappeared from the airwaves on 20 December 2023. It was only reinstated on 10 January 2024; at the same time as its time slot was moved to 10:00 p.m. Subsequently, further changes to the broadcast time were introduced.

According to AGB Nielsen Media Research data, the *Panorama* service averaged more than 70 per cent fewer viewers in 2024 than in the previous year. In 2024, compared to 2023, it lost more than one million viewers. Frequent changes in broadcasting times throughout the year do not offer a chance of improving these indicators.

PANORAMA

AMR - NUMBER OF VIEWERS				
JANUARY	2023	2024	CHANGE	CHANGE %
	1 589 120	546 007	-1 043 113	-66%
FEBRUARY	2023	2024	CHANGE	CHANGE %
	1 637 218	460 063	-1 177 155	-72%
MARCH	2023	2024	CHANGE	CHANGE %
	1 487 012	424 757	-1 062 255	-71%
APRIL	2023	2024	CHANGE	CHANGE %
	1 251 188	461 929	-789 259	-63%
MAY	2023	2024	CHANGE	CHANGE %
	1 145 394	493 237	-652 157	-57%
JUNE	2023	2024	CHANGE	CHANGE %
	1 143 645	346 799	-796 846	-70%
JULY	2023	2024	CHANGE	CHANGE %
	1 148 940	407 222	-741 718	-65%
AUGUST	2023	2024	CHANGE	CHANGE %
	1 199 914	401 591	-798 323	-67%
SEPTEMBER	2023	2024	CHANGE	CHANGE %
	1 193 916	778 012	-415 904	-35%
OCTOBER	2023	2024	CHANGE	CHANGE %
	1 552 055	316 150	-1 235 905	-80%
NOVEMBER	2023	2024	CHANGE	CHANGE %
	1 644 090	369 526	-1 274 564	-78%
DECEMBER	2023	2024	CHANGE	CHANGE %
	1 621 312	372 668	-1 248 644	-77%

Source 35. Compiled by the KRRiT bureau on the basis of AGB Nielsen Media Research. The data refer to the total number of *Panorama* broadcasts on the antennas of: TVP 2, TVP Info, TVP Polonia. All editions were broadcast on TVP2 from 10 January 2024; during the year, *Panorama* changed its broadcasting times on the antennas mentioned several times.

TELEEXPRESS

Teleexpress resumed broadcasting on 4 January 2024, and it too has seen a huge drop in viewers. On average, it has a third fewer viewers. In numerical terms, this represents a drop of almost 500,000 to over 800,000 viewers.

TELEEXPRESS

AMR - NUMBER OF VIEWERS				
JANUARY	2023	2024	CHANGE	CHANGE %
	2 583 604	1 970 505	-613 099	-24%
FEBRUARY	2023	2024	CHANGE	CHANGE %
	2 434 214	1 676 298	-757 916	-31%
MARCH	2023	2024	CHANGE	CHANGE %
	2 159 258	1 521 188	-638 070	-30%
APRIL	2023	2024	CHANGE	CHANGE %
	1 881 582	1 307 128	-574 454	-31%
MAY	2023	2024	CHANGE	CHANGE %
	1 711 684	1 199 938	-511 746	-30%
JUNE	2023	2024	CHANGE	CHANGE %
	1 671 826	1 356 909	-314 917	-19%
JULY	2023	2024	CHANGE	CHANGE %
	1 648 290	1 171 539	-476 751	-29%
AUGUST	2023	2024	CHANGE	CHANGE %
	1 697 960	1 131 515	-566 445	-33%
SEPTEMBER	2023	2024	CHANGE	CHANGE %
	1 772 583	1 299 157	-473 426	-27%
OCTOBER	2023	2024	CHANGE	CHANGE %
	2 114 142	1 389 089	-725 053	-34%
NOVEMBER	2023	2024	CHANGE	CHANGE %
	2 507 099	1 669 841	-837 258	-33%
DECEMBER	2023	2024	CHANGE	CHANGE %
	2 476 066	1 663 017	-813 049	-33%

Source 36. Compiled by the KRRiT bureau on the basis of AGB Nielsen Media Research. Data refer to the combined transmissions of the *News* and *19:30*: TVP 1, TVP Info, TVP Polonia.

TVP INFO

From 20 to 29 December, the news channel TVP Info was off the air and TVP1 was broadcast. It is this channel that has seen the biggest drop in viewers. TVP Info's average audience is only a quarter of what it was before 20 December 2023, less than 100,000 viewers. The biggest drop occurred between 20 and 31 December 2023, when its audience fell by 92 per cent compared to the same period in 2022.

In January 2024, TVP Info lost almost 70 per cent of its viewers, and in October 2024 it had 77 per cent fewer viewers than in 2023.

The TVP Info channel did not recover its audience.

TVP INFO

AMR - NUMBER OF VIEWERS				
	2023	2024	CHANGE	CHANGE %
JANUARY	277 613	91 264	-186 349	-67%
FEBRUARY	294 277	78 009	-216 268	-73%
MARCH	272 282	72 432	-199 850	-73%
APRIL	236 432	63 028	-173 404	-73%
MAY	240 053	63 169	-176 884	-74%
JUNE	264 845	63 248	-201 597	-76%
JULY	261 289	64 264	-197 025	-75%
AUGUST	265 651	61 141	-204 510	-77%
SEPTEMBER	268 945	105 944	-163 001	-61%
OCTOBER	330 388	74 517	-255 871	-77%
NOVEMBER	338 465	80 689	-257 776	-76%
DECEMBER	227 223	85 754	-141 469	-62%

Source 37. KRRiT Bureau study based on AGB Nielsen Media Research

TVP Info's losses a gain for the competition - a report by Wirtualnedia.pl

In November 2024, TVN24 was the leader on the news channel market, but the station also recorded a decline, and TVP Info also lost a lot of the market share. TV Republika saw a huge increase, according to an analysis prepared by the Wirtualnedia.pl portal.

'The public television news channel [TVP Info] is recording significantly lower results than a year earlier, where its share was 5.66 per cent. TVP Info's audience fell after a break in December and a change in the channel's format. The format and journalists making up the channel have changed, causing a lot of existing viewers with right-wing views to switch to TV Republika',¹¹³ wrote Wirtualnedia.pl.

¹¹³ TVN24 is the leader but is losing ground to TV 'Republika'. TVP Info without 75% of viewers, Wirtualnedia.pl, Patryk Pallus, 25 December 2024
<https://www.wirtualnedia.pl/artykul/republika-goni-tvn24-tvp-info-bez-75-proc-widzow>

'In the 16 to 59 age group, TVN24's share was 3.55 per cent, compared to 4.97 per cent a year earlier. TV Republika, which was promoted to second place, recorded a 4780 per cent increase in results to 2.44 per cent. The podium is rounded off by Polsat News with 1.07 per cent share, and TVP Info was only in fifth place (0.86 per cent). The public television news channel came in behind *Wydarzenia 24* (*Events 24*) - (0.92 per cent),' reads the analysis of the Wirtualnemedi.pl portal.

Below are two breakdowns prepared by the Wirtualnemedi.pl portal. The first refers to the age group: 'All' group, while the second refers to the age group: 16-59.

		November			
All		2024		2023	
No.	Station	AMR	SHR%	AMR	SHR%
1	TVN24	335 190	5,42	449 555	7,16
2	Republika	296 390	4,79	7 008	0,11
3	TVP Info	88 212	1,43	355 422	5,66
4	Polsat News	81 001	1,31	128 082	2,04
5	Wydarzenia24	71 628	1,16	48 752	0,78
6	wPolsce24.pl	46 042	0,74	2 004	0,03
7	TVN24 BIS	31 851	0,51	32 045	0,51
8	Polsat News Polityka	10 913	0,18	-	-
9	Polsat News 2	5 560	0,09	7 121	0,11

Source 38. Viewing of news channels in the 'All +' group. Compiled by Wirtualnemedi.pl. AMR - number of viewers, SHR% audience share (percentage of viewers who watched the programme in relation to all viewers watching TV at that time).

		November			
16-59		2024		2023	
No.	Station	AMR	SHR%	AMR	SHR%
1	TVN24	108 609	3,55	157 501	4,97
2	Republika	74 721	2,44	1 690	0,05
3	TVP Info	32 647	1,07	47 233	1,49
4	Polsat News	28 262	0,92	21 321	0,67
5	Wydarzenia24	26 380	0,86	86 744	2,74
6	wPolsce24.pl	12 072	0,39	355	0,01
7	TVN24 BIS	11 682	0,38	11 701	0,37
8	Polsat News Polityka	2 038	0,07	2 324	0,07
9	Polsat News 2	1 927	0,06	-	-

Source 39. Viewership of news channels in the 16-59 age group. Compiled by Wirtualnemedi.pl. AMR - number of viewers, SHR% audience share (percentage of viewers who watched the programme in relation to all viewers watching TV at that time).

CHAPTER VI

Attack on the freedom of expression

The ruling coalition's takeover of the public media took place in violation of the following laws: the Broadcasting Law, the Law on the Polish Press Agency and on Law the National Media Council. In doing so, the role of the National Broadcasting Council, which upholds media order in the country and safeguards freedom of expression, was completely ignored.

The attack on Polish Television, Polish Radio and the PAP was widely reported by all media in Poland, but most journalists paid no attention to the obvious violation of the law by those that took over the media. The dominant propaganda message was that the Sejm had acquiesced to the takeover of TV, public radio and the news agency. The majority of the media in Poland proved to be biased and did not stand on the side of freedom of speech or in defence of the existing legal order.

However, the illegal and violent takeover of the public media is not the only strike by the ruling camp against journalists. The government has embarked on a campaign to ration information and influence how and what the media should report to the public. It has repeatedly restricted access to information to certain newsrooms in 2024, acting in contravention of the Press law. The Prime Minister's Office and some ministries blocked journalists' access to press conferences, including to crisis staff meetings during the floods in south-east Poland. This was particularly true of national television channels: TV Republika and wPolsce24, but also journalists from other newsrooms. In one case, a court ruled that the Ministry of Culture had to apologise to TV Republika, but journalists from the station are still not allowed to attend meetings.

In 2024, the activities of a Russian secret service agent who had infiltrated the Polish journalistic community were much discussed. This included his partner, who, among other things, gave biased coverage in the foreign media of an attack on the Polish media, justifying its takeover by the ruling coalition.

The government also attempted to interfere in the free media market in Poland by adding two private television stations – TVN and Polsat – to the list of strategic state institutions. This followed the news that TVN had been put up for sale. This decision gives the government control over who can become a station owner.



Journalists denied access to government conferences

- On 22 January 2024, a journalist from TV Republika was not allowed to attend a press conference at the Ministry of Culture and National Heritage.
- On 29 January 2024, a journalist from TV Republika was not allowed to attend a press conference held by Minister Adam Bodnar at the Ministry of Justice.
- From 31 March 2024 to 2 October 2024, TV Republika journalists were denied entry to conferences and events organised by the Chancellery of the Prime Minister.
- On 26 June 2024, a journalist from TV Republika was denied access to a press conference of Prime Minister Donald Tusk at the Chancellery of the Prime Minister. The conference concerned, among other things, the construction of the Central Transport Hub (CPK).
- On 21 August 2024, the Ministry of Sport prevented a TV Republika journalist from entering a press conference at the National Stadium.
- On 16 September 2024, a TV Republika journalist was denied entry to a press conference of the Prime Minister and a meeting of the Emergency Flood Control headquarters in south-eastern Poland.
- On 17 September 2024, Janusz Życzkowski, a journalist from Telewizja Republika, was denied entry to a meeting of the Emergency Flood Control headquarters, which was meeting in Wrocław under the leadership of Prime Minister Donald Tusk.
- On 7 November 2024, Monika Rutke, a journalist from Tygodnik Solidarność, informed on Profile 'X' that she would probably not be allowed to attend Prime Minister Donald Tusk's press conferences, as such a ban was issued by Agnieszka Rucińska, Undersecretary of State at the Chancellery of the Prime Minister.
- On 22 November 2024, Michał Jelonek, a journalist from TV Republika, perceived as a threat directed towards him a question from prosecutor Anna Adamiak: 'is he already packed?' (implicitly to be arrested for asking the question).
- On 23 November 2024, a journalist from TV wPolsce24 was not allowed into the National Council meeting of the Civic Platform (PO), where Warsaw Mayor Rafał Trzaskowski was announced as the PO's candidate in the presidential election.

Order of the Minister of Culture to apologise to TV Republika

On 4 July 2024, the Regional Court in Warsaw ruled that the non-admission of a TV Republika journalist to a conference of the Minister of Culture was unlawful. The ministry must apologise to the broadcaster.¹¹⁴ 'The subject of the legal dispute was the non-admission of, among others, reporter Łukasz Żmuda to the conference held by the then Minister of Culture Bartłomiej Sienkiewicz. At the time, the station was reporting on changes in Polish television and other public media'.

The Regional Court in Warsaw (ref. IV C 306/24) obliged the Minister of Culture to make the following statement: 'I, the Minister of Culture and National Heritage, apologise to Telewizja Republika S.A. for repeatedly refusing to allow Telewizja Republika to participate in press conferences convened by the Minister of Culture and National Heritage. This action violated the personal rights of Telewizja Republika S.A. in the form of access to information'.¹¹⁵

¹¹⁴ The Ministry of Culture and National Heritage is to apologise to TV Republika. 'We are effectively fighting the Tusk regime'. Wirtualnemedi.pl, ag, 4 July 2024 <https://www.wirtualnemedi.pl/artykul/tv-republika-ministerstwo-kultury-i-dziedzictwa-narodowego-wyrok-sad-niewpuszczanie-dziennikarzy-konferencja-prasowa>

¹¹⁵ Jarek Olechowski@OlechowskiJarek 'X' entry, 21 August 2024, 9:21 a.m. <https://x.com/OlechowskiJarek/status/1826157717196578962>

On the 'X' portal, Jarosław Olechowski, head of publishers of TV Republika, wrote: 'A crushing court verdict against the Ministry of Culture and National Heritage for not allowing TV Republika journalists to attend the ministry's press conferences. According to the court, Bartłomiej Sienkiewicz violated the law on the right to information and a number of international conventions. We are effectively fighting the Tusk regime to preserve freedom of speech in Poland'.

'The unjustified refusal of press representatives, representing one particular broadcaster (Telewizja Republika), to participate in a situation where representatives of other media (far more sympathetic to the government) were allowed to participate should be considered an obstruction of press criticism and should have no place in a democratic state of law where freedom of the press and mass media is constitutionally guaranteed',¹¹⁶ he stressed.

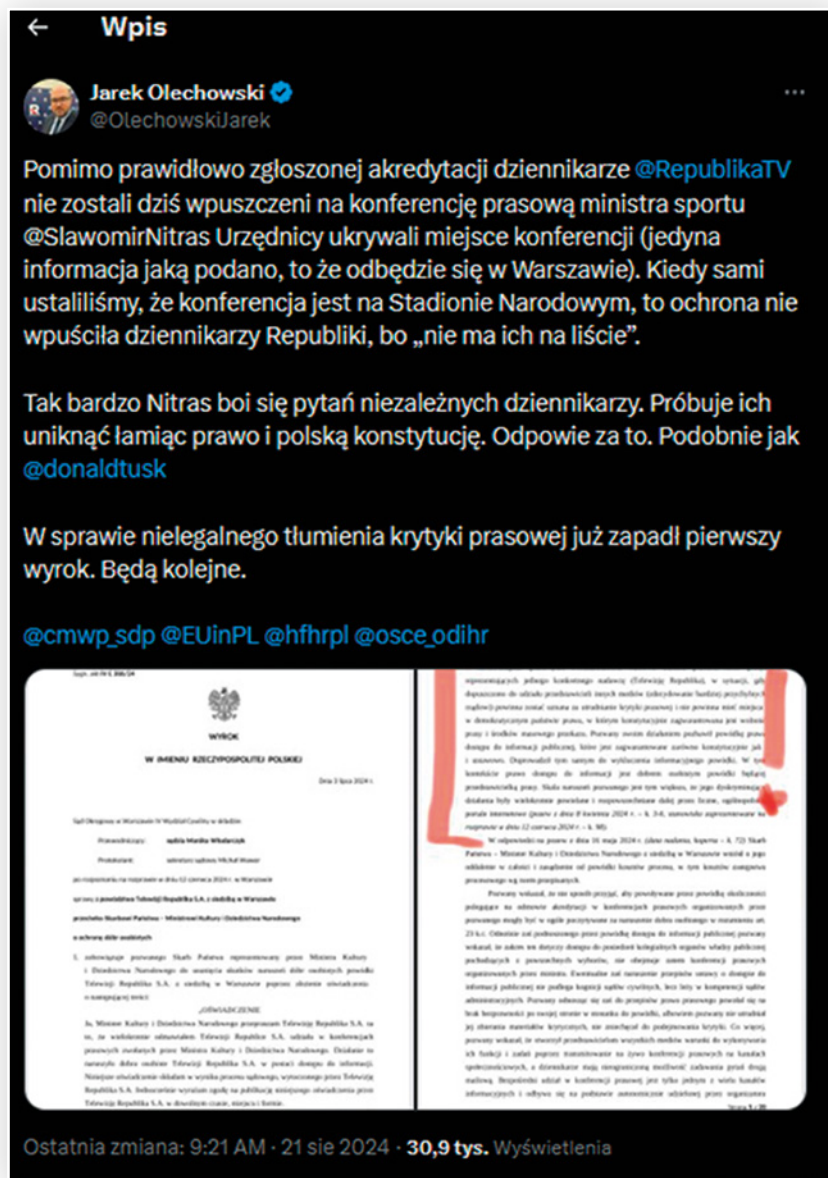


¹¹⁶ Entry by Jarek Olechowski@OlechowskiJarek 'X', 3 July 2024, 2:40 p.m.
<https://x.com/OlechowskiJarek/status/1808480943855768013>

Access to the Ministry of Sport conference blocked

Jarosław Olechowski, head of publishing at TV Republika, wrote on his 'X' profile on 21 August 2024: 'Despite duly submitted accreditation, journalists from @RepublikaTV were not allowed to attend the press conference of Minister of Sport @SlawomirNitras today. Officials concealed the location of the conference (the only information given was that it would be held in Warsaw). When we found out for ourselves that the conference was being held at the National Stadium, the security there did not let any journalists from TV Republika in because "they are not on the list"'.¹¹⁷

The Wirtualnemedi.pl portal recalled previous cases of this kind. TV Republika's reporting teams have not been allowed to attend conferences organised by the Prime Minister's Office for several months. They are also not given accreditation for Donald Tusk's visits abroad'.¹¹⁸



Source 40. 'X', Jarek Olechowski@OlechowskiJarek

¹¹⁷ Entry by Jarek Olechowski@OlechowskiJarek 'X', 21 August 2024, 9:21 a.m.
<https://x.com/OlechowskiJarek/status/1826157717196578962>

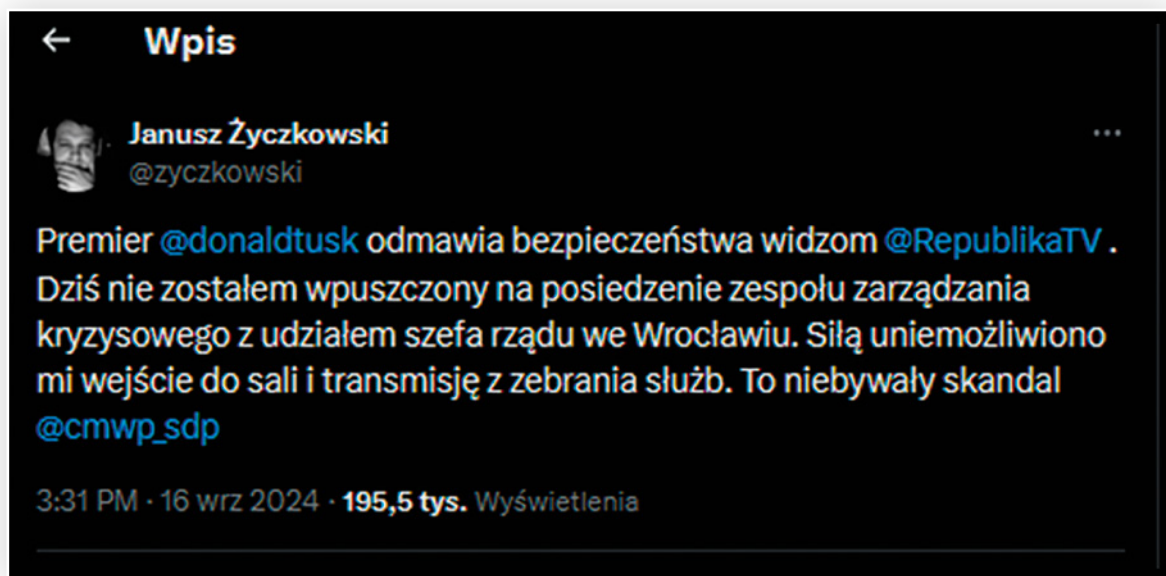
¹¹⁸ Another ministry does not allow TV Republika to attend the conference. 'Nitras will answer for this'. Wirtualnemedi.pl, tw, 21 August 2024
<https://www.wirtualnemedi.pl/komentarze/tv-republika-dziennikarz-michal-gwardynski-bez-wstępu-konferencja-minister-sportu-slawomir-nitras/page:12>

Access denied to the flood control crisis task force meeting

The meeting of the crisis task force, which took place on 16 September 2024, chaired by PM Donald Tusk, was open to the media, but the entrance to the meeting was denied to the TV Republika team.

The portal Niezalezna.pl described: 'At noon, reporter Łukasz Żmuda was not allowed into the Donald Tusk conference. It was even worse in Wrocław, where journalists from TV Republika were not allowed into the press conference at the meeting of the crisis task force. There, force was used to eject Janusz Życzkowski'.¹¹⁹

The information was confirmed by Janusz Życzkowski, who wrote on his 'X' profile: 'Prime Minister @donalduktusk denies security to viewers of @RepublikaTV. Today I was not allowed into the crisis task force meeting with the head of our government in Wrocław. I was forcibly prevented from entering the room and broadcasting the meeting. This is an incredible scandal @cmwp_sdp'.¹²⁰



Source 41. 'X', Janusz Życzkowski@zyczkowski

¹¹⁹ Telewizja Republika reporter forcibly ejected from crisis staff conference. The head of the KRRiT notifies the prosecutor's office! Niezalezna.pl, Mateusz Tomaszewski, 16 September 2024

<https://niezalezna.pl/media/tv-republika/reporter-republiki-sila-wyrzucony-z-konferencji-sztabu-kryzysowego-szef-krrit-powiadamia-prokurature/526838>

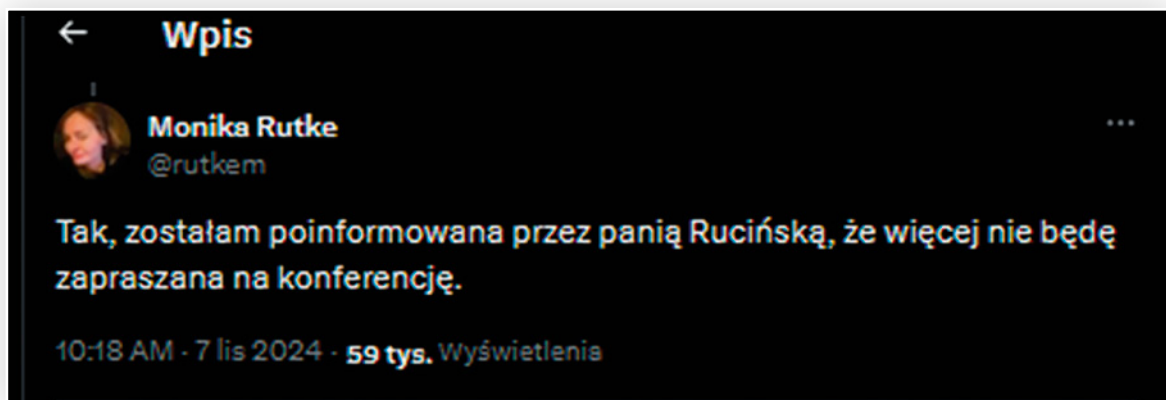
¹²⁰ Entry by Janusz Życzkowski@zyczkowski 'X', 16 September 2024, 3:31 p.m.

<https://x.com/zyczkowski/status/1835672910771397069>

Further problems with entry to the PM's conferences

Monika Rutke, a journalist from 'Tygodnik Solidarność', reported on 7 November 2024 on the 'X' profile¹²¹ that she would probably not be allowed to attend Prime Minister Donald Tusk's press conferences, because such a ban was issued by Agnieszka Rucińska, Undersecretary of State at the Chancellery of the Prime Minister.^{122, 123}

The journalist reminded Prime Minister Donald Tusk of his 2023 statement about Donald Trump, in which he suggested that he was dependent on Russian services and even that 'it is not excluded by the US security services that Trump was even recruited by Russian services 30 years ago'.¹²⁴



Source 42. 'X', Monika Rutke@rutkem



Source 43. 'X', Monika Rutke@rutkem

¹²¹ Entry by Monika Rutke@rutkem 'X', 7 November 2024, 10:18 a.m.
<https://x.com/rutkem/status/1854453455491883278>

¹²² Entry by Monika Rutke@rutkem 'X', 7 November 2024, 10:44 a.m.
<https://x.com/rutkem/status/1854453455491883278>

¹²³ Statement by Monika Rutke in relation to doubts about the incident during the Donald Tusk conference Tysol.pl, 7 November 2024
<https://www.tysol.pl/a130371-oswiadczenie-moniki-rutke-w-zwiazku-z-watpliwosciami-dot-zajscia-podczas-konferencji-donalda-tuska>

¹²⁴ Donald Tusk's uncomfortable words about Donald Trump. Now he contradicts himself, Onet.pl, 7 November 2024
<https://wiadomosci.onet.pl/kraj/niewygodne-slowa-donalda-tuska-o-donaldzie-trumpie-teraz-zaprzecza/wzywqq4>

The situation that took place at the Prime Minister's Chancellery caused an uproar among internet users, as journalists of the Telewizja Republika had earlier received a similar ban. The Wpolityce.pl portal commented: 'Prime Minister Donald Tusk and other representatives of the Civic Coalition have for a long time not allowed some of the media into press conferences (strangely enough, just the conservative ones). However, if there is any 'blacklist' of journalists in the Chancellery or in the PO headquarters, a new name has probably just been put on it.'¹²⁵

Blocking entry to the National Council meeting of the Civic Platform (PO)

During the meeting of the Civic Platform National Council on 23 November 2024, Warsaw Mayor Rafał Trzaskowski was announced as the PO candidate for the presidential elections.

'Dear @Platform_org why didn't you let us into the National Council meeting today? Are you afraid of something? Are you hiding something?'¹²⁶ asked Marcin Tulicki, head of news at wPolsce24 TV.

He also posted a video in which reporter Justyna Wróblewska can be heard talking to a representative of the organiser about accreditation for the event:

- 'Good morning, we sent you the accreditation'
- 'Unfortunately, you did not receive accreditation, because we have a limited number of places'.
- 'Why is that?'
- 'Please direct all questions to the spokeswoman. Please do not record us', could be heard on the recording posted on 'X' by Marcin Tulicki.

The wPolityce.pl portal recalled that this was yet another case of wPolsce24 TV journalists not being allowed into attend an event organised by the Civic Platform. 'Outrageous! This is the umpteenth time wPolsce24 TV has not been allowed into a Civic Platform event! Last time, the TV was not allowed into the PO convention',¹²⁷ the portal recalled.

A prosecutor's threats against a journalist

Michał Jelonek, a journalist for TV Republika, wrote on his 'X' profile on 22 November 2024 that he felt threatened by prosecutor Anna Adamiak's question. 'Today at the press conference of the illegal @PK_GOV_PL I asked the prosecutor, Ms Anna Adamiak about not recognising the ruling of the Constitutional Tribunal's decision. At one point, Prosecutor Adamiak asked me 'are you already prepared?',¹²⁸ wrote Michał Jelonek, a TV Republika reporter. Later, he added: 'This is an obvious threat for asking questions and referring to the charge under Article 212 of the Penal Code that the prosecutor filed against me a few months ago. The maximum penalty is one year's imprisonment'.

¹²⁵ Tusk furious with uncomfortable questions? Journalist: 'I won't be invited to conferences anymore'. How does Ms Rucińska from the Chancellery explain this? Wpolityce.pl, 7 November 2024

<https://wpolityce.pl/media/712288-zadala-pytanie-tuskowinie-bedzie-zapraszana-na-konferencje>

¹²⁶ Entry by Marcin Tulicki@TulickiMarcin 'X', 23 November 2024, 1:07 p.m.

<https://x.com/TulickiMarcin/status/186029417708437533>

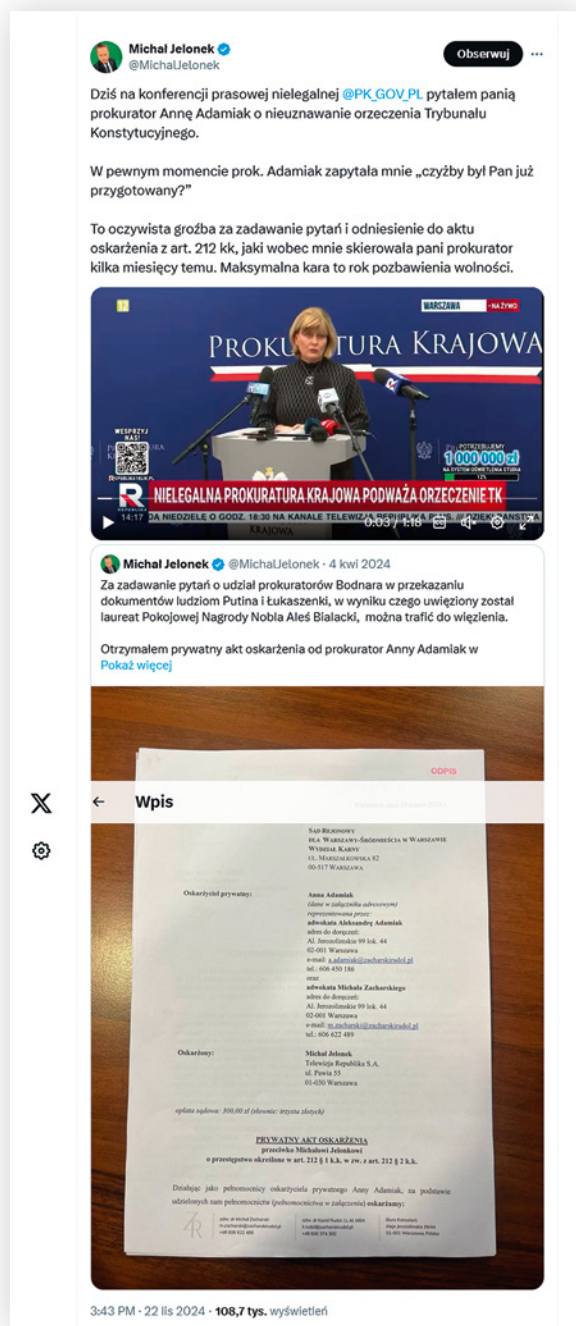
¹²⁷ Outrageous! TV wPolsce24 not allowed into the PO National Council! 'You did not get accreditation because we have a limited number of seats'; 'Are you hiding something?'. Wpolityce.pl, 23 November 2024

<https://wpolityce.pl/polityka/713812-telewizja-wpolsce24-nie-wpuszczona-na-rade-krajowa-po>

¹²⁸ Entry by Michał Jelonek@MichalJelonek 'X', 22 November 2024, 3:43 p.m.

<https://x.com/MichalJelonek/status/1859970919436878279>

Michał Jelonek specified that the charge relates to a case concerning his questions about the role of the prosecutor's office in the transfer of documents to Belarus in 2011 that could have harmed opposition activist Ales Bialiatski. The journalist wrote: 'You can go to jail for asking questions about the involvement of Bodnar's prosecutors [Adam Bodnar - Minister of Justice] in handing over documents to Putin's and Lukashenko's people, which resulted in the imprisonment of Nobel Peace Prize winner Ales Bialiatski. I have received a private indictment from prosecutor Anna Adamiak under Article 212 of the Penal Code.'



Source 44. 'X', Michał Jelonek@MichalJelonek

The situation was addressed on the 'X' portal by the former Minister of Justice Zbigniew Ziobro: 'Ms Anna Adamiak, the prosecutor, has already completely adopted Belarusian standards. She calls a journalist out for asking questions, and now publicly threatens him with imprisonment'.¹²⁹

¹²⁹ Zbigniew Ziobro@ZiobroPL 'X', 22 November 2024, 3:42 p.m.
<https://x.com/ZiobroPL/status/1860000864687259810>

Journalist sentenced for questioning a judge

Journalist Mateusz Teska was sentenced by the Płock District Court to a two-month restriction of liberty due for the absurd reason that he had asked an email question of a court spokesperson in the past.

‘Scandalous sentence against the journalist of the Anita Gargas Magazine!’¹³⁰ wrote Anita Gargas on her ‘X’ profile. ‘The journalist, according to the decision of the District Court in Płock, must serve a sentence of two months of restriction of liberty with an obligation to perform 40 hours of unpaid community service per month. He must also apologise to the judge who filed a private indictment against him and reimburse the costs of the trial.’¹³¹

The journalist was sentenced for asking questions of the authorities of an institution through a press officer. The questions concerned a certain retired judge. And it was this judge who brought criminal proceedings against the journalist under Article 212 of the Penal Code (on defamation).

Prosecution for a Facebook post about the floods

On 18 September 2024, a post was published on the Facebook group ‘Kłodzko 998 Alarmowo’, stating that Polish Television is conducting prearranged interviews during the floods and that interviewees are only supposed to say what the TVP reporter wants to hear. The author of this social media post, Sebastian T., was detained by the police and was facing charges for obstructing the rescue operation.¹³²

The detention was carried out by six police officers, dressed in black and wearing balaclavas, while he was cleaning a flooded basement.¹³³ Sebastian T. spent the night in custody. Ultimately, the prosecution dropped the case.

The entry on the public group can no longer be seen, but internet users managed to scan it: ‘A while ago, TVP television was interviewing people in Łądek-Zdrój. Conversations were set up before the interviews as to what they should say. I was there, the programme was live, and in spite of this they cut off the recording between interviews to establish what we were to say. They didn’t let all the people speak, they asked people out of the set, they told us to say only what was needed, not what was going on. There are armed looters walking around Łądek, Stronie and the surrounding villages, people are afraid to go outside with their dogs, there is a lack of police, army, heavy equipment and most importantly help from the state. I ask everyone to share this post so that as many people as possible see this post and read how things really are. Please help!’¹³⁴ wrote Sebastian T.

The case caused a storm on the internet. The ‘X’ profile highlighted: ‘Services in action. We laughed at the absurdity in the UK of being arrested for a post on social media. It’s probably time to stop laughing’.¹³⁵

¹³⁰ Anita Gargas Magazine entry@MagazineGargas ‘X’, 22 July 2024, 1:07 p.m.
<https://x.com/Magazyngargas/status/1815342955802382491>

¹³¹ ‘Anita Gargas Magazine’ journalist convicted. Shocking verdict Dorzeczy.pl, 23 July 2024
<https://dorzeczy.pl/kraj/614997/mateusz-teska-z-magazynu-anity-gargas-skazany-przez-sad.html>

¹³² Prosecution over a... Facebook post? A surprising situation from Kłodzko! ‘Obstructing the rescue operation’. Many comments! Wpollyce.pl, 19 September 2024
<https://wpollyce.pl/polityka/706719-prokuratura-za-wpis-na-fb-zaskakujaca-sytuacja-z-klodzka>

¹³³ On the internet, he criticised the services. ‘6 policemen came, armed’ Wp.pl, Sylwester Ruszkiewicz, 23 September 2024
<https://wiadomosci.wp.pl/powodz-w-polsce-kulisy-zatrzymania-internauty-krytykujacego-sluzby-7074203549161984a>

¹³⁴ Entry by Głina Po Godzinach@Głina_Po_Godz ‘X’, 18 September 2024, 10:06 p.m.
https://x.com/Głina_Po_Godz/status/1836496970757574960

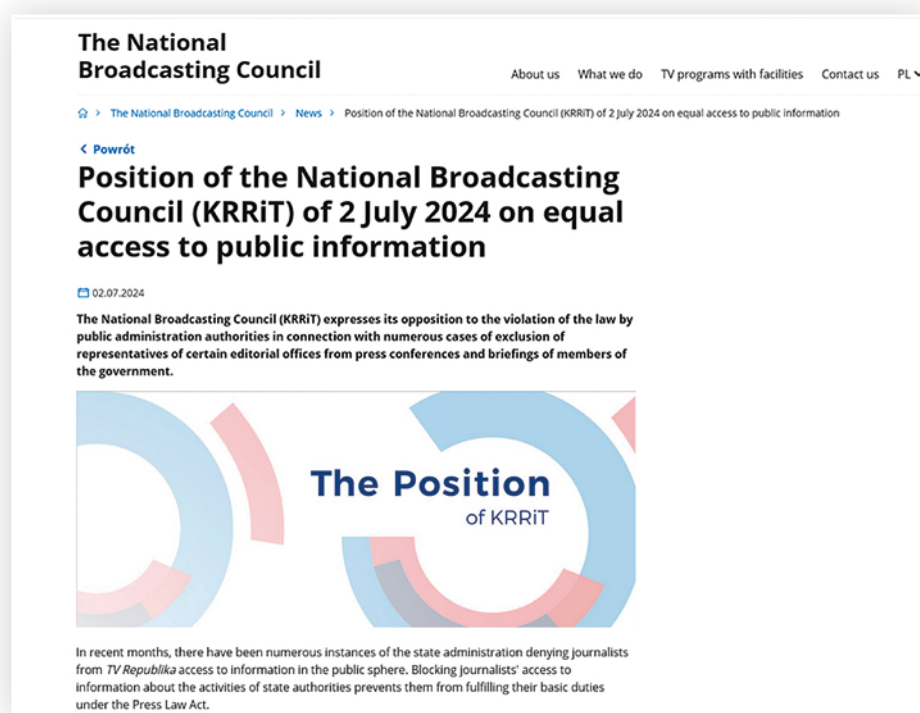
¹³⁵ Entry by Służby w akcji@Służby_w_akcji ‘X’, 18 September 2024
https://x.com/Sluzby_w_akcji/status/1836533663116169361

In turn, Paweł Jabłoński, MP for the Law and Justice party and former deputy head of the Ministry of Foreign Affairs assessed: 'Unlikely. You notice looters, you warn on social media - and the police don't catch these looters, they just arrest you for "disinformation". Welcome to the Tusk state.'¹³⁶

Interventions of the National Broadcasting Council on the bans on journalists

The National Broadcasting Council has repeatedly protested against the blocking of media access to government conferences. Among other things, in a position paper of 2 July 2024, it wrote: 'For the last few months, numerous denials of access to information by the state administration against journalists from TV Republika have been observed in public life. Blocking journalists' access to information on the activities of state bodies prevents them from fulfilling their basic duties under the Press Law. The National Broadcasting Council calls for equal treatment of all journalists and equal access to public information, which will enable the viewers of all media to learn about the actions of state authorities.'¹³⁷

On 16 September 2024, the KRRiT wrote about reporting the case of TV Republika's refusal to attend the Prime Minister's conference to the prosecutor's office. 'Not allowing a journalistic team from Telewizja Republika to attend today's press conference of the Prime Minister and a meeting of the crisis task force in the disaster area, which, in the current situation of threat to the health and life of the inhabitants of the flood-affected areas, has a special dimension and meets the criteria of creating a general threat to the health and life of citizens who may not learn about the threats or, for example, the need to evacuate',¹³⁸ reads the position of the National Broadcasting Council.



Source 45. KRRiT communique of 2 July 2024

¹³⁶ Entry by Paweł Jabłoński@paweljablonski_ 'X', 19 September 2024, 11:06 a.m.
https://x.com/paweljablonski_/status/1836693372414619963

¹³⁷ Position of the National Broadcasting Council of 2 July 2024 on equal access to public information. KRRiT, 2 July 2024
<https://www.gov.pl/web/krrit-en/position-of-the-national-broadcasting-council-krrit-of-2-july-2024-on-equal-access-to-public-information>

¹³⁸ Appeal of the KRRiT to the media for prudence and reliability when reporting on the catastrophic flooding in Poland. Communique of the KRRiT, 16 September 2024
<https://www.gov.pl/web/krrit/apel-krrit-do-mediow-o-rozwage-i-rzetelnosc-podczas-informowania-o-katastroficznej-powodzi-w-polsce>

Complaint against the Government Information Centre

On 30 July, TV Republika filed a complaint to the National Broadcasting Council against the actions of the Government Information Centre of the Prime Minister's Chancellery¹³⁹ for preventing journalists from working.

According to TV Republika, by not allowing journalists to attend the Prime Minister's press conferences, Donald Tusk's officials are violating the press law and destroying the freedom of speech guaranteed by the Polish Constitution.¹⁴⁰

The KRRiT has sent a report to the prosecutor's office on the possibility that the Chancellery employees have committed a crime.

Interventions undertaken by the Ombudsman (RPO)

The Ombudsman intervened against the denial of access to the press conferences of the Minister of Culture and National Heritage, the Minister of Justice and the Chancellery of the Prime Minister to journalists from Telewizja Republika. 'No provision of the law confers on government administrative bodies, including the Ministry of Culture and National Heritage, the competence to assess the activities and possibly apply sanctions against broadcasters. This competence is vested in the Chairman of the National Broadcasting Council,'¹⁴¹ emphasised Marcin Wiącek, Ombudsman to the Minister of Culture in a letter dated 4 March 2024.

The screenshot shows the official website of the Rzecznik Praw Obywatelskich (RPO). At the top, there are logos for the Polish coat of arms, the RPO, and the Polish flag. Below the logos, the text 'Biuletyn Informacji Publicznej RPO' is visible. A navigation bar includes links for 'Kontakt', 'Rzecznik i Biuro', 'Sprawy Obywateli', 'Konstytucja', and 'Dostępne wybory'. The main content area features a title 'Dziennikarze TV Republika nieuwpuszczeni na konferencje prasowe w MKiDN i MS. Ponowne pismo RPO do min. Bartłomieja Sienkiewicza' and a date 'Data: 2024-03-04, 2024-02-07, 2024-02-01'. A list of bullet points follows, detailing the RPO's intervention and the government's response. The text is in Polish and mentions the Ministry of Culture and National Heritage, the Ministry of Justice, and the Prime Minister's Chancellery.

Source 46. Communique from the Ombudsman of 4 March 2024

¹³⁹ We have filed a complaint to the KRRiT about the actions of the Government Information Centre of the Prime Minister's Office Tvrepublika.pl, pk, 30 July 2024 <https://tvrepublika.pl/Zlozylismy-skarge-do-KRRiT-na-dzialania-Centrum-Informacyjne-Rzadu-Kancelarii-Prezesa-Rady-Ministrow,166744.html>

¹⁴⁰ Entry by Jarek Olechowski@OlechowskiJarek 'X', 30 July 2024, 4:41 p.m. <https://x.com/OlechowskiJarek/status/1818295778953019554>

¹⁴¹ Journalists of TV Republika not allowed to attend press conferences at the Ministry of Culture and National Heritage and the Ministry of the Interior. RPO's renewed letter to min. Bartłomiej Sienkiewicz Brpo.gov.pl, 4 March 2024 <https://bip.brpo.gov.pl/pl/content/rpo-tvrepublika-dziennikarze-nieuwpuszczeni-mkidn-ms-odpowiedzi-ponowne>

The Ombudsman's website describes cases of TV Republika journalists not being allowed to attend conferences of government representatives. 'On 22 January 2024, a journalist and cameraman of Telewizja Republika were not allowed into a press conference organised in the Ministry of Culture and National Heritage — despite having submitted an accreditation. The journalist of TV Republika made several attempts to enter the building, but each time he was refused entry by a security guard, and finally the doors were closed to him. TV Republika was the only TV station not allowed to attend the press conference. (...) On 29 January 2024, a journalist from Telewizja Republika was allegedly not allowed to enter the press conference of Justice Minister Adam Bodnar. The station's journalist, who arrived before the conference, allegedly failed to obtain a pass allowing him to enter the building'.

The Ombudsman Marcin Wiącek also asked the Head of the Chancellery of the Prime Minister, Jan Grabiec, for an explanation regarding the refusal of a TV Republika journalist to attend Prime Minister Donald Tusk's press conference at the Chancellery on 26 June 2024.¹⁴² 'Denying journalists of certain broadcasting stations access to a direct source of information, such as the conference of the Prime Minister, may lead to a violation of the freedom to express views and to obtain and disseminate information, resulting from Article 54(1) of the Constitution of the Republic of Poland,' the RPO website stated.

European institution's reaction to the demand for access to flood headquarters

The Platform for the Protection of Journalism and the Safety of Journalists, which is a project of the Council of Europe, has published an alarming text about the refusal to allow Janusz Życzkowski, a journalist from Telewizja Republika, to attend the meeting at the flood emergency headquarters, which, under the leadership of Prime Minister Donald Tusk, was meeting on 17 September 2024 in Wrocław. This happened despite the fact that all the formalities related to accreditation had been completed.

The case of editor Janusz Życzkowski's refusal to attend a meeting of the crisis task force appeared on the organisation's alerts page. The alert was categorised as 'intimidation and harassment of journalists', while state authorities were identified as a threat to media freedom.

The European Platform for the Protection of Journalism and the Safety of Journalists said it expected equal access to public meetings and press conferences for all media. 'Follow-up action expected. Ensure equal access to public meetings and press conferences for all media outlets.'¹⁴³

¹⁴² TV Republika journalist not allowed into the Prime Minister's conference at the Chancellery. Response from the RPO Government Information Centre, 26 July 2024

<https://bip.brpo.gov.pl/pl/content/rpo-dziennikarz-kprm-konferencja-niewpuszczenie-odpowiedz>

¹⁴³ TV Republika journalist Janusz Życzkowski denied access to crisis management meetings, Reply expected by 26 Dec 2024. Poland No. 184/2024. Fom.coe.int, 26 September 2024

<https://fom.coe.int/en/alerte/detail/107641497>



Source 47. The portal 'Platform for the Protection of Journalism and Security of Journalists'

Opening of an investigation into the blocking of access to the Prime Minister's conferences

The Warszawa-Śródmieście District Prosecutor's Office has opened an investigation into the obstruction of press criticism by the Prime Minister Donald Tusk's Office. The opening of the investigation was announced by Jarosław Olechowski, head of the publishers of TV Republika, who wrote on his 'X' profile: 'We will consistently fight against the lawlessness of the Tusk regime, which is destroying freedom of speech in Poland, and in defence of fundamental civil liberties guaranteed by the Polish Constitution'.¹⁴⁴

The notice of investigation reads: 'The Secretariat of the District Public Prosecutor's Office Warsaw-Śródmieście in Warsaw notifies that by the decision of the Public Prosecutor's Office of 03.10.2024 an investigation has been initiated into the obstruction in the period from 31 March 2024 to 2 October 2024

¹⁴⁴ Entry by Jarek Olechowski@OlechowskiJarek 'X', 8 October 2024, 3:26 p.m.
<https://x.com/OlechowskiJarek/status/1843674365159698751>

in Warsaw at Al. Ujazdowskie 1/3 of Telewizja Republika S.A. and its journalists, including Michał Rachoń, of press criticism by refusing to grant accreditation or failing to consider applications for accreditation to participate in conferences and events organised by the Chancellery of the Prime Minister, i.e. an act under Article 44.1 of the Press Law of 26 January 1984.’ Article 44 concerns the obstruction or suppression of press criticism.

Surveillance of the journalistic community by Russian services

On 11 August 2024, the Chairman of the National Broadcasting Council (KRRiT) Maciej Świrski called on Prime Minister Donald Tusk to take joint action with the KRRiT on the threat of surveillance of Polish media by Russian special services. This had to do with the activities among Polish journalists of the Russian spy Pablo Gonzales *aka* Pavel Rubtsov and his partner, the Polish journalist Magdalena Ch. (*Some media only give the initial – Magdalena Ch., while some publish the name in full: Magdalena Chodownik*).

‘Without taking appropriate action, there is a fear that in the years to come, public opinion may be co-shaped by persons influenced by the services of a foreign state’,¹⁴⁵ wrote the Chairman of the National Broadcasting Council. In his opinion, media reports may indicate that a GRU officer, during his several-year stay in Poland, among other things: “worked out the circles of journalists and correspondents” including probably downloading data from their electronic devices. In this way, a great deal of data and information from the “circle of journalists and correspondents”, including potentially sensitive or compromising data, probably came into the possession of the Russian GRU service, which could then be used as a tool to influence these individuals (e.g. by threatening their disclosure or publication)’.

Prime Minister Donald Tusk did not comment on the letter from the KRRiT Chairman.

Russian spy’s partner’s links to the ‘Entry’ group

Magdalena Chodownik, the partner of Russian spy Pablo Gonzales *aka* Pavel Rubtsov, was present at the TVP headquarters in December 2023 during the illegal takeover of public media by Donald Tusk’s government. A video has emerged on social media showing the journalist.¹⁴⁶

Although she was detained with Pablo Gonzalez in February 2022 and heard charges of aiding and abetting espionage, she continued to work with Polish and foreign media, covering, among other things, the situation at the Polish-Belarusian border. A former TVN journalist, who was briefly employed by TVP in liquidation, suggested on the ‘X’ portal that Magdalena Chodownik was involved in the so-called ‘Entry’ group, which was preparing a forceful takeover of the public media.¹⁴⁷

¹⁴⁵ KRRiT entry@KRRiT ‘X’, 13 August 2024, 10:19 p.m.
https://x.com/KRRiT_/status/1823454423135158541

¹⁴⁶ The ‘Entry’ group. Chodownik was at the TVP headquarters! Footage of Rubtsov’s partner during the takeover of the media by the Tusk government Wpolityce, 13 August 2024
<https://wpolityce.pl/media/702383-chodownik-byla-w-siedzibie-tvp-w-grudniu-2023jest-nagranie>

¹⁴⁷ Entry by Tomasz Marzec@tomaszmarzec ‘X’, 12 August 2024, 11:22 p.m.
<https://x.com/tomaszmarzec>
(Entry has been removed)

Photos and comments about this appeared on the internet, such as a video with the caption: 'Footage from inside TVP. Magdalena Chodownik and her cameraman at the TVP headquarters, a few days after the illegal takeover of the media, in the close circle of government mercenaries'.¹⁴⁸



Source 48. 'X', I watch '19:30' because someone has to@Ogladam1930

Journalist Marcin Dobski, on the other hand, published a photo on the 'X' profile indicating that the partner of GRU agent Pavel Rubtsov, described in the context of the spy scandal, was in the Prime Minister's office during a press conference.

'Maybe @RepublikaTV can't enter to hear Prime Minister@donalduktusk 's speeches, but the partner of a GRU spy, can be in the Chancellery and take pictures,'¹⁴⁹ wrote editor Dobski and posted a photo of the Prime Minister's conference at the Chancellery.

¹⁴⁸ Entry: I watch 1930 because someone has to@Watch1930 'X', 13 August 2024, 4:05 p.m.
<https://x.com/Ogladam1930/status/1823360253058076884>

¹⁴⁹ Entry by: Marcin Dobski@szachmad 'X', 14 August 2024, 3:33 p.m.
<https://x.com/szachmad/status/1823744852967797240>



Source 49. 'X', Marcin Dobski@szachmad

Programme of a controversial lawyer on Polish Radio

Since September 2024, Sylwia Gregorczyk-Abram, lawyer, has been hosting a programme on Polish Radio's Third Program under the title *Ludzka sprawa*. This has triggered comments because attorney Gregorczyk-Abram is associated with the 'Entry' group,¹⁵⁰ which was involved in the unlawful takeover of public media in December 2023.

Journalist Marcin Dobski wrote on the 'X' profile: 'The lawyer from the 'Wolne Sądy' ('Free Courts') did not take part in the takeover of public media for nothing (*vide* the 'Entry' group). Sylwia Gregorczyk-Abram got her own agenda programme.'¹⁵¹

¹⁵⁰ DISCLOSURE! The attack on PAP was planned by the 'Entry' group. It includes a well-known lawyer and Sienkiewicz's people Niezależna.pl, Grzegorz Wierchołowski, 23 December 2023

<https://niezalezna.pl/media/ujawniamy-atak-na-pap-planowala-grupa-wejscie-naleza-do-niej-znana-adwokat-i-ludzie-sienkiewicza/507415>

¹⁵¹ Entry by: Marcin Dobski@szachmad 'X', 13 September 2024, 5:06 p.m.

<https://x.com/szachmad/status/1834609555155653064?s=48>



Source 50. 'X', entry by Marcin Dobski@szachmad

The KRRiT protests against government intervention in the media sector in Poland

On 18 December 2024, the National Broadcasting Council (KRRiT) issued a statement opposing the government's plans to include two private TV channels: TVN and Polsat, to the list of entities enjoying special protection.

'The Prime Minister's inclusion of the largest private broadcasters TVN S.A. and Telewizja Polsat on the government's list of strategic entities subject to state protection, bypassing the National Broadcasting Council, is an attempt to usurp further powers of the National Broadcasting Council',¹⁵² read the KRRiT position.

According to the KRRiT, Donald Tusk's government is usurping the competences of the National Council. It was recalled that, according to the Constitution and the Broadcasting Law, it is 'a constitutional body of state control and legal protection independent of the Council of Ministers and government administration bodies, solely responsible for matters of broadcasting, and upholding freedom of speech, the right to information and the public interest in broadcasting'. The National Broadcasting Council stressed in its position paper that it had not been consulted on the regulation.



National Broadcasting
Council

POSITION
of the National Broadcasting Council of
18 December 2024

In connection with the adoption on 18 December 2024 by the Council of Ministers of a regulation on the list of protected entities and their competent control bodies in force as of 1 January 2025 to 31 December 2027, extending the list of these entities to include companies holding licences to broadcast programmes within the meaning of the provisions of the Broadcasting Act of 29 December 1992, i.e. *Telewizja Polsat* and *TVN*, disregarding the constitutional and statutory role of the National Broadcasting Council as the only constitutional body of state control and protection of the law that stands for the protection of freedom of speech, the right to information and the public interest in radio and television —the National Broadcasting Council:

indicates that:

Source 51. Communique released by the KRRiT on 18 December 2024.

¹⁵² The Government of the Republic of Poland usurped the competence of the KRRiT, Communication from the KRRiT, 18 December 2024 <https://www.gov.pl/web/krrit-en/government-of-the-republic-of-poland-usurps-the-powers-of-the-national-broadcasting-council-krrit>

CHALLENGES FOR THE FUTURE

The attack on the public media in Poland by Donald Tusk's government is an example of absolutely destructive action without any positive plan. The media are being treated as an instrument to achieve political goals, and this partisan nature means that it is no longer the fourth estate.

Contemporary media in Poland and around the world are undergoing profound changes as a result of technological transformations that are rapidly being implemented and used by users. It is becoming increasingly difficult to define what the media are and who is a journalist. Much more important is social media, where the line between broadcaster and audience is blurring. Today, everyone can be both. The next stage of change is the entry of artificial intelligence (AI) into the media, which is already beginning to dictate the way we communicate.

In building a new media system in Poland, it is important to consider the events we are witnessing, to analyse the political, social and technological challenges we face, and to return to the basic axioms that characterise good journalism. One of these is – and increasingly forgotten – the duty to seek the truth.





TVP

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